

**NOTICE OF PREPARATION OF A
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT
FOR THE 19 NORTH SECOND STREET MIXED-USE PROJECT**

FILE NOS: H20-040 & HP21-001
PROJECT APPLICANT: ROYGBIV REAL ESTATE
APN: 467-21-028

Project Description: The project includes a Site Development Permit and a Historic Preservation Permit to demolish approximately 15,000 square feet of the Realty Building, a City Landmark building, while retaining the street-facing façade and parapet, and construct a 22-story building with one below-grade basement level. Approximately 18,643 square feet of commercial uses would be located on the first and second floors and a total of 220 affordable senior housing units would be located on the third through 22nd floors. A rooftop deck is also proposed for community open space.

Location: An approximately 0.22-acre lot located at 19 North Second Street. The project site is developed with an existing two-story commercial building that is listed in the City’s Historic Resources Inventory as a City Landmark (“Realty Building”). The project site is located on the west side of North Second Street, approximately 120 feet north of East Santa Clara Street.

As the Lead Agency, the City of San José will prepare a Supplemental Environmental Impact Report (SEIR) 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 SEIR may be used by your agency when considering subsequent approvals related to the project. 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 environmental public Scoping Meeting information.

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

When: August 9, 2021, from 6:30 to 7:30 PM

Where: Via Zoom (see instructions below)

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. 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/99232746369>

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.

Telephone device instructions:

For participants who would like to join telephonically please dial +1-877-853-5257 and when prompted, enter meeting ID: **992 3274 6369**. You may also click *9 to raise a hand to speak.

Questions or Public Comments prior to meeting:

If you have questions regarding the virtual community meeting or would like to submit your comments prior to the meeting, please e-mail Maira.Blanco@sanjoseca.gov or call 408-535-7837. Comments submitted prior to this meeting will be considered as if you were present in the meeting.

According to State law, the deadline for your response is 30 days after receipt of this notice; however, we would appreciate an earlier response, if possible. Please identify a contact person, and send your response to:

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

Christopher Burton, Director
Planning, Building and Code Enforcement



Deputy

7/28/2021

Date

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July 2021

Introduction

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the general public of the environmental effects of a 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.

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 proposed 19 North Second Street Mixed-Use Project, because the details of this 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 California Environmental Quality Act (CEQA) Guidelines Section 15178. In accordance with Sections 15120 et seq. of the CEQA Guidelines, the SEIR will include the following:

- Summary of the project;
- Project description;
- Description of the existing environmental setting, environmental impacts, and mitigation measures for the project;
- Alternatives to the project; and
- Environmental consequences of the project, 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

An approximately 0.22-gross acre site (9,375 square feet) located on the west side of North Second Street, at 19 North Second Street in Downtown San José. Regional and vicinity maps of the project site are shown in Figures 1 and 2.

Project Description

Historic Preservation Permit and Site Development Permit to construct a 22-story building with one below-grade basement level. Approximately 18,643 square feet of commercial uses would be located on the first and second floors. A total of 220 affordable senior housing units would be located on the third through 22nd floors. A rooftop deck is also proposed for community open space. The project site

is currently occupied by an existing two-story commercial building that is listed in the City's Historic Resources Inventory as a designated historic City Landmark. The project proposes to demolish the building, with the exception of the front façade, and use a similar façade treatment for the new building or similar design. The conceptual site plan is presented in Figure 3 and a rendering of the project is presented in Figure 4. The project site is designated *Downtown* in the City's 2040 General Plan and is zoned DC – Downtown Core.

Project Approvals Anticipated to be Required

1. Historic Preservation Permit
2. Site Development Permit
3. Public Works Clearances, including Grading Permit
4. Building and Demolition Permits

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. Mitigation measures will be identified for potentially significant environmental impacts, as warranted. The analysis in the SEIR will include the following specific categories of environmental impacts and concerns related to the proposed project. Additional topics may be added to the SEIR if new information becomes available.

The SEIR will be prepared in accordance with the requirements of Sections 15120 et. seq. of the CEQA Guidelines, and will analyze the following topics:

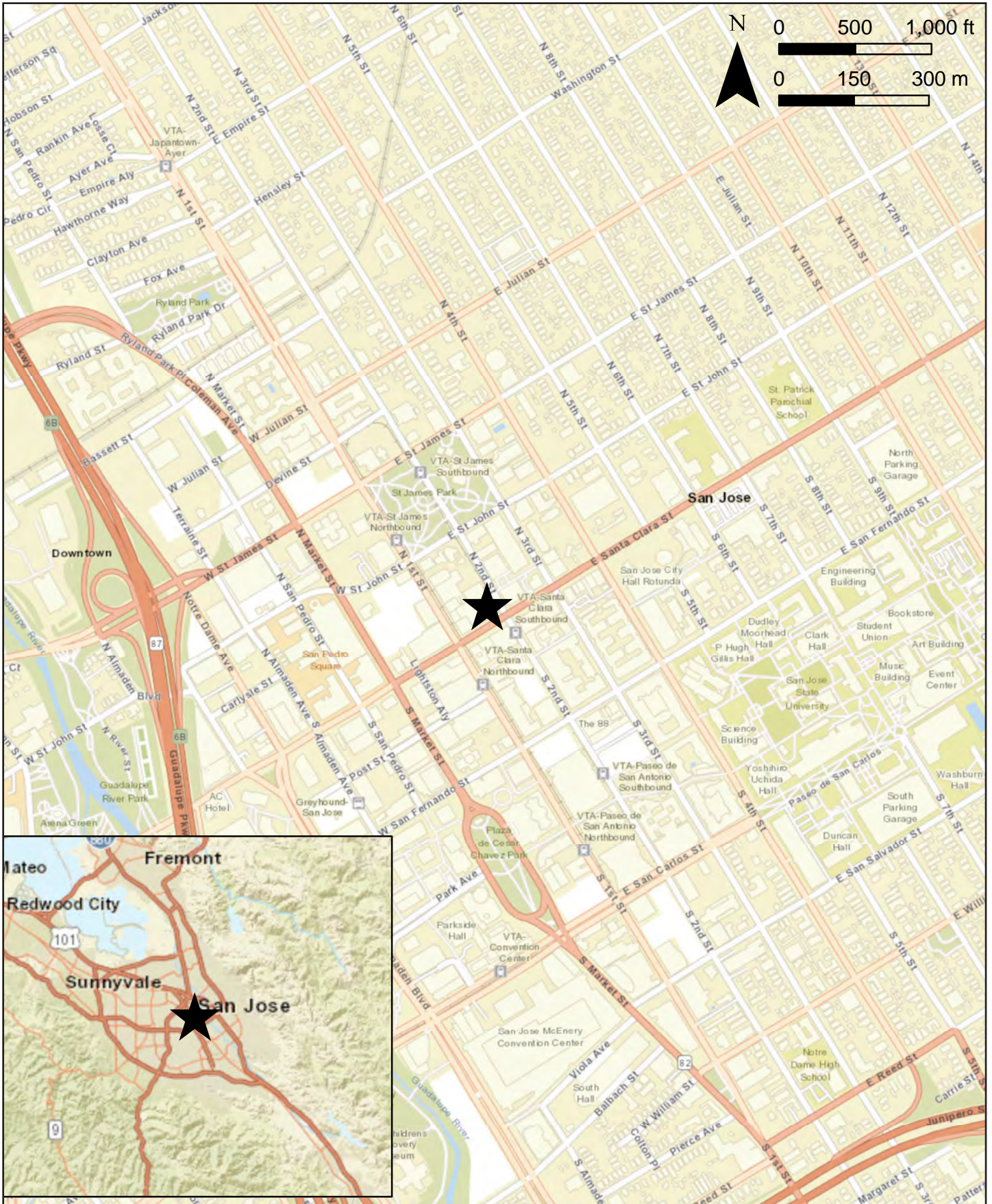
1. *Aesthetics*. The SEIR will describe the existing visual characteristics of the project site and surrounding area. The SEIR will evaluate the visual effects of the proposed 22-story building based on field photographs, site plans, elevations/renderings, photographic visual simulations, and shade and shadow simulations (to be included in the SEIR).
2. *Air Quality*: The SEIR will describe the results of an air quality evaluation, which will predict operational and construction period emissions obtained using the California Emissions Estimator Model in accordance with the 2017 Bay Area Air Quality Management District's CEQA Guidelines and thresholds. The SEIR will also address results of a health risk assessment, which evaluates construction emissions' air quality impacts on nearby sensitive receptors. The nearest sensitive receptors to the project site are residences to the north and southeast of the project site.
3. *Cultural Resources*: The SEIR will address impacts of the project on the existing historic building, the Realty Building, which is a City Landmark. The project proposes to demolish the building, with the exception of the front façade, and use a similar façade treatment. The SEIR will incorporate the findings of a historical evaluation to address how the project design meets the Secretary of Interior's Standards for Historic Preservation and other relevant historic guidelines, and evaluate impacts to historic structures within 200 feet of the project site. In addition, the SEIR will summarize an archaeological report prepared for the project and discuss tribal cultural resources under Assembly Bill (AB) 52.

4. *Energy*: Implementation of the project would result in an increased demand for energy. The SEIR will address the increase in energy usage and proposed design measures to reduce energy consumption.
5. *Greenhouse Gas Emissions*: The project would be subject to the GHG reduction goals of Senate Bill 32 (SB 32), which established a statewide 2030 target for GHG emission. The City has adopted the 2030 Greenhouse Gas Reduction Strategy (GHGRS). GHG reductions are identified through a combination of City initiatives. The SEIR will address the project's compliance with the GHGRS Project Compliance Checklist.
6. *Hazards and Hazardous Materials*: The SEIR will summarize the findings of the Phase I Assessment for the site. This section of will discuss the property history, results of the site inspection and regulatory database search, and identification of any hazardous materials conditions on the site. The SEIR will address existing hazards or hazardous material conditions on and in the vicinity of the site and will address the potential for hazardous materials impacts to result from implementation of the proposed project.
7. *Hydrology/Water Quality*: The SEIR will evaluate hydrology and water quality effects of the project. The SEIR will also describe the proposed storm water management system and identify the potential drainage and water quality impacts from the project.
8. *Land Use/Consistency with Plans*: The project site is designated *Downtown* in the City's 2040 General Plan and is zoned DC – Downtown Primary Commercial. The SEIR will generally describe the conformance of the proposed project with the General Plan land use designation, zoning, and policies.
9. *Noise/Vibration*: The SEIR will describe the results of a noise/vibration assessment for the project, including: 1) existing noise levels based on field measurements, 2) construction and operational noise impacts from the project on nearby sensitive receptors; and 3) vibration effects on nearby sensitive receptors, including historic structures, during demolition and construction.
10. *Public Services & Utilities*: The SEIR will evaluate the ability of existing services and utilities to serve the proposed project, including the provision of water, wastewater treatment, solid waste disposal, police/fire protection, and library services.
11. *Transportation*: The project is located within the downtown area where transportation impacts were previously evaluated in the Downtown Strategy 2040 Final EIR. The SEIR will evaluate the project's effects on transportation 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 addressed in the SEIR.
12. *Other CEQA Sections*: In addition to the above, the SEIR will address the project's impacts on agricultural resources, tribal cultural resources, wildfire, and mineral resources consistent with the CEQA checklist.
13. *Alternatives*: The SEIR will examine alternatives to the proposed project including a "No Project" alternative, as required by CEQA. Other analyzed alternatives could include a reduced

development alternative, alternative project land use, alternative project design, and/or alternative locations. 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.

14. *Significant Unavoidable Impacts:* The SEIR will identify those significant impacts that cannot be avoided if the project is implemented as proposed.
15. *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 area.

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.



Regional Map

19 N. 2nd Street Mixed-Use
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Figure
1



Religious

Parking Structure

Residential

Commercial/ Offices

N. 2nd Street

N. 3rd Street

S. 3rd Street

Project Site

N. 1st Street

Commercial/ Offices

Commercial/ Offices

E. Santa Clara Street

S. 2nd Street

Commercial/ Offices

200 Ft

--- Project Site

Source: Google Earth, May 2021

Vicinity Map

19 N. 2nd Street Mixed-Use
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Figure
2



Source: Anderson Architects, May 2021

Conceptual Site Plan

19 N. 2nd Street Mixed-Use
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Figure
3



Source: Anderson Architects, May 2021

Rendering

19 N. 2nd Street Mixed-Use
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Figure
4