

**NOTICE OF PREPARATION OF A
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE
ICON-ECHO MIXED-USE PROJECT**

FILE NO: SP21-031
PROJECT APPLICANT: Urban Catalyst (Attn: Paul Ring)
APNs: 467-20-060, 467-20-080, and
467-20-081

Project Description: As proposed, the project would demolish the existing parking lot and buildings on-site (totaling approximately 22,527 square feet) and construct two towers (a 21-story office/retail tower in the southern portion of the site at East Santa Clara Street and North Fourth Street and a 27-story residential tower in the northern portion of the site at St. John Street and North Fourth Street) connected via a podium on floors one to four and would include commercial condominiums. Commercial uses would account for approximately 525,000-square feet, retail uses up to 8,500-square feet, and the residential tower would have up to 415 residential units. One level of below-grade parking is proposed across the project site. A total of 1,151 parking spaces is proposed (893 parking spaces for the office component and 228 parking spaces for the residential component). Of the 893 parking spaces proposed for office space, 30 parking spaces would be allocated for a shared parking agreement with the senior apartments located west of the site at 60 North Third Street. Vehicular access to the site would be provided via one two-lane inbound-only driveway and one multi-lane, two-way driveway along North Fourth Street. Two additional driveways for the loading docks would also be provided along North Fourth Street.

The site is designated *Downtown* under the City's General Plan and has a zoning designation of *Downtown Primary Commercial*.

Location: The approximately 2.1-acre project site is currently developed with a gas station, church, surface parking lot, and commercial buildings in downtown San José. The project site is located north of the San José Downtown Commercial National Register Historic District (San José Downtown Historic District) and near contributing historic structures. Additionally, a portion of the site (APN 467-20-060) is located within the St. James Square City Landmark and National Register Historic District (St. James Square City Landmark District).

As the Lead Agency, the City of San José will prepare a Supplemental Environmental Impact Report (SEIR) for the project summarized above. The City welcomes your input regarding the scope and content of the environmental information that is relevant to your area of interest, or to your agency's statutory responsibilities in connection with the proposed project. If you are affiliated with a public agency, this SEIR may be used by your agency when considering subsequent approvals related to the project.

A joint community and environmental public scoping meeting for this project will be held:

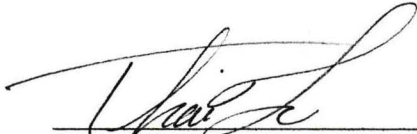
When: Thursday, October 21, 2021, from 6:00 to 7:00 pm

Where: Via Zoom (see instructions below and on www.sanjoseca.gov/activeeirs)

The project description, location, and probable environmental effects to be analyzed in the SEIR for the project can be found on the City's Active EIRs website at www.sanjoseca.gov/activeeirs, including the SEIR Scoping Meeting information. According to State law, the deadline for your response is 30 days after receipt of this notice, and responses provided before the 30-day deadline are always welcome. The City will accept comments on the scope of the SEIR until **5:00 pm on Thursday, October 29, 2021**. If you have comments on this Notice of Preparation (NOP), please identify a contact person from your organization, and send your response via mail or email (email preferred) to:

City of San José, Department of Planning, Building and Code Enforcement
Attn: Shannon Hill, Environmental Project Manager
200 East Santa Clara Street, 3rd Floor Tower
San José, CA 95113-1905
E-mail: Shannon.Hill@sanjoseca.gov

Christopher Burton, Director
Planning, Building and Code Enforcement



Deputy

NOTICE OF PREPARATION OF A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE ICON ECHO MIXED-USE PROJECT

September 2021

Introduction

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the public of the environmental effects of a proposed project that an agency may approve. The EIR process is intended to provide information sufficient to evaluate a project and its potential for significant impacts on the environment, to examine methods of avoiding or reducing adverse impacts, and to consider alternatives to the project.

A Supplemental EIR (SEIR) is prepared when it is determined by the discretionary authority that changes proposed in an approved project will require revisions to the previous EIR because of possible new impacts or an increase in severity of previously identified impacts. As the Lead Agency, the City of San José will prepare an SEIR to the Downtown Strategy 2040 Final EIR (SCH#: 2003042127) to address the environmental effects of the Icon Echo Mixed-Use Project because the details of the project were not available at the time the Downtown Strategy 2040 Final EIR was prepared.

An Initial Study (IS) will be prepared (which will be incorporated in the SEIR as an appendix) to focus the SEIR on potentially significant issues pursuant to CEQA Guidelines Section 15178. In accordance with Sections 15120 et seq. of the CEQA Guidelines, the EIR will include the following:

- A summary of the project;
- A project description;
- A description of the existing environmental setting, probable environmental impacts, and mitigation measures;
- Alternatives to the project; and
- Environmental consequences, including (a) any significant environmental effects which cannot be avoided if the project is implemented; (b) any significant irreversible and irretrievable commitments of resources; (c) the growth-inducing impacts of the proposed project; and (d) cumulative impacts.

Project Location

The approximately 2.1-acre site [Assessor Parcel Numbers (APNs) 467-20-079, -081, -060 and a portion of -080] is currently developed with a gas station, church, surface parking lot, and commercial/retail buildings in downtown San José. The site is bound by East St. John Street to the north, North Fourth Street to the east, East Santa Clara Street to the south, and commercial buildings and senior apartments to the west. The following addresses are associated with the project site: 128 East St. John Street, 95 North Fourth Street, and 77 North Fourth Street (APN 467-20-060), 147 East Santa Clara Street (APN 467-20-079), 49 North Fourth Street (APN 467-20-081), and 60 North Third Street (APN 467-20-080). The project site is located north of the San José Downtown Commercial National Register Historic District (San José Downtown Historic District) and near

contributing historic structures. Additionally, a portion of the site (APN 467-20-060) is located within the St. James Square City Landmark and National Register Historic District (St. James Square City Landmark District). Regional and vicinity maps of the project site are shown in Figure 1 and Figure 2, respectively.

Project Description

As proposed, the project would demolish the existing parking lot and buildings on-site (totaling approximately 22,527 square feet) and construct two towers (an office tower and a residential tower) connected via a podium on floors one to four and would include commercial condominiums. Commercial uses would account for approximately 525,000-square feet, retail uses up to 8,500-square feet, and the residential tower would have up to 415 residential units. One level of below-grade parking is proposed across the project site. A total of 1,151 parking spaces is proposed (893 parking spaces for the office component and 228 parking spaces for the residential component). Of the 893 parking spaces proposed for office space, 30 parking spaces would be allocated for a shared parking agreement with the senior apartments located west of the site at 60 North Third Street. Vehicular access to the site would be provided via one two-lane inbound-only driveway and one multi-lane, two-way driveway along North Fourth Street. Two additional driveways for the loading docks would also be provided along North Fourth Street.

The Northern Tower (residential tower) would be located on the northern portion of the site at East St. John Street and North Fourth Street and would be 27-stories tall with a maximum height of 265-feet to the penthouse roof. Four levels of above-grade parking partially occupied by residential units beneath one level of amenity space and residential units on the upper floors are proposed. An indoor/outdoor fitness space, amenity deck, swimming pool, barbeque/fire pits, and other on-site amenities are proposed on the fifth floor.

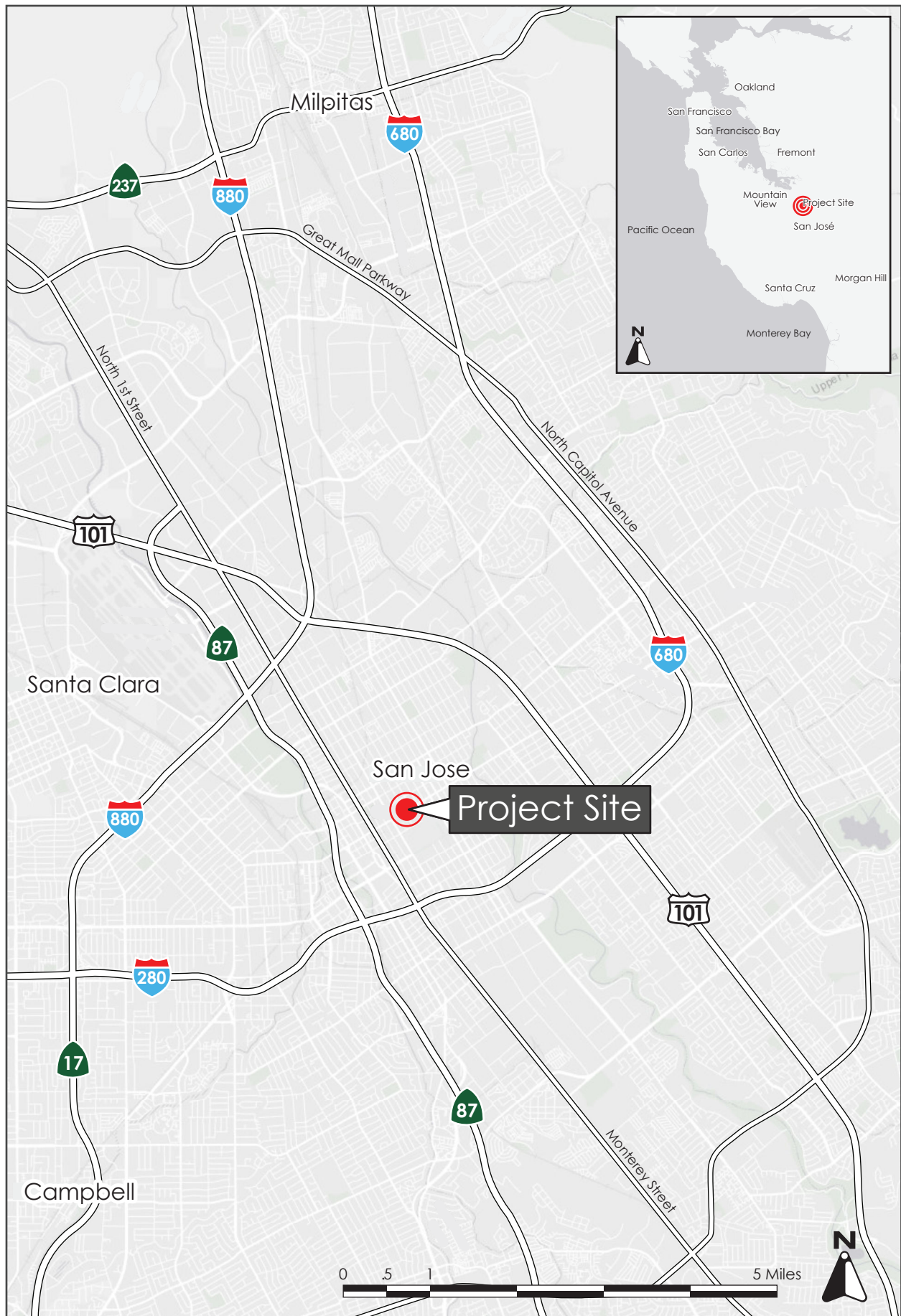
The Southern Tower (office/retail) would be located on the southern portion of the site at East Santa Clara Street and North Fourth Street. The office tower would be 21-stories tall with a maximum height of 263-feet to the penthouse roof. The office tower would consist of eight levels of above-grade parking and office space on the upper floors. Of the eight levels of above-grade parking, floors three, five, and seven would also be partially occupied by office space. A maximum of 8,500 square feet of ground floor retail is proposed along East Santa Clara Street.

Refer to Figures 3 to 5 below for the conceptual site plan and elevations.

The site is designated *Downtown* under the City's General Plan and has a zoning designation of *Downtown Primary Commercial*.

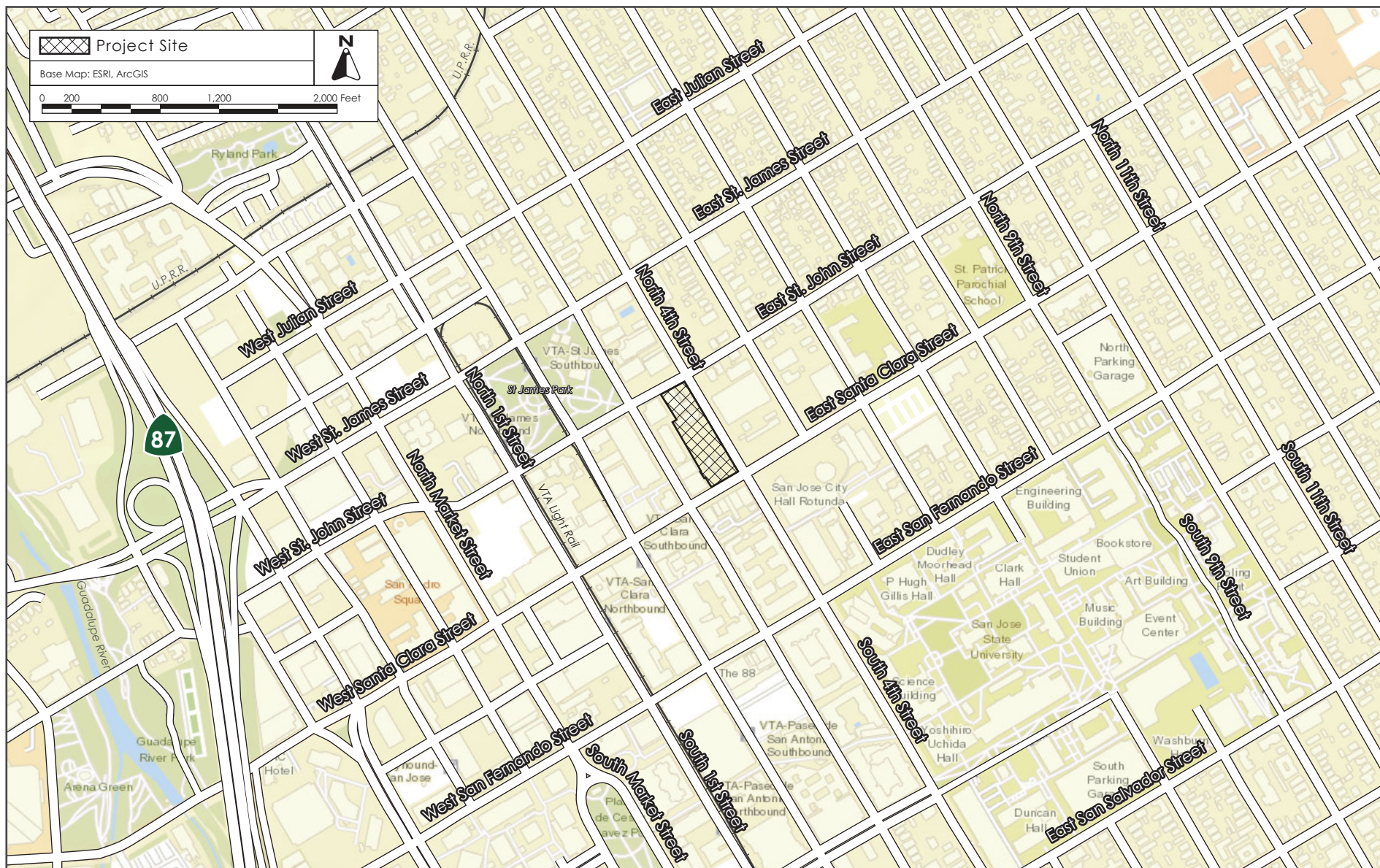
Required Project Approvals

1. Special Use Permit
2. Vesting Tentative Map
3. Demolition, Building, and Grading Permit(s)
4. Department of Public Works Clearances



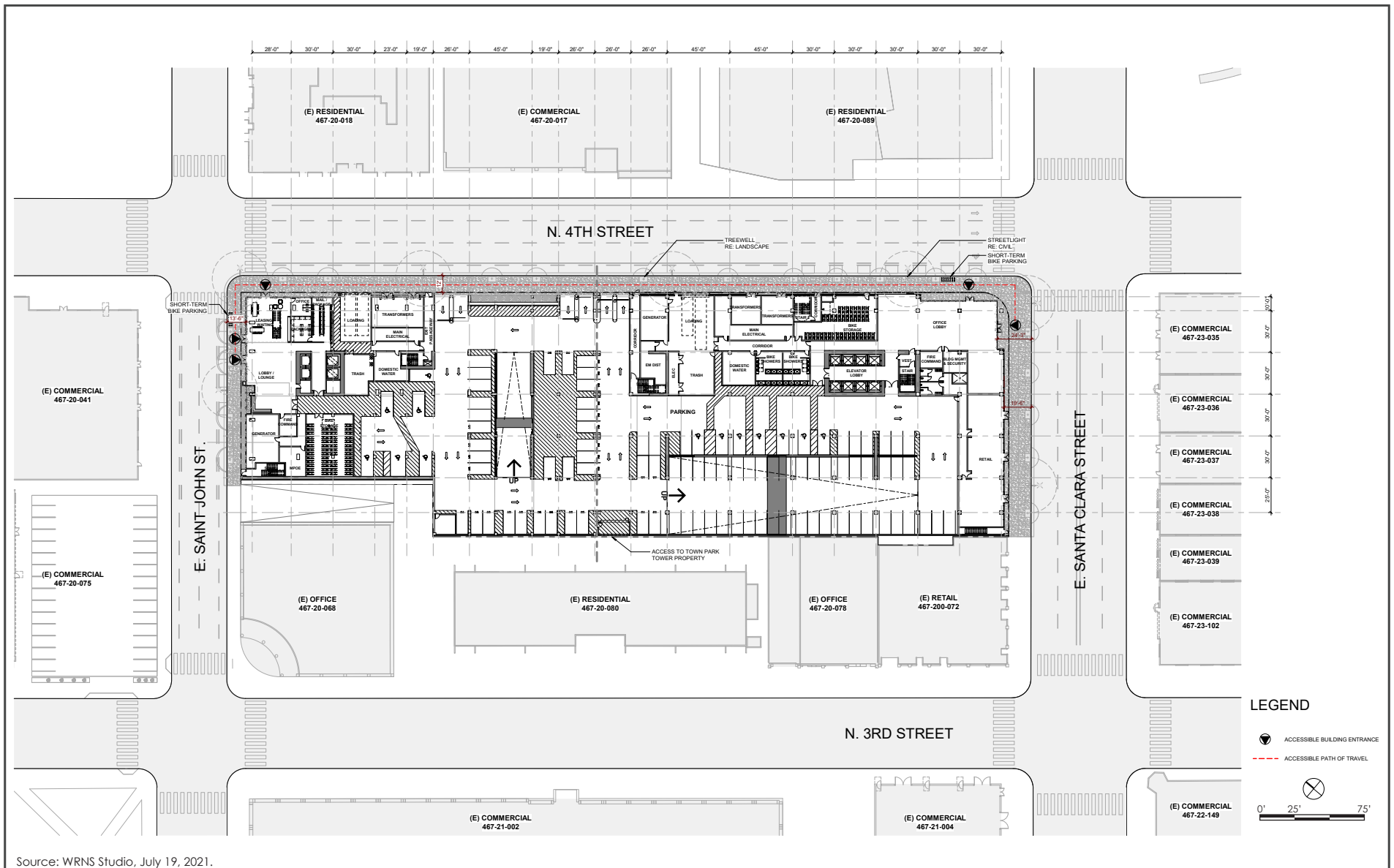
REGIONAL MAP

FIGURE 1



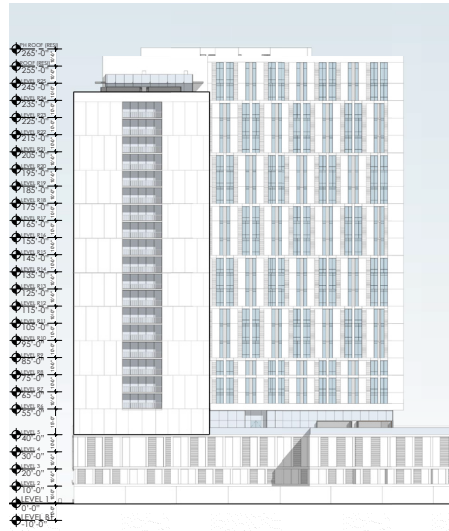
VICINITY MAP

FIGURE 2



CONCEPTUAL SITE PLAN

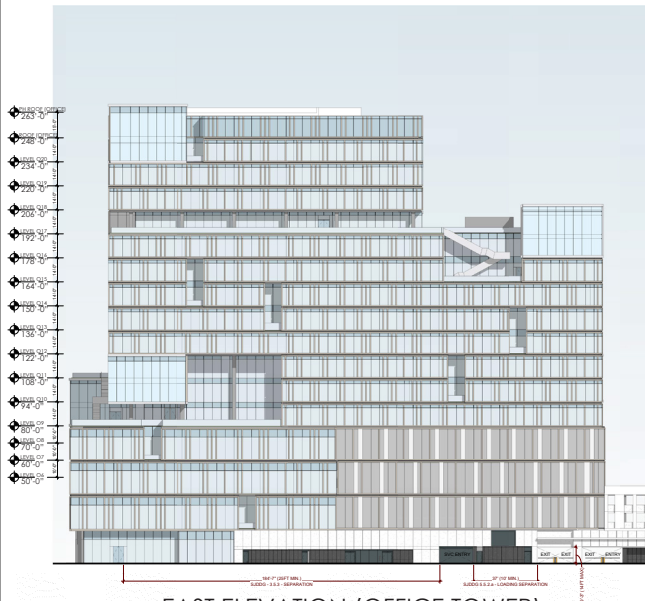
FIGURE 3



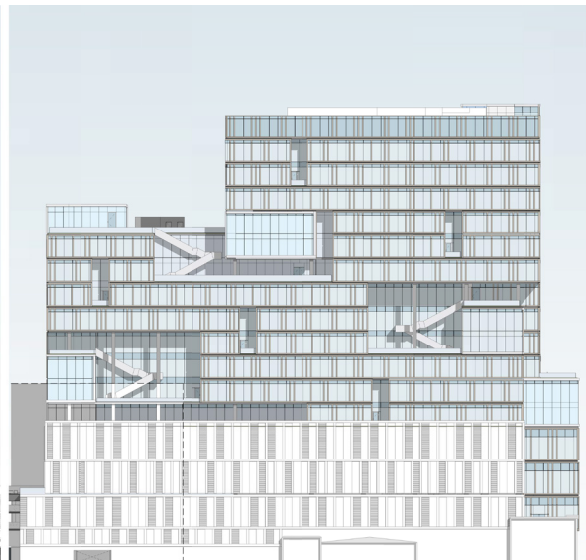
WEST ELEVATION (RESIDENTIAL TOWER)



EAST ELEVATION (RESIDENTIAL TOWER)
FROM NORTH FOURTH STREET



EAST ELEVATION (OFFICE TOWER)
FROM NORTH FOURTH STREET



WEST ELEVATION (OFFICE TOWER)

Source: WRNS Studio, July 19, 2021.

Potential Environmental Impacts of the Project

The SEIR will describe the existing environmental conditions on the project site and will identify the significant environmental effects anticipated to result from development of the project as proposed in comparison to impacts previously identified in the Downtown Strategy 2040 EIR. Mitigation measures will be identified for potentially significant impacts, as warranted. The SEIR will discuss the project's significant environmental impacts on the topic areas described below.

- **Aesthetics** – The proposed development would remove and demolish the existing parking lot and buildings and construct two towers on a podium in downtown San José. The SEIR will describe the existing visual setting and character of the project area and the visual changes that are anticipated to occur as a result of the proposed project. The SEIR will also discuss possible light and glare issues from the development.
- **Air Quality** – The SEIR will address the regional air quality conditions in the Bay Area and discuss the proposed project's construction and operational impacts (including health risk from toxic air contaminants) to local and regional air quality in accordance with the 2017 Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines and thresholds.
- **Biological Resources** – Habitats in the project area are low in species diversity and include predominately urban adapted birds and animals. The SEIR will address the loss of trees on-site and off-site, and street trees. Additionally, the SEIR will identify and discuss potential biological impacts resulting from construction and operation of the project, including potential impacts to migratory and nesting birds, and the project's consistency with the Santa Clara Valley Habitat Plan.
- **Cultural Resources** – The project site is located north of the San José Downtown Commercial National Register Historic District (San José Commercial District) and near contributing historic structures. The San José Commercial District is comprised of 45 properties (27 contributing structures and 18 non-contributing properties) and is bounded by South First Street to the west, East Santa Clara Street to the north, South Third Street to the east, and East San Fernando Street to the north. A portion of the site (APN 467-20-060) is located within the St. James Square City Landmark and National Register Historic District (St. James Square Historic District). The St. James Square Historic District area includes St. James Park and is bounded by North Market Street to the west, part of the North Fourth Street block to the east, and part of the block between North Second and North Third Streets. The SEIR will address impacts to the San José Commercial District and the St. James Square Historic District and any historic structures near the site, as well as impacts to potential subsurface archaeological resources from project construction.
- **Energy** – Implementation of the proposed project would result in an increased demand for energy on-site. The SEIR will discuss the increase in energy usage on-site and energy efficiency measures proposed by the project.
- **Geology and Soils** – The SEIR will describe the existing geologic and soil conditions and discuss the possible geological impacts associated with seismic activity and the existing on-site soil conditions.

- **Greenhouse Gas Emissions** – The SEIR will address the project’s consistency with the City’s 2030 Greenhouse Gas Reduction Strategy (GHGRS).
- **Hazards and Hazardous Materials** – The SEIR will discuss the property history, results of the site inspection and regulatory database search, and identification of any hazardous materials conditions on the site, in addition for the potential to encounter hazardous materials during demolition of the existing buildings and parking lot. The potential for hazardous materials impacts which may result from implementation of the proposed project will also be addressed.
- **Hydrology and Water Quality** – The SEIR will address the project’s potential impacts to the storm drainage system. In addition, the SEIR will address the possible flooding issues (the site is not within a 100-year flood zone) and the project’s effect on stormwater runoff quality consistent with the requirements of the Regional Water Quality Control Board (RWQCB).
- **Land Use** – The project site is located within downtown San José and is surrounded by residential and commercial/retail land uses. The SEIR will describe the existing land uses adjacent to and within the project area. In addition, the SEIR will analyze the project’s shading on St. James Park. Land use impacts that would occur as a result of the proposed project will be analyzed, including the consistency of the project with land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect.
- **Noise and Vibration** – Noise levels in the project area are primarily influenced by vehicular noise on surrounding roadways, primarily North Fourth Street, East Santa Clara Street, and East St. John Street, and aircraft flyovers from the Norman Y. Mineta San José International Airport. The SEIR will discuss noise and vibration that would result from the construction and operation of the proposed project (including noise from project-generated traffic) and its impact on nearby sensitive receptors. Noise levels will be evaluated for consistency with applicable noise standards and guidelines. Additionally, the SEIR will evaluate the effects of vibration during project construction on nearby historic buildings and adjacent buildings of conventional construction.
- **Population and Housing** – The SEIR will discuss the consistency of the project with planned growth within the City. There are no residences currently on-site; therefore, the project would not displace any residents.
- **Public Services** – The proposed project would increase the employee and resident population of the City which could result in an increased demand on public services, including schools, police and fire protection, libraries, and recreational facilities. The SEIR will address the availability of public facilities and services and the project’s potential to result in adverse physical impacts to the public service facilities.

- **Transportation** – The project site is located within the downtown area and transportation impacts in the area were previously evaluated in the Downtown Strategy 2040 Final EIR. The SEIR will evaluate the project’s transportation impacts pursuant to Senate Bill 743 and the City’s Transportation Analysis Policy (Council Policy 5-1). The project’s consistency with programs, plans, ordinances, or policies addressing the circulations system (including transit, roadway, bicycle, and pedestrian facilities) will be discussed in the SEIR.
- **Tribal Cultural Resources** – The SEIR will discuss the project’s potential for impacts to tribal cultural resources, including impacts to subsurface tribal cultural resources, from project construction, and the project’s compliance with Assembly Bill 52.
- **Utilities and Service Systems** – Implementation of the proposed project could result in an increased demand on utilities and service systems compared to existing conditions due to the increase in development density. The SEIR will examine the impacts of the project on utilities and service systems, including the sanitary sewer and storm drainage systems, water supply, and solid waste management.
- **Other CEQA Sections** – In addition to the resource sections noted above, the SEIR will address the project’s impacts on Agricultural Resources, Mineral Resources, Recreation and Wildfire consistent with the CEQA checklist.
- **Alternatives** – The SEIR will examine alternatives to the proposed project, including a “No Project” alternative, as required by CEQA. Alternatives discussed will be chosen based on their ability to reduce or avoid identified significant impacts of the proposed project while achieving most of the identified objectives of the project.
- **Significant Unavoidable Impacts** – The SEIR will identify any significant impacts that cannot be reduced to a less than significant after incorporation of feasible mitigation measures.
- **Cumulative Impacts** – Section 15130 of the CEQA Guidelines requires an EIR to discuss the cumulative impacts resulting from the project when combined with other past, present, and reasonably foreseeable development in the project vicinity.

In conformance with the CEQA Guidelines, the SEIR will also include the following sections: 1) consistency with local and regional plans and policies, 2) growth inducing impacts, 3) significant irreversible environmental changes, 4) areas of known controversy, 5) references, 6) organizations/persons consulted, 7) SEIR author and consultants, and 8) appendices.