

**NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
550 EAST BROKAW ROAD PROJECT**

FILE NO: H21-005/T21-005/ER21-018
PROJECT APPLICANT: Caracol Property Owner LLC(Attn: Bryon Wolf)
APN: 237-08-079

Project Description: Site Development Permit to allow the demolition of an existing commercial building and a surface parking lot, totaling approximately 859,000 square feet, the removal of 258 trees, and allow the construction of seven office buildings totaling approximately 1,924,110 square feet and two parking garages totaling approximately 1,647,920 square feet on an approximately 19.70-gross acre site.

Location: 550 East Brokaw Road, San José, CA 95112

As the Lead Agency, the City of San José will prepare an Environmental Impact Report (EIR) for the project referenced 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 EIR may be used by your agency when considering subsequent approvals related to the project. Please click the link below to join the webinar:

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

When: Monday June 28, 2021 beginning at 6:00 p.m.

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

The live meeting will be recorded. You will be muted upon entry to the meeting. Please do not unmute yourself until the presenter has called on you to speak. If you have not participated in a Zoom meeting before, we encourage you to download the Zoom application to your phone, tablet, or computer and feel free to log in early to troubleshoot any technical issues that may arise. Participants who are unable to install Zoom on their computer or mobile device can join a meeting through their computer's web browser. Meeting function maybe limited on a web browser. Zoom currently works best with Google Chrome, Apple Safari, Mozilla Firefox, and Chromium Edge.

Electronic device instructions:

For participants who would like to join electronically from a PC, Mac, iPad, iPhone or Android device, please click this URL: <https://sanjoseca.zoom.us/j/96051663020>

Please ensure your device has audio input and output capabilities. During the session, if you would like to comment, please use the 'raise hand' feature in Zoom conference call or click *9 to raise a hand to speak.

1. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.
2. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.

3. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.
4. If you wish to speak during open forum, click on "raise hand." Speakers will be notified shortly before they are called to speak.
5. When called, please limit your remarks to the time limit allotted.
6. Telephone device instructions: For participants who would like to join telephonically please dial (213) 338-8477 or (408) 638-0968 or 977-853-5257 (toll free) and when prompted, enter meeting ID: 960 5166 3020. You may also click *9 to raise a hand to speak.
7. Public Comments prior to meeting: If you would like to submit your comments prior to the meeting, please e-mail Cassandra.vanderZweep@sanjoseca.gov. Comments submitted prior to this meeting will be considered as if you were present in the meeting.

The project description, location, and probable environmental effects that will be analyzed in the EIR for the project can be found on the City's Active EIRs website at www.sanjoseca.gov/activeeirs, including the EIR Scoping Meeting information. According to State law, the deadline for your response is 30 days after receipt of this notice. However, responses earlier than 30 days are always welcome. If you have comments on this Notice of Preparation (NOP), please identify a contact person from your organization, and send your response to:

City of San José
Department of Planning, Building and Code Enforcement
Attn: Cassandra van der Zweep, Environmental Project Manager
200 East Santa Clara Street, 3rd Floor Tower
San José CA 95113-1905
Phone: (408) 535-7659, e-mail: Cassandra.vanderZweep@sanjoseca.gov

Chu Chang Acting Director
Planning, Building and Code Enforcement



Deputy

6-14-2021

Date

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June 2021

Introduction

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the general public of the environmental effects of the proposed project that an agency may implement or 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 reducing adverse impacts; and to consider alternatives to the project.

The EIR for the proposed project will be prepared and processed in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended, and the requirements of the City of San José. Per the CEQA Guidelines Sections 15162, 15163, and 15164, when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines that substantial changes to the project or circumstances under which the project is undertaken would result in new or greater significant impacts than previously disclosed in the certified EIR. The lead agency may choose to prepare a supplement to an EIR rather than a subsequent EIR if only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation. Supplemental EIRs need contain only the information necessary to make the previous EIR adequate for the project as revised.

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; 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.

The EIR also will discuss a reasonable range of alternatives to the project that could reasonably attain most of the basic objectives of the project and would avoid or substantially lessen any of the significant environmental effects of the project (CEQA Guidelines Section 15126.6[a]).

Project Location

The 19.7-acre project site is located at 550 East Brokaw Road (Assessor's Parcel Number: 237-08-079) in the North San José Development Policy (NSJDP) area. The project site is bounded by East Brokaw Road to the northwest, Junction Avenue to the southwest, and by Interstate 880 (I-880) to the east. Regional, vicinity, and aerial maps of the project site are shown below in Figures 1, 2, and 3.

Currently, the project site is developed with a joint office and electronics superstore building (Fry’s Electronics, approximately 293,906 square feet) and a surface parking lot, totaling to approximately 859,000 square feet.

Project Description

The project proposes to demolish the existing Fry’s Electronics building and surface parking lot, and construct seven eight-story office towers in an office campus design. The office towers would consist of approximately 1,924,110 square feet of office space. The towers would be up to 135 feet tall to the top of the mechanical penthouse with a floor area ratio (FAR) of 4.31. A conceptual site plan and rendering of the project site are shown below in Figures 4 and 5. The project also includes a vesting tentative map to subdivide the parcel.

The office campus layout would consist of one standalone tower (“Tower 2”) and three pairs of towers joined at the podium level (Towers 1a and 1b as “Tower 1,” Towers 3a and 3b as “Tower 3,” and Towers 4a and 4b as “Tower 4”). The first two floors, and portions of floors three through eight, would be dedicated to commercial and amenity spaces. Tower construction would also include an outdoor terrace on the seventh floor of each tower. The towers would be configured around a central pedestrian network to encourage campus connectivity.

The project would also include approximately 1,647,920 square feet of structured parking consisting of 5,386 parking spaces divided between one nine-story garage (“Garage 1”) and one 10-story garage (“Garage 2”). The garages would be up to 118 feet tall.

Construction of the proposed project is expected to occur in four phases beginning in October 2023. Each phase is anticipated to last 23 months for a combined duration of 92 months, with construction projected to end in June 2031. Phase One would demolish the Fry’s Electronics building, construct a temporary parking lot in the northwest corner of the site, prepare the site for future construction phases, and construct “Tower 1”. Phase Two would construct “Tower 3”, and Garage 1A and 1B. Phase Two would also remove the temporary parking lot constructed in Phase One and replace it with landscaping and site amenities. In Phase Three, “Tower 2” and Garage 2A would be constructed, and the majority of the surface parking lot in the southeast corner of the site would be removed, with 29 surface parking stalls remaining. Phase Four would construct “Tower 4”, Garage 2B, and complete installation of all site amenities and landscaping of the project site.

The project site is designated *Combined Industrial/Commercial (CIC)* under the Envision San José 2040 General Plan and is located within the North San José Development Policy (NSJDP) area. The site is located in the *Combined Industrial/Commercial (CIC)* zoning district. The proposed uses would be consistent with the site’s land use designation and zoning district regulations.

Anticipated Project Approvals:

1. Site Development Permit
2. Vesting Tentative Map
3. Tree Removal Permit
4. Demolition, Grading, Building, and Occupancy Permits

5. Building Permits
6. Other Public Works Clearances

Potential Environmental Impacts of the Project

The EIR will identify the significant environmental effects anticipated to result from development of the project as proposed. Mitigation measures will be identified for significant impacts, as warranted. The EIR will discuss the project's significant environmental impacts on the following specific environmental categories:

- **Aesthetics** – The proposed project would demolish the existing Fry's Electronics building and surface parking lot, and construct seven eight-story office towers in a campus design, supported by two parking garages of nine and ten stories. The EIR will describe the existing visual setting of the project area and the visual changes that are anticipated to occur as a result of the proposed project. The EIR will also discuss possible light and glare issues from the development.
- **Air Quality** – The EIR will address the regional air quality conditions in the Bay Area and discuss the proposed project's construction and operational impacts 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. Coyote Creek and its associated riparian corridor are approximately 600 feet east of the property line, separated by East Brokaw Road and the elevated 880 freeway overpass crossing East Brokaw Road and Coyote Creek. The EIR will address the loss of trees within, and adjacent to, the construction zones. In addition, the EIR will identify and discuss potential biological impacts resulting from construction of the project. The EIR will also describe the project's consistency with the Santa Clara Valley Habitat Plan.
- **Cultural Resources** – This area of San José is considered a sensitive area for archaeological resources due to its proximity to Coyote Creek. An archaeological literature search will be completed for the project to identify any potentially sensitive cultural resources on the site or in its vicinity. The EIR will address the impacts to known and unknown buried cultural resources on and within the project area.

No buildings on-site or within the immediate vicinity of the site have been listed in the City's Historic Resources Inventory. Based on City of San José Building Division permit records, the buildings on-site were constructed in the late 1960s and greatly altered in the 1980s. The EIR will evaluate the project property for potential listing in the National Register of Historic Places, the California Register of Historical Resources and as a local landmark under Chapter 13.48, Historic Preservation of the San Jose Municipal Code. Mitigation and/or avoidance measures will be identified for significant cultural resource impacts, as appropriate.

- **Energy** – Implementation of the proposed project will result in an increased demand for energy on-site. The EIR will discuss the increase in energy usage on-site and energy efficiency measures proposed by the project.
- **Geology & Soils** – The EIR will describe the existing geologic and soil conditions and discuss the possible geological impacts associated with seismic activity and the existing soil conditions on the project sites.
- **Greenhouse Gas Emissions** – The EIR will address the project’s contribution to regional and global greenhouse gas (GHG) emissions based on modeling to be completed in accordance with BAAQMD guidance. Proposed design measures to reduce energy consumption, which in turn would reduce GHG emissions, will be discussed. The project’s consistency with the City’s adopted Greenhouse Gas Reduction Strategy addressing 2030 GHG emissions will also be discussed.
- **Hazards and Hazardous Materials** – The EIR will describe known hazardous materials conditions on and adjacent to the project site and will address the potential for hazardous materials impacts to result from implementation of the proposed project.
- **Hydrology and Water Quality** – The EIR will address the project’s impact to the storm drainage system. The project’s groundwater supply, site drainage, and storm water quality consistent with the requirements of the Regional Water Quality Control Board, and risk due to inundation, will also be discussed.
- **Land Use** – The project site is located in a developed, urbanized area of San José surrounded by predominantly commercial and industrial uses. The EIR will describe the existing land uses adjacent to and within the project area. Land use impacts that could occur as a result of the proposed project will be analyzed, including the consistency of the project with the City’s General Plan and zoning code and compatibility of the proposed and existing land uses in the project area.
- **Noise and Vibration** – Noise levels in the project area are primarily influenced by vehicular noise on surrounding roadways. The EIR 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 and identify any measures or conditions to reduce temporary noise. Noise levels will be evaluated for consistency with applicable noise standards and guidelines.
- **Public Services** – Implementation of the proposed project would intensify the use of the project site, resulting in an increased demand on public services, including police and fire protection, and recreational facilities. The EIR will address the availability of public facilities and service systems and the potential for the project to require the construction of new facilities.
- **Transportation** – The EIR 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 EIR. The project's impact on Vehicle Miles Traveled (VMT) will be discussed, and mitigation measures identified, as needed, to comply with Policy 5-1.

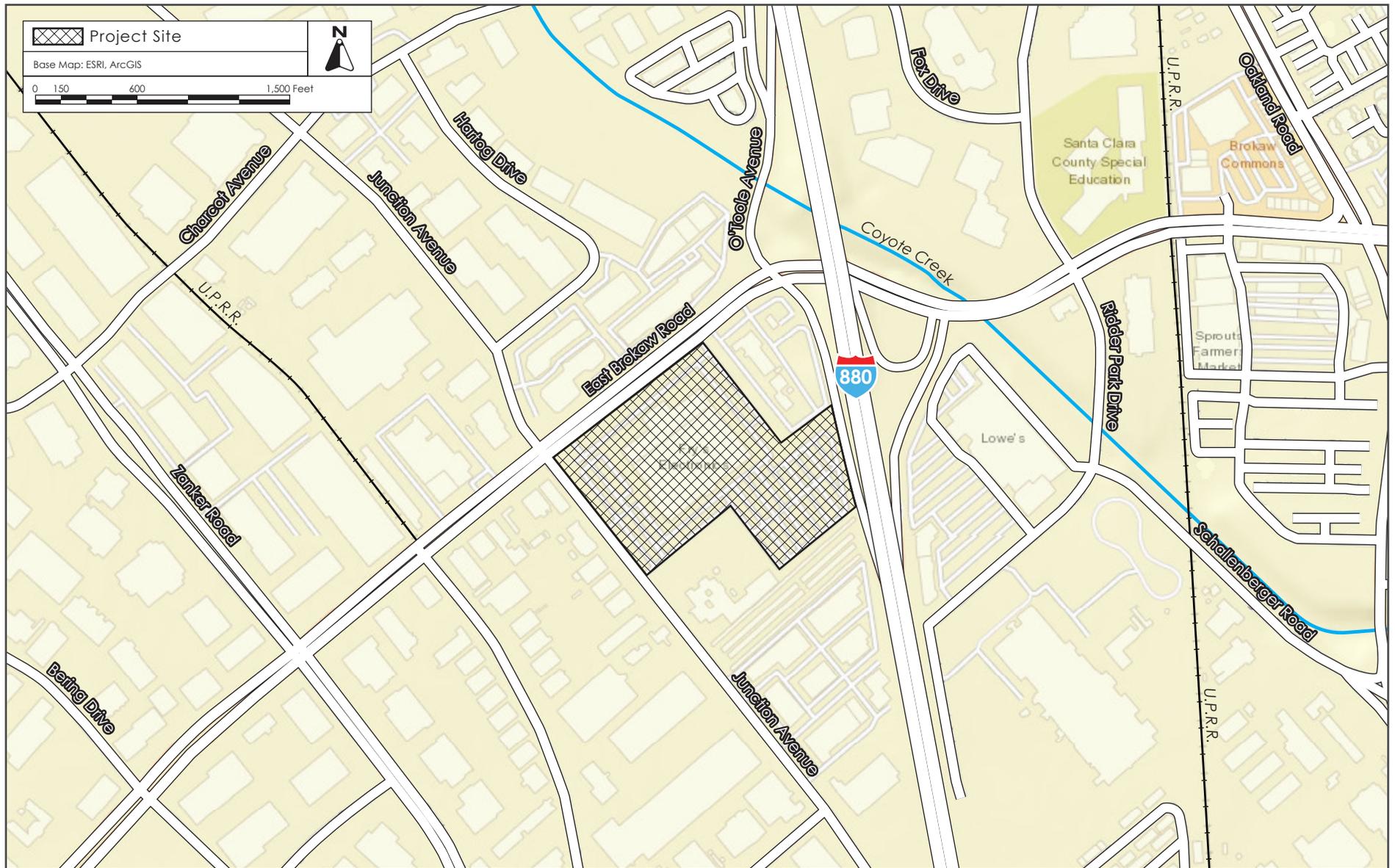
- **Tribal Cultural Resources** – The EIR will discuss the project's potential for impacts to tribal cultural resources under Assembly Bill 52.
- **Utilities and Service Systems** – Implementation of the proposed project would result in an increased demand on utilities and service systems compared to existing conditions. The EIR 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. The EIR will rely on a Water Supply Assessment to prepared for the project.
- **Wildfire** – The project site is not located in or near high fire hazard severity zone. The proposed project is located within a developed area of San José. The EIR will discuss project impacts on adopted emergency response and evacuation plans and risk due to wildfire.

In addition, the EIR will address the project's agricultural and mineral resources impacts, significant and unavoidable impacts, and potentially significant cumulative impacts when considered with other past, present, and reasonably foreseeable future projects in the development area.



REGIONAL MAP

FIGURE 1



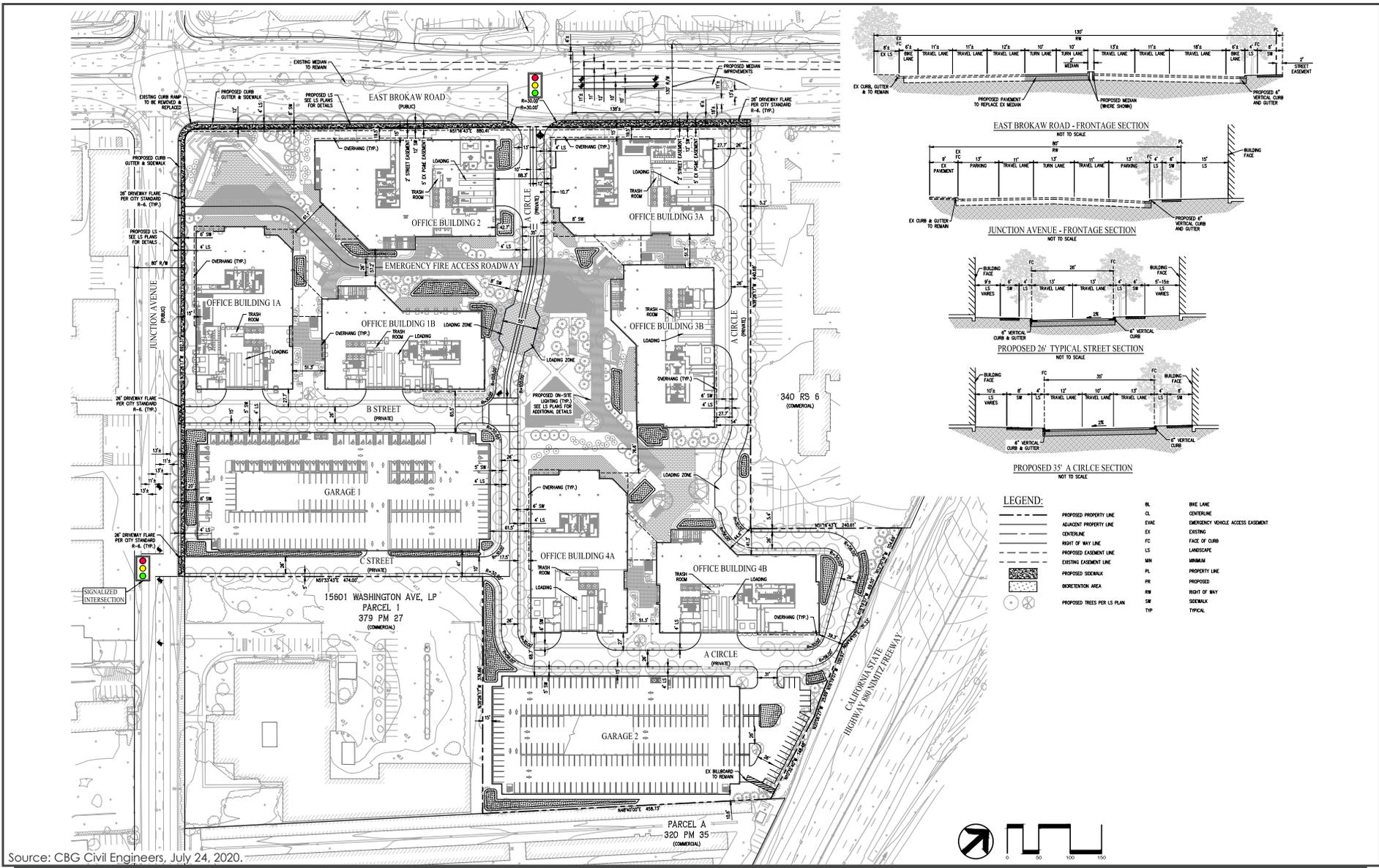
VICINITY MAP

FIGURE 2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 3



Source: CBG Civil Engineers, July 24, 2020.

CONCEPTUAL SITE PLAN FIGURE 4



Source: Gensler, July 27, 2020.

CONCEPTUAL BUILDING RENDERING

FIGURE 5