

# memorandum

date           October 31, 2019

to             Nimisha Agrawal  
Assistant Planner I  
Community Development Department  
City of Santa Clara

cc             Jennifer Carvalho  
Office Specialist III  
Housing & Community Services  
City of Santa Clara

from          Karl F. Heisler and Jennifer Brown  
Environmental Science Associates

subject       2330 Monroe Street Affordable Housing Initial Study Response to Comments

## CEQA Process following Release of the Initial Study and Proposed Mitigated Negative Declaration (IS/MND)

A Initial Study and proposed Mitigated Negative Declaration (IS/MND) was prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code [PRC], Section 21000 et seq by the City of Santa Clara (City) to disclose the potential environmental effects of the 2330 Monroe Street Affordable Housing Project (project). The IS/MND includes a description of the project, an assessment of its potential effects, and a description of mitigation measures to reduce significant effects that were identified. The IS/MND was released on September 25, 2019, for a 30-day review period, ending on October 24, 2019, and was made available to state, regional, and local agencies and members of the public. Comment letters on the IS/MND were received from two individuals listed below.

- Rachit Aggarwal (October 6, 2019)
- Unnamed Neighbor at 2250 Monroe Street (October 22, 2019)

In addition, an e-mail was received from an individual inquiring how to qualify for one of the residential units in the proposed project. The e-mail did not, however, contain any comments on the IS/MND.

In support of the City's review of the project, this memo provides a response to written comments on the IS/MND that were raised during the public review period. The responses in this document substantiate and confirm the analyses contained in the IS/MND. No new significant environmental impacts, no new significant information, and no substantial increase in the severity of an earlier identified impact have resulted from responding to

comments. Therefore, no revisions are required to the previously released IS/MND. As the lead agency, the City must adopt the Mitigated Negative Declaration before action can be taken on the project.

## Responses to Comments on the Initial Study and Mitigated Negative Declaration (IS/MND)

Written comments on the IS/MND are included following the responses in this section (**Attachment A**). Written comments received were provided to the City of Santa Clara by email. Comments are addressed with respect to the letter from which they are sourced in order of the dates they were received.

### ***Rachit Aggarwal – Comment Letter, October 6, 2019***

The commenter suggests that the project could include a retail component.

With respect to the commenter's concern regarding the lack of retail space, City staff provided an email response to the commenter. As stated by staff, this parcel is a part of a larger parcel that was initially acquired by the County as part of the construction of San Tomas Expressway and subsequently acquired by the City as an affordable housing site. Therefore, it was never intended to have a retail component. Retail projects by the City can be anticipated in regions zoned for such uses, many existing retail uses already exist within 2,000 feet of the project site.

It is noted that the project site is within an area of the City designated for residential use in the Santa Clara General Plan. The El Camino Real corridor, about 0.75 miles south of the project site, is designated for retail uses, as are smaller areas at Monroe Street and Scott Boulevard (0.25 miles east of the site) and at Scott Boulevard and Warburton Avenue, about 0.65 miles southeast of the site.

### ***Anonymous Neighbor at 2250 Monroe Street – Comment Letter, October 22, 2019***

The commenter states that the Initial Study's analysis of traffic impacts is not supported by evidence, that there is heavy peak-hour traffic on both San Tomas Expressway and Monroe Street, and that the location is already prone to traffic accidents and that the project would exacerbate this condition. The commenter also states that the proposed project would provide insufficient parking and questions whether the project would provide services for the portion of project residents expected to have developmental disabilities.

With respect to the comment's concern regarding the IS/MND's lack of evaluation of traffic hazards at the intersection of Monroe Street and San Tomas Expressway, this analysis included under Section 5.17, *Transportation* of the IS/MND. Specifically, Impact c) addresses this topic, and included in its evaluation is a sight distance analysis (Appendix F), by Fehr & Peers and reviewed by the City transportation engineers. Based on this line of sight analysis, which factored in vehicle speed, and turning radius in proximity to the project site Driveway, Mitigation Measure TR-1: Roadway Safety Modification is presented to reduce the current rapid right turn movements from northbound San Tomas Expressway, which could result in vehicle related hazards along Monroe Street. Among other details, this measure requires that the project applicant prepare improvement plans for the intersection of San Tomas Expressway and Monroe Street and parking removal on Monroe Street to improve roadway safety.

Review of data from the California Highway Patrol's Statewide Integrated Traffic Records System indicates that, since January 21, 2016, there have been 21 motor vehicle collisions (5.6 per year over 3.75 years) at the intersection of Monroe Street and San Tomas Expressway and another 37 collisions (almost 10 per year) nearby—mostly on San Tomas Expressway north or south of the intersection, with six of these on Monroe Street. There have also been 11 collisions (almost 3 per year) on Monroe Street adjacent to or near the project site (i.e., at or near the intersection with Los Padres Boulevard). Although person(s) sustained injuries in 28 of these 69 total collisions (41 percent), there were no fatalities. The number of collisions at the San Tomas/Monroe intersection does not appear to be substantially greater, on average, than at other heavily trafficked intersections in Santa Clara.

With respect to the comment's concern that the project does not provide adequate parking, the IS/MND provides a parking analysis under Section 5.17, *Transportation* of the IS/MND. Specifically, Impact a), addresses the project's potential to conflict with plans, ordinances and policies. While parking is not a criterion under this list, the analysis considers projects of a similar nature and found that the project would generate a peak demand of 78 vehicles spaces in the evening time. Thus, the provision of 94 spaces would be adequate to meet demand.

With respect to the comment's request for clarification regarding the need for services and physicians at the project site, note that these services are not proposed with the project. As supported in the project applicant's Memorandum of Understanding with the Housing Choices Coalition, a provider of affordable housing for persons with developmental disabilities, and the San Andreas Regional Center, which provides services to such persons, the Housing Choices Coalition would provide the project sponsor with tenant referrals and resident coordination services in close collaboration with the San Andreas Regional Center, which maintains a waiting list of people and funds the supportive services. According to the project sponsor, residents who would be living in the 20-25 percent of units reserved for people with developmental and/or intellectual disabilities are people who are able to live independently. Most of these residents would have jobs and take public transportation. According to the sponsor, these residents would not necessarily be physically handicapped or have mental health issues such that they would require a facility with physicians to support daily living.

# Attachment A

## **Comment Letters**





## Jennifer Ostner

---

**From:** Nimisha Agrawal <NAgrawal@SantaClaraCA.gov>  
**Sent:** Tuesday, October 8, 2019 11:34 AM  
**To:** Rachit Aggarwal  
**Subject:** RE: 2330 Monroe St project

Hi Rachit,

Thank you for your email. The CEQA document with project details are available on the City's website at <http://santaclaraca.gov/Home/Components/BusinessDirectory/BusinessDirectory/291/2495>

This parcel is a part of a larger parcel that was initially acquired by the County as part of the construction of San Tomas Expressway and subsequently acquired by the City as an affordable housing site. Therefore, it was never intended to have a retail component. Hope that helps clarify, please let me know if you have any questions.

Thank you,  
Nimisha

**From:** Rachit Aggarwal <rachit.nitk@gmail.com>  
**Sent:** Sunday, October 6, 2019 7:00 PM  
**To:** Nimisha Agrawal <NAgrawal@SantaClaraCA.gov>  
**Subject:** 2330 Monroe St project

Hi Nimisha,

I am a resident of the area of Santa Clara around the site of planned project. Can you share some details of the project.

At one of the online forums, local residents are expressing their unhappiness around lack of retail space and was thinking if there is a constructive way to provide this feedback for the project.

RECEIVED

OCT 3 2019

PLANNING DIVISION

The proposal of building affordable house at 2330 Monroe streets has the following glaring issues.

1. The proposal claims that the transportation impact can be mitigated without showing any convincing evidence. First, it does not consider the horrible rush hour traffic on both Monroe and San Tomas, which will make entering and exiting the plaza dangerous. This could easily cause accidents and exacerbate the already heavy traffic in both directions. Secondly, the location itself is already traffic accident prone. It would be dangerous to make it more crowded by adding a massive scale apartment at that corner. I myself witnessed one major traffic accidents when two cars were totally smashed with debriefs all over the place. One car eventually hit the island in the middle of Monroe street after being hit by the other car. The situation could have been worse if the car ran to the curbside, which was totally possible. Thus, given the potential danger of the location and the already super crowded reality, that tiny corner is not used as a residential area for good reasons. I still have the photo to show how terrible the accident was.
2. The project wants to build 65 units without carefully considering the parking limits. Assuming the ratio of units to parking space being 1: 1.8 (Coronado villa next to it has ratio of 1:1.8), it means it requires roughly 117 parking lots. However, the proposal only planned 94. This means that, likely more cars will have to park along the already crowded Monroe street, causing more both environmental trouble and safety problems.
3. 20% of the units are set aside for people with development disabilities, both mentally and physically. So, does the facility include the service these people need? For mentally disabled people, physicians are needed to make sure they are in stable condition. Who is going to pay for these facilities if they are needed?

2250 Monroe St, #332

Santa Clara, CA, 95050

SAN JOSE CA 950

17 OCT 2019 PM 4 L



city of Santa Clara - planning Division  
Namisha Agrawal, Assistant planner II  
1500 Warburton Avenue, Santa Clara,  
CA, 95050  
phone: 408-615-2950



**Attachment B**  
**Memorandum of Understanding**  
**Among Freebird Development**  
**Company, Housing Choices and**  
**San Andreas Regional Center**







**MEMORANDUM OF UNDERSTANDING  
AMONG FREEBIRD DEVELOPMENT COMPANY, HOUSING CHOICES,  
AND SAN ANDREAS REGIONAL CENTER  
(2330 Monroe Street, Santa Clara, CA)**

Freebird Development Company LLC ("Freebird"), Housing Choices Coalition for Persons with Developmental Disabilities, Inc. (Housing Choices) and San Andreas Regional Center (SARC) hold a shared commitment to creating a supportive and sustainable living environment for individuals with developmental disabilities at the affordable housing property planned for development at 2330 Monroe Street, Santa Clara, CA. This tri-party Memorandum of Understanding is entered into by Freebird, Housing Choices and SARC effective on April 23, 2019 to set forth the mutually agreed upon roles and responsibilities of each party in achieving this common goal.

**Freebird**

Freebird is the developer of a planned 65-unit affordable housing development to be located at 2330 Monroe Street, Santa Clara, CA (the "Property"). Because of SARC's and Housing Choices' commitment to provide Housing Choices' program of housing services and other SARC-funded services to residents with developmental disabilities, Freebird agrees to set aside up to 25% of the rental units at the Property for rent to qualified low-income tenants with developmental disabilities, as referred by Housing Choices. Freebird will provide appropriate space on site for Housing Choices' provision of resident support services, including office or meeting space and use of a community room for tenant events organized by Housing Choices. Freebird will coordinate with Housing Choices, the property manager and other service providers as needed to facilitate the leasing process and maintain a healthy, supportive environment for Housing Choices' residents.

**Housing Choices**

Housing Choices has been working to create affordable housing opportunities for people with developmental disabilities since 1997. Housing Choices agrees to work with Freebird to provide Tenant Referral and Resident Coordination services for qualified households which include a person with developmental disabilities in the set-aside units at the Property. These services include but are not limited to the following:

Tenant Referral for Occupancy of Units Designated for SARC Clients

Housing Choices will work with SARC to refer SARC clients for units as they become available. This comprehensive referral process includes:

- Marketing units to appropriate households in the community, drawing from Housing Choices' registry of SARC clients seeking housing and other community marketing to people served by SARC, and also keeping SARC and other community partners educated and aware of the availability of designated units;
- Screening households to verify that they are clients of SARC and reviewing applicant's self-reports to help households determine whether they meet the other tenant selection criteria for the property, which will be verified by property management when the completed application for housing is submitted;

- Conducting a lottery to place applicants who are verified to be clients of SARC on a randomly generated wait list for designated units at the time of initial lease-up;
- Continuing to add SARC clients in date order to the wait list for designated units after the initial lottery is conducted;
- Interviewing the applicants and prospective roommates and helping them prepare for the application and move-in process;
- Referring clients to SARC Service Coordinators to ensure that appropriate Independent Living or Supported Living services are in place before a client signs a lease;
- Helping clients pursue all available sources of security deposit assistance and grants for basic household needs;
- Working with property management to ensure applicants fill out the formal housing application and other necessary paperwork;
- Providing support to the client in the property manager's initial interview when others are not available to provide this assistance;
- Assisting clients in following up on comments provided by property management on the applicant's application or supporting documentation;
- Making best efforts to ensure the designated units are occupied by clients of SARC but if Housing Choices is unable to provide qualified applicants to the property management in a timely manner, the property management may process the applications of other qualified applicants who are not clients of SARC.

#### Resident Coordination

In addition, Housing Choices will provide a Resident Coordinator whose job responsibilities will include:

- Providing a single point of contact for independent living services and supported living services (ILS/SLS) agencies, in home care providers, San Andreas Regional Center, conservators and property management with respect to the housing needs and issues of residents living in the units designated for occupancy by SARC clients;
- Assisting residents of the designated units in seeking reasonable accommodations for specific disabilities;
- Assisting residents of the designated units in preparing for unit inspections and annual re-certifications;
- Assisting residents of the designated units in understanding and complying with lease terms and property rules and regulations;
- Assisting residents in responding to adverse notices from property management resulting from unsatisfactory inspections, the annual re-certification process, or complaints about the residents' compliance with lease terms and property rules;
- Assisting in mediation of conflicts involving residents occupying units designated for SARC clients – between other residents, property management, service providers and other conflicts as necessary;
- Advocating on behalf of clients to ensure they are receiving all necessary services;
- Attending Circle of Support and Individual Program Plan meetings as invited with the client's individual service provider;

- Working to create a sense of community among Housing Choices' residents and encouraging a network of support among neighbors and friends. This includes:
  - Coordinating resident/community meetings;
  - Facilitating resident activities on a regular basis.

**San Andreas Regional Center**

San Andreas Regional Center (SARC) has been serving individuals with developmental disabilities since 1979. SARC is funded by the State of California to serve this population as required by the Lanterman Developmental Disabilities Act. The Lanterman Act is part of California law that sets out the rights and responsibilities of persons with developmental disabilities. SARC works with each of its clients to develop an individual service plan and contracts with qualified agencies to provide each client with the appropriate level of ILS/SLS or other services to meet his or her specific needs. SARC agrees to refer individuals with developmental disabilities to Housing Choices for assistance in applying for tenancy of the designated units at the Property and to provide funding to Housing Choices to provide the appropriate level of Tenant Referral and Resident Coordination services described above, pursuant to an approved Program Design and at an approved hourly rate. These services will be provided at no cost to tenants or property management on a regular and ongoing basis commencing at the time of initial lease-up for so long as SARC continues to contract with Housing Choices for the services. The minimum duration of services under this MOU shall be one year from the completion of initial lease-up.

Funding of Housing Choices' services at the Property is contingent upon SARC's receiving funding for such services through its contract with the California Department of Developmental Disabilities. In the event that SARC ceases to receive funding through the California Department of Developmental Services to pay for services, SARC may, as its option, give notice of termination of this MOU in accordance with the provisions below.

This MOU will automatically renew on an annual basis of July 1 of each year unless notice of termination for cause is provided in writing to all the parties by the party or parties seeking termination at least sixty days prior to the annual renewal date. Cause for termination consists of any of the following three reasons: (a) SARC's determination that DDS or other funding is no longer available for Housing Choices' services to the Property; or (b) Freebird and SARC agreeing that Housing Choices has materially failed to provide the services to the property that are described above; or (c) Housing Choices and SARC agreeing that the unit rents, qualifying income, property rules or other property conditions are no longer appropriate for people with developmental disabilities.

SIGNED:

  
 Robin Zimble, ~~CEO~~ <sup>Manager</sup>, Freebird Development Company, LLC

  
 Janelle A. Stokley, Executive Director, Housing Choices Coalition

  
 Javier Zaldivar, Executive Director, San Andreas Regional Center