

5. Alternatives to the Proposed Project

The CEQA Guidelines set forth the range of alternatives to be analyzed in an EIR. Section 15126.6(a) of the CEQA Guidelines states that:

An EIR shall describe a range of reasonable alternatives to the project, or the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

The following discussion is intended to inform the public and decision makers of a reasonable range of feasible alternatives to the proposed project that would avoid or substantially lessen any significant effect of the proposed project. This chapter describes the purpose of the alternatives discussion; provides a summary of the reasonable range of alternatives, including a summary of potentially significant impacts and the relationship of each alternative to the project objectives; and identifies the environmentally superior alternative.

5.1 PURPOSE

The alternatives evaluated in this Draft EIR were developed consistent with Section 15126.6(b) of the CEQA Guidelines, which states that:

Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

5.2 POTENTIALLY SIGNIFICANT IMPACTS

All of the potential environmental impacts associated with development of the proposed project were found to be either less than significant without mitigation or less than significant with mitigation. No significant and unavoidable impacts would occur as a result of construction and operation of the proposed project. A list of the potentially significant impacts is provided in Table 2-2 in Chapter 2, Executive Summary, of this Draft EIR. The choice of alternatives to the proposed project is focused on

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alternatives that would further reduce or avoid the impacts found to be potentially significant, but less than significant with mitigation measures, as listed in Table 2-1.

The significant-but-mitigable impacts of the proposed project are the following:

- **Air Quality.** Construction impacts from emissions of fine particulate matter (PM₁₀ and PM_{2.5}) and toxic air contaminants (TAC) from construction equipment.
- **Biological Resources.** Construction impacts to nesting birds and compliance with the City's tree preservation regulations.
- **Cultural and Tribal Cultural Resources.** Construction impacts to unknown subsurface archeological and tribal cultural resources.
- **Geology and Soils.** Construction impacts to unknown unique paleontological resources.
- **Noise.** Generation of a substantial temporary increase in ambient noise levels in the vicinity of the proposed project during construction.
- **Utilities and Service Systems.** Determination by the wastewater treatments provider that it does not have adequate capacity to serve the project's and cumulative projects projected demand.

5.3 PROJECT OBJECTIVES

As stated above, the range of alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the proposed project. The project objectives are as follows:

- Redevelop an existing retail center on Mary Avenue and Stevens Creek Boulevard with desirable amenities and housing.
- Meet the City's Regional Housing Needs Allocation (RHNA) for 2014-2022.
- Enhance the vibrancy of Cupertino's Heart of the City as a key mixed-use, commercial corridor by providing a pedestrian-friendly community that includes housing, open space and greenery, and neighborhood retail.
- Provide senior housing in close proximity to the Cupertino Senior Citizen Center.
- Create a prominent gateway development that incorporates quality architectural design and materials, open space, and artwork to announce entry into Cupertino's Heart of the City.
- Create a mixed-use development that places residential and commercial uses in close proximity to each other, and close to transit options.
- Help the City to achieve its affordable housing goals through the inclusion of senior housing units within a residential and mixed-use development project.

5.4 SELECTION OF A REASONABLE RANGE OF ALTERNATIVES

Section 15126.6(c) of the State CEQA Guidelines states:

The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the

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alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

5.4.1 ALTERNATIVES CONSIDERED AND REJECTED AS INFEASIBLE

As described above, Section 15126.6(c) of the State CEQA Guidelines requires EIRs to identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process, and briefly explain the reasons underlying the lead agency's determination. Section 15126.6(c) provides that among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts. The following is a discussion of alternatives that were considered and rejected, along with the reasons they were not included in the analysis.

5.4.1.1 ALTERNATIVE LOCATION

Development of the proposed project at an alternative location in the city was considered and rejected because it would not accomplish most of the basic objectives of the proposed project, would be infeasible, and would not substantially lessen or avoid any significant environmental impact. Because the proposed project is identified as a Priority Housing Element Site in the General Plan, locating the proposed residential mixed-use development on a different site would be inconsistent with the General Plan policies to accommodate the Regional Housing Needs Allocation (RHNA) for the 2014 to 2022 planning period.¹ The General Plan EIR considered 20 different housing element sites and prioritized five of those to be implemented as part of the Housing Element for the 2014 to 2022 planning period.² As described in Chapter 3, Project Description, of this Draft EIR, the proposed project would provide 242 residential units, including 39 senior residential units, within close proximity to Cupertino Senior Center and Cupertino Memorial Park, on a Priority Development Site and a Transit Priority Site. The proposed project would also include 20,000 square feet of ground floor neighborhood-serving retail, which is compatible with the surrounding land uses and required by the General Plan Commercial/Residential land use designation. Furthermore, unlike an alternate location, the proposed project is consistent with the General Plan land use designation and zoning for the project site. The project applicant does not currently own or control other potential sites for the proposed project in Cupertino, which could accommodate the proposed project or meet the objectives of the proposed mixed-use development. Nor can the proposed project applicant reasonably acquire or otherwise have access to such alternate sites (refer to Section 15126.6(f) of the CEQA Guidelines). In addition, an alternative site could cause greater operation- and construction-

¹ California Government Code Section 15126.6(f)(2).

² City of Cupertino, certified General Plan Amendment, Housing Element Update, and Associated Rezoning EIR, (December 2014) and approved General Plan Amendment, Housing Element Update, and Associated Rezoning EIR Final Addendum, State Clearinghouse Number 2014032007 (October 2015).

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related impacts. Therefore, no feasible alternative locations were evaluated for the proposed project and no further discussion is warranted.

5.4.1.2 REDUCED RESIDENTIAL DENSITY ALTERNATIVE

A reduced residential density alternative was considered and rejected because it would not be feasible under current State law because it is not required to avoid a significant environmental impact. As shown in Chapters 4.1 through 4.9, all impacts as a result of construction and operation of the proposed project would be less than significant, less than significant with mitigation, or no impact would occur. Pursuant to Government Code 65589.5(j), requiring a reduction in housing density as a condition of approval is only allowed if the proposed project has a specific adverse effect on health and safety that can only be mitigated except by lowering density. Accordingly, this alternative is infeasible, and no further discussion of this alternative is warranted.

5.4.1.3 INCREASED RESIDENTIAL DENSITY ALTERNATIVE

An increased residential density alternative was considered and rejected because it would not be feasible inasmuch as it would exceed the maximum density designated in the General Plan for the project site, which is 30 dwelling units per acre for Priority Housing Element Site A3 (The Oaks Shopping Center). This alternative would also have the potential to create greater construction and operational impacts than the proposed project. For example, a larger development could require taller buildings and a longer construction period, which could result in greater air quality, greenhouse gas emission, noise, and transportation impacts than the proposed project. Therefore, this alternative is infeasible and would not avoid significant environmental impacts, and no further discussion of this alternative is warranted.

5.4.2 ALTERNATIVES ANALYSIS

In addition to the No Project Alternative, this EIR discusses two project alternatives and compares them to the proposed project, as discussed below. As previously stated, the alternatives were selected because of their potential to reduce the significant-but-mitigable impacts of the proposed project. The three alternatives are:

- No Project Alternative
- No Retail Development Alternative
- Reduced Retail Development Alternative

The first alternative is the CEQA-required “No Project” Alternative, and assumes that no changes to the existing shopping center would occur. The No Retail Development Alternative would construct only the residential components of the proposed project at the same density as the proposed project, but would not include the retail in Residential Retail Buildings 1 and 2. The Reduced Retail Development Alternative would construct the same residential elements as the proposed project, but would reduce the retail in Residential Retail Building 1 from 17,600 square feet to 7,600 square feet, which would reduce the overall retail on the project site by 50 percent.

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5.4.3 ASSUMPTIONS AND METHODOLOGY

The alternatives analysis compares the impacts of the alternatives to the proposed project. The No Project Alternative assumes no change in the existing site and no new development. The overall extent of the development on the project site for the other two alternatives is similar to the proposed project, but with less retail square footage. As described in Chapters 4.1, Air Quality, Chapter 4.2, Biological Resources, Chapter 4.3, Cultural and Tribal Cultural Resources, Chapter 4.4, Geology and Soils, and Chapter 4.7, Noise, mitigation measures would be required to reduce construction related impacts Chapter 4.9, Utilities and Service Systems, requires mitigation for operational impacts associated with wastewater generation and the capacity of the sanitary sewer system. This alternatives analysis assumes that all applicable regulations and all mitigation measures identified in this EIR for the proposed project would be implemented for the No Retail Development Alternative and the Reduced Retail Development Alternative.

The following analysis compares the potentially significant environmental impacts of the three alternatives with the project-related impacts for each of the environmental topics analyzed in detail in Chapters 4.1 through 4.9 of this Draft EIR. The impacts of each alternative are classified as greater, reduced, or similar to the level of impacts associated with the proposed project. Table 5-1 summarizes the impacts of each of the alternatives compared to the proposed project.

TABLE 5-1 COMPARISON OF IMPACTS FROM PROJECT ALTERNATIVES AND THE PROPOSED PROJECT

Topic	Proposed Project	No Project Alternative	No Retail Development Alternative	Reduced Retail Development Alternative
Air Quality	LTS/M	>	>	=
Biological Resources	LTS/M	<	=	=
Cultural and Tribal Cultural Resources	LTS/M	<	<	<
Geology and Soils	LTS/M	<	<	<
Greenhouse Gas Emissions	LTS	>	>	=
Hazards and Hazardous Materials	LTS	<	=	=
Noise	LTS/M	>	>	=
Transportation	LTS	>	>	=
Utilities and Service Systems	LTS/M	<	<	<

Notes:

LTS	Less Than Significant	<	Reduced impact in comparison to the proposed project
LTS/M	Less Than Significant with Mitigation	=	Similar impacts in comparison to the proposed project
		>	Greater impact in comparison to the proposed project

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5.5 NO PROJECT ALTERNATIVE

5.5.1 DESCRIPTION

Pursuant to CEQA Guidelines Section 15126.6(e)(1), the No Project Alternative is required as part of the “reasonable range of alternatives” to allow decision makers to compare the impacts of approving the proposed project with the impacts of taking no action or not approving the proposed project. Under this alternative, the proposed project would not be constructed, and the project site would remain in its current condition. The existing development is a 71,254 square foot shopping center (The Oaks Shopping Center), which has 53,701 square feet of retail and 17,503 square feet of office space, and does not include housing. The existing site also has 201,831 square feet of paved area, which includes associated parking, sidewalks, patios, and driveways, in addition to 45,486 square feet of native and non-native landscaping, including mature trees. The site is accessible from Stevens Creek Boulevard and Mary Avenue. The No Project Alternative would not include the addition of a Class I Bike Path on the project site, public access easements on the northwest and southwest corners of the project site to accommodate the bridge over SR-85 connecting Mary Avenue to Alhambra Avenue, or off-site improvements including the installation of a Class IV separated bikeway and a signal control to be activated by bicyclists and pedestrians for the westbound right-turn movement northbound SR-85 on ramp, as well as a bus stop on the section of Stevens Creek Boulevard west of Mary Avenue and east of the SR-85 northbound ramp.

As discussed in Chapter 4.8, Transportation, of this Draft EIR, the existing uses on the project site generate more daily trips than the proposed project both without trip credits (2,287 existing daily trips compared to 2,174 proposed daily trips) and with trip credits (2,209 existing daily trips compared to negative or 275 fewer proposed daily trips), as well as and more VMT (existing annual VMT of 2,782,747 compared to proposed annual VMT 2,662,683).

5.5.2 IMPACT DISCUSSION

The potential environmental impacts associated with the No Project Alternative when compared to the proposed project are described below.

5.5.2.1 AIR QUALITY

The temporary construction-related air quality impacts of the proposed project are fully mitigable with implementation of Mitigation Measure AQ-2 and operational impacts are less than significant. Project-generated fugitive dust and other pollutant emissions associated with construction activities at the site would not occur under the No Project Alternative; thereby eliminating the proposed projects significant-but-mitigatable construction related air quality impacts. Like the proposed project, the No Project Alternative would not conflict or obstruct the implementation of the Bay Area Quality Management District’s (BAAQMD) 2017 Clean Air Plan and would not expose sensitive receptors to substantial toxic air contaminants or CO hotspots associated with construction or operation; thus, impacts would be similar under both the proposed project and the No Project Alternative.

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Under the No Project Alternative, pollutant emissions associated with vehicle trips would continue to occur. The proposed project would generate fewer daily trips before trip credits are applied (2,287 existing daily trips compared to 2,174 proposed daily trips) and with trip credits (2,209 existing daily trips compared to 2,275 proposed daily trips). Furthermore, the proposed residential mixed-use project would result in fewer vehicle miles traveled (VMT) (existing annual VMT of 2,782,747 compared to proposed annual VMT 2,662,683). Accordingly, air quality impacts from vehicles would be less under the proposed project. Because vehicles are considered a major source of air pollutants, the proposed project would have fewer impacts than those under existing conditions. Therefore, overall air quality impacts of the No Project Alternative would be *greater* compared to the proposed project.

5.5.2.2 BIOLOGICAL RESOURCES

The biological resources impacts of the proposed project are fully mitigable with implementation of Mitigation Measure BIO-1 and BIO-2. Under the No Project Alternative, the potential to modify habitat for any special-status species identified, such as nesting birds, would not occur. No trees would be removed under the No Project Alternative; thus, no potential for conflicts with the City's Tree Preservation regulations would occur. This would eliminate the proposed project's significant-but-mitigable adverse effects on nesting bird species protected under the Migratory Bird Treaty Act and California Fish and Game Code, as well as conflicts with local policies or ordinances protecting trees. Therefore, impacts to biological resources from the No Project Alternative would be *reduced* compared to the proposed project because no development on the project site would occur.

5.5.2.3 CULTURAL AND TRIBAL CULTURAL RESOURCES

The cultural and tribal cultural resources impacts under the proposed project are fully mitigable with implementation of Mitigation Measure CULT-1. There are no known archeological resources within the project site; therefore, impacts to known archeological resources would be the same under both the No Project Alternative and the proposed project. However, no ground-disturbing activities would occur under the No Project Alternative; therefore, this alternative would not have the potential to damage or destroy unknown archaeological (tribal or non-tribal) human remains, and tribal cultural resources. Accordingly, the potential impacts of the No Project Alternative would result in *reduced* impacts compared to the proposed project.

5.5.2.4 GEOLOGY AND SOILS

The impacts related to unknown unique paleontological resources of the proposed project are fully mitigable with implementation of Mitigation Measure GEO-1. There are no known paleontological resources on the project site and the geology and soils on the project site are common throughout the city and region and are not considered to be unique. Under the No Project Alternative, no new development would occur on the site, which reduces the potential for direct or indirect affects to an unknown paleontological resources or site, or unique geologic feature. However, no ground-disturbing activities would occur under the No Project Alternative; therefore, this alternative would not have the potential to damage or destroy unknown unique paleontological resources. Therefore, the impacts of the No Project Alternative related to geology and soils would be *reduced* compared to the proposed project.

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5.5.2.5 GREENHOUSE GAS EMISSIONS

The impacts related to greenhouse gas (GHG) emissions of the proposed project are less than significant and no mitigation measures are required. Under the No Project Alternative, the existing buildings would not be demolished, and new structures would not be constructed; thus, eliminating the temporary GHG emissions from construction. No improvements required under updated building regulations described in Chapter 4.6, Greenhouse Gas Emissions, of this Draft EIR, which would result in cleaner and reduced emissions, would be made to the existing buildings. Furthermore, as described in the air quality discussion above, because the proposed project would result in fewer daily vehicular trips and VMT than those under existing conditions. Therefore, the GHG related impacts of the No Project Alternative would be *greater* compared to the proposed project.

5.5.2.6 HAZARDS AND HAZARDOUS MATERIALS

The impacts related to hazards and hazardous materials from construction and operation of the proposed project are less than significant without mitigation. Like the proposed project, the No Project Alternative would not create a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials, and would not emit hazardous emissions or use hazardous materials within 0.25 miles from a school. However, unlike the proposed project, the No Project Alternative would not have the potential to disturb asbestos containing materials, or lead based paints; therefore, impacts of the No Project Alternative related to hazards and hazardous materials would be *reduced* compared to the proposed project.

5.5.2.7 NOISE

The operational impacts related to noise from the proposed project are less than significant and the construction impacts fully mitigable with implementation of Mitigation Measure NOISE-1. Under the No Project Alternative, no short-term noise from construction would occur; however, like the existing conditions, noise from project operation would continue under both scenarios. This alternative would generate more vehicle trips than the proposed project. Because transportation related trips are a major contributor to noise, noise impacts of the No Project alternative would be *greater* compared to the proposed project.

5.5.2.8 TRANSPORTATION

The transportation impacts of the proposed project are less than significant, and no mitigation measures are required. The proposed project would generate fewer daily trips before trip credits are applied (2,287 existing daily trips compared to 2,174 proposed daily trips) and with trip credits (2,209 existing daily trips compared to negative or 275 fewer proposed daily trips). Therefore, the proposed residential mixed-use project would result in fewer vehicle miles traveled (VMT) (existing annual VMT of 2,782,747 compared to proposed annual VMT 2,662,683) than the No Project Alternative. Additionally, the No Project Alternative would not include the addition of a Class I Bike Path on the project site, public access easements on the northwest and southwest corners of the project site to accommodate the bridge over SR-85 connecting Mary Avenue to Alhambra Avenue, or off-site improvements including the installation of a Class IV separated bikeway and a signal control to be activated by bicyclists and pedestrians for the westbound right-turn movement northbound SR-85 on ramp pursuant to the 2016 *Bicycle Transportation Plan*, as well

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as a bus stop on the section of Stevens Creek Boulevard west of Mary Avenue and east of the SR-85 northbound ramp. Accordingly, transportation impacts of the No Project Alternative would be *greater* compared to the proposed project.

5.5.2.9 UTILITIES AND SERVICE SYSTEMS

The utilities and service systems impacts of the proposed project are fully mitigable with implementation of Mitigation Measure UTIL-1. Based on the capacity of the sanitary sewer system, any new development may result in a determination by the wastewater treatment provider, that it does not have capacity to serve the project's projected demand in addition to the provider's existing commitment. Under the No Project Alternative, the site would continue to operate as is and no new construction would occur; therefore, there would not be an increase in wastewater generation on the project site (21,376 gallons per day (gpd) for the existing uses) compared to a net increase of 16,810 gpd (for the proposed project). Accordingly, overall impacts to utilities and service systems with regard to the capacity of the wastewater treatment system for the No Project Alternative would be *reduced* compared to the proposed project.

5.5.3 ABILITY OF THE NO PROJECT ALTERNATIVE TO ACCOMPLISH THE PROJECT OBJECTIVES

Under the No Project Alternative, the proposed project would not be constructed and therefore, this alternative would not accomplish any of the project objectives.

5.6 NO RETAIL DEVELOPMENT ALTERNATIVE

5.6.1 DESCRIPTION

Under the No Retail Development Alternative, the 20,000 square feet of neighborhood-serving retail in Residential-Retail Building 1 and Residential-Retail Building 2 would not be developed. The project site would be developed with the 242 residential units, consisting of three rowhouse buildings (19 units), 13 townhouse buildings (69 units), Residential Building 1 (115 units), Residential Building 2 (39 senior housing units). The building footprint of this alternative would be the same as the proposed project. The subterranean parking level would not be constructed. Rather, parking would be located on the ground floor because there would be no retail component in Residential Building 1. Residential Building 1 would still include a fitness center, lounge, and outdoor terrace for resident use only, and Residential Building 2 would also still include a common room for use by residents only. The No Retail Alternative would include the same private open space areas but increase the common open space area to 61,601 square feet, as there would not be common retail outdoor space. The No Retail Development Alternative would include a Class I Bike Path on the project site, public access easements on the northwest and southwest corners of the project site to accommodate the bridge over SR-85 connecting Mary Avenue to Alhambra Avenue, and off-site improvements including the installation of a Class IV separated bikeway and a signal control to be activated by bicyclists and pedestrians for the westbound right-turn movement northbound SR-85 on ramp consistent with the 2016 *Bicycle Transportation Plan*, as well as a bus stop on the section of Stevens Creek Boulevard west of Mary Avenue and east of the SR-85 northbound ramp.

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While no quantitative trip generation was prepared for this alternative analysis, it is assumed that trip generation would be greater under this alternative because no neighborhood serving retail would be provided at the site and additional trips would be generated for this purpose.

5.6.2 IMPACT DISCUSSION

The potential environmental impacts associated with the No Retail Development Alternative are described below and are compared to the proposed project.

5.6.2.1 AIR QUALITY

The temporary construction-related air quality impacts of the proposed project are fully mitigable with implementation of Mitigation Measure AQ-2 and operational impacts are less than significant. Project-generated fugitive dust and other pollutant emissions associated with construction activities at the site would be slightly less under the No Retail Development Alternative due to no retail development in Residential Buildings 1 and 2 and no subterranean parking, creating a slightly reduced significant-but-mitigable construction related air quality impacts. Like the proposed project, the No Retail Development Alternative would not conflict or obstruct the implementation of the BAAQMD's 2017 *Clean Air Plan* and would not expose sensitive receptors to substantial toxic air contaminants or CO hotspots associated with construction or operation; thus, impacts would be similar under the proposed project and the No Retail Development Alternative. Under the No Retail Development, pollutant emissions associated with vehicle trips would increase due to the absence of neighborhood-serving retail uses on-site and within walking distance of the residential units. Therefore, impacts would increase under the No Retail Development Alternative as a result of added vehicle trips. Like the No Project Alternative, because automobile use is a major source of air pollution, the overall air quality impacts of the No Retail Development Alternative would be *greater* compared to the proposed project.

5.6.2.2 BIOLOGICAL RESOURCES

The biological resources impacts of the proposed project are fully mitigable with implementation of Mitigation Measures BIO-1 and BIO-2. The No Retail Development Alternative would result in similar development on the project site as the proposed project; therefore, the relationship to natural resources on the project site as described in Chapter 4.2, Biological Resources, of this Draft EIR would be similar under both this alternative and the proposed project.

As described in Chapter 4.3, an Arborist Report was prepared for the proposed project and is included in Appendix D, Arborist Report & Tree Removal Plan, of this Draft EIR. Of the 83 trees surveyed, the Arborist Report identified 74 trees, including 14 protected trees, that would be directly impacted by development and would require removal. Under this alternative, the number of trees protected by the City's Tree Protection Ordinance that would be impacted would be the same as the number of trees affected by the proposed project.

The mitigation measures listed above, as well as compliance with the City's existing ordinances including City's Tree Preservation Ordinance, would apply under this alternative. Therefore, the potential impacts to nesting birds and potential habitat for special-status birds that may be present on-site during construction related activities and removal of trees protected of the City's Tree Preservation Ordinance would be

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similar. Impacts to biological resources from the No Retail Development Alternative would be essentially *similar* compared to the proposed project.

5.6.2.3 CULTURAL AND TRIBAL CULTURAL RESOURCES

The cultural and tribal cultural resources impacts of the proposed project are fully mitigable with implementation of Mitigation Measure CULT-1. Development under the No Retail Development Alternative would have the same building envelope as the proposed project, but would not have retail components as part of Residential Buildings 1 and 2, and no excavation would be required for the subterranean parking level. The same mitigation measures that apply to the proposed project would apply to this alternative, as would State regulations to protect buried human remains and cultural and tribal cultural. However, the lack of deep excavation for this alternative would reduce the likelihood of unearthing unknown unique archeological resources. Accordingly, the potential impacts of the No Retail Development Alternative would result in *reduced* compared to the proposed project.

5.6.2.4 GEOLOGY AND SOILS

The impacts related to unknown unique paleontological resources of the proposed project are fully mitigable with implementation of Mitigation Measure GEO-1. There are no known paleontological resources on the project site and the geology and soils on the project site are common throughout the city and region, and are not considered to be unique. Under the No Retail Development Alternative, buildings would be constructed within the same development footprint as the proposed project, but the lack of excavation would reduce the likelihood of unearthing an unknown unique paleontological resource. Therefore, the impacts of the No Retail Alternative related to geology and soils would have *reduced* impacts compared to the proposed project.

5.6.2.5 GREENHOUSE GAS EMISSIONS

The impacts related to GHG emissions of the proposed project are less than significant and no mitigation measures are required. Under the No Retail Development Alternative, the existing buildings would be demolished, but the new structures would be smaller. However, future and surrounding residents would not have access to neighborhood-serving commercial uses on-site; therefore, this alternative would increase daily trips and VMT, consequently increasing impacts to GHG emissions compared to the proposed project. Accordingly, the GHG related impacts of the No Retail Development Alternative would result be *greater* compared to the proposed project.

5.6.2.6 HAZARDS AND HAZARDOUS MATERIALS

The impacts related to hazards and hazardous materials from construction and operation of the proposed project are less than significant without mitigation. Like the proposed project, the No Retail Development Alternative would not create a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials, and would not emit hazardous emissions or use hazardous materials within one-quarter mile from a school. Development under both scenarios would be required to comply with State, federal, and local laws regulating the transport, use, and disposal of hazardous materials. Therefore, impacts of the No Retail Alternative related to hazards and hazardous materials would be *similar* to the proposed project.

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5.6.2.7 NOISE

The operational impacts related to noise from the proposed project are less than significant and the construction impacts fully mitigable with implementation of Mitigation Measure NOISE-1. Under the No Retail Development Alternative, the short-term increase in ambient noise levels from construction would be less than that of the proposed project due to reduced development and a shorter construction period. This alternative would not have a subterranean parking garage. As discussed in Chapter 4.7, Noise, parking lot noise would be reduced compared to the noise from surface parking when parking is located in a subterranean parking structure. Regardless, because no noise from retail parking would occur, parking noise from retail users would be less when compared to the proposed project. However, even with less parking lot noise, this alternative would still generate more vehicle trips than the proposed project since future residents and surrounding residents would not have access to neighborhood-serving retail within walking distance. Because transportation related trips are a major contributor to noise, noise impacts of the No Retail Alternative would be *greater* compared to the proposed project.

5.6.2.8 TRANSPORTATION

The transportation impacts of the proposed project are less than significant, and no mitigation measures are required. Similar to the proposed project, the No Retail Development Alternative would not conflict with the Cupertino General Plan or Santa Clara Valley Transportation Authority. However, under the No Retail Development Alternative, daily vehicle trips and vehicle miles traveled may increase due to the absence of a neighborhood serving retail use on the project site. Similar to the proposed project, the No Retail Development Alternative would install a Class I Bike Path on the project site, public access easements on the northwest and southwest corners of the project site to accommodate the bridge over SR-85 connecting Mary Avenue to Alhambra Avenue, and off-site improvements including the installation of a Class IV separated bikeway and a signal control to be activated by bicyclists and pedestrians for the westbound right-turn movement northbound SR-85 on ramp consistent with the 2016 *Bicycle Transportation Plan*, as well as a bus stop on the section of Stevens Creek Boulevard west of Mary Avenue and east of the SR-85 northbound ramp. Accordingly, transportation impacts of the No Retail Development Alternative would be *greater* compared to the proposed project.

5.6.2.9 UTILITIES AND SERVICE SYSTEMS

The utilities and service systems impacts of the proposed project are fully mitigable with implementation of Mitigation Measure UTIL-1. Based on the capacity of the sanitary sewer system, any new development may result in a determination by the wastewater treatment provider, that it does not have capacity to serve the project's projected demand in addition to the provider's existing commitment. Under the No Retail Development Alternative, utility demand from new development on the project site would be similar to the proposed project, albeit slightly reduced because of the absence of retail space; therefore, overall impacts to utilities and service systems with regard to the capacity of the wastewater treatment system for the No Retail Development Alternative would be slightly *reduced* compared to the proposed project.

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5.6.3 ABILITY OF THE NO RETAIL DEVELOPMENT ALTERNATIVE TO ACCOMPLISH THE PROJECT OBJECTIVES

Development proposed under the No Retail Development Alternative would meet most of the project objectives, including redeveloping an existing site with housing, helping the City to meet RHNA allocations for 2014-2022, providing senior housing in close proximity to the Cupertino Senior Center, creating a prominent gateway development at the entry to Cupertino's Heart of the City, and helping the City to achieve its affordable housing goals through the inclusion of senior housing units. However, the No Retail Development Alternative would not meet the project objectives associated with a mixed-use development. This alternative would not redevelop the project site with desirable amenities in proximity to housing, enhance the vibrancy of Cupertino's Heart of the City as a key mixed-use corridor by providing a pedestrian-friendly community that includes neighborhood retail, create a mixed-use development that places residential and commercial uses in close proximity to each other and transit options, or place affordable senior housing in a mixed-use development project. This alternative only meets three of the seven project objectives.

5.7 REDUCED RETAIL DEVELOPMENT ALTERNATIVE

5.7.1 DESCRIPTION

Under the Reduced Retail Development Alternative, the retail component would be reduced by 50 percent, or to 10,000 square feet. Residential-Retail Building 1 would have 7,600 square feet of retail space and Residential-Retail Building 2 would have 2,400 square feet of retail space, similar to the proposed project. The project site would be developed with the 242 residential units, consisting of three rowhouse buildings (19 units), 13 townhouse buildings (69 units), Residential-Retail Building 1 (115 units), Residential-Retail Building 2 (39 senior housing units). The development footprint would be the same as the proposed project, but with a 10,000 square foot reduction in retail space in Residential-Retail Building 1 and slightly smaller building size. Residential Building 1 would still include a fitness center, lounge, and outdoor terrace for resident use only, and Residential Building 2 would also still include a common room for use by residents only. No subterranean parking would be constructed, because the reduced parking needs could be accommodated on the first floor. The Reduced Retail Alternative would include the same private and common open space areas and landscaping. The Reduced Retail Development Alternative would include a Class I Bike Path on the project site, public access easements on the northwest and southwest corners of the project site to accommodate the bridge over SR-85 connecting Mary Avenue to Alhambra Avenue, and off-site improvements including the installation of a Class IV separated bikeway and a signal control to be activated by bicyclists and pedestrians for the westbound right-turn movement northbound SR-85 on ramp consistent with the 2016 *Bicycle Transportation Plan*, as well as a bus stop on the section of Stevens Creek Boulevard west of Mary Avenue and east of the SR-85 northbound ramp.

While no quantitative trip generation was prepared for this alternative analysis, it is assumed that trip generation would be similar to the proposed project because some neighborhood serving retail would be provided at the site.

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5.7.2 IMPACT DISCUSSION

The potential environmental impacts associated with the Reduced Retail Development Alternative are described below and are compared to the proposed project.

5.7.2.1 AIR QUALITY

The temporary construction-related air quality impacts of the proposed project are fully mitigable with implementation of Mitigation Measure AQ-2 and operational impacts are less than significant. Project-generated fugitive dust and other pollutant emissions associated with construction activities at the site would be slightly less under the Reduced Retail Development Alternative due to the 50 percent reduction in retail development in Residential Buildings 1 and 2 and no subterranean parking, creating a slightly reduced significant-but-mitigable construction related air quality impacts. Like the proposed project, the Reduced Retail Development Alternative would not conflict or obstruct the implementation of the BAAQMD's 2017 *Clean Air Plan* and would not expose sensitive receptors to substantial toxic air contaminants or CO hotspots associated with construction or operation; thus, impacts would be similar under both the proposed project and the Reduced Retail Development Alternative. Under the Reduced Retail Development Alternative, pollutant emissions associated with vehicle trips would be only slightly greater, due to the 50 percent reduced neighborhood-serving retail uses on-site and within walking distance of the residential units. Therefore, impacts would be *similar* under the Reduced Retail Development Alternative when compared to the proposed project.

5.7.2.2 BIOLOGICAL RESOURCES

The biological resources impacts of the proposed project are fully mitigable with implementation of Mitigation Measures BIO-1 and BIO-2. The Reduced Retail Development Alternative would result in similar development on the project site as the proposed project; therefore, and the relationship to natural resources on the project site as described in Chapter 4.2, Biological Resources, or this Draft EIR would be similar under both this alternative and the proposed project.

As described in Chapter 4.3, an Arborist Report was prepared for the proposed project and is included in Appendix D, Arborist Report & Tree Removal Plan, of this Draft EIR. Of the 83 trees surveyed, the Arborist Report identified 74 trees, including 14 protected trees, that would be directly impacted by development and would require removal. Under this alternative, the number of trees protected by the City's Tree Protection Ordinance that would be impacted would be the same as the number of trees affected by the proposed project.

The mitigation measures listed above, as well as compliance with the City's existing ordinances, including City's Tree Preservation Ordinance, would apply under this alternative. Therefore, the potential impacts to nesting birds and potential habitat for special-status birds that may be present on-site during construction related activities and removal of trees protected of the City's Tree Preservation Ordinance would be similar. Impacts to biological resources from the Reduced Retail Development Alternative would essentially be the *same as* the proposed project.

ALTERNATIVES TO THE PROPOSED PROJECT

5.7.2.3 CULTURAL AND TRIBAL CULTURAL RESOURCES

The cultural resource impacts of the proposed project are fully mitigable with the implementation of Mitigation Measure CULT-1. Development under the Reduced Retail Development Alternative would have the same building envelope as the proposed project, but would have 50 percent less retail square footage as part of Residential Buildings 1 and 2, and no excavation would be required for the subterranean parking level. The same mitigation measures apply to the proposed project would apply to this alternative, as would State regulations to protect buried human remains and cultural and tribal cultural. However, the lack of deep excavation for this alternative would reduce the likelihood of unearthing unknown unique archeological resources. Accordingly, the potential impacts of the Reduced Retail Development Alternative would result in *reduced* impacts compared to the proposed project.

5.7.2.4 GEOLOGY AND SOILS

The impacts related to unknown unique paleontological resources of the proposed project are fully mitigable with implementation of Mitigation Measure GEO-1. There are no known unique paleontological resources on the project site and the geology and soils on the project site are common throughout the city and region and are not considered to be unique. Under the Reduced Retail Development Alternative, buildings would be constructed within the same development footprint as the proposed project, but the lack of excavation would reduce the likelihood of unearthing an unknown paleontological resource. Therefore, the impacts of the Reduced Retail Alternative related to geology and soils would have *reduced* impacts compared to the proposed project.

5.7.2.5 GREENHOUSE GAS EMISSIONS

The impacts related to GHG emissions of the proposed project are less than significant and no mitigation measures are required. Under the Reduced Retail Development Alternative, the existing buildings would be demolished, but the new structures would be smaller. The 50 percent reduction in neighborhood-serving commercial uses on-site would slightly increase trips, but the resulting daily vehicle trips and VMT would be comparable to the proposed project, and therefore would result in a slight increase of GHG emissions compared to the proposed project. However, because the project would still offer mixed-use features, it is assumed the GHG related impacts of the Reduced Retail Development Alternative would be *similar* compared to the proposed project.

5.7.2.6 HAZARDS AND HAZARDOUS MATERIALS

The impacts related to hazards and hazardous materials from construction and operation of the proposed project are less than significant without mitigation. Like the proposed project, the Reduced Retail Development Alternative would not create a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials, and would not emit hazardous emissions or use hazardous materials within 0.25 miles of a school. Development under both scenarios would be required to comply with federal, State, and local laws regulating the transport, use, and disposal of hazardous materials. Therefore, impacts of the Reduced Retail Development Alternative related to hazards and hazardous materials would be *similar to the* proposed project.

ALTERNATIVES TO THE PROPOSED PROJECT

5.7.2.7 NOISE

The operational impacts related to noise from the proposed project are less than significant and the construction impacts are fully mitigable with implementation of Mitigation Measure NOISE-1. Under the Reduced Retail Development Alternative, the short-term increase in ambient noise levels from construction would be less than that of the proposed project due to reduced development and a shorter construction period. This alternative would not have a subterranean parking garage. As discussed in Chapter 4.7, Noise, parking lot noise would be reduced compared to the noise from surface parking when parking is located in a subterranean parking structure. Because this alternative still has some retail, some noise from retail parking would occur; however, parking noise from fewer retail users would be less when compared to the proposed project. Under this alternative, future residents and surrounding residents would still be in walking distance of neighborhood-serving retail and vehicular trips would be similar to the proposed project. Therefore, noise impacts of the Reduced Retail Alternative would be *similar* compared to the proposed project.

5.7.2.8 TRANSPORTATION

The transportation impacts of the proposed project are less than significant, and no mitigation measures are required. Similar to the proposed project, the Reduced Retail Development Alternative would not conflict with the Cupertino General Plan or Santa Clara Valley Transportation Authority. However, under the Reduced Retail Development Alternative, daily vehicle trips and vehicle miles traveled may increase due to the 50 percent reduction in the neighborhood-serving retail use on the project site. Because the site would still support mixed-use development, it is assumed that daily vehicle trips would be similar to the proposed project. Additionally, the Reduced Retail Development Alternative would install a Class I Bike Path on the project site, public access easements on the northwest and southwest corners of the project site to accommodate the bridge over SR-85 connecting Mary Avenue to Alhambra Avenue, and off-site improvements including the installation of a Class IV separated bikeway and a signal control to be activated by bicyclists and pedestrians for the westbound right-turn movement northbound SR-85 on ramp consistent with the 2016 *Bicycle Transportation Plan*, as well as a bus stop on the section of Stevens Creek Boulevard west of Mary Avenue and east of the SR-85 northbound ramp. Accordingly, transportation impacts of the Reduced Retail Development Alternative would be *similar* compared to the proposed project.

5.7.2.9 UTILITIES AND SERVICE SYSTEMS

The utilities and service systems impacts of the proposed project are fully mitigable with implementation of Mitigation Measure UTIL-1. Based on the capacity of the sanitary sewer system, any new development may result in a determination by the wastewater treatment provider, that it does not have capacity to serve the project's projected demand in addition to the provider's existing commitment. Under the Reduced Retail Development Alternative, utility demand from new development on the project site would be similar to the proposed project, albeit slightly reduced because of the 50 percent reduction of retail space; therefore, overall impacts to utilities and service systems with regard to the capacity of the wastewater treatment system for the Reduced Retail Development Alternative would be slightly *reduced* compared to the proposed project.

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5.7.3 ABILITY OF THE REDUCED RETAIL DEVELOPMENT ALTERNATIVE TO ACCOMPLISH THE PROJECT OBJECTIVES

Although development proposed under the Reduced Retail Development Alternative would result in slightly less development than that of the proposed project (50 percent reduction in retail space), the site would be redeveloped similar to the proposed project. Similar to the proposed project, this alternative would: redevelop an existing retail and office complex with desirable amenities and housing; help the City meet the RHNA allocation for 2014-2022; enhance the vibrancy of Cupertino's Heart of the City as a key mixed-use corridor by providing a pedestrian-friendly community that includes housing, open space and greenery, and neighborhood retail; provide senior housing in close proximity to the Cupertino Senior Citizen Center; create a prominent gateway development that incorporates quality architectural design and materials, open space, and artwork to announce entry into Cupertino's Heart of the City; create a mixed-use development that places residential and commercial uses in close proximity to each other, and close to transit options; and help the City to achieve its affordable housing goals through the inclusion of senior housing units within a residential and mixed-use development project. The Reduced Retail Development Alternative would meet all of the proposed project objectives; however, it would not provide as many community desirable amenities on the project site as the proposed project.

5.8 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

In addition to the discussion and comparison of impacts of the proposed project and the alternatives, Section 15126.6 of the State CEQA Guidelines requires that an "environmentally superior" alternative, other than the no project alternative, to be identified. The environmentally superior alternative is the alternative that would result in the least environmental impacts.

As shown in Table 5-1, the Reduced Retail Development Alternative would not result in any impacts than are greater than the proposed project, and would reduce impacts related to cultural resources, geology and soils, and utilities and services systems compared to the proposed project. Impacts related to air quality, biological resources, GHG emissions, hazards and hazardous materials, noise, and transportation would be similar to the proposed project. Therefore, the Reduced Retail Development Alternative would be the environmentally superior alternative.

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