

Section 3.14 Socioeconomics

Introduction

This section describes the environmental setting and the potential effects of the alternatives analyzed in this Supplemental DEIS with regard to socioeconomics. Specifically, this section discusses existing demographic conditions within the Capitol Expressway Corridor, and describes applicable regulations pertaining to socioeconomics. The assessment of substantial adverse effects and mitigation measures of the alternatives related to socioeconomics is also described.

Affected Environment

EXISTING CONDITIONS

Neighborhoods and Planning Areas

The study area for socioeconomic effects comprises the neighborhoods indicated in the City of San Jose’s Neighborhood Boundaries map (Figure 3.14-1) (City of San Jose 2004) and the 2000 U.S. Census tracts located adjacent to the project alignment (Figure 3.14-2).

Regulatory Setting

This section discusses federal regulations relating to socioeconomics.

FEDERAL

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended mandates, that certain relocation services and payments be made available to eligible residents, businesses, and nonprofit organizations displaced by construction and operation of transit-related projects. The act establishes uniform and equitable procedures for land acquisition, and provides for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by federal and federally assisted programs.

Environmental Consequences and Mitigation Measures

APPROACH AND METHODOLOGY

The evaluation of adverse effects on socioeconomics with respect to the proposed alternatives was based on a qualitative assessment of the potential to negatively affect the population, household, and community characteristics of the study area.

Effects and Mitigation Measures

Effects related to socioeconomics are discussed in this section. Potential affects as a result of the alternatives are discussed collectively, by alternative in this section.

No-Build Alternative

The No-Build Alternative would not include construction of structures or facilities. Under this alternative, no socioeconomic impacts are anticipated. No further discussion of this impact is necessary.

Light Rail Alternative

This analysis considers the effects of the Light Rail Alternative.

Impact: Disruption or Division of the Physical Arrangement of an Established Community such that Social Interaction within the Community is Severely Hampered

The alignment of the proposed Light Rail Alternative would occupy and operate in exclusive and semi-exclusive rights-of-way within the median of an existing regional transportation facility. Well-established communities have developed with this physical feature in place and as the Light Rail Alternative makes use of this pre-existing feature no community would be divided. Therefore, there would be no adverse effect.

No adverse effects. No mitigation required.

Impact: Detraction from Efforts to Economically Revitalize the Study Area

As noted previously, the *San Jose 2020 General Plan* designates the Capital Avenue/Expressway corridor an “Intensification Corridor”, an area where higher residential densities, mixed uses, and nonresidential uses would be centered around a planned or existing rail line. The Light Rail Alternative would likely help to renovate the corridor and economically revitalize the area. The project would have a beneficial effect.

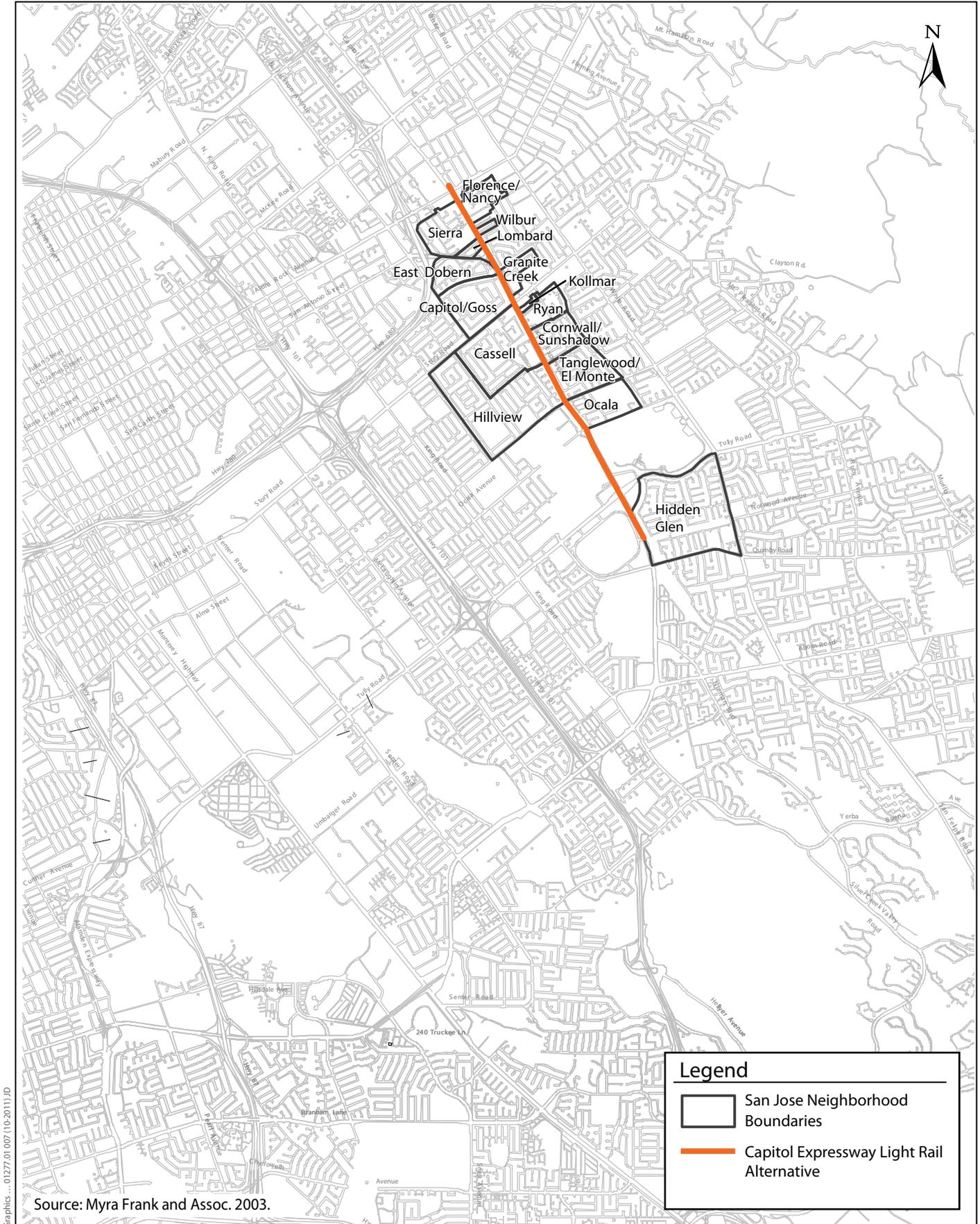


Figure 3.14-1
Neighborhood Boundaries Map

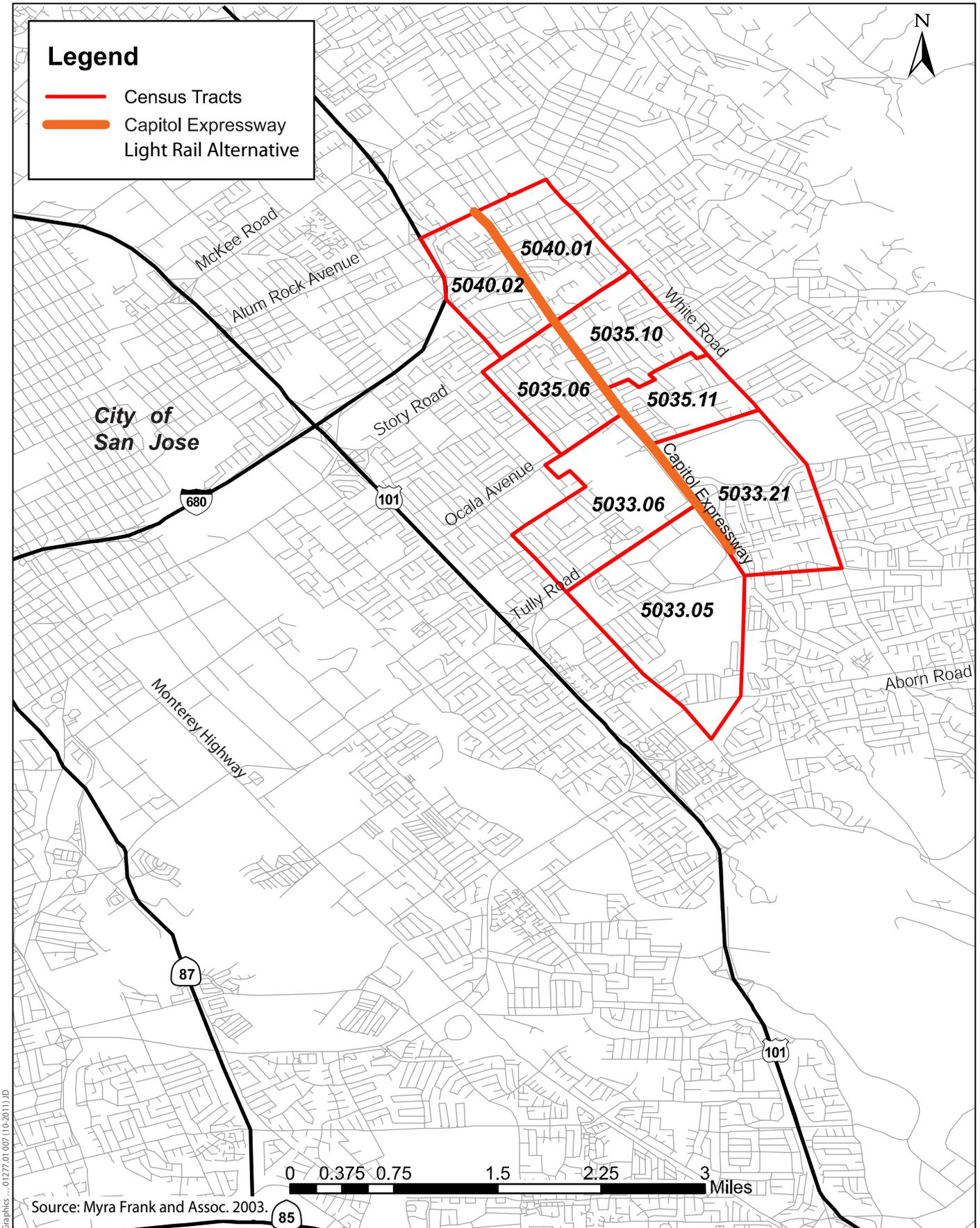


Figure 3.14-2
Census Tracts along the Capitol Expressway Corridor

Beneficial effects. No mitigation required.

Impact: Direct or Indirect Inducement of Substantial Growth in the Study Area That is Not in Accordance with Existing Community or City Plans

Implementation of the Light Rail Alternative is not anticipated to result in an unanticipated gain or loss of population in the study area. Though the creation of new employment opportunities is consistent with *San Jose 2020 General Plan* policies, the project would result in minimal new employment opportunities, and those positions would not likely exceed what is normally available in the local labor pool. In addition, the temporary nature of the employment that would be generated by construction would not in itself induce substantial growth that is not in accordance with existing plans. There would be no direct or indirect inducement of unplanned growth; therefore, there would be no adverse effect.

No adverse effects. No mitigation required.

Impact: Displacement of Existing Businesses or Housing, Especially Affordable Housing

Throughout the project development process, VTA has made many changes to the Light Rail Alternative to avoid or minimize right-of-way acquisitions. As a result of these efforts, the Light Rail Alternative would require only one full acquisition at 1091 and 1093 S. Capitol Avenue (APN 484-34-131) where two businesses would be displaced, and 59 partial acquisitions and easements (see Table 2-4. Preliminary Right-of-Way Requirements in Chapter 2, *Alternatives Analysis* for complete list).

The two businesses to be acquired occupy a 1,050 square foot building located on 0.11 acres and include Texas Smokehouse BBQ and Capitol Beauty Salon. Based on information from the City of San Jose Finance/Revenue Management Office, which issues Business Licenses, and a site visit on January 11, 2012, by VTA staff, there are a total of three employees at these two businesses. Two of the three employees are the business owners. This property cannot be avoided because it is needed to provide a turnaround for emergency vehicles, such as fire engines, due to the narrowing of S. Capitol Avenue where it ends near Story Road.

No full acquisitions of residential properties (and therefore no residential displacements) would occur in the study area.

Partial acquisitions at commercial properties would affect primarily landscaping. However, parking supply at Eastridge Shopping Center would be reduced and driveway access from Capitol Expressway would be eliminated to the Chevron Service Station at Story Road.

VTA is proposing to acquire 135 parking spaces at Eastridge Shopping Center to meet increased demand generated by the Eastridge Station. This acquisition was reduced by over 200 spaces based on VTA's experience on other light rail projects where the parking models overestimated demand for parking. Aerials taken on December 17, 2011, and December 24, 2011, indicate that the spaces that would be acquired are underutilized even during the Christmas shopping season.

The driveway access to the Chevron Service Station located on the southeast corner of Story Road and Capitol Expressway is needed for a pedestrian overcrossing to the Story Road Station. Driveway access from Story Road would be maintained.

At residential properties, partial acquisitions would affect front or back yards. An option is under consideration that would avoid or minimize the acquisition of a portion of back yards at nine residences. This option involves keeping the existing sidewalk between Foxdale Drive and Ocala Avenue, but eliminating the addition of a new multi-use path and landscaping.

Temporary and permanent easements would be required for construction, utilities and maintenance. The most significant easement is for the PG&E electrical transmission lines between Ocala Avenue and Quimby Road. These lines will require a permanent aerial easement for the wires, including wire sway. This easement will mostly affect publicly-owned vacant land on the east side of Capitol Expressway. However, two businesses, an auto dealership and a neighborhood shopping center, located on the east side of the Tully Road intersection, will also be affected. They currently use the area covered by the easement for parking, which would probably not be restricted by the easement. The easement would most likely restrict the placement of structures or trees under the wires.

All displacement and relocation activities would be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Uniform Act). The Uniform Act ensures the fair and equitable treatment of persons whose real property is acquired or who are displaced as a result of a federal or federally-assisted project. Government-wide regulations provide procedural and other requirements (appraisals, payment of fair market value, notice to owners, etc.) in the acquisition of real property and provide for

relocation payments and advisory assistance in the relocation of persons and businesses.

VTA's Relocation Program, which complies with federal relocation requirements, provides assistance to eligible residence and business owners. This assistance, which varies on a case-by-case basis, can be both financial (e.g., moving costs, rent subsidies, relocation costs, personal property losses, reestablishment expenses, etc.) and technical (e.g., providing information regarding suitable replacement sites, providing referrals, assisting with lease negotiations, assisting with moving logistics, etc.). Business owners also have the option of receiving a fixed payment in lieu of the payments for actual moving and related expenses and actual reasonable reestablishment expenses.

When acquisition occurs, properties would be appraised at fair market value and offers would be based on the approved appraised values. For relocation, the availability of alternate sites would vary; however, the economy is characterized by a comfortable vacancy rate in the project area, which could accommodate the need for relocation space in a similar price range.

While the Light Rail Alternative will have an adverse effect on properties that will be acquired, the provisions of VTA's Relocation Program will minimize these adverse effects; therefore, no mitigation is required.

No adverse effects. No mitigation required.

Impact: Creation of Demand for Additional Housing that Cannot be Accommodated by Existing Housing Stock

As the area is already fully built-out, it is unlikely that the Light Rail Alternative would induce any new growth that would create demand for new housing beyond what has been planned for.

The additional right-of-way the Light Rail Alternative would require necessitates the partial acquisition or easement of 59 properties, mostly effecting the landscaping of commercial properties or backyards of residential properties. However, no full acquisitions of residential properties (and therefore no residential displacements) would occur in the study area which would create demand for additional housing. Therefore, there would be no adverse effect.

No adverse effects. No mitigation is required.

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