Environmental Assessment

1020 North Fourth Street

San Jose, CA 95112

Determinations and Compliance Findings for HUD-Assisted Projects
24 CFR Part 58

May 2020
Environmental Assessment
Determinations and Compliance Findings for HUD-assisted Projects
24 CFR Part 58

Project Information

Project Name: 1020 North 4th Street

Responsible Entity: County of Santa Clara
Office of Supportive Housing
2310 N. 1st St., Suite 201
San Jose, CA 95131

Grant Recipient: Path Ventures
340 N. Madison Ave
Los Angeles, CA 90004

State/Local Identifier: California

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Project Location: 1020 North 4th Street
San Jose, CA 95112
APN: 235-09-020
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Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

1020 North 4th Street, San Jose, California, 95112 (APN 235-09-020)

The 1020 North 4th Street Project (proposed Project) is located at the northwest corner of North 4th Street and East Younger Avenue in the City of San Jose (City) in Santa Clara County California. The proposed Project location is shown on Figure 1: Project Location Map, and Figure 2: Site/Land Use Plan shows the proposed layout, below. The proposed Project consists of the construction of a 4-story apartment building with 94 units of age and income restricted housing in the City of San Jose, California (one unit is reserved for the manager of the site). The proposed Project has a total of 68,114 square feet (sf) of total floor area consisting of resident housing, lobby, laundry, programming space, elevator, stairs, hallways, and a garage with electrical, trash and bicycle parking. The proposed Project would be located on an approximately 0.96-acre property on the northeast corner of North 4th Street and East Younger Avenue in the City of San José,

The proposed Project would have four levels with a maximum height of approximately 55 feet (‘) 6 inches (”). The first floor of the development would consist of a resident housing, and elevators, program space and area for retail, area for resident interactions, laundry, entry lobby, and elements to facilitate resident circulation including elevator, stairs, and hallways.

The first floor main entrance to the building includes areas to facilitate social interaction between residents within the entry lobby, a community room with bathroom and tables for socialization, and an outdoor courtyard on the northeast side of the building. The floor plan of this level is shown in Figure 3: Floor Plan – 1st Floor, below. The main entry lobby also would include area to accommodate comfortable seating encouraging casual socialization between residents or residents and guests. In addition, the first floor would have a reception desk, office space including a main office area as well as two small offices and a storage room. Residential rooms would include six studio apartments and 2 one-bedroom units. The retail component would be accessible from the lobby area via hallway connecting it to the southerly side of the floor. Parking would be located surrounding the suite on the north and northwest sides and would include 43 total parking spaces including 24 parking spaces for resident parking and 11 spaces provided for the commercial use, and 8 for staff. Between the parking areas would be, separate rooms for electrical, two trash enclosures, bicycle storage with 54 spaces, and a room for mechanical elements. The main entrances to access the site would be from North 4th Street where the residential component would front, while the retail component would be located adjacent to E Younger primarily accessed via the main lobby. A private open space for residents and guests only would be provided on the northeast side of building.

The second floor would consist of resident housing (20 studio apartments and 9 one-bedroom) rooms, laundry, waste disposal, and guest circulation elements. The floor plan of this level is shown in Figure
4: Floor Plan – 2nd Floor, below. The northeasterly side of the building would remain open and overlook the courtyard from the adjacent rooms and the small second floor outdoor lounge.

The third level would consist of the same uses and number of rooms except this floor would not have an outdoor lounge. The fourth level would be similarly accommodated and have the same uses as the third floor, but it would have the two-bedroom units, 19 studio apartments and 8 one-bedroom units. The layout of these floors is shown on Figure 5: Floor Plan – 3rd Floor, and Figure 6: Floor Plan 4th Floor, below. Of the total building sf of 68,114, 45,288 sf would be used for residential space, with the balance including 9,226 sf used for programming space and 1,812 sf for the garage, being used for the aforementioned uses. The outdoor lounge courtyard amenity would be located on the northeast side of the building and account for 3,404 sf of the ground.

As shown above, the majority of the residential units would be studio apartments accounting for 65 units. Of these units 23 would be 358 sf and 16 would be 386 sf. The remaining 26 studio units would be 358 sf and have 60 sf balconies. The proposed Project also includes 28 one-bedroom units, 19 of which would be 595 sf and 9 would be 634 sf. Each one-bedroom unit would have a 62-sf balcony. There is a total of one two-bedroom unit that would be 1,002 sf including a 60 balcony. The managers unit would be on the fourth-floor overlooking the courtyard and parking lot to the northeast. With the exception of the complex manager, the proposed Project would provide housing for two specific populations: individuals with low or very low income and presently homeless individuals.

The roof level would not allow for resident access but would be accessible for maintenance through three roof hatches via the three proposed stairwells. Some HVAC components would be located on the roof as well as photovoltaic panels that would be used to fulfil some of the electricity demand for the proposed Project. The layout of the roof is shown in Figure 7: Roof Level.

Vehicular access to the proposed Project would consist of a single ingress driveway from North 4th Street near the northerly Project boundary. Egress from the site would be at the northeasterly corner of the Project site to North Younger Avenue. Both North 4th Street and North Younger Street are striped for two-way traffic flows. The entry driveway would provide access to the one-way private drive isle that would access the private parking lot used for resident and worker. The drive isle and parking would be located on the north and northeast sides of the building between the proposed structure, adjacent existing development including the Charles Motel and the undeveloped parcel to the northeast. The parking lot would contain 13 spaces for workers at the on-site commercial uses and 31 spaces for residents.

Overall, the site plan’s elements are intended to provide a functional balance between private and communal indoor and outdoor space, to draw residents into the communal sphere and help engender the development of a sense of community identity and pride, while also providing “defensible space” that would enhance neighborhood security. All areas open to residents
including the lobby, sidewalk, and open space areas and courtyards would be illuminated at night for safety and security.

The proposed Project has been designed with numerous building articulation elements and varying facades with different depths, colors, balconies, and windows to reduce the appearance of scale and bulk of the structure. Additionally, the proposed Project includes open breezeways to further reduce the appearance of flat oblique sides and increases the visual appeal and variation of the structure. The roof line would be surrounded by a parapet, which would minimize or eliminate views of the HVAC components and proposed solar arrays. Further reducing any visual intrusion, the site would be landscaped around the perimeter with vegetation and some mature trees that would provide additional visual screening. The landscaping is shown in **Figure 8: Landscape Plan**.

Construction of the proposed Project is expected to commence in the fourth quarter of 2020 depending on the outcome of requested streamlined planning approvals. Duration of construction would be approximately 15 months. Renderings of the proposed building are shown in **Figures 9 through 13** from different perspectives around the Project location.

Figures 14 through 17 provide additional context of the Project site. **Figure 14: Local Vicinity Map** shows the area surrounding the Project site and notes a quarter-mile distance around the Project site. **Figure 15: Existing Site Context** shows the existing condition of the Project site from three adjacent vantage points. **Figure 16: Surrounding Land Uses** identifies the specific uses adjacent to the Project site. **Figure 17: On-site Conditions** shows the condition of the existing building and parking area on the Project site.

**Sustainable Project Features**
The applicant plans to achieve at least a Leadership in Energy and Environmental Design (LEED) Green Point Silver rating for 1020 North 4th Street.

Sustainable Project features would include:

- Use of a photovoltaic power system. A combination of solar photovoltaic and solar-powered water heating (solar thermal) systems on at least 90 percent of the available solar accessible roof area. The optimal balance of photovoltaic vs thermal would be based on Title 24 calculations performed by the energy consultant on the design team.
- A system to retain, infiltrate, and/or treat more than the code-required amount of rainfall in a 24-hour period.
- Use of cool-roof technology.
- Installation of a solar-powered water heating system (as defined above).
- All units would be non-smoking.
- All residents will receive free VTA transit passes with the housing vouchers.
- The development would seek GreenTrip certification and may include:
  - Carsharing subsidies.
  - Free or discounted Zipcar memberships.

**Statement of Purpose and Need for the Project**
The purpose of the proposal is to increase the number of affordable housing units in the City of San José and Santa Clara County serving an at-risk population. An increase of 93 affordable apartments (one of the 94 apartments would be used for manager housing) targeted to the low-income and homeless population would benefit residents and the community.

**Regional Outlook**
The San Francisco Bay Area (Bay Area) region has a population of approximately 7.7 million people residing in the nine-county, 7,000 square mile area. The Bay Area has grown to be the fourth largest metropolitan region in the United States and is experiencing a housing crisis. The Plan Bay Area 2040 Final Plan makes the problem clear by stating, “Although the housing crisis has many components, its foundation is clear: there simply is not enough housing, whether market-rate or affordable, given the growing number of residents and jobs.”

The beginning of the Bay Area’s housing shortage began in 1970 when the number of permitted housing units began to decline. At the same time states and the federal government reduced funding for affordable housing. Due to the declining supply and increased demand and economic growth in the region, the cost of housing rose rapidly. The Bay Area is now experiencing one of the most severe housing shortages of all large metropolitan areas in the country. In 1970 the Bay Area permitted approximately 65,000 multi-family housing units and 27,000 single-family units. Each successive decade those number showed a steady decline and in 2015 a total of approximately 21,000 multi-family units were permitted with approximately 8,000 single-family units.

In part, and in response to the housing crisis, the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) developed the Plan Bay Area 2040. The effort grew out of the California Sustainable Communities and Climate Protection Act of 2008 (California Senate Bill 375, Steinberg), which requires each of the state’s 18 metropolitan areas – including the Bay Area – to reduce greenhouse gas emissions from cars and light trucks. MTC and ABAG worked together to craft a plan that to support a growing economy, provide more housing and transportation choices, and reduce pollution caused by transportation. After two years of public discussion and technical work, on July 26, 2017, Plan Bay Area 2040 was adopted and is described as an updated long-range Regional Transportation Plan and Sustainable Communities

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1 Planbayarea.org, 2018 – Plan Bay Area 2040 Final Plan
2 Ibid.
Strategy for the nine-county San Francisco Bay Area.\(^3\) In part, Plan Bay Area directs more future development in areas that are or will be walkable and bike-able and close to public transit, jobs, schools, parks, recreation and other amenities.

Because the 2050 plan has not yet been adopted, the proposed Project would be required to conform to the original plan. Nonetheless, many elements, goals, and development strategies are anticipated to be similar and the proposed Project is expected to be consistent with the updates.

**San Francisco-Oakland-Hayward.**
The bay area region including San Francisco, San Jose, Sunnyvale and other local cities has some of boasts the highest national household incomes. When isolating the San Francisco and other higher such cities, averages wages approach $100,000 per year. Taken in more of an aggregate with some surrounding areas that are not as affluent the numbers declines but are still above national averages For example, according to the US Bureau of Labor Statistics (USBLS) in May of 2018, when combining the Cities of San Francisco, Oakland and Hayward, the median hourly wage is $26.00; the mean hourly wage in $34.81, and average yearly salary was $72,400.\(^4\) A similar effect can be seen more locally, which would include the proposed Project area when looking at the San Jose and Sunnyvale. Together these areas combined have a median hourly rate of $28.90, mean hourly wage of $38.69, and average yearly salary of $80,480.\(^5\) These factors combine making the local as well as regional areas one of the most expensive rental market in the U.S, make home buying unaffordable to a majority of residents, resulting in a large number of homeless individuals.

**Local Perspective**
**Santa Clara County**

The County of Santa Clara (County) encompasses Silicon Valley, an area known for its technological enterprise, wealth, and location in the San Francisco Bay Area. It is a region of distinct socio-economic stratification, containing many of the wealthiest households in the nation. It is also one of the least affordable places to live, and the vast majority of low-income Bay Area households experience an excessive housing cost burden, regardless of where they live. Increasingly, even moderate-income households face excessive cost burdens. For example, according to the

\(^3\) Ibid.

Metropolitan Transportation Commission (MTC) nearly 45 percent of Bay Area households earning $50,000 to $75,000 per year spent more than 35 percent of their income on housing in 2017.⁶

According to a joint press release from the County of Santa Clara and City of San Jose in May of 2019, the County of Santa Clara’s overall homeless count was 9,706, which is an increase of 2,312 over 2017. In San José, the overall homeless count was 6,172, which is an increase of 1,822 over 2017. These number reflect approximately 0.5% of the County population (1,954,286) is homeless and approximately 0.6% of the San Jose population (1,043,058)⁷ is homeless.

Because of the above factors, many lower income residents struggle with severe housing costs driven by a tight and competitive housing market that responds to the demands of the highest earning households, driving up the cost of for-sale and rental housing for all. In order to increase housing affordability and meet the needs of a diverse and growing population, the jurisdictions within the County must work to preserve and expand the supply of housing for all income levels.

To determine the percentage of types of housing needed within each jurisdiction, ABAG conducts the Regional Housing Needs Allocation (RHNA) process every eight years as required by state law. More specifically, the RHNA is the state-mandated process to identify the total number of housing units (by affordability level) that each jurisdiction must accommodate in its Housing Element. The most recently completed RHNA was published in 2015. ABAG’s work on the RHNA for 2022-2030 is ongoing with Housing Methodology Committee but the forthcoming RHNA is not yet available. According to the 2015 RHNA Santa Clara County Housing Needs Allocation 2014 to 2022, the County should add a total of 58,836 housing units of which 16,158 and 9,542 are very low and low income, respectively, and San Jose should add 9,233 and 5,428 very low and low income residences, respectively.⁸ Table 1: Santa Clara County RHNA, reflects the housing needs for the County as a whole and major city. The proposed Project would be a positive contributor to meeting affordable housing needs.

<table>
<thead>
<tr>
<th>City</th>
<th>Very Low</th>
<th>Low</th>
<th>Moderate</th>
<th>Above Moderate</th>
<th>Total</th>
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<tr>
<td>Campbell</td>
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<td>151</td>
<td>391</td>
<td>933</td>
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<td>270</td>
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### Table 1: Santa Clara County RHNA

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<th>Location</th>
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<th>New Total 2040</th>
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<td>Sunnyvale</td>
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<td>935</td>
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<td>Unincorporated</td>
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<td><strong>Santa Clara Total</strong></td>
<td><strong>16,158</strong></td>
<td><strong>9,542</strong></td>
<td><strong>10,636</strong></td>
<td><strong>22,500</strong></td>
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### Existing Conditions

The following information is largely based on the Draft Fiscal Year 2019-2020 Annual Action Plan and City of San Jose Housing Market Update for the first Quarter of 2019. The City of San José is a large, diverse, and dynamic jurisdiction in transition. The population is over 1,000,000 and the 10th largest city in the country and the 3rd largest in California. San José is projected to add 400,000 residents by 2040. The City is one of the most diverse in the country. Although the City is one of the most diverse in the country, it experiences a “segregated diversity,” with low-income communities concentrated in San José’s East Side and Central industrial areas; lacking access to jobs, infrastructure, and other resources and investments. This growing disparity in incomes, resources, access, and opportunities is one of the key social issues in San José. Accordingly, the City is a minority majority City, where one-third of its residents are Hispanic, one-third Asian/Pacific Islander, and one-third White. The City was once agricultural and predominantly suburban, San José is now the Capital of Silicon Valley and seeks to urbanize into the economic and cultural center of the South Bay Area. Some of the largest multinational technology companies call San José home, as well as many academic and cultural institutions.  

San José is one of the most expensive places in the country in which to live. The median housing price is $1,125,000. In the first quarter of 2019, the average apartment rent for a two-bedroom apartment within the city of San José, CA was $2,723. This has led to an average increase in rent of 2% quarter to quarter and a 4% increase year over year. This was accompanied by an average vacancy rate of 4.5%, which the City considers to be below the “healthy” rate and due to the

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reduced availability, tends to increase cost. Additionally, despite a strong economy that has produced many high-wage jobs, it has also produced many low-skill, low-wage jobs while middle-wage jobs have declined, making it more difficult for residents to find affordable housing.

Site Characteristics
The site is located in the southern portion of the San Francisco Bay and lies within the northwest trending Coast Ranges geomorphic province. The southern portion of the San Francisco Bay is bound by the Diablo Range to the east and the Santa Cruz Mountains to the west. The United States Department of Agriculture (USDA) websoil survey shows the Project site to be within an area mapped as Urbanland-Newpark complex with 0 to 2 percent slopes. These areas are typical of alluvial fans and sediments generally consist of silty clay loams and fine sandy loams beyond 4-5 feet in depth. Due to the proximity to the coast, the area may also contain some marine deposits.

The approximate 0.96-acre site is located at 1020 North 4th Street in San José, California. The site is additionally identified as Santa Clara County Assessor’s Parcel Number 235-09-020 and is on the United States Geological Survey’s (USGS) San José West California 7.5-minute topographic map. The site is located in the City of San José within an area generally developed primarily for mixed residential and commercial purposes. Residential uses are typically adjacent to the west and commercial to the east. The site is partially occupied an approximate 14,400 sf steel framed reinforced concrete structure previously used as supermarket. Former onsite operations also consisted of general office, retail, and warehouse storage activities. In addition to the current structure, the subject property is also improved with asphalt-paved parking areas and driveway.

Properties within the site vicinity include residential, commercial and retail properties, and a church. Observations of properties adjacent to the Project site are summarized below:

- Northwest – Charles Motel, residential buildings, law offices,
- Southwest – Associate Capital consultants (across North 4th Street),
- Northeast – multifamily residences and vacant lot;
- Southeast- multi-tenant retail building occupied by (Tattoo Lifestylez, Top Shelf Barbers, Care Free Coin Wash, Hunan Taste, Fast Cleaners, Pure Water Outlet, Van Loi, and a multi-

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Trends

By 2040 the Bay Area is projected to add 2.1 million people, an increase of 30 percent or roughly 1 percent per year. The number of jobs is expected to grow by 1.1 million between 2010 and 2040, an increase of 33 percent, which is a slower rate of job growth than previous forecasts. During this same time period, the number of households is expected to increase by 27 percent to 700,000 and the number of housing units is expected to increase by 24 percent to 660,000. Single-family homes represent the majority of housing production in recent decades, but recent trends suggest that cities once again are becoming centers of population growth. Construction of multifamily housing in urban locations in the Bay Area increased from an average of 35 percent of total housing construction in the 1990s to nearly 50 percent in the 2000s. In 2010 it represented 65 percent of all housing construction. Demand for multifamily housing is projected to increase in developed areas near transit, shops and services.

The economy in the Bay Area is still recovering from the recession of 2007–2009, which has resulted in uneven job growth throughout the region, increased income disparity, and high foreclosure rates. At the same time, housing costs have risen for renters and, to a lesser degree, for home buyers close to the region’s job centers. Bay Area communities face these challenges at a time when there are fewer public resources available than in past decades for investments in infrastructure, public transit, affordable housing, schools and parks. These trends will continue in the absence of the proposed Project. Funding for the proposed Project is shown in Table 2 – Funding Information, below.

<table>
<thead>
<tr>
<th>Grant Number</th>
<th>Hud Program</th>
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<tr>
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<td>Section 8 based voucher program</td>
<td>$21,023,040</td>
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1020 N. 4th Street
San Jose, CA 95112
May 2020

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FIGURE 1: Project Location Map
1020 North 4th Street

Source: Google Earth, 2020
FIGURE 2: Site/Land Use Plan
1020 North 4th Street

Source: BKF, 2020
FIGURE 3: Floor Plan – 1st Floor
1020 North 4th Street

Source: Dahlin, 2020
FIGURE 4: Floor Plan – 2nd Floor
1020 North 4th Street
FIGURE 5: Floor Plan – 3rd Floor
1020 North 4th Street

Source: Dahlin, 2020
FIGURE 6: Floor Plan – 4th Floor
1020 North 4th Street

Source: Dahlin, 2020
FIGURE 7: Roof Level
1020 North 4th Street

Source: Dahlin, 2020

PV PANELS @ ROOF DECK, TYP.
SF AREA TO BE DETERMINED.

INDIVIDUAL A/C CONDENSER FOR
RESIDENTIAL UNITS, COMMON
AMENITIES & SOCIAL SERVICES

ROOF HATCH ACCESS @
STAIRWELL, TYP.

42" MIN. PARAPET HEIGHT
FIGURE 8: Landscape Plan
1020 North 4th Street

Source: JETT, 2020

LEGEND

1. CITY-STANDARD SIDEWALK PAVING
2. DECORATIVE ENTRY PAVING
3. BIKE RACK (1 TOTAL)
4. COLORFUL PLANTER POT, FINAL LOCATION BASED ON ARCHITECTURE
5. BENCH, TYPICAL
6. STREET TREES (11 TOTAL)
7. GATE
8. DOUBLE GATE
9. FENCE ON PLANTER WALL, 6' HT TOTAL
10. 6-FOOT HIGH DOUBLE-SIDED GOOD NEIGHBOR FENCE
11. BIKE REPAIR STATION
12. BIORETENTION AREA
13. DECORATIVE COURTYARD PAVING
14. TOOL SHED WITH WASH BASIN (TOOLS, DOGS)
15. CMU VEGETABLE PLANTERS
16. TABLE AND CHAIRS
17. COMMUNITY TABLE
18. BARBECUE AND COUNTER
19. WORKBENCH
20. LADDER PAD 6' X 7', TYPICAL
FIGURE 9: Perspective From N. 4th Street and E. Younger Avenue Looking Northwest
1020 North 4th Street
FIGURE 10: Perspective From N. 4th Street Looking Southeast
1020 North 4th Street

Source: Dahlin, 2020
FIGURE 11: Perspective From N. 5th Street Looking Northeast
1020 North 4th Street

Source: Dahlin, 2020
FIGURE 12: Perspective From E. Younger Avenue Looking Northwest
1020 North 4th Street

Source: Dahlin, 2020
FIGURE 13: Aerial Perspective
1020 North 4th Street
FIGURE 14: Local Vicinity Map
1020 North 4th Street

Source: Dahlin, 2020
FIGURE 15: Existing Site Context
1020 North 4th Street

Source: Dahlin, 2020
FIGURE 16: Surrounding Land Uses
1020 North 4th Street

Source: Partner, 2020
1. View of the southeast side of the subject property building

2. View of the warehouse entrance

3. View of the southwest side of the subject property building

4. View of parking areas and pole-mounted transformers

5. View of interior of the vacant building facing the southeast

6. View of interior of the vacant building facing the northwest corner

Source: Partner, 2020

FIGURE 17: On-site Conditions
1020 North 4th Street
Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Recorded below is 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.

<table>
<thead>
<tr>
<th>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6</th>
<th>Are formal compliance steps or mitigation required?</th>
<th>Compliance determinations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 AND 58.6</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Airport Hazards</td>
<td>Yes</td>
<td>The subject site is located within a 15-miles radius of three airports. The Norman Y. Mineta San Jose International Airport is located approximately 0.5 miles to the west; the Reid Hillview airport is located approximately 4.5 miles to the southeast; and Moffett Field is located approximately 8 miles to the northwest. The Project site is outside all Airport Safety Zones of the San Jose International Airport including (runway zone, runway protection zone, inner safety zone, turning safety zone, outer safety zone, sideline safety zone, and traffic pattern zone). Source Document(s): (3), (13), (14)</td>
</tr>
<tr>
<td>24 CFR Part 51 Subpart D</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td><strong>Coastal Barrier Resources</strong></td>
<td>Yes</td>
<td>The Coastal Barrier Resources Act of the United States (CBRA, Public Law 97-348), enacted October 18, 1982, designated various undeveloped coastal barriers, depicted by a set of maps adopted by law, for inclusion in the John H. Chafee Coastal Barrier Resources System (CBRS). Areas so designated were made ineligible for direct or indirect Federal national security, navigability, and energy exploration. CBRS areas extend along the coasts of the Atlantic Ocean and the Gulf of Mexico, Puerto Rico, the U.S. Virgin Islands, and the Great Lakes, and consist of 857 units. There are no Coastal Barrier Resources in California. Source Document(s): (14): (14) and (15)</td>
</tr>
<tr>
<td>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>
### Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6

<table>
<thead>
<tr>
<th>Are formal compliance steps or mitigation required?</th>
<th>Compliance determinations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Flood Insurance</strong></td>
<td>The subject property is not located within a special flood hazard area identified on a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM). The Project site is identified on map number 06085C0232H with an effective date of May 5, 2009 and is within a Zone X which is listed as having a 0.2% annual chance flood hazard, areas of 1% annual chance flood with average depth of less than one foot or with drainage areas of less than one square mile. Insurance purchase is not required in these zones. Flood insurance is not required.</td>
</tr>
</tbody>
</table>

Source Document(s) (16)
Appendix F: Floodplains, Wetland, & Endangered Species

### STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5

<table>
<thead>
<tr>
<th>Clean Air</th>
<th>Regulatory Setting</th>
</tr>
</thead>
</table>
| Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 | The Federal Clean Air Act governs air quality in the United States. In addition to being subject to federal requirements, air quality in California is also governed by more stringent regulations under the California Clean Air Act. At the Federal level, the United States Environmental Protection Agency (USEPA) administers the Clean Air Act (CAA). The California Clean Air Act is administered by the California Air Resources Board (CARB) at the State level and by the Air Quality Management Districts at the regional and local levels. The Bay Area Air Quality Management District (BAAQMD) regulates air quality at the regional level, which includes the nine-county Bay Area.  

The Project site is located within the San Francisco Bay Area Air Basin, which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). A significant adverse air quality impact may occur when a project individually or cumulatively interferes with progress toward the attainment of the ozone standard by generating emissions that equal or exceed the established long-term quantitative thresholds for pollutants or exceed a state or federal ambient air quality standard for any criteria pollutant. Emissions thresholds have |
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

been recommended by the BAAQMD for both Project construction and operation.

Construction Emissions

Construction vehicles and equipment traveling within the Project area and site preparation activities have the potential to generate fugitive dust through the exposure of soil to wind erosion and dust entrainment. Dust is defined as particulate matter less than 10 microns in size and less than 2.5 microns in size (PM$_{10}$ and PM$_{2.5}$, respectively). Proposed Project related construction activities would also emit ozone precursors (oxides of nitrogen (NOx), reactive organic gases (ROG) as well as carbon monoxide (CO). The majority of construction-related emissions would result from site preparation and the use of heavy-duty construction equipment.

The California Emissions Estimator Model (CalEEMod) version 2016.3.2 calculates construction emissions during the various phases of proposed Project construction, including site preparation, excavation/grading and paving. CalEEMod also allows for estimations of construction, operation and Greenhouse Gas Emissions. It was assumed construction would begin in late 2020 and be completed in late 2022. Emission thresholds and estimated construction emissions are shown in Table 3 - BAAQMD Significance Thresholds and Construction Emissions would not exceed BAAQMD construction thresholds. Therefore, construction impacts would be less than significant.

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Standard (lbs/day)</th>
<th>Emissions</th>
<th>Exceed Standards?</th>
</tr>
</thead>
<tbody>
<tr>
<td>ROG</td>
<td>54</td>
<td>2.18</td>
<td>2.13</td>
</tr>
<tr>
<td>NOx</td>
<td>54</td>
<td>21.17</td>
<td>19.90</td>
</tr>
<tr>
<td>PM$_{10}$</td>
<td>82</td>
<td>1.15</td>
<td>1.04</td>
</tr>
<tr>
<td>PM$_{2.5}$</td>
<td>54</td>
<td>1.08</td>
<td>0.97</td>
</tr>
</tbody>
</table>

Source: CalEEMod calculations

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

Operational Emissions
Operational emissions were calculated using CalEEMod version 2016.3.2. The basic modeling parameters assumed the proposed Project would operate like a low-rise multifamily apartment building with 3,000 square feet of commercial. It is unlikely that all residents will own vehicle; thus, the trip rate will be less than what was assumed for modeling purposes. In addition to resident trips, employees, and vendors would also generate trips. Overall trip generation is assumed to be captured within the Institute of Traffic Engineers (ITE) rates included as default values for land use type selected in CalEEMod 2016.3.2. It should be noted that and ITE trip generation calculation was performed and it was found, conservatively estimated, the proposed Project would generate approximately 592 additional vehicle trips with 494 from the residential use and 98 from the retail use. The total number of AM peak hour trips is approximately 37 and PM peak hour would be approximately 46. Operating emissions and thresholds of significance are shown below in Table 4 - BAAQMD Significance Thresholds and Operational Emissions.

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Standard (lbs/day)</th>
<th>2022 Emissions</th>
<th>Exceed Standards?</th>
</tr>
</thead>
<tbody>
<tr>
<td>ROG</td>
<td>54</td>
<td>5.45</td>
<td>No</td>
</tr>
<tr>
<td>NOx</td>
<td>54</td>
<td>5.77</td>
<td>No</td>
</tr>
<tr>
<td>PM10</td>
<td>82</td>
<td>3.89</td>
<td>No</td>
</tr>
<tr>
<td>PM2.5</td>
<td>54</td>
<td>1.13</td>
<td>No</td>
</tr>
</tbody>
</table>

Source: CalEEMod calculations

As shown in Table 4, Project emissions would not exceed significance thresholds. While Project operation would generate CO emissions, they would not exceed applicable standards. In addition, the Project would incrementally generate greenhouse gas emissions. These emissions; however, are not anticipated not have a significant impact on the environment. Implementation of the Project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing greenhouse gas...
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

Compliance with national and state ambient air quality standards under the Clean Air Act and California Air Resources Board (CARB) regulations is categorized as attainment (better than standards), nonattainment, unclassifiable, or attainment/cannot be classified.

The San Francisco Bay Area is designated as nonattainment for the federal 8-hour ozone standard and the 24-hour fine particulate matter (PM2.5) standard. The San Francisco Bay Area is designated as attainment or unclassified for the other national ambient air quality standards.

With respect to the state ambient air quality standards, California classifies areas as attainment, nonattainment, nonattainment-transitional, or unclassified. The San Francisco Bay Area is designated as nonattainment for the state ozone, inhalable particulate matter (PM10) and PM2.5 standards and as attainment or unclassified for the other state ambient air quality standards.

In keeping with the General Conformity Rule process, this assessment applies the appropriate de minimis thresholds of the Rule as they apply to the San Francisco Bay Area Air Basin for ozone precursors (ROG and NOx), PM2.5, and CO. The de minimis thresholds for these pollutants in the San Francisco Bay Area Air Basin are 100 tons per year for each pollutant; refer to Table 5.

Federal Conformity

An area’s compliance with national ambient air quality standards under the Clean Air Act is categorized as nonattainment, attainment (better than national standards), unclassifiable, or attainment/cannot be classified. The San Francisco Bay Area is designated as nonattainment for the federal 8-hour ozone standard and the 24-hour fine particulate matter (PM2.5) standard. The San Francisco Bay Area is designated as attainment or unclassified for the other national ambient air quality standards.

With respect to the state ambient air quality standards, California classifies areas as attainment, nonattainment, nonattainment-transitional, or unclassified. The San Francisco Bay Area is designated as nonattainment for the state ozone, inhalable particulate matter (PM10) and PM2.5 standards and as attainment or unclassified for the other state ambient air quality standards.

In keeping with the General Conformity Rule process, this assessment applies the appropriate de minimis thresholds of the Rule as they apply to the San Francisco Bay Area Air Basin for ozone precursors (ROG and NOx), PM2.5, and CO. The de minimis thresholds for these pollutants in the San Francisco Bay Area Air Basin are 100 tons per year for each pollutant; refer to Table 5.

Table 5 – Clean Air Act Conformity

<table>
<thead>
<tr>
<th>Emission Source</th>
<th>ROG</th>
<th>NOx</th>
<th>PM2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Emissions (tons per year)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area Source Emissions²</td>
<td>0.34</td>
<td>0.01</td>
<td>0.004</td>
</tr>
<tr>
<td>Energy Emissions</td>
<td>0.003</td>
<td>0.03</td>
<td>0.002</td>
</tr>
<tr>
<td>Mobile Emissions</td>
<td>0.44</td>
<td>0.89</td>
<td>0.17</td>
</tr>
<tr>
<td>Total Project Emissions</td>
<td>0.78</td>
<td>0.93</td>
<td>0.18</td>
</tr>
<tr>
<td>Federal De Minimis Level³</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
</tbody>
</table>
### Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6

<table>
<thead>
<tr>
<th>Compliance determinations</th>
<th>Is Threshold Exceeded?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No</td>
</tr>
</tbody>
</table>

Notes:
1. Emissions were calculated using CalEEMod. Refer to Appendix A (CalEEMod Data) for the model outputs and assumptions used in this analysis.
2. BAAQMD Regulation 6, Rule 3 (Wood Burning Devices) requires that only clean-burning, EPA-certified stoves and inserts are sold and used in local construction projects. Therefore, mitigated values were used for Area Source Emissions.
3. De minimis levels are established within Title 40 of the Code of Federal Regulations, Section 93.153 (40 CFR 93.153). The Project is located within the Santa Clara County portion of the San Francisco Bay Area Air Basin, which is Federally designated as marginal nonattainment for ozone and moderate nonattainment for PM$_{2.5}$. The San Francisco Bay Area Air Basin is Federally designated as attainment/unclassified for PM$_{10}$. Therefore, de minimis levels do not apply to PM$_{10}$.

Source: Refer to the CalEEMod outputs provided in Appendix A (CalEEMod Data).

Sources: (17), (18), (19), and (20)

### Coastal Zone Management

<table>
<thead>
<tr>
<th>Coastal Zone Management Act, sections 307(c) &amp; (d)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes     No</td>
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</table>

The Project site is located in the City of San Jose in an urban area approximately six miles south of the southerly extent of the San Francisco Bay. The proposed Project does not involve activities within 100 feet of the shoreline or tidal waters.

A Coastal Development Permit is not required.

Source Document(s): (21)

### Contamination and Toxic Substances

<table>
<thead>
<tr>
<th>24 CFR Part 50.3(i) &amp; 58.5(i)(2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes     No</td>
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</table>

Phase I Environmental Site Assessment

In March 2015, a Phase I Environmental Site Assessment (ESA) was conducted for the Project site by Partner Engineering and Science, Inc (Partner). In addition, Z-Con Specialty Services, Inc. completed removal of asbestos containing materials from the structure in December of 2018. The Phase I ESA was performed in conformance with the scope and limitations of ASTM Practice E1527-13 for the subject property of 1020 North Fourth Street in San Jose, Santa Clara County, California (the “subject property”). A summary of both reports follows, and the entire report can be found in Appendix B, and Appendix C, respectively.

The subject site is approximately 0.94 acres and consists of a single 14,400-sf commercial building that had been most recently used as a supermarket and is improved with an
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

asphalt parking lot. The Phase I revealed the subject property was undeveloped from at least 1889 to 1899, was then developed with a residential building circa 1939; and finally developed with the existing building, formerly used as a grocery store circa 1948. Tenants on the subject property have included Dick’s Supermarket (1955-1990); Tan Duc Supermarket (1999-2000); Trong Hung Supermarket (2006); and Shin Fat Enterprises (2010). The store is now vacant and much of the interior has been removed.

A recognized environmental condition (REC) refers to the presence or likely presence of any hazardous substances or petroleum products that pose a material threat. A controlled recognized environmental condition (CREC) refers to a past REC that has been addressed to the satisfaction of the applicable regulatory authority. A historical recognized environmental condition (HREC) refers to a past release of hazardous materials or petroleum product that has been addressed to the satisfaction of the regulatory agency. An environmental issue refers to environmental conditions that do not quality as REC’s but warrant further discussion. No REC’s, CREC’S, HREC’s, or environmental issues were noted on the Project site. In sum, the Phase I revealed no evidence of RECs or environmental issues in connection with the subject property. Based on the conclusions of the assessment, Partner recommended no further investigation of the subject property.

The subject site was noted on the ECHO database for having undergone asbestos removal in 2018. This is consistent with the recorded removal of materials in the Z-Con Report. According to the Z-Con report approximately 9,000 sf of floor tile, green floor tiles from a floor closet, approximately 1,000 sf of sheet rock texture, ductwork in the furnace room and chase, and approximately 260 liner feet of pipe lagging was removed. Work was performed to EPA and CAL OSHA Regulations by a fully certified and protected work for using wet removal methods.

In addition to the site evaluation, the Phase I used information from standard federal, state, county, and city environmental record sources to evaluate the surrounding sites. The potential
<table>
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<th>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6</th>
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<th>Compliance determinations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>for migration of hazardous substance to the subject property from these off-site areas was considered.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>There were four properties listed on hazardous materials databases within proximity to the site and they are discussed as follows:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- E&amp;T Printing at 994 North Fourth Street is adjacent to the southeast of the Project site. This was reported as a Certified Unified Protection Agency (CUPA) site for generating less than 100 kilograms (kg) of silver a month;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Hollywood Foto Express at 992 North Fourth Street is adjacent to the southeast of the Project site. This location was reported as a CUPA site generates less than 100 kilograms (kg) of hazardous waste a month;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Carefree Coin Wash at 996 North Fourth Street is located adjacent to the southeast and as a self-service laundry does not use hazardous materials such as Perchloroethylene (PCE) and is not likely to represent an REC; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- San Jose Alterations and Cleaning at 160 E. Younger Avenue is adjacent to the southeast of the Project site. This site has been used as drycleaners. The site is a drop off cleaner only as noted by Regional Water Quality Control Board. No other listing in any database was noted.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Based on these findings, no sites of concern or orphan listings of concern are identified in the regulatory data base report. Vapor migration is not expected to represent a significant environmental concern</td>
</tr>
<tr>
<td></td>
<td></td>
<td>As part of proposed Project approval, certain standard permitting conditions would be included prior to approval. This includes sampling and testing of soils and groundwater prior to the issuance of any grading permits. If contaminated soils are found, a Site Management Plan (SMP) will be prepared and submitted to the City for review and approval. The SMP will include needed measures for proper handling and disposal. Inclusion of these measures would ensure that hazardous materials, should they exist on the Project site or in areas underground that have not been evaluation, would not result in impacts to workers, people in adjacent areas, or future</td>
</tr>
</tbody>
</table>
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

<table>
<thead>
<tr>
<th>Endangered Species</th>
</tr>
</thead>
<tbody>
<tr>
<td>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</td>
</tr>
</tbody>
</table>

The Project site is an infill site that currently contains one structure and a black-top asphalt paved parking lot. The Project site is completely developed and does not contain any native habitat or. The United States Fish and Wildlife Service (USFWS) was contacted for a list of Threatened and Endangered species that may occur within the boundary of the proposed Project and/or may be affected by the proposed Project. Appendix F: Floodplains, Wetland, & Endangered Species shows the species known to occur within the quadrangle but not necessarily on the Project site. Per the USFWS species list, the species of concern are:

**Birds:**
- California Clapper Rail (*Rallus longirostric obsoletus*);
- California Least Tern (*Sterna antillarun browni*)

**Amphibians:**
- California Red-legged Frog (*Rana draytonii*);
- California Tiger Salamander (*Ambystoma californiense*).

**Fishes:**
- Delta Smelt (*Hypomesus transpacificus*)

**Insects:**
- Bay Chekerspot Butterfly (*Euphydryas editha bayensis*)
- San Bruno Elfin Butterfly (*Callophrys mossii bayensis*)

**Flowering Plants:**
- Robust Spineflower (*Chorizanthe robusta var. robusta*)

**Critical Habitats:** – none.

As discussed above, the Project site is on heavily disturbed urban land. There is no aquatic habitat on the site that would be of use to any fish or crustaceans. There are no wetlands on
<table>
<thead>
<tr>
<th>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6</th>
<th>Are formal compliance steps or mitigation required?</th>
<th>Compliance determinations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>the Project site and there is no riparian habitat on or near the Project site. The nearest wetland is a riverine wetland approximately 0.5 miles to the west of the Project site within the Guadalupe River, which provides drainage from the local vicinity. The river generally runs north to south and the wetland is described at a freshwater forested/shrub wetland based on the National Wetland Inventory (NWI). This wetland is entirely outside of the Project site and would not be impacted by the proposed Project. There would be no impact to wetlands. There is no Critical Habitat on the site or vicinity. The proposed Project area is urban and built up and itself does not contain any native habitat. The Project site is completely covered in hardscape with a 14,400 sf structures and the balance being paved with asphalt. There are no trees or shrubs on the site that would be used have birds during the nesting season that could be disturbed by construction activities. <strong>Project Impacts</strong> The Project site provides no foraging habitat and no habitat for aquatic species. No special status plants or animals are known to occur at the Project site. The Project site does not provide habitat for nesting birds. The Project would have no significant adverse effects on threatened or endangered species. Source Document(s)(14), (15), and (24)</td>
<td></td>
</tr>
</tbody>
</table>
### Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6

<table>
<thead>
<tr>
<th>Compliance determinations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are formal compliance steps or mitigation required?</td>
</tr>
</tbody>
</table>

#### Explosive and Flammable Hazards

<table>
<thead>
<tr>
<th>24 CFR Part 51 Subpart C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
</tr>
<tr>
<td>☑️</td>
</tr>
</tbody>
</table>

The Project is located in an area surrounded by residential, public and commercial land uses; the Project will not be located near any explosive or thermal source hazards. As part of the Phase I completed for the proposed Project, an Environmental Data Resources (EDR) Report was prepared and found there was one above ground storage tank at Babbit Bearing Co. at 1070 N. 5th Street used for petroleum products within an 0.25-mile radius of the site. The Certified Unified Program Agency (CUPA) is responsible for monitoring the site. The total gallons are not listed, and the material contained in not listed. No violations are listed. No other sites were listed within a one-mile radius. The location is approximately 1,200 feet from the Project site. Based on the distance and presence of intervening structures, this location is not considered a hazard to the proposed Project.

Source Document(s): (9), (12) and (25).

#### Farmlands Protection

<table>
<thead>
<tr>
<th>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
</tr>
<tr>
<td>☐️</td>
</tr>
</tbody>
</table>

Prime farmland is land best suited for producing food, forage, fiber, and oilseed crops and also available for these uses (the land could be cropland, pastureland, rangeland, forest land, or other land but not urban built-up land or water). The proposed Project is located on land defined as Urban and Built-Up Land by the California Department of Conservation (CDOC) Santa Clara County Important Farmland Map 2016. Urban areas such as the Project site are no longer suitable for or identified as farmland.

The Project site is not identified on any Agricultural Preserve map or identified as land under Williamson Act contract. The USDA Web soil survey identifies the soil type as Urbanland-Newpark complex. Development of the site with the proposed Project would not affect any farmland.

Source Document(s): (26) and (27)

#### Floodplain Management

<table>
<thead>
<tr>
<th>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
</tr>
<tr>
<td>☑️</td>
</tr>
</tbody>
</table>

The subject property is not located within a special flood hazard area identified on a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM). The Project site is identified on map number 06085C0232H with an effective date of May 5, 2009 and is within a Zone X. Zone X is
<table>
<thead>
<tr>
<th>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6</th>
<th>Are formal compliance steps or mitigation required?</th>
<th>Compliance determinations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>listed as having a 0.2% annual chance flood hazard, areas of 1% annual chance flood with average depth of less than one foot or with drainage areas of less than one square mile. Insurance purchase is not required in these zones. Flood insurance for the proposed Project is not required. Insurance purchase is not required in this zone and the proposed Project would have no effect on floodplains.</td>
</tr>
</tbody>
</table>

Source Document(s): (9), (16), and (28)

<table>
<thead>
<tr>
<th>Historic Preservation</th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>Undertaking The proposed Project is redevelopment of the site and would result in the construction of a four-story building with 94</td>
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</table>
## Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6

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<tr>
<th>Compliance Factors</th>
<th>Are formal compliance steps or mitigation required?</th>
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<tr>
<td>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</td>
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<td><strong>affordable age and income restricted housing.</strong> The Project site contains an asphalt parking lot and 14,400 sf building that was most recently used as a grocery store. The Project would require the removal of the existing hardscape and demolition and removal of the existing structure to enable construction of the housing project. Previous site disturbance associated with past construction reduce the likelihood of accidental discovery.</td>
</tr>
</tbody>
</table>

### Area of Potential Effect (APE)

The horizontal APE for above-ground cultural resources consists of areas where direct and indirect impacts to cultural resources could occur as a result of project activities. The approximately 7-acre horizontal APE for above-ground cultural resources is confined to the project site itself and the area in which the potential introduction of visual, atmospheric, or audible elements may be introduced to the next adjacent developed parcels on all sides of the project site.

In addition to the project site, the following 17 adjacent parcels in which visual, atmospheric, or audible effects may be expected, are included in the APE:

- 995 N 4th Street (APN 235-08-084)
- 1035 N 5th Street (APN 235-09-014)
- 1029 N 5th Street (APN 235-09-015)
- 1020 N 5th Street (APN 235-09-016)
- 1036 N 4th Street (APN 235-09-021)
- 1037 N 4th Street (APN 235-09-035)
- 1035 N 4th Street (APN 235-09-036)
- 1025 N 4th Street (APN 235-09-037)
- 1005 N 4th Street (APN 235-09-038)
- 1001 N 4th Street (APN 235-09-039)
- 202 E Younger Avenue (APN 235-10-055)
- 180 E Younger Avenue (APN 235-10-056)
- 992-998 N 4th Street (APN 235-10-082)
- 1002 N 5th Street (APN 235-11-024)
- 1010 N 5th Street (APN 235-11-025)
- 1014 N 5th Street (APN 235-11-026)
- 1022 N 5th Street (APN 235-11-027)
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The APE for the project is shown in the figure below.

Information about archaeology at the site, known resources, likelihood of accidental discovery of cultural resources, etc. was achieved with a records search of the California Historical Resources Information System (CHRIS) at the Northwest Information Center (NWIC), including a search by staff on March 23, 2020. The search included all previously recorded cultural resources mapped within one quarter-mile radius of the proposed project and all studies intersecting the area. Staff from Page & Turnbull also reviewed CHRIS’s directory of properties in the Historic Property Data file for Santa Clara County. Lastly, a pedestrian reconnaissance field survey of the
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<td>area of potential effect, which included a total of 18 parcels and adjacent pedestrian right-of-way.</td>
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*Evaluation*

To document the potential effects of the proposed development, a Historic Resource Evaluation (HRE) was prepared by Page & Turnbull on October 21, 2019. A subsequent Section 106 Technical Report was prepared on May 19, 2020. Information from both is summarized below.

The existing structure was built in 1948, is currently vacant, but was used for the past fifty years as a grocery store. The architectural description and site were evaluated from a field survey, the property’s historic context, the current historic status, to determine the structures potential significance and eligibility for listing in the California Register of Historical Resources (California Register). The structure was previously determined to lack integrity to quality as a City Landmark according to the criteria of the City of San Jose Historic Resources Inventory. Research about the site also was conducted at the California Room of the San Jose Public Library, the Sourisseau Academy, the Development Services Permit Center of the City of San Jose, and the Santa Clara County Office of the Clerk-Recorder. Contact was also initiated with the History San Jose and the Chinese Historical & Cultural Project to inquire about materials related to Dick’s Super Market in these organizations’ collections. A response from History San Jose noted that their collections do not include any sources additional to those listed online for the subject property. No response from the Chinese Historical & Cultural Project was received. The site was documented with photographs and descriptions and evaluated based on the California Register four Criteria.

The existing building was constructed in 1947-1948 by contractor O.E. Anderson for business owner Dick Tom Yee. The building first opened in 1948 and was operated as Dick’s Super Market. The building was found significant under California Register Criterion 1 for is associated with post World War II Chinese American business growth in San Jose and Chinese American owned supermarkets in Northern California.
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</thead>
</table>
| | | The structure; however, was found to lack sufficient integrity and was ineligible for the California Register. In addition, the site is ineligible under the National criteria. The building therefore appears ineligible for listing in the National Register and is not a historic property for the purposes of Section 106. 

In order for a property to be listed is must meet one of the criteria listed below:
- Criterion One – associated with events that have made a significant contribution to the broad pattern of local or regional, or cultural heritage of California;
- Criterion two – associated with the lives of persons important to California history
- Criterion three- resources that embody the distinctive characteristics of type, period, region, or method of construction, or represent work of a master or possess high artistic values; and
- Criterion four – resources that have yielded or have the potential to yield information important to the prehistory or history of California.

At the local level, the structure was reviewed by the City and recommended to be added to the San Jose Historic Resources Inventory as a Structure of Merit for its association with Dick Yee and for its “early Modern architectural style adapted for a large grocery store in the post WWII period.” A Structure of Merit is defined as an important historic property or feature of lesser significant, and that does not qualify as a City Landmark or for the California or National Register’s, but attempts should be made for preservation to the extent feasible under the 2040 General Plan goals and policies. Although the structure was recommended at the local level as a Structure of Merit, this does not confer status as a historic property for the purposes of review under Section 106.

The Charles Motel is on the property north of the project site, was built in 1948, and has an auto-court with some Spanish Colonial Revival architectural elements. The property is ineligible for listing in the California Register under any criteria and is ineligible for listing in the National Register. This
<table>
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</tr>
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</table>
| | | property is not a historic property for the purpose of Section 106.  
**Historic Context:**  
San Jose was founded in 1777 as a Spanish settlement as the Pueblo de San Jose de Guadalupe. The Mission de Santa Clara de Assis was located approximately two miles west. The local area was connected via roads and was originally an agricultural community intended to provide food for San Francisco and Monterey. Mexican rule began in 1822 and the lands surrounding the mission were primarily used for grazing but became secularized and were distributed to private landowners. In 1846, when California came under control of the United States and the Gold Rush brought an influx of settler’s land ownership was restructured. The tradition of the ranching and agriculturally based economy continued during this time and San Jose flourished during and after the gold rush. Between the 1860 to early 1890’s commercial development moved toward third and fourth streets and the population increased to almost 50,000 in the early 1900’s. The Great Depression slowed growth  
The City’s Historic Resources Inventory (HRI) includes all properties designated at the local, State, or National level as historic resources, and potentially eligible historic properties added on an on-going basis as they are identified through project review, survey efforts, or other means of evaluation. The HRI classification of “Identified Site/Structure” is the most basic classification and indicates a property is potentially historic or architecturally significant, but more research is often needed to properly classify the property. In addition, placing a property on the HRI does not designate a historic resource, which is a separate process under the City’s Historic Preservation Ordinance.  
The property was found to meet two of the eight recommended significance criteria for San Jose City Landmarks, but it was found that the site does not retain sufficient integrity to warrant inclusion to this level of designation. |
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</table>
| | | As discussed above, the previous signage has been removed and all that remains is the underlying support structure. This significantly reduces the integrity of the what would qualify the site for listed. Therefore, because the subject property buildings does not appear eligible for the California Register, National Register of Historic Places, and the fact the signage has been removed, use of the site for the project would not result in significant effects to a historic resource. Archeology A records search was conducted for the project by reviewing pertinent Northwest Information Center (NWIC File No. 17-2526) base maps that reference cultural resources records and reports, historic-period maps, and literature for Santa Clara County. Review of the information indicates that there have been no previous cultural resource studies that cover the project area. A second cultural resources records search was conducted at the (NWIC) of the California Historical Resources Information System (CHRIS) at Sonoma State University on March 23, 2020 (NWIC File No. 19-1488). The records search included the project site and a one-quarter-mile radius. No previously recorded sites are located within the APE. The proposed Project area contains no previously recorded archaeological resources. The project APE is situated on Holocene-age alluvium soils. Evaluation Based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of Santa Clara County have been found in areas that were developed such as the project site. Given the highly urbanized nature of the surrounding areas and existing development of the site, the project area is considered to have a low sensitive for Native American resources and there correspondingly low likelihood of encountering previously unrecorded Native American resources in the project area. Nonetheless, the project involves “significant ground disturbance (digging)” during excavation for building foundation construction and other improvements, which could.
Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6

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<td>-</td>
<td>disturb unknown buried archaeological resources. Therefore, while the project would not affect a historic building, there is a potential for Native American archaeological resources to be damaged. Summary</td>
</tr>
<tr>
<td>-</td>
<td>The APE includes a total of 18 parcels, 17 of which contain buildings or structures. As discussed above, the former Dick’s Supermarket and the Charles Motel are ineligible for listing as individual resources in the National Register. Within the APE, there are an additional 14 parcels include buildings older than 50 years of age. Each parcel was surveyed and evaluated and None were found eligible for listing in the National Register as individual resources or district contributors. No previously recorded archaeological sites are located within the APE, and the potential for encountering buried archaeological deposits appears to be low. A previous archaeological study with a linear study area which traverses the APE along North 4t Street also did not identify any archaeological resources within the APE. To reduce these potentially harmful effects, the project would include the Uniformly Applied Development Standards imposed as Standard Conditions of Approval. These conditions would apply to the potential discovery of archeological and paleontological re-sources as well as human remains on-site. This would include halting work within 50 feet of the discovery pending evaluation by a qualified archaeologist would prevent adverse effects to archaeological properties. In the case of inadvertent discovery of human remains during ground-disturbing Undertaking activities, procedures should adhere to California Health and Safety Code Section 7050. Application of these standards would ensure that the Project would have a less than significant impact with respect to archeological and paleontological resources as well as human remains. Consultation On May 28, 2020, the Agency Official agreed with the recommended determination of no historic properties</td>
</tr>
</tbody>
</table>
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

- Affected and initiated consultation with the California Office of Historic Preservation with a letter and evaluation materials.
- Subsequently, on June 3, 2020 the State Historic Preservation Officer (SHPO) did not object to the County of Santa Clara's finding of no historic properties affected by the undertaking. A copy of the SHPO concurrence letter is included in Appendix E with the Historical Resources Report.
- Sources: (29)(30), and (31)

Noise Abatement and Control

Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B

Yes    No

**Construction**

The proposed Project would generate short-term noise during Project construction. Construction activities would include earthmoving, excavation, installation of underground utilities, construction of residential foundations, building the shell of the structure, interior finishing, and installation of landscaping. The Project would not require excavation for subterranean parking or basement facilities. No pile driving or other impact construction methods are anticipated/would be required. Construction is anticipated to occur over a period of about 15 months.

Noise impacts resulting from construction depend on the noise generated by various pieces of construction equipment, the timing and duration of noise generating activities, and the distance between construction noise sources and noise sensitive areas. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (e.g., early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise sensitive land uses, or when construction lasts over extended periods of time.

The Charles Motel and residential properties to the north are located adjacent to the Project site and would be at times within 25 feet of construction activities. As shown in the table below, **Table 6 – Typical Noise Levels Generated by Construction Equipment**, noise levels related to construction equipment would range from 78.6 dBA to 88.6 dBA at a distance of 25 feet.
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 |

| Table 6 – Typical Noise Levels Generated by Construction Equipment |
|-------------------------|-----------------|
| Equipment               | Average Noise Level (L_{eq}) at 25 Feet |
| Air Compressor          | 79.6 dBA        |
| Backhoe                 | 79.6 dBA        |
| Concrete Mixer Truck    | 80.8 dBA        |
| Concrete Saw            | 88.6 dBA        |
| Crane                   | 78.6 dBA        |
| Dozer                   | 83.7 dBA        |
| Excavator               | 82.8 dBA        |
| Grader                  | 87.0 dBA        |
| Paver                   | 80.2 dBA        |
| Roller                  | 79.0 dBA        |
| Tractor                 | 86.0 dBA        |
| Welder                  | 76.0 dBA        |

Source: FHWA Roadway Construction Noise Model (RCNM), 2008

Based on the above, commercial and residential uses surrounding the Projects could at times be exposed to 88.6 dBA during construction activities. Standard construction with the windows closed provides approximately 25 dBA (EPA, 1978) of noise reduction in interior spaces. With windows closed, hourly average construction equipment noise levels would range from about 53.6 dBA to 63.6 dBA Leq inside.

The City of San José requires that large or complex construction projects within 500 feet of residential land uses or within 200 feet of commercial land uses or offices involving substantial noise-generating activities lasting more than 12 months, a construction noise logistics plan.

The Project would be subject to the following construction related standard conditions:

- The Applicant shall prepare a Construction Noise Logistics Plan which will include the following:
  - Construction activities shall be limited to the hours between 7:00 AM and 7:00 PM, Monday
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- Notifying 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.
- Designating 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 require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

- Construct solid plywood fences around ground-level construction sites adjacent to operational businesses, hotels, and other noise-sensitive land uses.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Unnecessary idling of internal combustion engines shall be strictly prohibited.
- 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. Temporary noise barriers could reduce construction noise levels by 5 dBA.
- Use “quiet” air compressors and other stationary equipment.

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 (Municipal Code Section 20.100.450).
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| | | noise sources where technology exists.  
• Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the Project site.  
• A temporary noise control blanket barrier shall be erected, if necessary, along building facades facing construction sites. This condition shall only be necessary if conflicts occur which are irresolvable by proper scheduling. Noise control blanket barriers shall be rented and quickly erected.  
These standard permit conditions would ensure that no significant adverse noise effects would occur.  
**Operational Noise - Exterior**  
The nearest freeway to the site is Interstate 680 (I- 680). The freeway is located approximately 1,300 feet northwest of the Project site. The segment of I-680 closest to the Project site is approximately 10 feet higher than the site and although it is screened with tall trees and intervening structures, some roadway noise would be audible from the Project site. The primary noise source is local traffic on N. 4th Street and E. Younger Avenue.  
To provide more detail on the existing noise environment, noise contours from the Existing Citywide Traffic Noise Contours from Figure 1 of the 2040 GP were used. This figure shows that the Project site is within the 65-70 dBA DNL (24-hour average also referred to Ldn) contour.
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![Traffic Noise Level Diagram](image)

The majority of noise anticipated to be generated upon operation would be from typical automobile traffic generated from by residential vehicle trips, trips from workers on the Project site, and from noise generated by operation of mechanical equipment including air conditioning, fans, and heating systems (HVAC). It should be noted that HVAC equipment, would largely be contained and fully enclosed within interior of the structures, or on the roof of the building. On the roof, baffles and sound shielding would be used to attenuate noise, and due to the height of the structures, the distance between the noise source and surrounding noise receptors, these sound blocking structures and the distance also would help attenuate noise. Therefore, noise generated from mechanical operations that would be audible from the exterior of the Project.

For the Project to noticeably increase traffic noise levels, it
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would have to generate enough trips to double current hourly volumes on North 4th Street and East Younger Avenue without affecting travel speed. The Project would provide 43 total parking spaces on-site for the resident manager, residents, employees and vendors. Some residents would have access to personal vehicles; however, the number is unknown. Trip generation was conservatively estimated assuming a low-rise apartment project and included the 3,000 square feet of commercial space. The daily trips would be approximately 592 weekday trips. Although the Project would replace the existing 14,400 sf square-foot grocery store. The grocery store is currently vacant and to provide a conservative estimate of vehicle trips, the noise analysis did not consider the trips that would be generated by this use and only used the trips that are anticipated to be generated by the proposed Project. As shown above the propose Project would generate approximately 592 additional trips with 494 from the residential use and 98 from the retail use. The total number of AM peak hour trips is approximately 37 and PM peak hour would be approximately 46. The addition of above listed vehicle trips is not anticipated to substantially change existing noise levels.

For new multifamily residential projects and the residential component of mixed-use development, the City’s 60 dBA DNL standard is applied to usable outdoor activity areas. An exterior Ldn of 65 dBA is acceptable to HUD. Based on the existing DNL depicted in the General Plan EIR, the Project would be located in an area that exceeds the 60-dBA limit per the City standard and is at the upper limit of the HUD standard for outdoor spaces. However, based on Project site plans, the outdoor spaces, which would be located at the center of the site, would be shielded from exterior noise from the Project building itself. The Project includes a five-story building which surround the outdoor spaces on three sides which would act as a noise barrier from traffic noise along North 4th Street and East Younger Avenue. Only the east side of the outdoor space is exposed, and that area opens to a vacant lot. Due to the noise shielding effect produced by the Project building exterior noise would be reduced by 5 dBA to 10 dBA, resulting exterior noise levels below the City and HUD thresholds.
### Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6

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<td><strong>Operational Noise - Interior</strong>&lt;br&gt;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.&lt;br&gt;&lt;br&gt;The City has adopted Uniformly Applied Development Standards imposed as Standard Conditions of Approval. The Project would be subject to the following operation related standard conditions:&lt;br&gt;&lt;br&gt;- Provide a suitable form of forced-air mechanical ventilation, as determined by the local building official, for all units so that windows can be kept closed to control noise.&lt;br&gt;- A qualified acoustical specialist shall prepare a detailed analysis of interior residential noise levels resulting from all exterior sources (transportation and non-transportation) during the design phase pursuant to requirements set forth in the State Building Code. The study shall also establish appropriate criteria for noise levels inside the commercial spaces affected by traffic noise. The study shall review the final site plan, building elevations, and floor plans prior to construction and recommend building treatments to reduce residential interior noise levels to 45 dBA DNL or lower and reduce levels to the established criteria for the commercial uses; and, address and adequately control the noise from rooftop equipment on the adjacent building. Treatments shall include, but are not limited to, sound-rated windows and doors.</td>
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<td>acoustical caulking, protected ventilation openings, etc. The specific determination of what noise insulation treatments are necessary shall be completed on a unit-by-unit basis during final design of the Project. Results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City, along with the building plans and approved design, prior to issuance of a building permit. Application of these standards would ensure that the proposed Project would have a less than significant impact from construction noise impacts. Source Document(s): (9), (31), (32) and (33)</td>
</tr>
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</table>

### Sole Source Aquifers

**Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149**

- **Yes**
- **No**

There are no sole source aquifers in the City of San Jose or County of Santa Clara. The nearest sole source aquifer is the Santa Margarita Aquifer, Scotts Valley north of Santa Cruz and approximately 16 miles southwest of the proposed Project. The proposed Project, therefore, does not overlay a sole source aquifer and would not affect a sole source aquifer.  

Source Document(s): (34)

### Wetlands Protection

**Executive Order 11990, particularly sections 2 and 5**

- **Yes**
- **No**

There are no wetlands on the Project site or in Project vicinity. No wetlands were identified by the U.S. Fish and Wildlife Service on the National Wetland Inventory. The nearest wetland is a riverine wetland to the west of the site approximately 0.5 miles and is within the Guadalupe River. The river generally runs north to south is described at a freshwater forested/shrub wetland. This riverine wetland provides local drainage. This wetland is entirely outside of the Project site and would not be impacted by the Project. There is no impact to wetlands.  

Source Document(s): (24)

### Wild and Scenic Rivers

- **Yes**
- **No**

There are no Wild and Scenic Rivers on the Project site or in the vicinity of the proposed Project included on the National
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<tr>
<td>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</td>
<td>Rivers Inventory. The closest Wild and Scenic Rivers are the American River and Big Sur Wild and scenic Rivers. There are no Wild or Scenic Rivers in the City of San Jose.</td>
<td>Source Document(s): (37)</td>
</tr>
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**ENVIRONMENTAL JUSTICE**

<table>
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<tr>
<th>Environmental Justice</th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>Executive Order 12898</td>
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The Project will not raise environmental justice issues and has no potential for new or continued disproportionately high and adverse human health and environmental effects on minority or low-income populations.

The development proposed affordable housing for low-income and very-low income family and homeless individuals. The surrounding land uses would not create nuisances or hazards that would impact the proposed housing. Similarly, given its nature and scope, the proposed mixed-use development would not adversely affect the surrounding uses. Additionally, there are no adverse environmental conditions affecting the Project site. Thus, the Project would create a beneficial environmental justice effect.

Source Document(s): (12), and (38)

Appendix G: EPA Environmental Justice Screen
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 list below 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

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<tr>
<th>Environmental Assessment Factor</th>
<th>Impact Code</th>
<th>Impact Evaluation</th>
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<tbody>
<tr>
<td>Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design</td>
<td>1</td>
<td><strong>San Jose General Plan</strong>&lt;br&gt;The subject site is located in the Neighborhood/Community Commercial (NCC) land use classification. The NCC allows a floor area ratio (FAR) of up to 3.5 (and structures from 1 to 5 stories). Commercial serving the communities in neighboring areas, such as neighborhood serving retail and services and commercial/professional office development are supported. Uses typically have a strong connection to and provide services and amenities for the nearby community, promote connection via walking, transit use and public interaction.&lt;br&gt;Related to affordable housing, <strong>Goal H-2 Affordable Housing</strong> of the General Plan provides a mechanism to increase the supply to meet City goals. Affordable housing is allowed in these areas if the affordable housing is one hundred percent deed restricted and meets the following criteria:&lt;br&gt;  - The site is 1.5 acre or less;&lt;br&gt;  - The site is vacant or underutilized;&lt;br&gt;  - The site has adjacent properties with a residential General Plan Land Use / Transportation Diagram designation on at least one side and the development would be compatible with the surrounding neighborhood;&lt;br&gt;  - The development would not impact the viability of surrounding commercial or industrial properties or businesses;&lt;br&gt;  - The site is located within a ½-mile of an existing transit line;</td>
</tr>
</tbody>
</table>
The development integrates commercial uses that support the affordable housing project and/or the surrounding neighborhood;
- Development on properties that contain structures that are on, or are eligible for inclusion on the City of San José’s Historic Resources Inventory should adaptively reuse these structures.¹⁶

The zoning of the Project site is Commercial Pedestrian. (CP) - CP Commercial Pedestrian District. The CP Commercial Pedestrian District is a district intended to support pedestrian-oriented retail activity at a scale compatible with surrounding residential neighborhoods. This district is designed to support the goals and policies of the general plan related to Neighborhood Business Districts. The CP Commercial Pedestrian District also encourages mixed residential/commercial development where appropriate, with the approval of a Conditional Use Permit (CUP). Therefore, the proposed Project is consistent with the existing land use designation and is consistent with the intent and allowances in the zoning ordinance.

Source Documents(s): (9), (39), (40)

<table>
<thead>
<tr>
<th>Environmental Assessment Factor</th>
<th>Impact Code</th>
<th>Impact Evaluation</th>
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</table>
| Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff | 3           | A Geotechnical Engineering Study (GES) was prepared for the Project by Earth Systems on July 26, 2019. The following discussion is based on that study as well as, when applicable, the Phase I Environmental Site Assessment Report prepared by Partner Engineering and Science, Inc.  
Soils  
The United States Department of Agriculture (USDA) websoil survey shows the Project site to be within an area mapped as Urbanland-Newpark complex with 0 to 2 percent slopes. These areas are typical of alluvial fans and sediments generally consist of silty clay loams and fine sandy loams beyond 4-5 feet in depth  
As part of the GES, three cone penetrometer tests (CPTs) and nine exploratory borings were completed. Testing of these soils was generally consistent and the soils encountered were generally clayey with varying sand contents. The CPTs advanced at the site encountered soil behavior types that were predominately clayey and silty in nature. The majority of the fine-grained soils had soft to medium stiff consistencies. The predominantly coarse-grained materials revealed soils that were generally medium dense to dense. Based on the data acquired during the subsurface investigation the site is assigned to Site Class E (“soft clay soil”) as defined by Table 20.3-1 of the ASCE 7-10. |
Environmental Assessment

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<thead>
<tr>
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<tbody>
<tr>
<td>It should be noted the boring logs found between 1-7” asphalt overlying the ground surface. Underlying layers to a total depth of approximately 30 feet consisted of varying layers of Lean Clay (gray brown, light gray and blue gray, stiff to very stiff, with some moisture, some sand, and water content from moist to wet at depth.) Other soils including very moist medium stiff gray brown Sandy Clay, and deeper soils with gray and orange mottling with trace organics were found. Ground water was encountered between 12 to 22 feet deep.</td>
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</table>

**Slope:**
The site area is relatively flat with the longer axis ranging from 258 to 278 feet (slope of 0.07) and the shorter axis ranging from 131 feet to 151 feet (slope of 0.13).

**Erosion:**
As shown above, the site is relatively flat as are the surrounding areas. The site would not be subject to substantial erosion. In addition, during construction an erosion control plan would be required as part of the permitting and approval process with plans submitted for grading and/or building permits to ensure that the Project would not result in substantial soil erosion during grading and construction activities.

**Drainage/Storm Water Runoff:**
The site is paved and contains a vacant 14,400 sf structure previously used as a grocery store. The proposed Project would result in increases in the generation of potential water quality pollutants onsite during construction and for operations at the completion of construction. Project implementation would result in the removal of the asphalt and structure and temporary baring of approximately 0.94 acres or approximately 40,946 square feet previously covered by impervious surfaces. Impervious surfaces are defined as surfaces that do not permit the infiltration of water into the subsurface. Examples include parking lots, sidewalks, buildings and other structures and facilities that cover the ground and prevent storm water infiltrations. Installation of new impervious surfaces is expected to result in a net increase in the total volume of storm water discharged from the Project site.

Proposed Project implementation would also involve minor grading and slight changes to the existing topography. The proposed Project would not directly impact a stream or river or result in substantial on-site erosion, thereby resulting in siltation or erosion to downstream receiving waters. While the site would result in incremental changes to the drainage pattern on the site, substantial changes are not anticipated, and a similar direction of surface water flow and total volume would be maintained. The City of San José would require the
<table>
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<tbody>
<tr>
<td>developer to submit comprehensive drainage plans to the City Engineer for review and approval. The plan would address proposed facilities, their locations, grades, stormwater flows as well as modernized stormwater management facilities such as swales, detention basins, low impact designs, and use of pervious surfaces, etc., where none-currently exist. Regional Stormwater NPDES Permit (MRP) for 76 Bay Area municipalities, including the City of San José. The Municipal Regional Permit (NPDES Order No. R2-2015-0049, under Permit No. CAS612008) mandates the City of San José use it’s 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. Provision C.3 of the MRP regulates the following types of development projects:  • Projects that create or replace 10,000 square feet or more of impervious surface.  • Special Land Use Categories that create or replace 5,000 square feet or more of impervious surface. The MRP requires regulated projects to include Low Impact Development (LID) practices, such as pollutant source control measures and stormwater treatment features aimed to maintain or restore the site’s natural hydrologic functions. The MRP also requires that stormwater treatment measures are properly installed, operated and maintained. The Project would be subject to the conditions of the City’s National Pollutant Discharge Elimination System (NPDES) permit during and post-construction and would include stormwater treatment measures as well as erosion controls. Conformance to all standard permitting conditions and recommendations in the geotechnical report would ensure impacts are not significant. Source Document(s): (42)</td>
<td>3</td>
<td>Site Safety  The Project will not create a risk of explosion, release of hazardous substances or other dangers to public health. The Project is not located near any properties with known hazardous operations that would represent a risk to the Project site. The Project would provide a safe place for residents.</td>
</tr>
</tbody>
</table>
Environmental Assessment

Seismicity
According to the USGS the site is located in the Coast Ranges geomorphic province of California that is characterized by northwest-trending valleys and ridges. These topographic features are controlled by folds and faults that resulted from the collision of the Farallon plate and North American plate and subsequent strike-slip faulting along the San Andreas Fault system. The San Andreas Fault is more than 600 miles long from Point Arena in the north to the Gulf of California in the south. The Coast Ranges province is bounded on the east by the Great Valley and on the west by the Pacific Ocean. The major active faults in the area are the Hayward, Calaveras, San Andreas, and San Gregorio faults. There are two minor faults locate in the area: Silver Creek fault zone (Silver Creek fault) and the Arroyo Aguague fault.

<table>
<thead>
<tr>
<th>Fault</th>
<th>Distance from Site and Direction</th>
<th>Probability of Mw≥6.7 within 30 Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hayward</td>
<td>4.6 miles (northeast)</td>
<td>32%</td>
</tr>
<tr>
<td>Calaveras</td>
<td>7.3 miles (northeast)</td>
<td>26%</td>
</tr>
<tr>
<td>Monte-Vista Shannon</td>
<td>8.3 miles (southwest)</td>
<td>1%</td>
</tr>
<tr>
<td>San Andreas</td>
<td>5.4 miles (southwest)</td>
<td>33%</td>
</tr>
</tbody>
</table>

Ground shaking
As shown above, the Hayward fault is the closest to the Project site but is one percentage point below the San Andreas for a greater than 6.7 probability earthquake. Ground shaking generated by either of these faults, as well as Calaveras and the Monte-Vista Shannon (although only 1% for this fault) could be felt at the site. The intensity of earthquake ground motion at the site would depend upon the characteristics of the generating fault, distance to the earthquake epicenter, and magnitude and duration of the earthquake. Strong to very strong ground shaking could occur at the site during a large earthquake on the listed faults.

Ground Rupture
Historically, ground surface displacements closely follow the trace of geologically young faults. The site is not within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known active or potentially active faults exist on the site. The risk of fault offset at the site from a known active fault appears very low.

Liquefaction
Soil liquefaction is a phenomenon where saturated granular soils undergo a substantial loss of strength due to increased pore water pressure resulting from cyclic stress applications induced by
earthquakes or other vibrations. The liquefaction analysis was carried out using an assumed groundwater table of 8 feet below ground surface (bgs) based on Plate 1.2 from the Seismic Hazard Zone Report for the San Jose West Quadrangle (2002). In accordance with USGS Interactive De-aggregations Web Application, the predominant earthquake is the Hayward fault with a magnitude of 6.7.

While there are no mapped areas of liquefaction related ground surface manifestation in the immediate vicinity of the Project site, and the potential for surface manifestation would likely be reduced as a result of the ground improvement recommendations implemented as part of the Project, the potential for liquefaction related ground surface manifestations remains. Nonetheless, due to the depths of the liquefiable soils and the relatively flat nature of the site, and the fact that there are no open creek channels crossing or bordering the subject property, the potential for lateral spreading to occur within the site is low.

Conclusions
The primary geotechnical concern at the site is low-density soils of variable thickness and consistency and ground shaking. Based on the Geotechnical Engineering Study conducted for the Project site, the subject site is suitable for the proposed development from a geotechnical engineering standpoint, provided the recommendations are followed. Accordingly, the proposed Project will incorporate all recommendations related to grading and site preparation, scarification and compaction, requirements and testing for and the types of materials used for fill, allowable types of footings and further design specifications approved by the structural engineer, design of concrete slabs and on grade construction and vapor barrier, exterior flatwork, utility trench backfills, and site drainage and finish improvements. To ensure that all recommendations from the Geotechnical Engineering Study are implemented and any additional geotechnical safety measures are incorporated all plans and work shall be reviewed by a geotechnical engineer. Conformance with these standard requirements would reduce the potential for geotechnical and seismic impacts.

NOISE
Existing Noise Environment
The proposed Project is located on the northeast corner of No 4th Street and E. Younger Avenue. The site’s northeastern boundary is vacant lot and residential bounds the site to the north.

The primary noise source impacting the Project site results from traffic...
on the adjacent roadways. Noise from motor vehicles is generated by engine vibrations, the interaction between the tires and the road, and the exhaust systems. Both roadways serve the local Project vicinity and provide a way for locals to access other major roadways. As such, travel speeds are relatively low, and traffic is relatively light leading to low to moderate traffic noise. Other land uses in the vicinity include residential and commercial uses. Neither are considered substantial noise sources. As discussed above, the Project site is approximately 0.5 miles from the Norman Y. Mineta International Airport, but it is outside the 60-dB contour. In addition, the Blue and Green Line light rail runs adjacent to N. 1st Street, approximately 0.2 miles to the west.

HUD provides noise standards for new development and these values are shown in, *Table 6 – HUD Noise Standards*, below.

**Table 6 - HUD Noise Standards**

<table>
<thead>
<tr>
<th>Condition</th>
<th>Day-Night average sound level (L_{dn}) (in decibels)</th>
<th>Special approvals and requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acceptable</td>
<td>Not exceeding 65 dB(1)</td>
<td>None</td>
</tr>
<tr>
<td>Normally unacceptable</td>
<td>Above 65 dB but not exceeding 75 dB</td>
<td>Special Approvals (2) Environmental Review (3). Attention (4)</td>
</tr>
<tr>
<td>Unacceptable</td>
<td>Above 75 dB</td>
<td>Special Approvals (2) Environmental Review (3). Attenuation (5)</td>
</tr>
</tbody>
</table>

Notes: (1) Acceptable threshold may be shifted to 70 dB in special circumstances pursuant to § 51.104(b) for requirements.  
(2) See § 51.104(b) for requirements  
(3) See § 51.104(b) for requirements  
(4) 5 dB additional attenuation required for sites above 70 dB but not exceeding 75 dB (see § 51.104(a).)  
(5) Attenuation measures to be submitted to the Assistant Secretary for CPD for approval on a case-by-case basis.

According to the HUD regulations, development in Normally Unacceptable Noise Zones require a minimum of 5 dB additional sound attenuation for buildings having noise-sensitive uses if the Ldn is greater than 65 dBA but does not exceed 70 dBA, or a minimum of 10 dBA additional sound attenuation if the Ldn is greater than 70 dBA but does not exceed 75 dBA. Noise attenuation measures in Unacceptable Noise Zones require the approval of the Secretary for Community Planning and Development, or the Certifying Officer for activities subject to 24 CFR Part 58.

HUD’s regulations do not contain standards for interior noise levels. Rather a goal of LDN 45 dBA is set forth and the attenuation requirements are geared towards achieving that goal. It is assumed
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<td></td>
<td></td>
<td>that with standard construction any building would provide sufficient attenuation so that if the exterior level is 65 dBA or less, the interior Ldn would be 45 dBA or less.</td>
</tr>
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</table>

The Project site is located within a 15-miles radius of three airports. The Norman Y. Mineta San Jose International Airport is located approximately 0.5 miles to the west; the Reid Hillview airport is located approximately 4.5 miles to the southeast; and Moffett Field is located approximately 8 miles to the northwest. As shown in the inserted figure below that shows the Existing/Baseline 2018 Noise Contour Map for the Norman Y. Mineta San Jose International Airport Noise Assessment for the Master Plan Environmental Impact Report, the Project site is outside the 60 dBA and Greater CNEL Contour for the airport.

It should be noted that Figure 5 Scenario 2: With Project 2037 Noise Contour Map also shows the Project site as being outside the 60 dBA and Greater CNEL Contour Map.

Policy EC-1.11 from the General Plan requires safe and compatible land uses within the Norman Y. Mineta International Airport noise zone (defined by the 65 CNEL contour as set forth in State law) and encourage aircraft operating procedures that minimize noise. The Project site is outside this contour. The inserted figure below shows the 2018 Baseline. The 2037 60 dBA CNEL contours are the same. There are no significant adverse effects to noise from aircraft.

![Map of the Project site and surrounding area](map.png)

The light rail tracks are located approximately 0.2 miles west of the Project site. The tracks are completely shielded by buildings and are not considered a substantial source of noise due to the distance and nature of light rail. Railroad Noise impacting the Project site would not a significant adverse effect.
The subject site is within 1,000 feet of North 4th Street and E. Younger Street. As discussed above, the existing noise contours from the Existing Citywide Traffic Noise Contours from Figure 1 of the 2040 GP, shows the Project site is close to the boundary between a the 65-70 dBA DNL (24-hour average also referred to (Ldn) contour and a 60-65 dBA DNL contour. For the purpose of this evaluation and conservative estimation, the 65-70 dBA DNL is used.

The exterior noise was projected to be a combined day-night average noise level of 72.9 DNL for all noise sources. This noise level falls within HUD’s “Normally Unacceptable” range for residential development and “Conditionally Acceptable” under the Noise Element of the City San José’s General Plan.

The proposed Project was evaluated using the HUD calculator for noise abatement and control and it was determined that windows with Sound Transmission Class (STC) ratings of 33 to 40, depending upon location relevant to noise source, coupled with wall construction would bring interior noise levels to 45 DNL or less for interiors.

The multifamily structure facing the noise exposed areas along N. 4th Street and E. Younger Avenue provide for appropriate site and building design, building construction and noise attenuation techniques would effectively reduce the interior noise levels to less than 45 dBA DNL. At less than 45 dBA DNL, the noise threshold for HUD and the City are met. The interior noise impacts would not result in significant adverse effect. A Noise Waiver is Required

Sources (43) (44), (45), (46), (47), and (48)

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<thead>
<tr>
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| Energy Consumption              | 3           | During construction, the proposed Project would require the use of energy to power the construction equipment. This energy consumption would be short-term and temporary and would not have adverse impacts on long term energy consumption for the overall housing complex.

The proposed Project would be required to meet the energy standards outlined in the California Building Code, Title 24 Energy Efficiency Standards. The amount of energy used would not be unusual nor wasteful for a project of this type. No adverse energy consumption impacts would occur.

The proposed Project would seek to achieve a GreenPoint Rated Certification Level by incorporating the features including but not limited to the following:
The proposed Project intends to incorporate Green features, and energy-efficient features to the extent practicable.

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<td></td>
<td></td>
<td>Green landscaping features including hydrozoning, drought-tolerant plants, high-efficiency irrigation, and reduced turf; Water Sense water efficient fixtures; Green insulation; Solar hot water system for domestic hot water; High-efficiency lighting; and EnergyStar appliances.</td>
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SOCIOECONOMIC

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<tr>
<th>Environmental Assessment Factor</th>
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<th>Impact Evaluation</th>
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<tr>
<td>Employment and Income Patterns</td>
<td>2</td>
<td>The Project site currently contains an unoccupied 14,400 sf building previously used as a grocery store with the balance of the site being an asphalt parking lot. The site does not provide any employment or housing opportunities. The proposed Project by its definition would provide affordable housing for the low-income and homeless population. The proposed Project would include a total of 94 units and would house an anticipated maximum of 192 persons, which represents approximately 0.001% of the population of the City, which is currently approximately 1,043,058 people. The proposed Project envisions a commercial/retail component on the ground floor of the structures for which 11 parking spaces would be provided. Therefore, in addition to the new conservative estimate of potential new residents, the proposed Project would result in approximately 13 new jobs including the onsite property manager, other maintenance and management staff and workers in the commercial/retail space. The creation of jobs and would be considered a benefit to employment and income patterns. Source: (1), (9) and (12)</td>
</tr>
<tr>
<td>Demographic Character Changes, Displacement</td>
<td>2</td>
<td>The proposed Project is considered infill and would be constructed on a site consisting of an existing 14,400 sf building that was previously used as a grocery store but is now vacant. The balance of the site consists of a paved asphalt parking lot. The Project site is bound by North 4th Street, East Younger Avenue, and is surrounded by existing uses including residential, multi-family residential, commercial, community uses, restaurants, and automotive uses. The proposed Project would</td>
</tr>
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not result in the displacement of these or any existing uses on
site or in surrounding areas.

The proposed Project included 94 units with one unit for the
onsite property manager and the balance of 93 for homeless
and low-income residents. These units would provide a
supportive housing development which would serve residents
who are chronically homeless. It is anticipated that, in addition
to working, some of the residents’ monthly income would be
provided by a public subsidy source, charitable contributions,
organizations such as PATH, and other programs through
General Assistance or Social Security.

Per HUD’s and the City’s maximum number of occupants per
unit, the proposed housing development would be occupied by
approximately 192 residents. This assumes the maximum
allowable number of residents would live within the proposed
Project. This assumes that two persons studio (65x2) = 130
residents, three persons per one bedroom [(2x19)+19] = 57
residents; and one two bedroom [(1X4)+1] = 5 residents City
Code 17.20.270 discusses room dimensions and occupancy
standards.

Considering the existing population of the City, 1,043,058 this
represents an increase in population of approximately
0.001%. Assuming that future residents of the proposed action
would not move from an area from outside San José, the
proposed action would not substantially increase the City’s
population. In addition, the proposed Project would help to
address the need for housing projected in the Regional Housing
Needs Allocation.

Displacement

The Uniform Relocation Act (URA), passed by Congress in 1970,
establishes minimum standards for federally-funded programs
and projects that require the acquisition of real property (real
estate) or displace persons from their homes, businesses, or
farms. The Uniform Act’s protections and assistance apply to
the acquisition, rehabilitation, or demolition of real property for
federal or federally-funded projects.

Section 205 of the URA requires that, “Programs or projects
undertaken by a federal agency or with federal financial
assistance shall be planned in a manner that (1) recognizes, at
an early stage in the planning of such programs or projects and
before the commencement of any actions which will cause
displacements, the problems associated with the displacement of individuals, families, businesses, and farm operations, and (2) provides for the resolution of such problems in order to minimize adverse impacts on displaced persons and to expedite program or project advancement and completion.”

The proposed Project is an infill project to be constructed on a site consisting of an existing and vacant 14,400 sf commercial structure previously used as a grocery store. As the Project site does not consist of any housing, development of the proposed Project would not result in the displacement of any person.

(Source Document(s): (9), (49) (50), and (51))

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<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>COMMUNITY FACILITIES AND SERVICES</td>
<td>2</td>
<td>The proposed Project is within the service area of the San Jose Unified School District. The Project site is in the current attendance boundaries of Bachrodt Elementary School approximately 0.5 miles away, Muwekma Ohlone Middle School approximately 0.25 miles away, and San Jose High School approximately 1.75 miles away. The proposed Project would provide 93/94 new housing units that includes a mix of 65 studio apartments, and 28 one-bedroom residential units for low-income seniors and one two-bedroom unit. Because the proposed Project would serve chronically homeless including families with low income from the area, any existing students would already be served by or entitled to school district services. Therefore, the increased number of students attending area schools is anticipated to be incrementally low and not result in a significant adverse effect. To further reduce effects, the proposed Project would pay school impact fees in accordance California Government Code Section 65996, per state law AB 2926, and with all other associated City requirements. This would offset the increased demand for school services that could be caused by the proposed Project. In addition, the Project’s location in urban downtown San Jose is within close proximity to available transit. The Project site is one block or approximately 1.0 miles from East Taylor Street, which has numerous transit stops and connections to other lines. The nearby transit would provide access routes to schools and education facilities throughout the City and adjacent areas. Therefore, residents of the proposed Project would be well-served by educational facilities.</td>
</tr>
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</table>

1020 N. 4th Street
San Jose, CA 95112
May 2020
The Project site is within one mile of the Joyce Ellington Branch Library located at 491 E. Empire Street and approximately two miles from the San Jose Museum of Art at 110 S. Market Street. The Project site also is close to numerous indoor entertainment areas as local parks and schools which would be usable for outdoor recreation. Regionally and city wide, other activities such as cinemas, convention centers, galleries, landmarks, libraries, museums, a stadium, and theatres are available. Therefore, the Project site would provide access to and existing facilities are adequate to meet demand. The increased demand from Project residents would be incrementally small.

Source Document(s): (9) and (52)

### Commercial Facilities

The Project site is located approximately 0.5 miles from three full-service grocery stores and within proximity to other banks, restaurants, and commercial services. The Project site is located within an urbanized area and adjacent to 33rd Street and San Pablo Avenue. Across San Pablo Avenue to the west is a commercial building and located less than 2 miles from downtown San Jose. Therefore, there are adequate commercial facilities to serve the needs of future residents and the proposed Project would represent a very small incremental increased demand on these services.

Source Documents: (9)

### Health Care and Social Services

The Project site is conveniently located near various medical services and facilities. The Kaiser Permanente Skyport Medical Officers are located 1721 Technology Drive approximately 1 mile away, and the many other smaller and local clinics including San Jose High Neighborhood Health, St. James Health Center, South Bay Respiratory Associates, etc. are within 1 mile of the Project site. In addition, the Regional Medical Hospital has 341-bed acute care hospital, oncology, surgery and rehabilitation center, Urgent Care clinic and additional outpatient hospital services is less than two miles from the Project site. The proposed Project would represent an incrementally small increase in the number of persons who would seek medical care within the City. There are no significant adverse effects on Healthcare facilities or delivery systems anticipated as a result of the proposed Project.

**Surrounding Supportive Services for Residents**

The proposed Project is a supportive housing development intended to serve low income households and chronically homeless. Residents at the new building would receive support services on site from providers currently in partnership with
Path Services. In addition, social service locations such as Life Moves, San Clara Reentry Services, City Team Community Services, and the Salvation Army are all within less than a mile of the Project site. Lastly, the Project does not represent a significant change to the demographics of the area or on area social services as it serves the existing population. The proposed Project would represent a very small incremental increase on demand for such services and implementation would not have a significant adverse effect on social services.

<table>
<thead>
<tr>
<th>Source Document(s): (9)</th>
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<tr>
<th>Solid Waste Disposal / Recycling</th>
<th>2</th>
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<tbody>
<tr>
<td>Solid waste and recycling services the Project site vicinity is served with provided by the Green Team that serves the City of San Jose and some of the unincorporated areas of Santa Clara County. Solid waste generated by the proposed Project would be estimated to be approximately 5.31 pounds per dwelling unit per day. Based on this rate, the proposed Project would generate approximately 500 pounds per day or 91 tons per year for the residential uses. The proposed Project also includes approximately 3,000 sf of retail/commercial uses. A generation rate of 2.5 lb’s/1000 sf/day was uses. This results in a generation of approximately 7.5 lbs/day or 1.4 tons per year. In sum, the proposed Project would result in approximately .25 tons per day or 92.4 tons per year. Currently San Jose has one of the highest diversion rates in the country at 74%. This is anticipated to substantially reduce the waste stream disposed of at the Guadalupe Sanitary Landfill. Unrecycled or diverted waste would be disposed of at the Guadalupe Sanitary Landfill. Guadalupe Sanitary Landfill. According to CalRecycle, as of January 1, 2011 the landfill had a remaining capacity of 11,055,000 cubic yards and maximum throughput of 1,300 tons per day. The maximum permitted capacity is 28,600,000 leaving approximately 38 percent of its capacity remaining. The proposed Project’s contribution therefore, represents approximately 0.02% of the daily capacity. The landfill has a cease operation date of January 1, 2048, which would provide approximately 28 additional years of operation. Waste generated by the proposed action would not exceed the capacity of this landfill. As such, impacts would not be a significant adverse effect and no mitigation is required.</td>
<td></td>
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<td>Source Document(s): (53) and (54)</td>
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<thead>
<tr>
<th>Waste Water/ Sanitary Sewers</th>
<th>2</th>
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<tbody>
<tr>
<td>Wastewater generated in the City of San José, including the Project site, is treated at the San José Santa Clara Regional Wastewater Facility (SJSCRWF). The plant has a capacity of 167 million gallons per day (MGD) and currently treats 110 MGD.</td>
<td></td>
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</tbody>
</table>
The existing sanitary sewer collection system which serves the Project site consists of a system of building lateral lines which connect to main lines located in the public right-of-way. These main lines convey raw wastewater to the regional facility for treatment. The wastewater collection system is maintained as a collaboration between the City of San José Departments of Public Works, Environmental Services, and Transportation. The treatment of wastewater is under the authority of the Department of Environmental Services. The General Plan provides standards to ensure that sanitary sewer lines maintain Level of Service (LOS) D, which represents a free flow of wastewater.

The proposed Project would be constructed on a site with an asphalt parking lot and vacant 14,400 sf grocery store. The current site does not generate wastewater flows. The proposed Project would consist of 94 total residential units.

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 proposed Project would be comprised of 94 units. Given all the Project elements, the proposed Project is expected to generate up to 11,562 GPD. These volumes are likely conservative as the proposed Project would include mostly 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. Based on the existing flows to the SJSCRWF, the proposed Project generated flows would represent approximately 0.002% of remaining capacity, which leaves adequate capacity to serve the proposed Project.

Source Document(s): (55) and (56)

<table>
<thead>
<tr>
<th>Water Supply</th>
<th>2</th>
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<tbody>
<tr>
<td>Potable water within the downtown core is provided by the City of San José Water Department. Water is purchased from the Santa Clara Valley Water District. Based on a water supply assessment prepared for the Envision San José 2040 General Plan, a typical multifamily unit consumes approximately 183 GPD. Assuming 94 individual units, the proposed Project would consume approximately 17,202 GPD. Considering the majority of units in the proposed Project are studios, the total consumption would likely be reduced; however, this value was left to provide a conservative estimate.</td>
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</tr>
</tbody>
</table>
Based on numbers from the 2015 Urban Water Management Plan, water demand from potable and raw water 2025 until 2040 is estimated to be 26,156-acre feet per year (af/yr) for 2025; 29,317 af/yr for 2030; 32,636 af/yr for 2035; and 36,116 af/yr, for 2040. Considering demand during normal years water supplies are anticipated to be adequate for projected growth. During dry weather and drought, the City could fall short of demand during multiple dry years. And up to 9,633 af/yr during the third dry year in 2035 and 16,351 af/yr during the third dry year in 2040.

The UWMP does not provide an estimate of only residential uses, but the increased demand for water that would result from the proposed Project estimated water demand is within the projected demand for Plan build out of the Envision San José 2040 General Plan. Therefore, while water shortfalls are possible and noted in multiple dry years for 2040, the proposed Project would implement measures to reduce overall demand. This would include installation of low-flow showerheads, toilets and faucets. Use of energy and water efficient appliances and installation of native landscaping. These measures would reduce overall water demand associated with the proposed Project.

Sources: (57), (58), and (59)

Public Safety - Police, Fire and Emergency Medical

2

The proposed Project would be located in an area of the City where public facilities needed for service are already in place. In addition, although the proposed Project would add affordable residential units, the majority of new residents are anticipated to be from the San Jose area and the proposed Project would therefore serve an existing population rather than induce population growth directly through the development of new residential occupancies or indirectly through the extension of utility infrastructure to a currently unserved area.

The Project site is served by San José Fire Department and is located approximately 0.5 miles southwest of Station #5 located at 1380 N. 10th Street approximately ½-mile northwest of the Project site and Fire Station #34 is located approximately 1.75 miles to the northeast of the Project site. The San José Fire Department is responsible for providing the rapid delivery of fire, medical, rescue, and life safety emergency services within San José. Their mission is to prevent and minimize the loss of life and property threatened by the hazards of fire, medical, and rescue emergencies, hazardous materials incidents, and disaster situations within the community.

The San Jose Police Department is authorized to employ up to 1,400 personnel including both sworn and non-sworn
personnel. The Central division has a population of approximately 200,000 and covers an area of approximately 39 square miles. The Central Division is commanded by a Police Captain. The Central Division Command Staff and Supervision report to the Captain and currently consists of four Lieutenants and 18 Sergeants. Each Sergeant supervises teams of officers assigned to one of the 28 police teams who cover all three shifts.

The proposed Project would have a significant adverse effect if it would exceed the ability of police, fire and emergency medical providers to adequately serve the future residents and require new or expanded facilities. The City of San José has determined there is no impact in this regard because Development Impact Fees would offset the proposed Project’s impacts to those services. Therefore, planned projects such as this one would incrementally increase service needs, but the impact would not have a significant adverse effect.

Source Document(s): (59), (60), and (61)

<table>
<thead>
<tr>
<th>Parks, Open Space and Recreation</th>
<th>2</th>
</tr>
</thead>
</table>

The Project site is located in the City of San Jose, which has 200+ parks, 54 miles hiking of scenic trails and fishing at Lake Cunningham Park. The nearest developed park is Raymond Bernal Jr. Memorial Park, which is located approximately 0.25 miles away to the north east and is approximately 5.8-acres. The park has BBQ pits, an unlighted softball field, three playgrounds, and a restroom. In addition, Luna Park is located approximately 2.0 miles to the northeast and Burnett Middle School, the fields of which could be used at times for non-school related recreation is approximately 0.5 miles away. Implementation of the proposed action would incrementally increase the use of parks in the vicinity of the site. However, this increase in use is not expected to cause substantial physical deterioration of parks around the site. In addition, the proposed Project shall conform to the City’s Park Impact Ordinance (PIO) and Parkland Dedication Ordinance (PDO) (Municipal Code Chapter 19.38). This would be implemented after Project approval as condition of approval. The following standard permit condition would be implemented as part of the proposed Project.

Recreation

Public park and recreational facilities in the City of San José include regional and neighborhood parklands, open space, and community centers. As noted above, the Bernal Jr. Memorial Park located, and Burnett Middle School are approximately 0.25 the site and Luna Park is approximately 2.0 miles to the northeast. The proposed Project could increase the number of occupants on the site of the Project by approximately 192. The
The proposed Project would add to the residential and worker population using nearby recreational facilities. However, the proposed Project is not expected to increase the use of existing parks such that substantial deterioration would occur or be accelerated.

The City of San José has adopted the Parkland Dedication Ordinance (PDO) (Chapter 19.38) and Park Impact Ordinance (PIO) requiring residential developers to dedicate public parkland or pay in-lieu fees, or both, to offset the demand for neighborhood parkland created by new housing developments. Each new residential project is required to conform to the PDO and PIO. The acreage of parkland required is based upon the Acreage Dedication Formula outlined in the PDO. As indicated under “Parks and Open Space” above, as a standard permit condition, the proposed action would be required to comply with the City’s park ordinances. Compliance with these ordinances would offset impacts on park/recreation facilities.

Source Document(s): (9) and (63)

<table>
<thead>
<tr>
<th>Transportation and Accessibility</th>
<th>2</th>
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</thead>
<tbody>
<tr>
<td><strong>Pedestrian activity</strong></td>
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</tr>
<tr>
<td>Pedestrian activity within the Project area is light to moderate as the uses consist of a mix of low density residential and commercial uses in one- and two-story structures. Sidewalks are available along both sides of East Younger Avenue North 4th Street for their entire length adjacent to the Project site. In addition, intersections of the two listed streets have pedestrian signal heads, ADA curb ramps, and marked crosswalks.</td>
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<tr>
<td><strong>Bicycle Facilities</strong></td>
<td></td>
</tr>
<tr>
<td>Bicycle facilities within the Project area are limited. Neither East Younger Avenue or North 4th Street have bike lanes. The proposed Project includes improvements to North 4th Street adjacent to the Project site with a bike lane. Frontage on East Younger Avenue would be improved for pedestrian travel.</td>
<td></td>
</tr>
<tr>
<td><strong>Transit</strong></td>
<td></td>
</tr>
<tr>
<td>Transit bus service in San José and Santa Clara County is operated by VTA including the. Most regular bus routes run weekdays from early in the morning (5:00 to 6:00 AM) until late in the evening (10:00 PM to midnight) and weekends from early morning until mid-evening (8:00 to 10:00 PM). The Project site is not immediately adjacent to an existing bus service line, but is within approximately one mile of the 61 and 66 route. Additionally, both the Blue Line Light Rail (Santa Teresa – Baypointe) and the Green Line (Winchester – Old Ironsides) are</td>
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</table>
located approximately 0.2 miles west of the Project site on North 1st Street. The two Light Rail lines are considered High Quality Transit stops. In addition, all residents will receive free VTA passes with the housing vouchers.

**Trip Generation**

The proposed Project is not expected to generate a substantial number of vehicle trips. The proposed Project would provide 94 residential units, 93 of which would be for low-income and homeless individuals. The proposed Project would provide a total 43 parking spaces include 24 spaces for residents, 11 spaces for commercial use and 8 parking spaces for use by employees. In addition, there would be 54 long-term bicycle parking spaces. It is not anticipated that a substantial number of residents would have vehicles and that most would rely on walking, bicycles, transit for mobility, and other modalities such as ride sharing. This is anticipated to keep the trip generation rates from the proposed Project to be relatively low. In sum the proposed Project would generate a total of approximately 592 trips per day.

In addition, the proposed Project would provide 100% affordable housing with the exception of one room for the site manager, it is located within ½ mile of High-Quality Transit, has transit supporting densities with greater than 35 units per acre, and it would not negatively impact transit, bike, or pedestrian infrastructure.

**Site access and Circulation**

Vehicular access to the Project site would consist of a single ingress driveway from North 4th Street near the northerly Project boundary. This would provide access to the one-way private drive isle that would access the private parking lot used for resident and worker parking. The drive isle and parking would be located on the northwest and northeast sides of the building between the proposed structure and adjacent existing development and the undeveloped parcel to the northwest. Egress from the parking area would be via North Younger Avenue.

Source Document(s): (9), (20), and (63)
Environmental Assessment Factor | Impact Code | Impact Evaluation
--- | --- | ---
**NATURAL FEATURES**
Unique Natural Features, Water Resources | 2 | The Project site contains on existing 14,000 sf existing structure that is now vacant but was previously used as a grocery store and the balance of the site is paved within asphalt and have been used as a parking lot. No unique natural features or mapped agricultural lands are located on the Project site.

There are no water courses, creeks, streams, seasonal wetlands or other water resources on the Project site. There are no impacts in this regard.

Source Document(s): (9), (14), and (24)

Vegetation, Wildlife | 2 | The area surrounding the Project site is heavily urbanized and the Project site consists of a single 14,000 sf vacant building with an asphalt parking lot. The proposed Project is considered an infill site. Vegetation within the Project site is extremely sparse and occurs at the Project fence line and cracks in paved areas. Vegetation consists of non-native grasses and ruderal species. The Project site does not contain any woodland, brushland, grassland, marsh, or other habitat that would provide valuable habitat for wildlife. Use of the Project site would not disrupt or impede the use of a wildlife migration corridor. Trees are no trees or shrubbery suitable for nesting by birds protected by the Migratory Bird Treaty Act. Development of the Project site will have no significant effect on any endangered species.

Source Document(s): (9), (14), and (24)

Other Factors | 1 | There are no other environmental factors applicable to the proposed Project. The proposed Project however, would provide affordable housing. The proposed Project would provide a safe, clean, and sanitary place for residents in a location convenient to public transportation and other services. The proposed Project is beneficial to both residents and the community.

**Additional Studies Performed:**
See Source Documentation List.

**Field Inspection**
Stefan Chen – April 24, 2019.

**List of Sources, Agencies and Persons Consulted [40 CFR 1508]**
See Source Documentation List
List of Permits Obtained
None at this time

Public Outreach [24 CFR 50.23 & 58.43]:

The proposed Project results in a Finding of No Significant Impact (FONSI) which will be published in the newspaper and circulated to public agencies, interested parties, and landowners/occupants of parcels located within the proposed Project’s Area of Potential Effects (APE). Information about where the public may find the Environmental Review Record pertinent the proposed Project will be included in the FONSI Notice.

Cumulative Impact Analysis [24 CFR 58.32]:

The proposed Project consists of the construction of a 4-story apartment building with 94 units of age and income restricted housing. The zoning of the Project site is Commercial Pedestrian. (CP) - CP Commercial Pedestrian District. The CP Commercial Pedestrian District is a district intended to support pedestrian-oriented retail activity at a scale compatible with surrounding residential neighborhoods. This district is designed to support the goals and policies of the general plan land use designation of Neighborhood/Community Commercial (NCC) land use classification.

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

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]
A reduced-density of the Project site was considered but was deemed infeasible financially. In addition, one of the goals of the proposed Project is to maximize the number of affordable housing units and to satisfy as much of the regional housing needs allocation as is feasible.

No Action Alternative [24 CFR 58.40(e)]
No change to the site would occur under this alternative. The impacts discussed in the Environmental Assessment would not occur. The site would continue in its current state and the additional 93 units of affordable housing would not be constructed and the site would not be used to meet the regional housing needs allocation. Under this alternative the site could be used for a non-affordable housing use.

Offsite Alternative:
Consideration of an offsite alternative is not warranted because no significant impacts that cannot be avoided were identified.
Summary of Findings and Conclusions:
The proposed Project would result in the construction of a four-story 94 units apartment building for low-income and homeless individuals. The proposed Project would result in the demolition of an approximately 14,400 sf grocery store that is currently vacant. The grocery store is associated with the growth and expansion of the Chinese historical and cultural heritage in the San Jose Area. The existing structure is not eligible under the California Register criteria and hence is not eligible under the National criteria. The structure; however, was reviewed by the City and determined to be a Structures of Merit (SM) under the Historic Resources Inventory (HRI) as discussed in the Cultural Resources Section of the analysis above. The City’s HRI includes all properties designated at the local, State, or National level as historic resources, and potentially eligible historic properties added on an on-going basis as they are identified through project review, survey efforts, or other means of evaluation.

The proposed Project is suitable from an environmental standpoint. With implementation of the City’s Standard Permit Conditions, and recommendations of the technical studies incorporated to the proposed Project also as Standard Permitting Condition, there would be no anticipated significant adverse impacts from the Project. The proposed Project would provide a safe, sanitary, and affordable place for low-income and very-low income and currently homeless individuals to become residents. The proposed Project would serve as a valuable community benefit and assist these members of the public.

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.

<table>
<thead>
<tr>
<th>Standard Permitting Conditions</th>
<th>Standard Permit Conditions</th>
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</thead>
<tbody>
<tr>
<td><strong>Air Quality</strong></td>
<td>- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered twice daily.</td>
</tr>
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<td>- Soil, sand, or other loose material that would be transported off-site shall be covered in transit.</td>
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<tr>
<td></td>
<td>- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</td>
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<tr>
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<td>- All vehicle speeds on unpaved roads shall be limited to 15 mph.</td>
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<td></td>
<td>- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</td>
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<tr>
<td></td>
<td>- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</td>
</tr>
</tbody>
</table>
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- A publicly visible sign shall be posted with the telephone number and contact person at the Lead Agency who will receive dust complaints. The Air District’s phone number shall also be included to ensure compliance with applicable regulations.

### Cultural Resources

1) Inadvertent encounter with subsurface historic or prehistoric resources

In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Supervising Environmental Planner at the City’s Planning, Building and Code Enforcement Department shall be notified, and a qualified archaeologist shall examine the find.

The archaeologist shall 1) evaluate the find(s) encountered during excavation and/or grading to determine if they meet the definition of a historical or archaeological resource; and (2) make appropriate recommendations regarding the disposition of such finds.

If the finds encountered during excavation and/or grading do not meet the definition of historical or archaeological resources, no further study or protection is necessary prior to Project implementation.

If the find(s) encountered during excavation and/or grading does meet the definition of a historical or archaeological resource, then the find should be cordoned off and all Project activity in the area should cease.

If avoidance is not feasible, adverse effects to such resources should be mitigated in accordance with the recommendations of the archaeologist. Recommendations could include collection, recordation, and analysis of any significant cultural materials.

A report of findings documenting any data recovery would be submitted to the Supervising Environmental Planner at the City’s Planning, Building and Code Enforcement Department and the Northwest Information Center.

2) Inadvertent encounter with human remains

In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped. The Santa Clara County Coroner shall be notified immediately and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) within 24 hours of the identification. Once the NAHC identifies the most likely descendants (MLD), the descendants will make recommendations regarding
proper burial (including the treatment of grave goods), which shall be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

The archaeologist shall recover scientifically-valuable information, as appropriate and in accordance with the recommendations of the MLD. A report of findings documenting any data recovery shall be submitted to the Supervising Planner at the City’s Planning, Building and Code Enforcement Department and the Northwest Information Center.

Hazards and Hazardous Materials

1) Prior to the issuance of grading permits, shallow soil and groundwater samples shall be taken to determine if contaminants from previous operations are located on-site in concentrations above established construction worker and residential environmental screening levels. Once the soil sampling analysis is complete, a report of the findings shall be provided to the Supervising Environmental Planner of the City of San José Department of Planning, Building and Code Enforcement, and other applicable City staff for review prior to issuance of any grading permits.

2) If contaminated soils are found in concentrations above established thresholds for worker safety and/or residential thresholds, a Site Management Plan (SMP) shall be prepared by a qualified hazardous materials consultant to establish management practices for handling contaminated soil or other materials encountered during construction activities. The sampling results shall be compared to appropriate risk-based screening levels in the Site Management Plan. The Site Management Plan shall identify potential health, safety, and environmental exposure considerations associated with redevelopment activities and shall identify appropriate mitigation measures. The Site Management Plan shall be submitted to the Supervising Environmental Planner of the City of San José Department of Planning, Building, and Code Enforcement and Santa Clara County Department of Environmental Health (or equivalent regulatory agency) for approval prior to commencing construction activities. The Site Management Plan shall include, but is not limited to, the following:

- A detailed discussion of the site background;
- A proper mitigation as needed for demolition of existing structures;
- Management of stockpiles, including sampling, disposal, and dust and runoff control including implementation of a stormwater pollution prevention program;
- Management of underground structures encountered, including utilities and/or underground storage tanks;
- Sampling and laboratory analyses of excess soil requiring disposal at an appropriate off-site waste disposal facility;
- Traffic control during site improvements;
- Noise, work hours, and other relevant City regulations;
- Mitigation of soil vapors (if required);
- Procedures for proper disposal of contaminated materials (if required); and monitoring, reporting, and regulatory oversight arrangements.
  - A Health and Safety Plan by an industrial hygienist.

<table>
<thead>
<tr>
<th>Noise</th>
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<tbody>
<tr>
<td>• A detailed acoustical study shall be prepared during final building design to evaluate the potential noise generated by building mechanical equipment and demonstrate the necessary noise control to meet the city’s 55 dBA DNL goal. Noise control features such as sound attenuators, baffles, and barriers shall be identified and evaluated to demonstrate that mechanical equipment noise shall not exceed 55 dBA DNL at noise sensitive locations around the Project site. The noise control features identified by the study shall be incorporated in the Project prior to issuance of a building permit.</td>
</tr>
<tr>
<td>• Construction activities shall be limited to the hours between 7:00 AM and 7:00 PM, 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 (Municipal Code Section 20.100.450).</td>
</tr>
<tr>
<td>• Construct solid plywood fences around ground-level construction sites adjacent to operational businesses, hotels, and other noise-sensitive land uses.</td>
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<tr>
<td>• Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.</td>
</tr>
<tr>
<td>• Unnecessary idling of internal combustion engines shall be strictly prohibited. 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. Temporary noise barriers could reduce construction noise levels by 5 dBA.</td>
</tr>
<tr>
<td>• Use “quiet” air compressors and other stationary noise sources where technology exists.</td>
</tr>
<tr>
<td>• Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the Project site.</td>
</tr>
<tr>
<td>• 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.</td>
</tr>
<tr>
<td>• A temporary noise control blanket barrier shall be erected, if necessary, along building facades facing construction sites. This condition shall only be necessary if conflicts occur which are irresolvable by proper scheduling. Noise control blanket barriers shall be rented and quickly erected.</td>
</tr>
<tr>
<td>• Designate a &quot;disturbance coordinator&quot; 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 require that reasonable P a g e</td>
</tr>
</tbody>
</table>
41 Environmental Assessment – Quetzal Gardens 1695 Alum Rock Avenue, San Jose, CA April 2017 measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

- Provide a suitable form of forced-air mechanical ventilation, as determined by the local building official, for all units so that windows can be kept closed to control noise.
- A qualified acoustical specialist shall prepare a detailed analysis of interior residential noise levels resulting from all exterior sources (transportation and non-transportation) during the design phase pursuant to requirements set forth in the State Building Code. The study shall also establish appropriate criteria for noise levels inside the commercial spaces affected by traffic noise. The study shall review the final site plan, building elevations, and floor plans prior to construction and recommend building treatments to reduce residential interior noise levels to 45 dBA DNL or lower and reduce levels to the established criteria for the commercial uses; and, address and adequately control the noise from rooftop equipment on the adjacent building. Treatments shall include, but are not limited to, sound-rated windows and doors, acoustical caulking, protected ventilation openings, etc. The specific determination of what noise insulation treatments are necessary shall be completed on a unit-by-unit basis during final design of the Project. Results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City, along with the building plans and approved design, prior to issuance of a building permit.

Appendix A: Air Quality and Greenhouse Gas Model Outputs

Appendix B: Phase I Environmental Site Assessment Report - 1020 North 4th Street, San Jose, CA 95112 Avenue, Oakland, California 94608. (LSA, February 2018)
- Including: Environmental Data Resources – Former Dick Yees – 1024 N. 4th Street.

Appendix C: Asbestos Removal Confirmation - Z-Con Specialty Services, Inc. – Re: 1040 N. 4th Street, San Jose CA

Appendix D: Geotechnical Engineering Study – 4-Story 4th Street Affordable Housing Building, 1020 N. 4th Street.


Appendix F:
- USFWS – List of threatened and endangered species that may occur in the proposed project.


**Appendix G:** EPA Environmental Justice Screen – 1020 N. 4th Street, April 2, 2020.

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

7. Association of Bay Area Governments (ABAG), 2015, Regional Housing Needs Allocation.
22. Partner, 2019, Phase I Environmental Site Assessment 1020 North Fourth Street, San Jose, CA 95112.
23. Z-Con Specialty Services, Inc. 2019 –
28. FEMA, 2009. FEMA Flood Map Service Center. Available:


31. Cultural Resources Memorandum - Records search...


40. Kimley-Horn October 23, 2019 – Entitlement Approach for Supportive Housing Development at 1020 N. 4th Street in San Jose, CA. 

41. Earth Systems, 2019 – 4-Story 4th Street Affordable Housing Building – Geotechnical Engineering Study.


45. Working Group of California Earthquake Probabilities, 2014


47. Earth Systems, 2019. 4-Story 4th Street Affordable Housing Building 1020 North 4th Street. Geotechnical Engineering Study.


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: May 28, 2020

Alex Jewell, Project Manager, Kimley-Horn

Certifying Officer Signature: ________________________ Date: 6/5/2020

Ky Le Director, Office of Supportive Housing, County of Santa Clara.

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).