

ERRATA

Tamien Station Transit Oriented Development Project Initial Study/Mitigated Negative Declaration

File No. PDC18-025
Location 1197 Lick Avenue, San Jose
Council District 3

BACKGROUND

The Draft Initial Study/Mitigated Negative Declaration (IS/MND) for Tamien Station Transit-Oriented Development Project (Project) was published for public review on March 9, 2020. The public review period ended on April 7, 2020. One public comment letter was received that resulted in minor text changes to the IS/MND. The following errata to the IS/MND is made to correct and clarify the changes. Responses to public comments that were received during the public review period are included in the Response to Comments document.

PURPOSE OF ERRATA

The California Environmental Quality Act (CEQA) Guidelines, Section 15073.5, requires that a lead agency recirculate a negative declaration “when the document must be substantially revised.” A “substantial revision” includes: (1) identification of a new, avoidable significant effect requiring mitigation measures or project revisions, and/or (2) determination that proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures and revisions must be required.

State CEQA Guidelines specify situations in which recirculation of a negative declaration is not required. This includes, but is not limited to, situations in which “new information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.” As noted below, revisions to the proposed project would not change the extent of the project analyzed in the Initial Study/Mitigated Negative Declaration (IS/MND). The following changes to the IS/MND clarify the project being analyzed, and modifications would be insignificant. Recirculation of the IS/MND is therefore not required in accordance with Section 15073.5(c).

TEXT REVISIONS

The following section contains text revisions to the *Tamien Station Transit-Oriented Development Project Initial Study*, dated March 2020.

Underlining depicts text added, while ~~strikeouts~~ depict text deleted.

Page 96: **REVISE** Section 3.9.1.2, *Existing Conditions*, as shown.

Surface runoff from the project site and surrounding area is collected by storm drains and discharged into ~~Los Gatos Creek~~ the Guadalupe River.

Page 97: **REVISE** Section 3.9.1.2, *Existing Conditions*, as shown.

Dam failure inundation hazard maps have been prepared by dam owners throughout the Bay Area. The maps for the City of San José show that the project site is in the dam failure inundation hazard zone for Anderson Reservoir, with maximum flood depths ranging from 18-20 feet during a catastrophic failure, and Lexington Reservoir, with maximum flood depths ranging from 24-29 feet during a catastrophic failure.^{1,2}

Page 103: **REVISE** the discussion under *Checklist Question 4*, as shown.

While the project site is located in the inundation areas for ~~the Anderson Dam~~ and Leniham Dam, in the event of a complete dam failure, Valley Water's comprehensive dam safety program and emergency action plan ensure public safety.

Page 148: **REVISE** Section 3.16.3 *Other Transportation and Site Access Considerations*, as shown.

Per the City of San José Municipal Code (Chapter 20.90), vehicle parking requirements for multi-family residential uses are as follows:

- 1.25 spaces per studio and one-bedroom unit
- 1.7 spaces per two-bedroom unit
- 2.0 spaces per three-bedroom unit

A total of 785 off-street parking spaces are required for the proposed residential units. Based on the location of the project site and the City's parking requirements and reductions, the project could be eligible for a 20 percent reduction in off-street vehicle parking. To further reduce parking demand from future occupants, and allow for an additional 5 percent reduction in parking, the

¹ Santa Clara Valley Water District. *Anderson Dam EAP 2009 Flood Inundation Maps*. June 2009.

² Santa Clara Valley Water District. *Leniham (Lexington) Dam Flood Inundation Maps*. April 2016.

project would implement a Transportation Demand Management Program (TDM). For TDM measures proposed by the project, refer to Appendix G of this IS.

With ~~this~~ these reductions, the project would be required to provide ~~469-158~~ parking spaces to serve the affordable housing units, and ~~460-430~~ parking spaces to serve the market rate apartments, totaling ~~629-588~~ spaces. The project proposes 160 parking spaces for the affordable housing units and ~~434-452~~ parking spaces to serve the market rate apartments, of which 20 spaces would be for guest parking, for a total of ~~594-612~~ residential spaces.

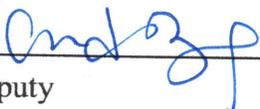
~~Assembly Bill 744 (AB 744) was signed by Governor Brown which prevents local jurisdictions from imposing vehicular parking requirements higher than those established by the legislation, upon the request of a developer, provided that the project includes enumerated percentages of affordable housing and is located near designated public transit. AB 744 states that for 100 percent affordable housing developments located within one half mile of a major transit stop, the parking requirement cannot exceed 0.5 spaces per unit. The project is located adjacent to the Tamien LRT/Caltrain Station and is providing 135 affordable housing units. After applying the reduced parking rate of 0.5 spaces per unit, 68 parking spaces would be required to serve the affordable apartments. Based on this calculation, the project would provide adequate parking to serve the affordable housing units.~~

~~To further reduce parking demand from future occupants, the project would implement a Transportation Demand Management Program (TDM). For TDM measure proposed by the project, refer to Appendix G of this IS.~~

These changes are minor corrections that do not present new information or change the analysis or findings of the IS/MND. The new information is not significant and recirculation is not required. In conformance with Section 15074 of the CEQA Guidelines, the IS/MND, technical appendices and reports, together with the Errata and the information contained in this document are intended to serve as documents that will inform the decision-makers and the public of the environmental effects of this project.

Rosalynn Hughey, Director
Planning, Building and Code Enforcement

Date: 5/4/2020


Deputy

Attachment:

Responses to Comments for the Tamien Station Transit-Oriented Development Project Initial Study, May 2020.