

From: [City of Cupertino Planning Dept.](#)
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Alternatives Allowed under CEQA
Date: Tuesday, July 10, 2018 8:23:18 AM

From the Planning Department's general mailbox:

From: Liang-Fang Chao [REDACTED]
Sent: Monday, July 09, 2018 5:26 PM
To: City of Cupertino Planning Dept. <planning@cupertino.org>
Subject: Alternatives Allowed under CEQA

The Retail and Residential Alternative has 600,000 sqft retail space, 0 office, and 4000 housing units.

"The Retail and Residential alternative consists of developing the site without any office use. The retail commercial component is assumed to be 600,000 square feet (same as the proposed project), and **the residential density is dependent on a preliminary economic feasibility analysis** of constructing this alternative." (based on "Economic & Planning Systems, Inc. Economic Information in Support of Vallco Special Area Alternatives Memorandum. February 1, 2018.")

"As a result of the planning process and scoping for environmental review, the City identified three alternatives to the proposed project for review in the EIR: the General Plan Buildout with Maximum Residential, Retail and Residential, and Occupied/Re-Tenanted Mall alternatives."

"CEQA requires that an EIR identify alternatives to a project as it is proposed. The CEQA Guidelines specify that the EIR should **identify alternatives 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."** The purpose of the alternatives discussion is to determine whether there are alternatives of design, scope, or location which would substantially lessen the significant impacts, even if those alternatives "impede to some degree the attainment of the project objectives" or are more expensive (CEQA Guidelines Section 15126.6)."

In order to comply with the purposes of CEQA, it is important to **identify alternatives that reduce the significant impacts anticipated to occur** if the project is implemented and try to meet as many of the project's objectives as possible. The Guidelines emphasize a common sense approach – **the alternatives should be reasonable, "foster informed decision making and public participation,"** and focus on alternatives that **avoid or substantially lessen the significant impacts.** The range of alternatives selected for analysis is governed by the "rule of reason" which requires the EIR to discuss only those alternatives necessary to permit a reasoned choice. An EIR is not required to consider alternatives which are infeasible.

For the Retail and Residential Alternative with 0 office and 4000 housing units (way beyond

the General Plan Buildout of 35 units/acre), what effects of the project, this alternative would be made "less than significant"?

For the General Plan Buildout alternative with 1 million sqft office and 2640 housing units, how is the 1640 units calculated? What effects of the project, this alternative would be made "less significant"?

From Table 7.2-1: Summary of Project and Project Alternative Impacts, the impact of the two alternatives "General Plan Buildout" or "Residential Max of 4000 units)" do not fit the CEQA guideline. CEQA does not consider economic impact, so any economic analysis that might justify the "Residential Max of 4000 units)" alternative should not be considered.

Please only consider alternatives that comply with the General Plan and comply with CEQA guidelines.

Please justify each alternative you consider under the General Plan and CEQA guideline.

Thanks.

Liang Chao
Cupertino Resident

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