

VII. ALTERNATIVES

The *CEQA Guidelines* require analysis of a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the project's basic objectives and avoid or substantially lessen any of the significant effects of the project. The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice.¹ The *San Jose Downtown Strategy 2000* has been described and analyzed in the previous chapters with an emphasis on potentially significant impacts and recommended mitigation measures to avoid these impacts. The following discussion is intended to inform the public and decision-makers of the potentially feasible alternatives to the proposed project.

The Guiding Principles,² which are broad goals and objectives developed for the *Strategy 2000*, are an important part of the context for evaluating alternatives to the proposed project. The Guiding Principles are discussed in greater detail in Chapter III, Project Description, and are restated here for reference:

- Make the Greater Downtown a Memorable Urban Place to Live, Work, Shop and Play
- Promote the Identity of Downtown San Jose as the Capital of Silicon Valley
- Create Walkable, Pedestrian-Friendly Greater Downtown
- Promote and Prioritize Development that Serves the Needs of the Entire City and Valley

This chapter discusses a total of four alternatives to the proposed project:

The **No Development** alternative assumes that no future development would occur within Downtown San Jose, and that existing conditions would continue.

The **Increased Housing/Reduced Office** alternative takes the proposed project and removes roughly 25 percent of its office development and substitutes 2,000 additional dwelling units.

The **Mitigated** alternative evaluates a project that reduces the overall level of development envisioned by *Strategy 2000* by 25 percent, across all of the land use types.

The **No Project** alternative considers the impacts of the development that would be allowed under the existing General Plan land use designations and Zoning for the area.

Each alternative is compared to the proposed project, and discussed in terms of its various mitigating or adverse effects on the environment. Analysis of the alternatives follows the same topical order as for the proposed project in Chapter V, and focuses on those topics for which significant adverse

¹ *CEQA Guidelines*, 1998, Section 15126.6.

² San Jose, City of, 2001. *Strategy 2000: San Jose Greater Downtown Strategy for Development*. Prepared by Field Paoli and SMWM for San Jose Redevelopment Agency and Development Strategy Task Force. February.

impacts would result from the proposed project. A Location alternative is not addressed given the objective of the *Strategy 2000* is to enhance and invest in Downtown San José, and the objectives described above would not be achieved by accomplishing the anticipated office, retail, and residential development elsewhere in San José.

A. NO DEVELOPMENT ALTERNATIVE

1. Description of No Development Alternative

The No Development alternative is the circumstance under which the project does not proceed, and the comparison involves the effects of the *Strategy 2000* study area remaining in its existing state versus the effects which would occur if the project were implemented. The *Strategy 2000* area would remain physically as it presently is. No new construction or expansion of housing, retail, office, hotels, or parking resources would occur under this alternative. Neither the general themes nor the specific actions including key priorities and development potential, urban design concepts, design guidelines, and strategies and specific actions would be implemented.

Please note that a No Project alternative (existing General Plan and Zoning) is evaluated below in subsection D.

2. Analysis of No Development Alternative

To maintain the project site as it is today would avoid each of the 13 significant and unavoidable impacts that would result from the proposed project. The absence of new residential and retail development in the area would not exacerbate congestion at 31 impacted intersections, and the 21 intersections where mitigation is infeasible, and 33 freeway segments. Related to the avoidance of these traffic impacts, the No Development alternative would also avoid the contribution made by the proposed project to regional air pollution. The No Development alternative would not result in significant cumulative impacts to potentially-significant historic architectural resources.

While this alternative would be environmentally superior in the technical sense that these aforementioned impacts would not occur, it would also fail to achieve any of the project's objectives summarized at the beginning of this chapter (and included in the City's General Plan for Downtown San Jose and the adjacent San Jose International Airport). The development of retail, housing, hotels, parks and trails, and parking, and the implementation of streetscape improvements would be foregone under the No Development alternative.

B. INCREASED HOUSING/REDUCED OFFICE ALTERNATIVE

1. Description of Increased Housing/Reduced Office Alternative

The Increased Housing/Reduced Office alternative would retain all of the Objectives and Guiding Principles: Key Priorities; Urban Design Concepts; and Strategies and Actions by System and by Sub-Areas; and Design Guidelines. It would, however, involve a shift in the assumptions about the development potential of the Greater Downtown Area. This shift in the types of development that would occur under *Strategy 2000* would involve: (1) a reduction in the level of office development, from a maximum of 10 million square feet in the proposed project, to a maximum of 7.5 million square feet under this alternative; and (2) an increase in housing from a maximum of 10,000 residen-

tial units in the proposed project, to 12,000 residential units under this alternative. The four General Plan Amendments [GP05-03-01(a)-(e)] that are part of the proposed project would not change under this alternative. This alternative could be accomplished under the broad parameters that are expressed in *Strategy 2000* as it has been presented; it simply represents a land use and development pattern that substitutes additional housing units for approximately one quarter of the office development envisioned under the proposed project.

2. Analysis of Increased Housing/Reduced Office Alternative

a. Land Use. The potential land use impacts of the Increased Housing/Reduced Office alternative would not differ substantially from those of the proposed project. By definition, the Greater Downtown would experience approximately 2.5 million square feet less office development than under the proposed project and approximately 2,000 more residential housing units. However, an increase in housing units of this size would not disrupt or divide an established community or cause any inherent conflict with other existing or proposed uses. Shifting from office development to housing would require no more or less acquisition or relocation of existing uses. Like the proposed project, the Increased Housing/Reduced Office alternative would result in the significant land use impact (Impact LU-1), which relates to building heights exceeding the FAA's surface height restriction of 208 feet AMSL and the safety of operations at San Jose International Airport. Implementation of the same three-part mitigation measure would reduce this impact to a less-than-significant level.

b. Transportation and Circulation. The Increased Housing/Reduced Office alternative would result in approximately 2,000 fewer trips during each of the peak hours. Developing additional housing Downtown places those units in close proximity to jobs, retail and transit and allows internalization of trips within the Downtown. To the extent the additional 2,000 units under this alternative are developed Downtown rather than in more suburban locations in San José, there is potential for increased use of transit and other alternative modes of transportation with a related decrease in auto trips.

Though there would be a reduction in peak hour trips generated by this alternative, the overall effects of such a reduction would result in only minimal changes on transportation facilities. The proposed project would result in impacts at 31 intersections. The Increased Housing/Reduced Office alternative may result in reduced congestion at the following locations:

- Market Street and San Carlos Street
- Almaden Boulevard and Santa Clara Street
- Almaden Boulevard and San Carlos Street

These three intersections are within the Downtown Core area and under existing General Plan policy intersections within the Core are exempt from Council Policy 5-3, Transportation Level of Service Policy. While Policy 5-3 generally describes LOS D as the minimum acceptable congestion level, given the three intersections are exempt from the requirement to maintain minimum LOS D, a level of congestion represented by LOS E or LOS F is considered acceptable under existing General Plan policy. The identified intersections were shown to operate at LOS E conditions under the proposed project. The reduction in trips under the Increased Housing/Reduced Office alternative may result in the improvement of the intersections to LOS D conditions. The remaining intersections were shown

in the analysis of the proposed project to be degraded so substantially by the combination of existing traffic and new growth, that the reduction in trips of the alternative would have no effect.

The proposed project would have a significant impact on 33 freeway segments. A reduction of 2,000 peak hour trips over the Greater Downtown area would not cause any of these facilities to drop from the list. Thus, the Increased Housing/Reduced Office alternative would also have a significant impact on the same facilities.

c. Air Quality. The air quality impacts from the Increased Housing/Reduced Office alternative would be the same as those of the proposed project. The difference in vehicular trips generated under this alternative (roughly 2,000 fewer during the AM and PM peak hours) would not substantially change the local carbon monoxide emissions or the regional criteria pollutant emissions from development in the Greater Downtown, both of which are considered significant impacts. Two less-than-significant impacts – potential odors and toxic air contaminants – could be reduced as a result of this alternative. The construction period dust and vehicular emissions would not differ substantially from the shift from office uses to residential uses under this alternative.

d. Noise. Noise impacts in the Greater Downtown result from impacts of the environment upon residents and employees in the study area, including traffic noise generated from the new growth itself. Noise from three sources – the San Jose International Airport, vehicular traffic, and rail operations – would all lead to significant adverse impacts under the proposed project as well as under this alternative. In fact, the total number of Downtown residents exposed to unacceptably high noise levels under the Increased Housing/Reduced Office alternative would increase as compared to the proposed project. As with the proposed project, each of the significant noise impacts could be successfully reduced to less-than-significant levels through the implementation of the recommended mitigation measures.

e. Shade and Shadow. The shade and shadow simulations of the proposed project (Section V.E, Shade and Shadow) are based on assumptions about the building envelopes of future development that are conservative (i.e., they are the maximum height and bulk that could occur on specific parcels under *Strategy 2000* and other regulations). Those simulations and the analysis of potential shade and shadow impacts show significant impacts on three of the major public open spaces in the Greater Downtown: St. James Park, Plaza of Palms, and Plaza de Cesar Chavez. The height and bulk of the Increased Housing/Reduced Office alternative would be similar to that of the proposed project and would lead to the same shade and shadow impacts on these open spaces. As with the proposed project, each of the significant shade and shadow impacts could be successfully reduced to less-than-significant levels through the implementation of the recommended mitigation measures.

f. Aesthetics. While newly constructed residential buildings (or existing buildings converted to residential uses) would look different from office buildings, there is nothing about these differences that would necessarily lead to significant impacts on the views or aesthetics of the Greater Downtown. The same urban design concepts and guidelines that would ensure that the proposed project would not lead to significant aesthetic impacts would be applied to this alternative and its increased emphasis on housing.

g. Vegetation and Wildlife; Geology; Cultural Resources; Hazards and Hazardous Resources; Hydrology and Flooding; and Energy. The shift in land use from the proposed pro-

ject's mix of residential and office to a pattern with a greater proportion of housing and less office would have only marginally different effects on these six topics. The impacts of the Increased Housing/Reduced Office alternative would be the same as the proposed project and could – with two exceptions – be reduced to less-than-significant levels through the implementation of the recommended mitigation measures. The potential cumulative impacts to architectural resources and archaeological deposits would remain significant and unavoidable under the Increased Housing/Reduced Office alternative, just as would be the case under the proposed project. The potential for an increased number of study area residents under this alternative could be considered to increase the overall risk of hazards and hazardous materials; however, appropriate mitigations are available to address that outcome. The reason for the similarity between the impacts of the proposed project and this alternative is due to the fact that impacts, in each of these topical areas, stem from the new or redeveloped buildings' footprint and not from their height, bulk or density of population and employment.

h. Public Facilities and Services; and Utilities and Infrastructure. With the exceptions discussed below (water supply, sanitary sewer, and solid waste), the Increased Housing/Reduced Office alternative would have impacts in these topical areas that would be similar to the proposed project. The increased housing development and redevelopment in the Greater Downtown resulting from the Increased Housing/Reduced Office alternative would lead to a greater demand on the services/utilities of water supply, sanitary sewer and solid waste. It is important to remember that this increase in demand would only necessarily occur within the Greater Downtown and not necessarily when one looks at the rest of the City of San Jose. If the Increased Housing/Reduced Office alternative were to result in a shift of residential growth that would otherwise occur elsewhere in San Jose toward the Downtown, and a consequent similar shift of new or redeveloped office space outside of Downtown, but the same total citywide growth in these land uses, then the increase in demand in the Downtown would not be meaningful. Because the Greater Downtown would not appear to have specific facilities constraints in serving the added level of demand that would result from the Increased Housing/Reduced Office alternative, such a shift in land uses would not constitute a significant adverse impact.

C. MITIGATED ALTERNATIVE

1. Description of Mitigated Alternative

The Mitigated alternative would retain all of *Strategy 2000's* Objectives and Guiding Principals: Key Priorities; Urban Design Concepts; and Strategies and Actions by System and by Sub-Areas; and Design Guidelines. Similar to the Increased Housing/Reduced Office Alternative discussed above, it would, however, involve a shift in the assumptions about the development potential of the Greater Downtown Area. This shift in the development that would occur under *Strategy 2000* would involve: a reduction in the level of all types of development (office space, housing units, retail space and hotel space) by approximately 25 percent.

This alternative would result in the following development in the Greater Downtown Core Area during the planning horizon of *Strategy 2000*:

- 6,000,000 to 7,500,000 square feet of office space;
- 6,000 to 7,500 residential dwelling units;

- 675,000 to 900,000 square feet of retail space; and
- 1,500 to 1,875 guest rooms of hotel space, in 4 to 5 hotel projects.

The five General Plan Amendments [GP05-03-01(a)-(e)] that are part of the proposed project would not change under this alternative. This alternative could be accomplished under the broad parameters that are expressed in *Strategy 2000* as it has been presented; it simply represents a land use and development scale that reduces total development across all four categories by approximately one quarter. For purposes of the following discussion, the upper bound of the range in each land use case (e.g., 1,875 hotel rooms) is assumed.

2. Analysis of Mitigated Alternative

a. Land Use. The potential land use impacts of the Mitigated alternative would not differ substantially from those of the proposed project. By definition, the Greater Downtown would experience approximately 25 percent less total development within each of the major land use categories: 2.5 million fewer square feet of office development; 2,500 fewer residential housing units; 300,000 fewer square feet of retail development; and 625 fewer hotel rooms (or roughly one less new hotel out of the 4 to 5 that are envisioned under *Strategy 2000*). Such a reduction in overall development would not cause any new impact related to disruption or division of an established community nor cause any inherent conflict with other existing or proposed uses. Such an adjustment in total development would likely require less acquisition and/or relocation of existing uses, but not to an extent that would be significant. Like the proposed project, the Mitigated alternative would continue to result in the significant land use impact (Impact LU-1), which relates to building heights exceeding the FAA's surface height restriction of 208 feet AMSL and the safety of operations at San Jose International Airport; reducing the total development by 25 percent would not necessarily have a mitigatory effect on that impact unless this alternative were to specify a reduction in heights or other design features of new development. However, implementation of the same three-part mitigation measure would reduce that impact to a less-than-significant level.

b. Transportation and Circulation. The Mitigated alternative would result in approximately 25 percent fewer trips during each of the peak hours.

Through the reduction in peak hour traffic of approximately 10,000 trips generated by this alternative, the overall effects of such a reduction would result in a reduction of improvement costs by approximately 15 percent. The proposed project would result in impacts at 31 intersections. The Mitigated alternative may result in eight fewer intersection impacts, with the possible avoidance of impacts at the following locations:

- I-280 and Bird Avenue
- Senter Road and Keyes Street
- Eleventh Street and St. John Street
- Tenth Street and Reed Street
- Seventh Street and Virginia Street
- Almaden Avenue and Virginia Street

- Vine Street and Grant Street
- Meridian Avenue and San Carlos Street

The identified intersections, all of which are located outside of the existing Downtown Core and subject to City Council Policy 5-3, Transportation Level of Service Policy, were shown to operate at LOS E or F conditions under the proposed project. The reduction in trips under the Mitigated alternative may result in the improvement of all but one of the intersections to LOS D or better conditions. The remaining intersection was shown in the analysis of the proposed project to be degraded so substantially by the combination of existing traffic and new growth, that the reduction in trips of the alternative would have no effect.

The proposed project would have a significant impact on 33 freeway segments. A reduction of 25 percent peak hour trips over the Greater Downtown area would not cause any of these facilities to drop from the list. Thus, the Mitigated alternative would also have a significant impact on the same facilities.

c. Air Quality. In terms of pollutant emissions, the Mitigated alternative would generate roughly 25 percent less than the proposed project. The difference in vehicular trips generated under this alternative (roughly 10,000 fewer during the AM and PM peak hours) would reduce local carbon monoxide emissions and the regional criteria pollutant emissions from development in the Greater Downtown by about the same amount but the overall impact from project emissions would remain significant. Two less-than-significant impacts—potential odors and toxic air contaminants—would be reduced slightly as a result of this alternative. The construction period dust and vehicular emissions would be reduced to the same extent.

d. Noise. Noise impacts in the Greater Downtown result from impacts of the environment upon residents and employees in the study area, including traffic noise generated from the new growth itself. Noise from three sources—the San Jose International Airport, vehicular traffic, and rail operations—would all lead to significant adverse impacts under this alternative as well as under the proposed project. While the total number of Downtown residents and employees exposed to unacceptably high noise levels under the Mitigated alternative would be smaller than the proposed project, a reduction in the number of people exposed would not result in a less-than-significant impact. As with the proposed project, each of the significant noise impacts could be successfully reduced to less-than-significant levels through the implementation of the recommended mitigation measures.

e. Shade and Shadow. The shade and shadow simulations of the proposed project (Section V.E, Shade and Shadow) are based on assumptions about the building envelopes of future development that are conservative (i.e., they are the maximum height and bulk that could occur on specific parcels under *Strategy 2000* and other regulations). Those simulations and the analysis of potential shade and shadow impacts show significant impacts on three of the major public open spaces in the Greater Downtown: St. James Park, Plaza of Palms, and Plaza de Cesar Chavez. The height and bulk of individual buildings under the Mitigated alternative would not necessarily be any different than those of the proposed project and would lead to the same shade and shadow impacts on these open spaces. It is possible that individual buildings under the Mitigated alternative would be shorter and/or more slender than under the proposed project, but it is equally possible that the 25 percent reduction would be experienced as a reduction in the number of new buildings. As with the proposed project, each of

the significant shade and shadow impacts could be successfully reduced to less-than-significant levels through the implementation of the recommended mitigation measures.

f. Aesthetics. While a reduced number of new buildings (or existing buildings under renovation) or similar number of shorter or more slender new buildings could present different aesthetic conditions than the proposed project, there is nothing about these differences that would necessarily lead to either an increase or decrease in adverse impacts on the views or aesthetics of the Greater Downtown. The same urban design concepts and guidelines that would ensure that the proposed project would not lead to significant aesthetic impacts would be applied to this alternative.

g. Vegetation and Wildlife; Geology; Cultural Resources; Hazards and Hazardous Resources; Hydrology and Flooding; and Energy. The impacts of the Mitigated alternative would be the same as the proposed project and could—with two exceptions—be reduced to less-than-significant levels through the implementation of the recommended mitigation measures. The potential cumulative impacts to architectural resources and archaeological deposits would remain significant and unavoidable under the Mitigated alternative, just as would be the case under the proposed project. One of the reasons for the similarity between the impacts of the proposed project and this alternative is due to the fact that impacts, in each of these topical areas, stem from the new or redeveloped buildings' footprint and not from their height, bulk or density of population and employment. Also, a small reduction in the number of new buildings would not substantially reduce such effects.

h. Public Facilities and Services; and Utilities and Infrastructure. The Mitigated alternative would have impacts in these topical areas that would be similar to the proposed project. The 25 percent reduction in housing, office, retail and hotel development and redevelopment in the Greater Downtown resulting from the Mitigated alternative would lead to a somewhat reduced demand for the services/utilities of water supply, sanitary sewer and solid waste. Because the Greater Downtown would not appear to have specific facilities constraints in serving the level of demand that would result under the proposed project, such a reduction in development as envisioned under this alternative would not lead to substantially lower levels of adverse impacts.

D. NO PROJECT ALTERNATIVE

1. Description of No Project Alternative

The **No Project** (existing General Plan and Zoning) alternative evaluates the impacts of the development that would be allowed under the existing General Plan land use designations and Zoning for the area.

2. Analysis of No Project Alternative

When compared to the proposed project, the No Project (existing General Plan and Zoning) alternative would be very similar. As shown in Figures IV-1 and IV-2, the current General Plan land use designations for the project area are Core Area for parcels located east of SR 87, south of East Julian Street, west of S. 4th Street, and north of I-280. Public/Quasi-Public is the designation for the Convention Center and Technology Center and Public Park/Open Space for the squares and the Guadalupe River and Los Gatos Creek parks. For areas immediately south of Coleman Avenue the designation is primarily Combined Industrial/Commercial. In the Midtown Planned Community, land use designations are a mixture of General Commercial south of The Alameda from Los Gatos Creek Park

to Cahill Street, Public/Quasi-Public east of White Street, High Density Residential west of Wilson and Sunol streets, Transit-Oriented Mixed Use west of Autumn Street and south of W. San Fernando Street. Parcels designated Residential Support for the Core Area are located west of SR 87 and north of San Carlos Street. In order to facilitate the expansion and intensification of the Greater Downtown, a General Plan amendment is proposed as part of the proposed project, but would not be necessary under the No Project alternative.

This alternative would have adverse impacts of roughly the same type and scale as those determined to result from the proposed project. The overall scale of development that could occur within the study area under the No Project alternative is still approximately 87 percent of that envisioned by *Strategy 2000*. This alternative would not eliminate any of the significant and unavoidable adverse impacts of the proposed project. In fact, if the 87 percent of *Strategy 2000* development were to not have the expanded core (with its area and the *Strategy 2000* programs and actions) to grow in, impacts of that development in the existing core could be marginally more adverse than those of the proposed project.

Strategy 2000 is intended to serve as a catalyst for development in the project area. It also aims to channel development into certain areas, including an expanded Downtown Core. The No Project alternative would not provide the stimulation, vision or strategies for expanding the Downtown Core that *Strategy 2000* provides. Generally, even though the No Project alternative might achieve new growth in the Greater Downtown area, it would fail to meet all but a few of the goals, objectives and guiding principles of *Strategy 2000*. The goals and objectives that would be foregone under this alternative would include those emphasizing Downtown as a walkable, pedestrian-friendly place, with an identity as the Capital of Silicon Valley, and filled with memorable places and experiences. Beyond the broad goals and objectives that would be foregone, are dozens of urban design concepts and strategies (many backed by specific actions) that would also not be implemented. These strategies and actions are described in Chapter III, Project Description, on pages 46-69.

E. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The *CEQA Guidelines* state that an EIR shall identify an environmentally superior alternative. As described above, the No Development alternative would technically be the environmentally superior alternative in that it would avoid each of the significant and unavoidable impacts that would result from implementation of *Strategy 2000*. However, the No Development alternative would also fail to achieve any of the project's objectives. The development of retail, housing, hotels, parks and trails, and parking, and the implementation of streetscape improvements would be foregone under the No Development alternative.

In cases such as this where the No Development alternative is the considered the environmentally superior alternative, CEQA requires that the second most environmentally superior alternative be identified. From among the other alternatives, the environmentally superior alternative would be the Mitigated alternative, because adverse impacts under its 25 percent reduction in total development would be less than under *Strategy 2000* as proposed. Adverse impacts that would be lessened or eliminated under the Mitigated alternative include intersection congestion impacts at eight locations (for a total of 23, versus 31 under the proposed project). A number of other impacts found to result from the proposed project would be marginally reduced under the Mitigated alternative, but none

would fundamentally shift from the significant category to less than significant. The Mitigated alternative would still meet the basic objectives of the project.