



CUPERTINO

# The Forum Senior Community Update Public Draft EIR

City of Cupertino

State Clearinghouse # 2017052037



December 15, 2017







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# 1. Introduction

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Pursuant to Section 21080(d) of the California Environmental Quality Act (CEQA)<sup>1</sup> and Section 15378[a] of the CEQA Guidelines,<sup>2</sup> The Forum Senior Community Update Project is considered a “project” subject to environmental review because its approval is “an action [undertaken by a public agency] which has the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.” This Draft Environmental Impact Report (Draft EIR) provides an assessment of the potential environmental consequences of approval and implementation of The Forum Senior Community Update project, herein referred to as “proposed project.” Additionally, this Draft EIR identifies mitigation measures and alternatives to the proposed project that would avoid or reduce significant impacts. This Draft EIR compares the development of the proposed project with the existing baseline condition, described in detail in each section of Chapter 4.0, Environmental Analysis. The City of Cupertino (City) is the Lead Agency for the proposed project. This assessment is intended to inform the City’s decision-makers, responsible and trustee agencies, and the public-at-large of the nature of the proposed project and its effect on the environment.

## 1.1 PROPOSED PROJECT

The Forum Senior Community is an existing Continuing Care Retirement Community (CCRC), which offers a variety of services within one community that guarantees lifetime housing, social activities, and increased levels of care as needs change. Part independent living, part assisted living, and part skilled nursing home, CCRCs offer a tiered approach to the aging process, accommodating residents’ changing needs.

Following approval by the Cupertino City Council, the proposed project would allow for renovations and additions to the existing facilities as well as new buildings on the currently developed 51.5-acre site. The proposed project would result in 25 new independent living villas (detached, single-family homes), 10 new beds, approximately 45,000 square feet of renovations and additions to the skilled nursing facility, approximately 10,500 square feet of renovations to the assisted living facility, 26 new beds in an approximately 39,000-square-foot new memory care building, and approximately 27,000 square feet of renovations and additions to the commons facilities (dining, fitness and multi-purpose room). The proposed project would also include one new internally accessible roadway to accommodate the new independent living villas and minor changes to the internal on-site circulation system, as well as new landscaping and skilled facilities. The proposed project is described in more detail in Chapter 3, Project Description, of this Draft EIR.

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<sup>1</sup> The California Environmental Quality Act is found at California Public Resources Code, Division 13, Sections 21000-21177.

<sup>2</sup> The CEQA Guidelines are found at California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387.

## INTRODUCTION

### 1.2 EIR SCOPE

This document is a project-level EIR that identifies and analyzes potential significant environmental impacts of the proposed project. As a project-level EIR, the environmental analysis describes the physical changes in the environment that would result from the development of The Forum Senior Community Update Project. This project-level EIR examines the specific short-term impacts (project construction) and long-term impacts (project operation) that would occur as a result of project approval.

The scope of this EIR was established by the City of Cupertino through the scoping process. For a complete listing of environmental topics covered in this Draft EIR, see Chapter 4.0, Environmental Evaluation.

### 1.3 ENVIRONMENTAL REVIEW PROCESS

#### 1.3.1 DRAFT EIR

An Initial Study was prepared for the proposed project in May 2017. Pursuant to State CEQA Guidelines Section 15063, the City of Cupertino determined that the proposed project could result in potentially significant environmental impacts and that an EIR would be required. In compliance with Section 21080.4 of the California Public Resources Code, the City circulated the Initial Study and Notice of Preparation (NOP) of an EIR for the proposed project to the Office of Planning and Research (OPR) State Clearinghouse and interested agencies and persons on Monday, May 15, 2017 for a 30-day review period that ended on Wednesday, June 14, 2017. A public Scoping Meeting was held on Wednesday, May 31, 2017 at 6:00 p.m. at the Cupertino Community Hall (10350 Torre Avenue, Conference Room A). The NOP and scoping process solicited comments from identified responsible and trustee agencies, as well as interested parties regarding the scope of the Draft EIR. Appendix A of this Draft EIR contains the Initial Study and Appendix B includes the NOP as well as the comments received by the City in response to the NOP.

This Draft EIR will be available for review by the public and interested parties, agencies, and organizations for a 45-day comment period. During the comment period, the public is invited to submit written or e-mail comments on the Draft EIR or the proposed project to the City of Cupertino Community Development Department. Written comments should be submitted to:

Catarina Kidd, Senior Planner  
City of Cupertino  
10300 Torre Avenue  
Cupertino, CA 95014  
Phone: (408) 777-3214  
Email: CatarinaK@cupertino.org

## INTRODUCTION

### 1.3.2 FINAL EIR

Following the conclusion of the 45-day public review period for the Draft EIR, the City of Cupertino will review all comments received and prepare written responses to comments on environmental issues. A Final EIR will then be prepared, which contains all of the comments received, responses to comments raising environmental issues, and any changes to the Draft EIR (if necessary). The Final EIR will then be presented to the City Council for certification. All agencies, organizations, and individuals who commented on the Draft EIR will be notified of the availability of the Final EIR and the date of the public hearing before the City Council.

Responses to comments submitted on the Draft EIR by public agencies will be provided to those agencies at least 10 days prior to certification of the EIR. Prior to the approval of the proposed project, the City Council must certify that the Final EIR was completed in compliance with CEQA. Public input is encouraged at all public hearings before the City. The City Council will also make findings regarding each significant environmental effect of the proposed project as identified in the Final EIR. The Final EIR will need to be certified as having been prepared in compliance with CEQA by the City prior to making a decision to approve or deny the proposed project. Public input is encouraged at all public hearings before the City.

After the City Council certifies the Final EIR, it may then consider whether to approve The Forum Senior Community Update Project. The City Council will adopt and make conditions of project approval all feasible mitigation measures identified in the EIR.

In some cases, the City Council may find that certain mitigation measures are within the responsibility and jurisdiction of other public agencies, and not the City of Cupertino, to implement, or that no feasible mitigation measures have been identified for a significant impact. In that case, the City Council may nonetheless determine that economic, legal, social, technological, or other benefits of the proposed project outweigh the unavoidable, significant effects on the environment.

### 1.3.3 MITIGATION MONITORING

Public Resources Code Section 21081.6 requires that the lead agency adopt a mitigation monitoring or reporting program (MMRP) for any project for which it has adopted mitigation measures. The MMRP is intended to ensure compliance with the adopted mitigation measures during the project implementation. The MMRP for the proposed project will be completed as part of the environmental review process.

## **INTRODUCTION**

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## 2. *Executive Summary*

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This chapter presents an overview of the proposed The Forum Senior Community Update Project, herein referred to as “proposed project.” This executive summary also provides a list of each significant impact with proposed mitigation measures (see Table 2-2), a summary of the alternatives to the proposed project, identifies issues to be resolved, areas of controversy, and conclusions of the analysis contained in Chapters 4.1 through 4.11 of this Draft Environmental Impact Report (Draft EIR). For a complete description of the proposed project and the alternatives to the proposed project, see Chapter 3, Project Description, and Chapter 5, Alternatives to the Proposed Project, of this Draft EIR, respectively.

This Draft EIR addresses the significant environmental effects associated with the implementation of the proposed project. The California Environmental Quality Act (CEQA) requires that public agencies, prior to taking action on projects over which they have discretionary approval authority, consider the environmental consequences of such projects. An EIR is a public document designed to provide the public and public agency decision-makers with an analysis of the potential environmental consequences of the proposed project to support informed decision-making.

This Draft EIR has been prepared pursuant to the requirements of CEQA<sup>1</sup> and the CEQA Guidelines<sup>2</sup> to determine whether approval of the proposed project could have a significant effect on the environment (i.e., significant impact). The City of Cupertino, as the Lead Agency, has reviewed and revised as necessary all submitted drafts, technical studies, and reports to reflect its own independent judgment, including reliance on applicable City technical personnel and review of all technical subconsultant reports. Information for this Draft EIR was obtained from on-site field observations; discussions with affected agencies; analysis of adopted plans and policies; review of available studies, reports, data, and similar literature in the public domain; and specialized environmental assessments (e.g., air quality, hazards and hazardous materials, hydrology and water quality, noise, and transportation and traffic).

### 2.1 ENVIRONMENTAL PROCEDURES

This Draft EIR has been prepared to assess the significant environmental effects associated with the construction and operation of the proposed project. The main purposes of this document as established by CEQA are:

- To disclose to decision-makers and the public the significant environmental effects of proposed activities.
- To identify ways to avoid or reduce environmental damage.

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<sup>1</sup> The CEQA Statute is found at California Public Resources Code, Division 13, Sections 21000 to 21177.

<sup>2</sup> The CEQA Guidelines are found at California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000 to 15387.

## EXECUTIVE SUMMARY

- To prevent environmental damage by requiring implementation of feasible alternatives or mitigation measures.
- To disclose to the public the reasons for agency approval of projects with significant environmental effects.
- To foster interagency coordination in the review of projects.
- To enhance public participation in the planning process.

An EIR is the most comprehensive form of environmental documentation identified in CEQA and the CEQA Guidelines. It provides the information needed to assess the environmental consequences of a project, to the extent feasible. EIRs are intended to provide an objective, factually supported, full-disclosure analysis of the environmental consequences associated with a project that has the potential to result in significant adverse environmental impacts. An EIR is also one of various decision-making tools used by a lead agency to consider the environmental impacts of a project that is subject to its discretionary authority. Prior to approving a project, the lead agency must consider the information contained in the EIR, determine whether the EIR was properly prepared in compliance with CEQA find that the EIR reflects the independent judgment of the lead agency, adopt findings concerning each of the project's significant environmental impacts, mitigation measures and alternatives, and must adopt a Statement of Overriding Considerations finding that specific overriding benefits of the project outweigh the significant environmental if the project would result in significant impacts that cannot be avoided.

### 2.1.1 REPORT ORGANIZATION

This Draft EIR is organized into the following chapters:

- **Chapter 1: Introduction.** Describes the purpose of this Draft EIR, background of the proposed project, the Notice of Preparation, the use of incorporation by reference, and Final EIR certification.
- **Chapter 2: Executive Summary.** Summarizes the background and description of the proposed project, the format of this Draft EIR, the environmental consequences that would result from the proposed project, the alternatives to the proposed project, the recommended mitigation measures, and indicates the level of significance of environmental impacts with and without mitigation.
- **Chapter 3: Project Description.** Provides a detailed description of the proposed project location and the environmental setting on and surrounding the project site, the proposed project, the objectives of the proposed project, approvals anticipated being included as a part of proposed project, and the intended uses of this EIR.
- **Chapter 4: Environmental Evaluation.** This chapter is organized into 11 sub-chapters corresponding to the environmental resource categories identified in CEQA Guidelines Appendix F, Energy Conservation, and Appendix G, Environmental Checklist, this chapter provides a description of the physical environmental conditions in the City of Cupertino as they existed at the time the Notice of Preparation was published, from both a local and regional perspective, as well as an analysis of the potential environmental impacts of the proposed project, and recommended mitigation measures, if required, to lessen or avoid significant impacts. The environmental setting included in each sub-chapter provides baseline physical conditions from which the City of Cupertino will determine the

## EXECUTIVE SUMMARY

significance of environmental impacts resulting from the proposed project. Each sub-chapter also contains a description of the thresholds of significance used to determine whether a significant impact would occur; the methodology used to identify and evaluate the potential significant impacts of the proposed project; and the potential significant cumulative impacts to which the proposed project provides a cumulative contribution.

- **Chapter 5: Alternatives to the Proposed Project.** Provides an evaluation of three alternatives to the proposed project; the required “No Project” alternative, the Revised Villa Location Alternative, and the Reduced Unit Alternative.
- **Chapter 6: CEQA-Required Assessment Conclusions.** Discusses growth inducement, cumulative impacts, significant unavoidable effects, and significant irreversible changes as a result of the proposed project. Additionally, this chapter identifies environmental issues that were determined not to require further environmental review during the scoping process pursuant to CEQA Guidelines Section 15128.
- **Chapter 7: Organizations and Persons Consulted.** Lists the people and organizations that contributed to the preparation of this EIR for the proposed project.
- **Appendices:** The appendices for this document (presented in PDF format on a CD attached to the back cover) contain the following supporting documents:
  - Appendix A: Initial Study
  - Appendix B: Notice of Preparation and Scoping Comments
  - Appendix C: Air Quality and Greenhouse Gas Data
  - Appendix D: Health Risk Assessment
  - Appendix E: Biological Resources Data
  - Appendix F: Geotechnical Data
  - Appendix G: Hazards and Hazardous Materials Data
  - Appendix H: Preliminary Grading Plans
  - Appendix I: Noise Data
  - Appendix J: Transportation and Circulation Data

### 2.1.2 TYPE AND PURPOSE OF THIS DRAFT EIR

According to Section 15121(a) of the CEQA Guidelines, the purpose of an EIR is to:

*Inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.*

This Draft EIR has been prepared as a project EIR, pursuant to Section 15161 of the CEQA Guidelines. As a project EIR, the environmental analysis will discuss the changes in the environment that would result from the development of The Forum Senior Community Update Project. This project EIR will examine the specific short-term impacts (project construction) and long-term impacts (project operation) that would occur as a result of project approval by the City of Cupertino City Council, as well as cumulative impacts.

## EXECUTIVE SUMMARY

### 2.2 SUMMARY OF PROPOSED PROJECT

The Forum Senior Community is an existing Continuing Care Retirement Community (CCRC), which offers a variety of services within one community that guarantees lifetime housing, social activities, and increased levels of care as needs change. Part independent living, part assisted living, and part skilled nursing home, CCRCs offer a tiered approach to the aging process, accommodating residents' changing needs.

Following approval by the Cupertino City Council, the proposed project would allow for renovations and additions to the existing facilities as well as new buildings on the currently developed 51.5-acre site. The proposed project would result in 25 new independent living villas (detached, single-family homes), 10 new beds, approximately 45,000 square feet of renovations and additions to the skilled nursing facility, approximately 10,500 square feet of renovations to the assisted living facility, 26 new beds in an approximately 39,000-square-foot new memory care building, and approximately 27,000 square feet of renovations and additions to the commons facilities (dining, fitness and multi-purpose room). The proposed project would also include one new internally accessible roadway to accommodate the new independent living villas and minor changes to the internal on-site circulation system, as well as new landscaping and parking facilities. The proposed project is described in more detail in Chapter 3, Project Description, of this Draft EIR.

### 2.3 ALTERNATIVES TO THE PROPOSED PROJECT

This Draft EIR analyzes alternatives to the proposed project that are designed to reduce the significant environmental impact of the proposed project and feasibly attain most of the basic objectives of the proposed project. CEQA Guidelines section 15126.6(d) requires the alternatives analysis to include sufficient information about each alternative to allow a comparison with the proposed project. While there is no set methodology for comparing the alternatives, this can be accomplished by using a matrix. CEQA Guidelines section 15126.6(2)(2) requires the EIR to identify the environmentally superior alternative. Identification of the environmentally superior alternative involves comparing the environmental effects of the alternatives with the environmental effects of the proposed project. The following three alternatives to the proposed project were considered and analyzed:

- No Project Alternative
- Revised Villa Location Alternative
- Reduced Unit Alternative

Chapter 5, Alternatives to the Proposed Project, of this Draft EIR, includes a complete discussion of these alternatives and of alternatives that were considered but rejected for further analysis. As discussed in Chapter 5, the Reduced Unit Alternative would be the environmentally superior alternative.

### 2.4 ISSUES TO BE RESOLVED

Section 15123(b) (3) of the CEQA Guidelines requires that an EIR identify issues to be resolved, including the choice among alternatives and whether or how to mitigate significant impacts. With regard to the



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proposed project, the major issues to be resolved include decisions by the City of Cupertino, as Lead Agency, related to:

- Whether this Draft EIR adequately describes the environmental impacts of the project.
- Whether the identified mitigation measures should be adopted.
- Whether there are alternatives to the project that would substantially lessen any of the significant impacts of the proposed project and achieve most of the basic objectives.

## 2.5 AREAS OF CONCERN

The City of Cupertino issued a Notice of Preparation for the EIR on May 15, 2017 and held a scoping meeting on May 31, 2017 to receive scoping comments. During the 30-day scoping period for this EIR, which concluded on June 14, 2017, public agencies and members of the public were invited to submit comments as to the scope and content of the EIR. While every environmental concern applicable to the CEQA process is addressed in this Draft EIR, the comments received focused primarily on the following environmental issues:

- View impacts from increased building height and loss of open space buffer between existing development
- Visual character impacts from additional development
- Wildlife movement corridor impacts and loss of grazing habitat including birds and squirrels.
- Noise impacts due to ongoing operation of additional development.
- Odor impacts from increased sewer demand.
- Hazards related to a gas line on the project site.
- Emergency evacuation plans including wildfires.
- Impacts due to increased traffic impacts generated by residents, employees, and visitors.
- Cumulative construction noise from Santa Clara Valley Water District's Permanente Creek Flood Protection Project activity.
- Cumulative traffic from weekend use of the adjacent regional park.

Comments received during the public scoping period, including oral comments received at the May 31, 2017 scoping meeting, are included in Appendix B, Notice of Preparation and Scoping Comments, of this Draft EIR. To the extent that these comments address environmental issues, they are addressed in Chapters 4.1 through 4.11 of this Draft EIR. Many of the comments received during the scoping period concerned topics outside of the purview of the analysis required under CEQA. These comments will be addressed by City staff during the approval process for the proposed project, and therefore are not addressed in this Draft EIR.

## EXECUTIVE SUMMARY

### 2.6 SIGNIFICANT IMPACTS AND MITIGATION MEASURES

Under CEQA, a significant effect (impact) on the environment is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance. An Initial Study was prepared for the project (see Appendix A, Initial Study, of this Draft EIR). Based on the analysis in the Initial Study and due to existing conditions on the project site and surrounding area, it was determined that development of the proposed project would not result in significant environmental impacts for the following topic areas and therefore, impacts related to these topics are not analyzed further in this Draft EIR:

- Agricultural and Forestry Resources
- Mineral Resources
- Population and Housing
- Public Services
- Parks and Recreation

Additionally, based on the analysis in the Initial Study it was determined that development of the proposed project would not result in significant environmental impacts for some of the thresholds of significance in the following topic areas and therefore, impacts related to these criteria are not analyzed further in this Draft EIR:

- Aesthetics
  - Substantially damage scenic resources, including but not limited to, tree, outcroppings, and historic buildings within a State scenic highway.
  - Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.
- Biological Resources
  - Having a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service.
  - Having a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
  - Conflicting with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.
- Cultural Resources
  - Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.
- Geology and Soils
  - Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:
    - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault.
    - Strong seismic ground shaking.
    - Seismic-related ground failure, including liquefaction.

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- Landslides, mudslides or other similar hazards.
- Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater.
- Hazards and Hazardous Materials
  - Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials.
  - Emit hazardous emissions or handle hazardous materials, substances or waste within one-quarter mile of an existing or proposed school.
  - Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.
  - For a project within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard for people living or working in the project area.
  - For a project within the vicinity of a private airstrip, result in a safety hazard for people living or working in the project area.
  - Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
  - Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.
- Hydrology and Water Quality
  - Violate any water quality standards or waste discharge requirements.
  - Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a significant lowering of the local groundwater table level.
  - Otherwise substantially degrade water quality.
  - Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map, or other flood hazard delineation map, or place structures that would impede or redirect flood flows within a 100-year flood hazard area.
  - Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.
  - Inundation by seiche, tsunami, or mudflow.
- Land Use and Planning
  - Physically divide an established community.
  - Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
  - Conflict with any applicable habitat conservation plan or natural community conservation plan.

## EXECUTIVE SUMMARY

- Noise
  - Expose people residing or working in the project area to excessive noise levels for a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport.
  - Expose people residing or working in the project area to excessive noise levels for a project within the vicinity of a private airstrip.
- Public Services
  - Result in substantial adverse physical impacts associated with the provision of new or physically altered park and recreation, and library facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire, police, school, or library services.
- Transportation and Circulation
  - Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.
  - Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
  - Result in inadequate emergency access.
  - Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.
- Utilities and Service Systems
  - Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.
  - Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
  - Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.
  - Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.
  - Comply with federal, state, and local statutes and regulations related to solid waste.
  - Result in a substantial increase in natural gas and electrical service demands requiring new energy supply facilities and distribution infrastructure or capacity enhancing alterations to existing facilities.

Table 2-1 summarizes the conclusions of the environmental analysis contained in this Draft EIR and presents a summary of impacts and mitigation measures identified. It is organized to correspond with the environmental issues discussed in Chapter 4.0 through 4.11. The table is arranged in four columns: 1) impact statement; 2) significance prior to mitigation; 3) mitigation measures; and 4) significance after mitigation. For a complete description of potential impacts, please refer to the specific discussions in Chapters 4.1 through 4.11. As shown in Table 2-1, some significant impacts would be reduced to a less-than-significant level if the mitigation measures recommended in this Draft EIR are implemented.



## EXECUTIVE SUMMARY

TABLE 2-2 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Statement	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
<b>Aesthetics</b>			
<b>AES-1:</b> The proposed project would not have an adverse effect on a scenic vista.	LTS	N/A	N/A
<b>AES-2:</b> The proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings.	LTS	N/A	N/A
<b>AES-3:</b> Implementation of the proposed project, in combination with past, present and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to aesthetics.	LTS	N/A	N/A
<b>Air Quality</b>			
<b>AQ-1:</b> The proposed project would not conflict with or obstruct implementation of the applicable air quality plan.	LTS	N/A	N/A
<b>AQ-2:</b> Uncontrolled fugitive dust (PM <sub>10</sub> and PM <sub>2.5</sub> ) could expose the areas that are downwind of construction sites to air pollution from construction activities without the implementation of BAAQMD's best management practices.	S	<p><b>Mitigation Measure AQ-2:</b> The project applicant shall require their construction contractor to comply with the following BAAQMD best management practices for reducing construction emissions of uncontrolled fugitive dust (coarse inhalable particulate matter [PM<sub>10</sub>] and fine inhalable particulate matter [PM<sub>2.5</sub>]):</p> <ul style="list-style-type: none"> <li>Water all active construction areas at least twice daily or as often as needed to control dust emissions. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.</li> <li>Pave, apply water twice daily or as often as necessary to control dust, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.</li> <li>Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).</li> <li>Sweep daily (with water sweepers using reclaimed water if possible) or as often as needed all paved access roads, parking areas, and</li> </ul>	LTS

## EXECUTIVE SUMMARY

TABLE 2-2 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Statement	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		<p>staging areas at the construction site to control dust.</p> <ul style="list-style-type: none"> <li>▪ Sweep public streets daily (with water sweepers using reclaimed water if possible) in the vicinity of the project site, or as often as needed, to keep streets free of visible soil material.</li> <li>▪ Hydro-seed or apply non-toxic soil stabilizers to inactive construction areas.</li> <li>▪ Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (e.g., dirt, sand).</li> <li>▪ Limit vehicle traffic speeds on unpaved roads to 15 miles per hour.</li> <li>▪ Replant vegetation in disturbed areas as quickly as possible.</li> <li>▪ Install sandbags or other erosion control measures to prevent silt runoff from public roadways.</li> </ul> <p>The City of Cupertino Building Division official or his/her designee shall verify compliance that these measures have been implemented during normal construction site inspections.</p>	
<b>AQ-3:</b> Construction of the proposed project would cumulatively contribute to the non-attainment designations of the SFBAAB.	S	<b>Mitigation Measure AQ-3:</b> Implement Mitigation Measures AQ-2 and AQ-4.	LTS
<b>AQ-4:</b> Construction activities of the project could expose sensitive receptors to substantial concentrations of TAC and PM <sub>2.5</sub> .	S	<p><b>Mitigation Measure AQ-4:</b> During construction, the construction contractor(s) shall use construction equipment fitted with Level 3 Diesel Particulate Filters for all equipment of 50 horsepower or more.</p> <p>The construction contractor shall maintain a list of all operating equipment in use on the project site for verification by the City of Cupertino Building Division official or his/her designee. The construction equipment list shall state the makes, models, and number of construction equipment on-site. Equipment shall be properly serviced and maintained in accordance with manufacturer recommendations. The construction contractor shall ensure that all non-essential idling of construction equipment is restricted to five minutes or less in compliance with Section 2449 of the California Code of Regulations, Title 13, Article 4.8, Chapter 9. Prior to issuance of any construction permit,</p>	LTS

## EXECUTIVE SUMMARY

TABLE 2-2 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Statement	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		the construction contractor shall ensure that all construction plans submitted to the City of Cupertino Planning Division and/or Building Division clearly show the requirement for Level 3 Diesel Particulate Filters for construction equipment over 50 horsepower.	
<b>AQ-5:</b> The proposed project would not create objectionable odors affecting a substantial number of people.	None	N/A	N/A
<b>AQ-6:</b> Implementation of the project would cumulatively contribute to air quality impacts in the San Francisco Bay Area Air Basin.	S	Implement Mitigation Measures AQ-2, AQ-3 and AQ-4.	LTS
<b>Biological Resources</b>			
<b>BIO-1a:</b> Construction of the proposed project may directly impact nesting or overwintering individual <i>burrowing owls</i> ( <i>Athene cunicularia</i> ) through ground disturbance and vehicle traffic if they are present in the grassland habitat in the southern portion of the project site.	S	<b>Mitigation Measure BIO-1a:</b> For construction activities occurring within the proposed areas of development, one pre-construction survey no more than 14 days prior to initial ground disturbance shall be performed in accordance with the California Department of Fish and Wildlife (CDFW) <i>Staff Report on Burrowing Owl Mitigation</i> . The pre-construction survey shall include suitable habitat and surrounding accessible areas up to 200 feet of proposed construction activities and be conducted prior to the start of initial ground disturbance, regardless of time of year. If burrowing owls are documented during the nesting period (March 1 through August 31), an appropriate no-disturbance buffer per the CDFW <i>Staff Report on Burrowing Owl Mitigation</i> shall be placed around active burrows until young have fledged the nest. If burrowing owl is detected during the non-nesting season or following the determination the nest is no longer active and the occupied burrow(s) cannot be avoided, a burrowing owl exclusion plan shall be prepared and implemented. A qualified biologist shall determine if visual barriers or other measures are suitable for occupied burrows which can be avoided.	LTS
<b>BIO-1b:</b> Construction of the proposed project may indirectly impact the San Francisco dusky-footed woodrat ( <i>Neotoma fuscipes annectens</i> ) through construction related activities that occur near the woodrat houses.	S	<b>Mitigation Measure BIO-1b:</b> The construction contractor shall install orange construction fencing to limit construction crews from entering the habitats of the San Francisco dusky-footed woodrat ( <i>Neotoma fuscipes annectens</i> ) adjacent to the work area.	LTS
<b>BIO-1c:</b> Construction of the proposed project may directly (destroy active nests) or indirectly (cause disturbance that results in nest abandonment) result in an impact to special-	S	<b>Mitigation Measure BIO-1c:</b> Nests of special-status and other native birds shall be protected when in active use, as required by the federal Migratory Bird Treaty Act and the California Fish and Game Code. If	LTS

## EXECUTIVE SUMMARY

TABLE 2-2 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Statement	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
status nesting birds including the white-tailed kite ( <i>Elanus leucurus</i> ), Nuttall's woodpecker ( <i>Picoides nuttallii</i> ), oak titmouse ( <i>Baeolophus inornatus</i> ), Allen's hummingbird ( <i>Selasphorus sasin</i> ), and the Lawrence's goldfinch ( <i>Spinus lawrencei</i> ) and other native nesting birds protected by the Migratory Bird Treaty Act and California Fish and Game Code.		ground disturbance from construction activities and any required tree removal occur during the nesting season (February 15 and August 15), a qualified biologist shall be required to conduct surveys prior to tree removal or ground disturbance from construction activities. Surveys shall encompass the entire construction area and the surrounding 500 feet. Preconstruction surveys are not required for tree removal or construction activities outside the nesting period. If construction or tree removal would occur during the nesting season (February 15 to August 15), preconstruction surveys shall be conducted no more than 14 days prior to the start of tree removal or ground disturbance from construction activities. Preconstruction surveys shall be repeated at 14-day intervals until construction has been initiated in the area after which surveys can be stopped. Locations of active nests containing viable eggs or young birds shall be documented and protective measures implemented under the direction of the qualified biologist until the nests no longer contain eggs or young birds. Protective measures shall include establishment of clearly delineated exclusion zones (i.e., demarcated by identifiable fencing, such as orange construction fencing or equivalent) around each nest location as determined by a qualified biologist, taking into account the species of birds nesting, their tolerance for disturbance and proximity to existing development. In general, exclusion zones shall be a minimum of 300 feet for raptors and 75 feet for passerines and other birds. The active nest within an exclusion zone shall be monitored on a weekly basis throughout the nesting season to identify signs of disturbance and confirm nesting status. The radius of an exclusion zone may be increased by the qualified biologist if project activities are determined to be adversely affecting the nesting birds. Exclusion zones may be reduced by the qualified biologist and in consultation with California Department of Fish and Wildlife, if necessary. The protection measures shall remain in effect until the young have left the nest and are foraging independently or the nest is no longer active.	
<b>BIO-2:</b> The proposed project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species, their wildlife corridors or nursery sites.	LTS	N/A	N/A

## EXECUTIVE SUMMARY

TABLE 2-2 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Statement	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
<b>BIO-3:</b> Proposed development would result in removal of trees protected under City ordinance.	S	<p><b>Mitigation Measure BIO-3:</b> The proposed project shall comply with the City of Cupertino's Protected Trees Ordinance (CMC Section 14.18). A tree removal permit shall be obtained for the removal of any "protected tree," and replacement plantings shall be provided as approved by the City. If permitted, an appropriate in-lieu fee may be paid to the City of Cupertino as compensation for "protected trees" removed by the proposed project, where sufficient land area is not available on-site for adequate replacement and when approved by the City.</p> <p>In addition, a Tree Protection and Replacement Program (Program) shall be developed by a Certified Arborist prior to project approval and implemented during project construction to provide for adequate protection and replacement of "protected trees," as defined by the City's Municipal Code. The Program shall include the following provisions:</p> <ul style="list-style-type: none"> <li>▪ Adequate measures shall be defined to protect all trees to be preserved. These measures should include the establishment of a tree protection zone (TPZ) around each tree to be preserved. For design purposes, the TPZ shall be located at the dripline of the tree or 10 feet, whichever is greater. If necessary, the TPZ for construction-tolerant species (i.e., London planes, coast live oaks, and coast redwoods) may be reduced to 7 feet.</li> <li>▪ Temporary construction fencing shall be installed at the perimeter of TPZs prior to demolition, grubbing, or grading. Fences shall be 6-foot chain link or equivalent, as approved by the City of Cupertino. Fences shall remain until all construction is completed. Fences shall not be relocated or removed without permission from the consulting arborist.</li> <li>▪ No grading, excavation, or storage of materials shall be permitted within TPZs. Construction trailers, traffic, and storage areas shall remain outside fenced areas at all times.</li> <li>▪ Underground services including utilities, sub-drains, water or sewer shall be routed around the TPZ. Where encroachment cannot be avoided, special construction techniques such as hand digging or tunneling under roots shall be employed where necessary to</li> </ul>	LTS

## EXECUTIVE SUMMARY

TABLE 2-2 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Statement	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		<p>minimize root injury. Irrigation systems must be designed so that no trenching will occur within the TPZ.</p> <ul style="list-style-type: none"> <li>Construction activities associated with structures and underground features to be removed within the TPZ shall use the smallest equipment, and operate from outside the TPZ. The consulting arborist shall be on-site during all operations within the TPZ to monitor demolition activity.</li> <li>All grading, improvement plans, and construction plans shall clearly indicate trees proposed to be removed, altered, or otherwise affected by development construction. The tree information on grading and development plans should indicate the number, size, species, assigned tree number and location of the dripline of all trees that are to be retained/preserved. All plans shall also include tree preservation guidelines prepared by the consulting arborist.</li> <li>The demolition contractor shall meet with the consulting arborist before beginning work to discuss work procedures and tree protection. Prior to beginning work, the contractor(s) working in the vicinity of trees to be preserved shall be required to meet with the consulting arborist at the site to review all work procedures, access routes, storage areas, and tree protection measures.</li> <li>All contractors shall conduct operations in a manner that will prevent damage to trees to be preserved. Any grading, construction, demolition or other work that is expected to encounter tree roots shall be monitored by the consulting arborist. If injury should occur to any tree during construction, it should be evaluated as soon as possible by the consulting arborist so that appropriate treatments can be applied.</li> <li>Any plan changes affecting trees shall be reviewed by the consulting arborist with regard to tree impacts. These include, but are not limited to, site improvement plans, utility and drainage plans, grading plans, landscape and irrigation plans, and demolition plans.</li> <li>Trees to be preserved may require pruning to provide construction clearance. All pruning shall be completed by a Certified Arborist or Tree Worker. Pruning shall adhere to the latest edition of the ANSI</li> </ul>	

## EXECUTIVE SUMMARY

TABLE 2-2 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Statement	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		<p>Z133 and A300 standards as well as the <i>Best Management Practices - Tree Pruning</i> published by the International Society of Arboriculture.</p> <ul style="list-style-type: none"> <li>Any root pruning required for construction purposes shall receive the prior approval of and be supervised by the consulting arborist.</li> <li>Any demolition or excavation within the dripline or other work that is expected to encounter tree roots should be approved and monitored by the consulting arborist. Roots shall be cut by manually digging a trench and cutting exposed roots with a sharp saw.</li> <li>Tree(s) to be removed that have branches extending into the canopy of tree(s) to remain must be removed by a qualified arborist and not by construction contractors. The qualified arborist shall remove the tree in a manner that causes no damage to the tree(s) and understory to remain. Tree stumps shall be ground 12 inches below ground surface.</li> <li>All tree work shall comply with the Migratory Bird Treaty Act as well as California Fish and Game Code Sections 3503 through 3513 to not disturb nesting birds. To the extent feasible, tree pruning and removal shall be scheduled outside of the breeding season. Breeding bird surveys shall be conducted prior to tree work. Qualified biologists shall be involved in establishing work buffers for active nests.</li> <li>All recommendations for tree preservation made by the applicant's consulting arborist shall be followed.</li> </ul>	
<b>BIO-4:</b> The proposed project in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to biological resources.	LTS	N/A	N/A
<b>Cultural and Tribal Cultural Resources</b>			
<b>CULT-1:</b> Construction of the proposed project would have the potential to cause a significant impact to an unknown archaeological resource pursuant to CEQA Guidelines Section 15064.5.	S	<b>Mitigation Measure CULT-1:</b> If any prehistoric or historic subsurface cultural resources are discovered during ground-disturbing activities, all work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted. If the resource is a tribal resource – whether historic or prehistoric – the City shall make a good faith effort	LTS

## EXECUTIVE SUMMARY

TABLE 2-2 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Statement	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		to contact the appropriate tribe(s) through outreach to the Native American Heritage Commission to evaluate the resource and determine appropriate avoidance, preservation, or mitigation measures. If the resource is non-tribal and if tribal where no affiliated tribes respond to the City's outreach efforts, the archaeologist shall assess the significance of the find according to CEQA Guidelines Section 15064.5. If any find is determined to be significant, representatives from the City and the archaeologist would meet to determine the appropriate avoidance measures or other appropriate mitigation. All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards. In considering any suggested mitigation proposed by the consulting archaeologist or tribes to mitigate impacts to tribal and non-tribal cultural resources, historical resources or unique archaeological resources, the City, in response to tribe(s) recommendations where appropriate, shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, proposed project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g., data recovery) may be instituted. Work may proceed on other parts of the project site while mitigation for tribal cultural resources, historical resources or unique archaeological resources is being carried out.	
<b>CULT-2:</b> Construction of the proposed project would have the potential to directly or indirectly affect an unknown unique paleontological resource or site, or unique geologic feature.	S	<b>Mitigation Measure CULT-2:</b> In the event that fossils or fossil-bearing deposits are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted. The contractor shall notify a qualified paleontologist to examine the discovery. The paleontologist shall document the discovery as needed, in accordance with Society of Vertebrate Paleontology standards (Society of Vertebrate Paleontology 1995), evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the project proponent determines that avoidance is not feasible, the	LTS



## EXECUTIVE SUMMARY

TABLE 2-2 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Statement	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The excavation plan shall be submitted to the City for review and approval prior to implementation.	
<b>CULT-3:</b> The proposed project would not have the potential to disturb any human remains, including those interred outside of formal cemeteries.	LTS	N/A	N/A
<b>CULT-4:</b> Construction of the proposed project would have the potential to cause a significant impact to an unknown TCR as defined in Public Resources Code 21074.	S	<b>Mitigation Measure CULT-4:</b> Implement Mitigation Measure CULT-1.	LTS
<b>CULT-5:</b> The proposed project, in combination with past, present, and reasonably foreseeable projects, would not result in cumulative impacts with respect to cultural resources.	LTS	N/A	N/A
<b>Geology and Soils</b>			
<b>GEO-1:</b> During temporary shoring, perched water conditions may result in erosion of granular layers, which could create ground subsidence and deflections.	S	<p><b>Mitigation Measure GEO-1a:</b> The project contractor shall attempt to cut the excavation as close to neat lines as possible. Where voids are created, they must be backfilled as soon as possible with sand, gravel, or grout.</p> <p><b>Mitigation Measure GEO-1b:</b> The project contractor shall follow all recommendations in <i>Geotechnical and Geologic Hazard Investigation</i>, dated April 14, 2017 and prepared by Cornerstone Earth Group (or any updated versions) and submit final grading plans to Cornerstone Earth Group (or another geotechnical consultant as approved by the City) for review and recommendations.</p>	LTS
<b>GEO-2:</b> Implementation of the proposed project could result in destabilized soils.	S	<p><b>Mitigation Measure GEO-2:</b> The project contractor shall implement the following subgrade stabilization recommendations in <i>Geotechnical and Geologic Hazard Investigation</i>, dated April 14, 2017 and prepared by Cornerstone Earth Group (or any updated versions):</p> <ul style="list-style-type: none"> <li>▪ Scarification and Drying. The subgrade shall be scarified to a depth of 6 to 9 inches and allowed to dry to near optimum conditions, if sufficient dry weather is anticipated to allow sufficient drying. More</li> </ul>	LTS

## EXECUTIVE SUMMARY

TABLE 2-2 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Statement	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		<p>than one round of scarification shall be conducted if needed to break up the soil clods.</p> <ul style="list-style-type: none"> <li>Chemical Treatment. Where the unstable area exceeds about 5,000 to 10,000 square feet and/or site winterization is desired, chemical treatment with quicktime, kiln-dust, or cement may be more cost-effective than removal and replacement. Recommended chemical treatment depths will typically range from 12 to 18 inches, depending on the magnitude of the instability.</li> </ul>	
<b>GEO-3:</b> Expansive soils on the project site could create a substantial risk to the proposed project.	S	<p><b>Mitigation Measure GEO-3:</b> Slabs-on-grade shall have sufficient reinforcement and shall be supported on a layer of non-expansive fill. Foundations shall extend below the zone of seasonal moisture fluctuation. Moisture changes in the surficial soils shall be limited by using positive drainage away from buildings as well as by limiting landscaping watering. The project contractor shall follow all grading and foundation recommendations in <i>Geotechnical and Geologic Hazard Investigation</i>, dated April 14, 2017 and prepared by Cornerstone Earth Group (or any updated versions).</p>	LTS
<b>GEO-4:</b> The proposed project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to geology and soils.	LTS	N/A	N/A
<b>Greenhouse Gas Emissions</b>			
<b>GHG-1:</b> The proposed project would not directly or indirectly generate GHG emissions that may have a significant impact on the environment.	LTS	N/A	N/A
<b>GHG-2:</b> Implementation of the proposed project would not conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs.	LTS	N/A	N/A
<b>GHG-3:</b> Implementation of the proposed project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to GHG emissions.	LTS	N/A	N/A

## EXECUTIVE SUMMARY

TABLE 2-2 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Statement	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
<b>Hazards and Hazardous Materials</b>			
<b>HAZ-1:</b> The proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	LTS	N/A	N/A
<b>HAZ-2:</b> The proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.	LTS	N/A	N/A
<b>HAZ-3:</b> The proposed project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to hazards and hazardous materials.	LTS	N/A	N/A
<b>Hydrology and Water Quality</b>			
<b>HYDRO-1:</b> The proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion, siltation, or flooding on- or off-site.	LTS	N/A	N/A
<b>HYDRO-2:</b> The proposed project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.	LTS	N/A	N/A
<b>HYDRO-3:</b> The proposed project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to hydrology and water quality.	LTS	N/A	N/A
<b>Noise</b>			
<b>NOISE-1:</b> The proposed project would not result in the exposure of persons to or generation of noise levels in excess of standards established in the local General Plan or noise ordinance, or applicable standards of other agencies.	LTS	N/A	N/A
<b>NOISE-2:</b> The proposed project would not expose persons to	LTS	N/A	N/A

## EXECUTIVE SUMMARY

TABLE 2-2 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Statement	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
or generate excessive ground-borne vibration or ground-borne noise levels.			
<b>NOISE-3:</b> The proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the proposed project.	LTS	N/A	N/A
<b>NOISE-4:</b> The proposed project would result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the proposed project.	LTS	N/A	N/A
<b>NOISE-5:</b> The proposed project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to noise.	LTS	N/A	N/A
<b>Transportation and Circulation</b>			
<b>TRANS-1:</b> The proposed project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.	LTS	N/A	N/A
<b>TRANS-2:</b> The proposed project would not conflict with an applicable congestion management program, including, but not limited to, level-of-service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.	LTS	N/A	N/A
<b>TRANS-3:</b> The proposed project, in combination with past, present, and reasonably foreseeable projects, would not result in additional cumulatively considerable impacts.	LTS	N/A	N/A

## EXECUTIVE SUMMARY

TABLE 2-2 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Statement	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
<b>Utilities and Service Systems</b>			
<b>UTIL-1:</b> The proposed project would have sufficient water supplies available to serve the project from existing entitlements and resources, and new or expanded entitlements are not needed.	LTS	N/A	N/A
<b>UTIL-2:</b> The proposed project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to water supply.	LTS	N/A	N/A
<b>UTIL-3:</b> Implementation of the proposed project would add additional wastewater flow to the currently deficient Homestead Pump Station causing this station to exceed capacity during peak wet weather periods.	S	<b>Mitigation Measure UTIL-3:</b> Prior to issuing grading and building permits the City shall require the project applicant to fund a fair-share contribution toward planned improvements to the Homestead Pump Station, as mutually agreed between the project applicant and Cupertino Sanitary District, to the satisfaction of the City of Cupertino Community Development Director.	LTS
<b>UTIL-4:</b> The proposed project would not result in a determination by the wastewater treatment provider, which serves, or may serve the project, that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.	LTS	N/A	N/A
<b>UTIL-5:</b> The proposed project, in combination with past, present, and reasonably foreseeable projects, would not result in a significant cumulative impacts with respect to wastewater treatment.	LTS	N/A	N/A

## **EXECUTIVE SUMMARY**

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## 3. *Project Description*

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### 3.1 INTRODUCTION

The project applicant, The Forum at Rancho San Antonio (The Forum), is proposing The Forum Senior Community Update Project (proposed project) that would allow for renovations and additions to the existing facilities as well as new buildings on the currently developed 51.5-acre site. The proposed project would result in 25 new independent living villas, 10 new beds and approximately 45,000 square feet of renovations and additions to the skilled nursing facility, approximately 10,500 square feet of renovations to the assisted living facility, 26 new beds in an approximately 39,000-square-foot new memory care building, and approximately 27,000 square feet of renovations and additions to the commons facilities (dining, fitness and multi-purpose room). In total, the proposed project includes 39,755 square feet of renovation, 43,017 square feet of new additions, and 95,336 square feet of new buildings. The proposed project would also include one new internally accessible roadway to accommodate the new independent living villas and minor changes to the internal on-site circulation system, as well as new landscaping and skilled facilities.

This chapter provides a detailed description of the proposed project, including the location, setting, and characteristics of the project site, as well as the project objectives, the principal project features, project phasing, approximate construction schedule, and required permits and approvals. Additional descriptions of the environmental setting as they relate to each of the environmental issues analyzed in Chapter 4, Environmental Assessment, of this Draft EIR, are included in the environmental setting discussions contained within Chapters 4.1 through 4.11.

### 3.2 OVERVIEW AND SETTING

#### 3.2.1 BACKGROUND

The Forum is a private, resident-owned, full-service Continuing Care Retirement Community (CCRC), which is an institutional use regulated by the State of California Department of Health Services. The Forum offers a variety of services within one community that guarantees lifetime housing, social activities, and increased levels of care as needs change. Part independent living, part assisted living, and part skilled nursing home, CCRCs offer a tiered approach to the aging process, accommodating residents' changing needs. Development at the project site, also referred to as The Forum, began in 1991. In order to remain a viable and responsive CCRC, the proposed renovations and additions to the existing facilities and the proposed new memory care facility and new independent residential units would allow it to remain competitive with other similar facilities.

## PROJECT DESCRIPTION

### 3.2.2 REGIONAL LOCATION

The project site is located in the City of Cupertino. Figure 3-1 shows the relationship of the project site to Cupertino and the greater San Francisco Bay area (Bay Area). The project site is located in the far northwestern portion of Cupertino. Cupertino is approximately 46 miles southeast of San Francisco, and is one of the cities that make up the area commonly known as Silicon Valley. Cupertino is located north of the City of Saratoga, east of unincorporated Santa Clara County, south of the City of Sunnyvale, and west of the City of San José. Cupertino also shares a boundary with the City of Los Altos to the north and the Town of Los Altos Hills to the northwest.

Regional access to the project site is provided by Interstate 280 (I-280), Foothill Boulevard, the Santa Clara Valley Transportation Authority (VTA) bus service, and by Caltrain via the Mountain View, Sunnyvale, Lawrence, and Santa Clara Caltrain Stations. Caltrain is operated by the Peninsula Corridor Joint Powers Board.

### 3.2.3 LOCAL SETTING

The project site is located at 23500 Cristo Rey Drive and is assigned Assessor's Parcel Number (APN) 342-54-999.<sup>1</sup> As shown on Figure 3-2, the project site is bounded by I-280 to the north, Maryknoll religious institute to the east, 1- and 2-story single-family housing to the south and southwest, and the Rancho San Antonio County Park/Open Space Preserve to the southwest and west.

The project site is accessible from Foothill Boulevard via Cristo Rey Drive. The closest VTA bus stop (Line 81) is located at the Grant Road/Grant Avenue intersection, approximately 1.3 miles to the northeast. The nearest Caltrain station to the project site is the Mountain View station, which is located approximately 7 miles to north of the project site.

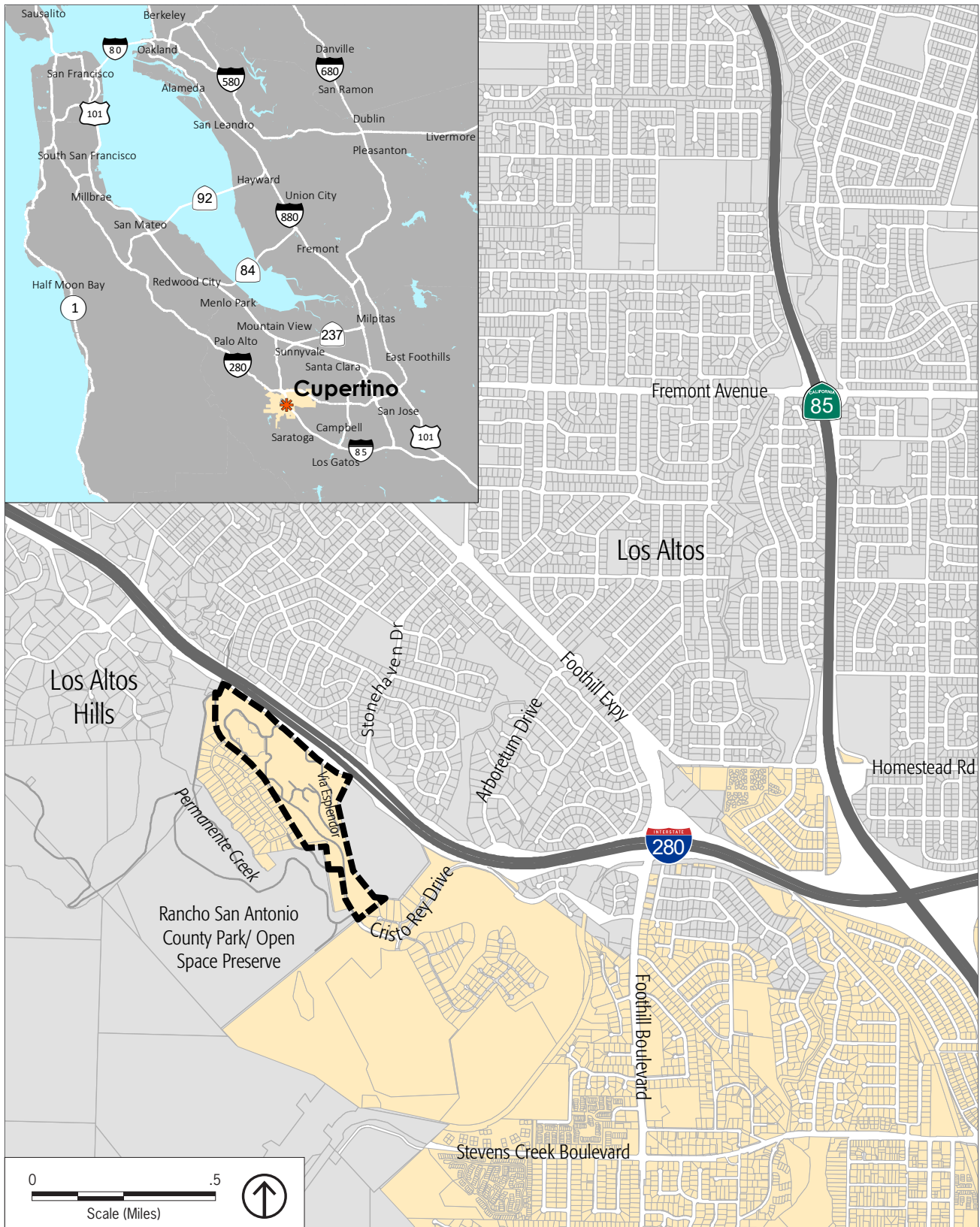
The nearest airports are Moffett Federal Airfield approximately 8.6 miles to the northwest, San José International Airport, approximately 11.5 miles to the northeast, and Palo Alto Airport, approximately 10.5 miles to the northwest. The nearest heliports are Mc Candles Towers Heliport, approximately 10 miles to the northeast, and County Medical Center Heliport, approximately 9 miles to the southeast.

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<sup>1</sup> The on-site healthcare center uses the address 23600 Via Esplendor. Individual buildings on the project site are assigned Assessor's Parcel Numbers (APNs) as follows: 342-53-001 through 259 (apartments in Buildings 1 to 5); 342-54-001 through 008 (Villas 1 to 8); 342-54-009 through 015 (Villas 9 to 15); 342-55-001 through 045 (Villas 16 to 60); and 342-54-016 (Healthcare Center).



## PROJECT DESCRIPTION



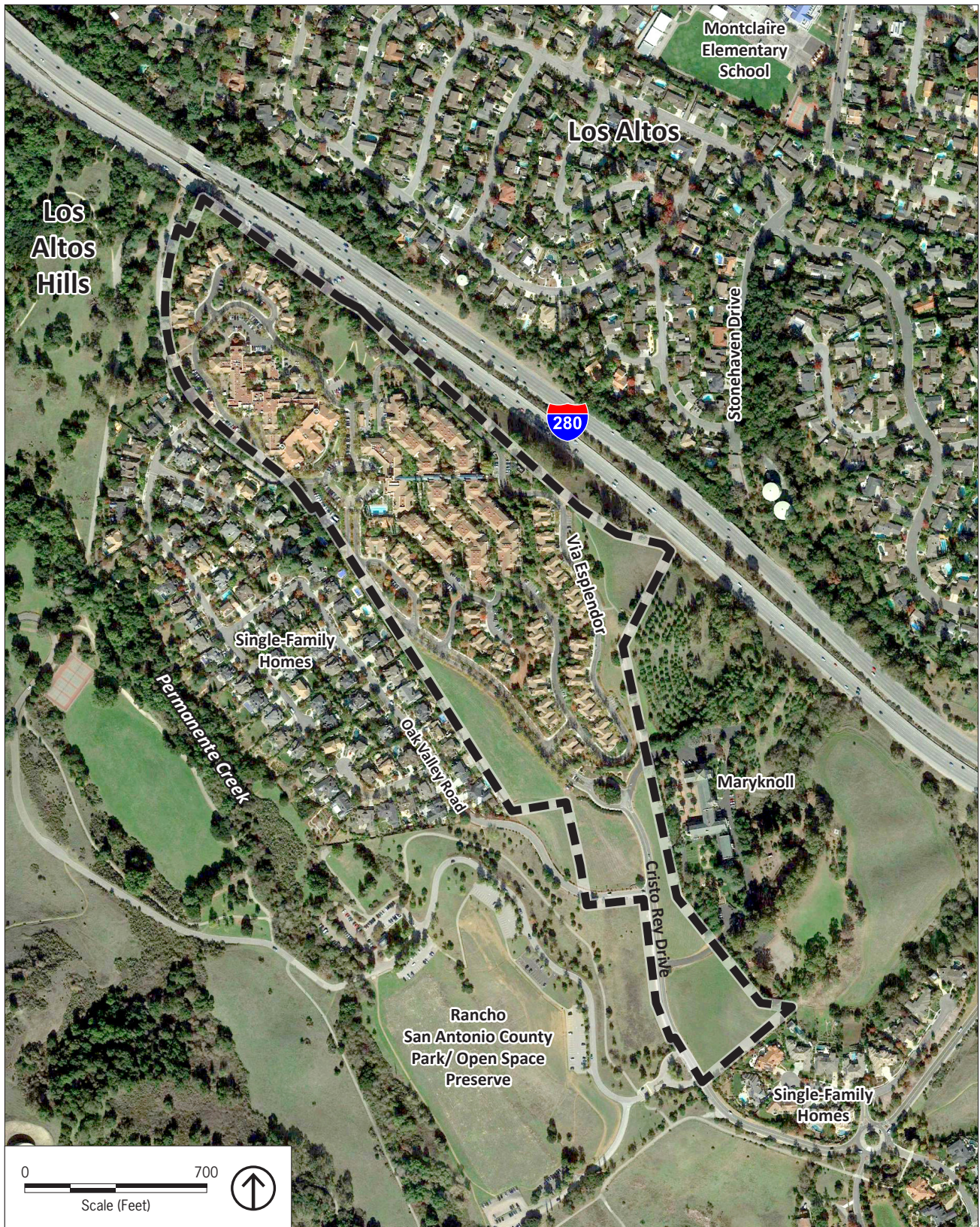
Source: PlaceWorks, 2017.

 Project Site  City of Cupertino

Figure 3-1  
Regional and Vicinity Map



## PROJECT DESCRIPTION



Source: Google Earth Professional, 2017; PlaceWorks, 2017.



Figure 3-2  
Aerial View of Project Site



## PROJECT DESCRIPTION

### 3.2.4 EXISTING SITE CHARACTER

As of 1991 the 51.5-acre project site has been developed with 656,590 gross square feet of gross building area, including 60 1- and 2-story single and duplex villas with 319 independent living units totaling 402,640 square feet, garage space totaling 130,400 square feet, which are located throughout the site; a 72,750 square-foot healthcare center with 40 rooms for assisted living support, 18 rooms for memory care, and a 48-bed skilled nursing facility for a total of 106 beds; and a 40,000 square feet commons building with administrative/emergency room, community/commons room, and fitness center. See Figure 3-3 for a map of the existing development on the project site, as well as the aerial photograph on Figure 3-2 above. The project site also includes 808,063 square feet of paved area, which includes associated parking, consisting of 529 standard-size and 24 accessible parking stalls.<sup>2</sup>

The project site includes native and non-native landscaping. The majority of the project site is classified as “urban” with low to poor wildlife habitat value. Some smaller portions are classified as “annual grass”.<sup>3</sup> See Chapter 4.3, Biological Resources, for further discussion on the plant and wildlife habitat on the project site and surrounding area.

Project site elevations range from approximately 320 feet above mean sea level on the northwest portion of the site to approximately 440 feet above mean sea level on the southeast portion of the site. The topography on the project site varies and several gentle to moderate slopes are present throughout the project site. In general, the project site largely slopes downward to the west or northwest towards Permanente Creek. Stormwater from the site drains to a network of City-maintained storm drains that collect runoff from city streets and carry it to the creeks that run through Cupertino and to San Francisco Bay. Ground water flows to the west or northwest, generally following surface topography. The surficial geology is described as young, unconsolidated Quaternary Valley Floor Alluvium.<sup>4</sup> See Chapter 4.5, Geology and Soils, and Chapter 4.8, Hydrology and Water Quality, for further discussion on the geological and hydrological setting on the project site and surrounding area.

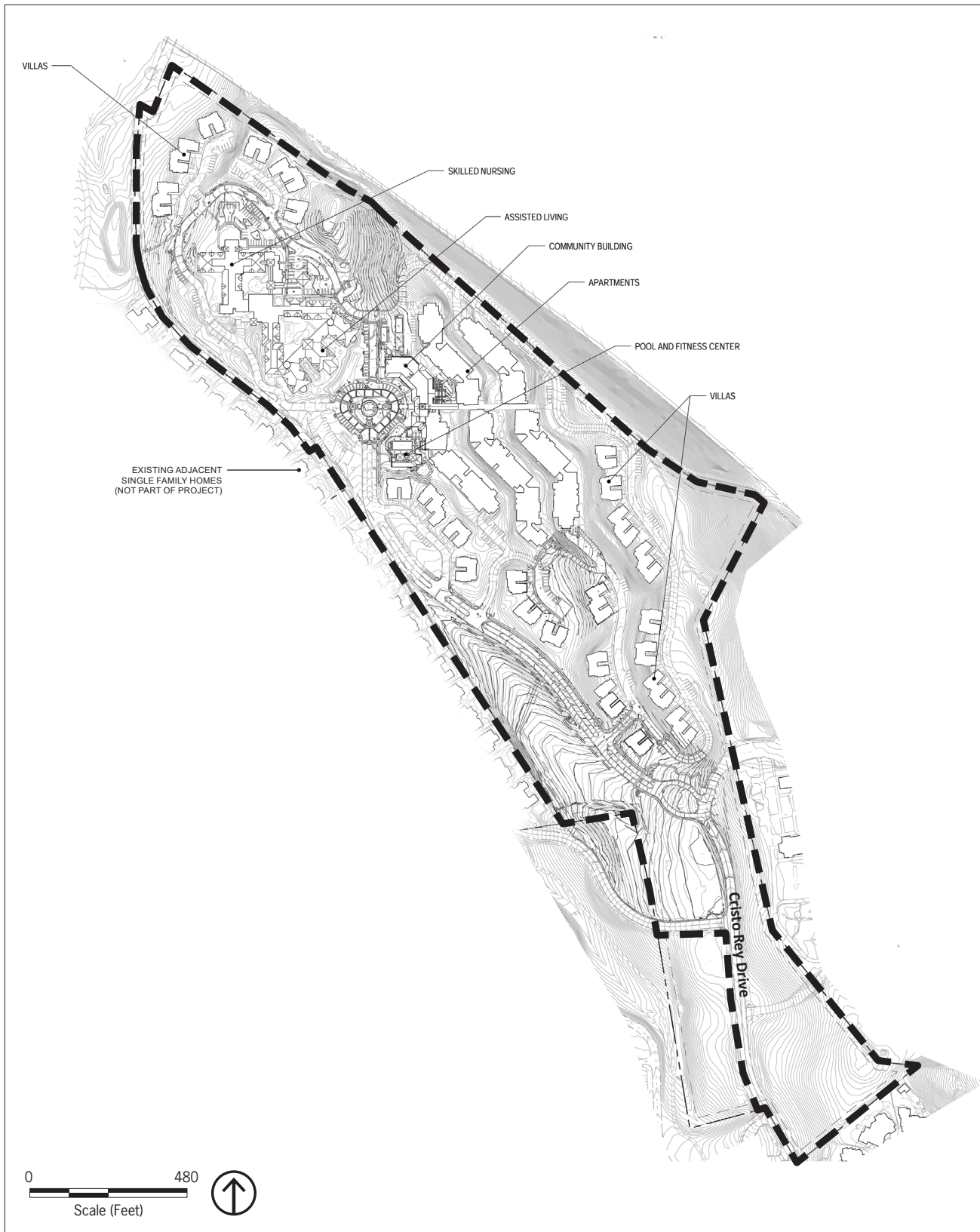
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<sup>2</sup> City of Cupertino Municipal Code, Chapter 19.124 Parking Regulations, Table 19.124.040(A), Parking Space Dimension Chart.

<sup>3</sup> The CALVEG system was initiated in January 1978 by the Region 5 Ecology Group of the US Forest Service to classify California’s existing vegetation communities for use in statewide resource planning. CALVEG maps use a hierarchical classification on the following categories: forest; woodland; chaparral; shrubs; and herbaceous.

<sup>4</sup> City of Cupertino General Plan EIR, Chapter 4.5 Geology, Soils, Seismicity, Figure 4.5-1 Geologic Map, Cupertino, California.

## PROJECT DESCRIPTION



Source: SmithGroupJJR, 2016; PlaceWorks, 2017.



Figure 3-3  
Existing Conditions

## PROJECT DESCRIPTION

### 3.2.5 GENERAL PLAN LAND USE AND ZONING

#### 3.2.5.1 LAND USE DESIGNATION

The project is designated as Quasi-Public/Institutional on the 2015 General Plan Land Use Map. The Quasi-Public/Institutional land use designation applies to privately owned land involving activities such as a private utility, a profit or non-profit facility giving continuous patient care, an educational facility or a religious facility. As shown on the General Plan Land Use Map, the project site is subject to a 5- to 20-acre slope/density (S/D) formula for residential development, which is intended to protect environmentally sensitive areas from development and human life from hazards related to flood, fire and unstable terrain. This designation includes a permitted density of 5 to 20 dwelling units per acre (du/ac).

The project site is part of the Oak Valley neighborhood.<sup>5</sup> As described in Chapter 2, Planning Areas, of the General Plan, the Oak Valley neighborhood is fully developed, and characterized by a natural hillside transition consisting of predominately single-family homes, with access to open space. The Oak Valley neighborhood includes single-family residential homes, the PG&E Monta Vista Electrical Substation, and Gate of Heaven Cemetery. The Oak Valley neighborhood is envisioned to remain primarily a detached, single-family residential area, but with limited growth at the project site and the Gate of Heaven site and future bike and pedestrian-friendly improvements along Foothill Boulevard and its key intersections.<sup>6</sup>

#### 3.2.5.2 ZONING ORDINANCE

##### Zoning District

The project site is zoned P(Institutional) (P(I)) on the City's Zoning Map. Pursuant to the Cupertino Municipal Code (CMC) Section 19.80.030(B), all planned development districts are identified on the zoning map with the letter coding "P" followed by a specific reference to the general type of use allowed in the particular planning development zoning district.<sup>7</sup> The general type of use allowed on the project site is Institutional.

As described in CMC Section 19.80.010, the planned development zoning district is intended to provide a means of guiding land development or redevelopment of the city that is uniquely suited for planned coordination of land uses.<sup>8</sup> Development in a "(P(I))" zoning district provides for a greater flexibility of land use intensity and design because of accessibility, ownership patterns, topographical considerations, and community design objectives. This zoning district is intended to accomplish the following:

- Encourage variety in the development pattern of the community.
- Promote a more desirable living environment.
- Encourage creative approaches in land development.

<sup>5</sup> City of Cupertino General Plan Amendment, Housing Element Update, Associated Rezoning Project EIR, Figure 3-2, Project Study Area.

<sup>6</sup> City of Cupertino General Plan, Chapter 2, Planning Areas, pages PA-20 and PA-21.

<sup>7</sup> Cupertino Municipal Code, Title 19, Zoning, Chapter 19.80, Planned Development, Section 19.80.030, Establishment of Districts-Permitted and Conditional Uses.

<sup>8</sup> Cupertino Municipal Code, Title 19, Zoning, Chapter 19.80, Planned Development, Section 19.80.010, Purpose.

## PROJECT DESCRIPTION

- Provide a means of reducing the amount of improvements required in development through better design and land planning.
- Conserve natural features.
- Facilitate a more aesthetic and efficient use of open spaces.
- Encourage the creation of public or private common open space.

Pursuant to CMC Chapter 19.76,<sup>9</sup> the Quasi-Public Building (BQ) (i.e., Institutional or “I”) zoning district is intended to accommodate governmental, public utility, educational, religious, community service, transportation, or recreational facilities in the city. The residential care facility is considered a conditional (CUP-PC) use, requiring a conditional use permit issued by the Planning Commission. Because the proposed project requires a conditional use permit, the height of buildings would be regulated by the development plan. Further, minimum setbacks to provide adequate light, air, visibility at intersections, and general conformity with adjacent and nearby zones and lots, as well as adequate screening to limit noise, reduce glare due to lights, and prevent noxious emissions, shall be provided when deemed appropriate by the Planning Commission.<sup>10</sup>

## Setbacks

Per CMC Section 19.76.060, there are no required minimum setbacks for the project site; however, the Planning Commission may establish minimum setbacks on a site-by-site basis in order to provide adequate light, air and visibility at intersections, conformance with adjacent and nearby land uses, or to promote the general excellence of the development.<sup>11</sup>

## Parking

Pursuant to CMC Section 19.124.040, sanitariums and rest homes are required to provide one parking space per doctor, one parking space per three employees, and one parking space per six beds for vehicular parking. There are no requirements for bicycle parking.<sup>12</sup>

## Public Art

CMC Chapter 19.148, Required Artwork In Public and Private Developments, requires public art to enhance community character and identity; provide attractive public arts to residents and visitors alike; and stimulate opportunities for the arts through cooperative relations between local business and the City. Under Section 19.148.020, any development of 50,000 square feet or larger involving construction of new buildings and/or the expansion of existing buildings shall be subject to the requirements of this chapter.

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<sup>9</sup> Cupertino Municipal Code, Title 19, Zoning, Chapter 19.76, Quasi-Public Building (BQ) Zone.

<sup>10</sup> Cupertino Municipal Code Title 19, Zoning, Chapter 19.76, Quasi-Public Building (BQ), Site Development Regulations.

<sup>11</sup> Cupertino Municipal Code, Title 19, Zoning, Chapter 19.76, Public Building (BA), Quasi-Public Building (BQ) and Transportation (T) Zones, Section 19.76.060, Site Development Regulations.

<sup>12</sup> Cupertino Municipal Code, Title 19, Zoning, Chapter 19.124, Parking Regulations, Section 19.124.040, Regulations For Off-Street Parking, Table 19.124.040(A).

## PROJECT DESCRIPTION

### 3.3 PROJECT OBJECTIVES

The project objectives are as follows:

- Renovate The Forum at Rancho San Antonio in Cupertino in accordance with the Forum’s Senior Community Update plans in order to strengthen its character as a private, attractive, and resident-owned CCRC, and to ensure the ability of its 500 senior residents and staff to continue to build community and continue to provide high-quality care for each other.
- Modernize and expand existing facilities at The Forum to meet healthcare requirements and regulations, as well as to adapt to evolving patient needs in terms of privacy, dignity, amenities, and seamlessness in transitions in the continuum of care, and improving the facilities associated with the Skilled Nursing Facility including a Rehabilitation Center, Assisted Living, Memory Care, and Independent Living.
- Employ high-quality architectural and landscaping features to ensure that the renovation harmonizes with The Forum’s beautiful physical setting, including the site’s gently sloping topography and existing nearby homes.
- Provide 25 independent living villas as integrated additions to The Forum community to create a financial engine that will enable the implementation of The Forum Senior Community Update.
- Implement The Forum Senior Community Update in a manner that ensures the long-term financial viability and sustainability of The Forum’s senior community.
- Implement The Forum Senior Community Update consistent with Cupertino’s *General Plan: Community Vision 2015–2040*, including the Land Use and Community Design Element, Goal LU-29, “Retain and enhance the Oak Valley as a unique neighborhood surrounded by natural hillside areas and private and public space.”

### 3.4 PROPOSED PROJECT

The proposed project would allow for the construction and operation associated with the renovation and addition of existing buildings, and the construction of new buildings and their associated parking, infrastructure and landscaped areas. The proposed development, demolition and construction phasing, population and employment projections and the required permits and approvals are described in detail below. A complete set of conceptual site plans is provided on the City’s website at the following link:

- <http://www.cupertino.org/our-city/departments/community-development/planning/major-projects/the-forum>

#### 3.4.1 PROPOSED DEVELOPMENT

As shown on Figure 3-4, the proposed project consists of healthcare buildings, commons facilities, independent living villas, and associated landscape and hardscape areas. The buildout projections for the proposed renovation, additions, and new buildings are summarized in Table 3-1 and described below.

## PROJECT DESCRIPTION

### 3.4.1.1 HEALTHCARE CENTER

The proposed project's healthcare center consists of a skilled nursing facility renovation with a Rehabilitation Center addition, assisted living facility renovation, and a new memory care facility. A description of each of these buildings is provided below.

**TABLE 3-1 PROPOSED PROJECT BY BUILDING TYPE**

Project Component		Continuum of Care			Building Area (square feet)		
		Units	Bedrooms	Beds	Renovation	Addition <sup>d</sup>	New Building <sup>d</sup>
Healthcare Center	Skilled Nursing Facility <sup>a</sup>	-	-	10	24,685	21,101	-
	Assisted Living Facility	-	-	-	10,400	-	-
	Memory Care Facility <sup>b</sup>	-	24	26	-	-	38,170
<i>Subtotal</i>		-	24	36	35,085	21,101	38,170
Commons Facility	Dining Facility	-	-	-	2,940	-	-
	Fitness Facility	-	-	-	1,730	1,412	-
	Multi-Purpose Room	-	-	-	-	20,504	-
<i>Subtotal</i>		-	-	-	4,670	21,916	-
Independent Living Villas	Single - 1A	3	6	-	-	-	4,890
	Single - 2A	2	4	-	-	-	3,260
	Single - 2B	2	4	-	-	-	3,260
	Duplex - Courtyard	6	12	-	-	-	9,780
	Duplex - Side Entry	10	20	-	-	-	16,600
	Duplex – Sereno Ct. (2 story)	2	4	-	-	-	1,890
	Attached Garage Per Unit						17,286
<i>Subtotal</i>		25	50	-	-	-	57,166
<b>TOTAL</b>		<b>25</b>	<b>74</b>	<b>36</b>	<b>39,755</b>	<b>43,017</b>	<b>95,336</b>

Notes:

a. The skilled nursing facility would accommodate 13 semi-private rooms and two private rooms for a total of 15 bedrooms and 10 new beds.

b. The memory care includes 22 private rooms and 2 semi-private rooms for a total of 24 bedrooms and 26 beds.

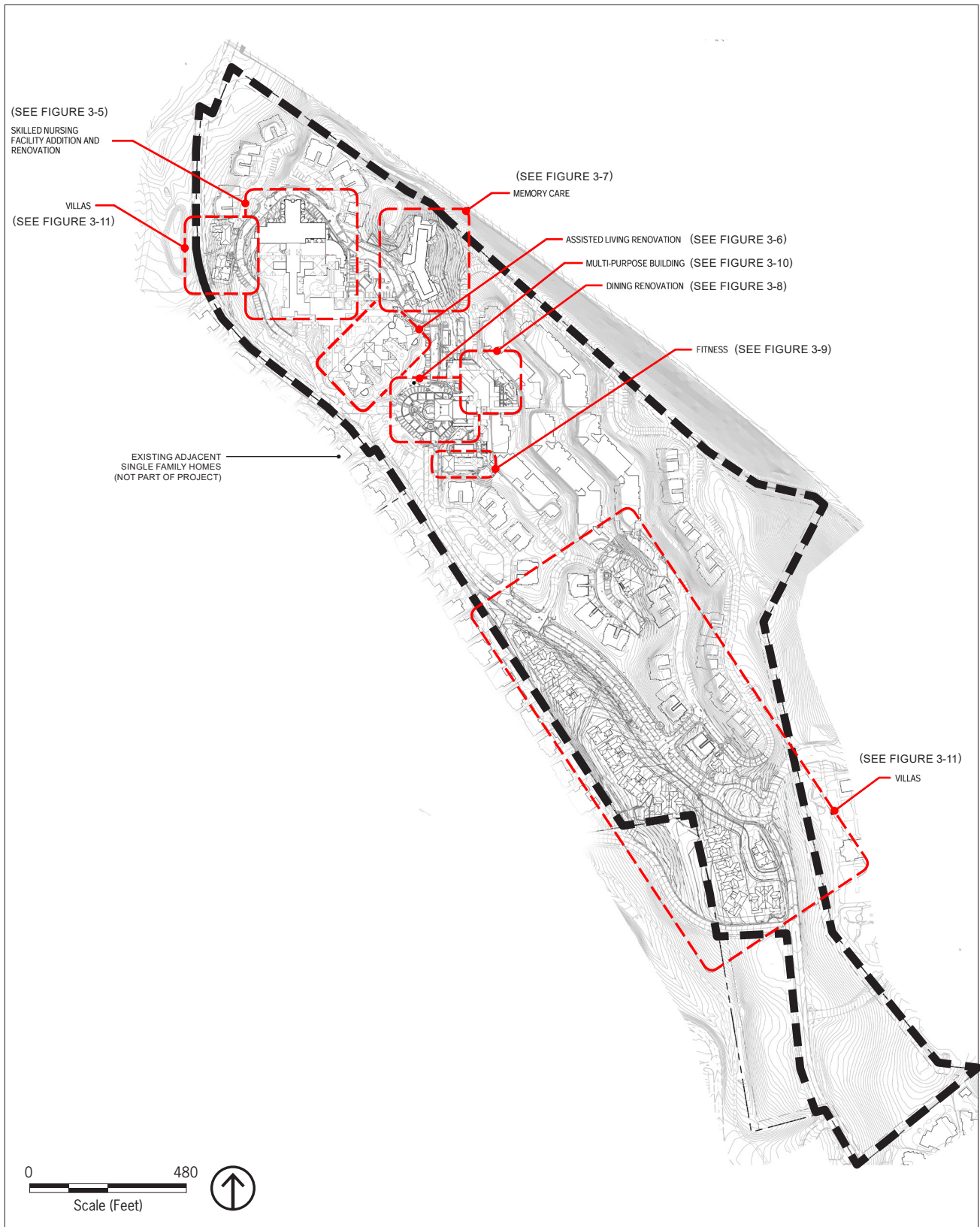
c. The multi-purpose building addition is comprised of 920 square feet community/commons, 2,584 square feet administrative/emergency, and 17,000 square feet multi-purpose room addition for a total of 20,504 square feet.

d. Addition Areas include the new addition (43,017 square feet) and the new buildings (95,336 square feet), for a combined total of 138,353 square feet.

Source: Applicant plan set, submitted April 28, 2017.



## PROJECT DESCRIPTION



Source: SmithGroupJJR, 2016; PlaceWorks, 2017.



Figure 3-4  
Proposed Site Plan

## PROJECT DESCRIPTION

### Skilled Nursing Facility

This facility provides long-term intensive care for permanent residents similar to a nursing home. The proposed project would include renovations and add new space to the existing skilled nursing facility that is centrally located on the northern portion of the project site. This facility is bounded by Via Esplendor to the north, east, and south, surface parking to the east, and the assisted living facility to the south. The conceptual site plan and extent of work for this facility is shown on Figure 3-5. The new additions would accommodate 13 semi-private rooms and two private rooms for a total of 10 new beds and associated medical support uses. The new addition would include a multi-purpose area/second dining area, and a new rehabilitation center. A new back-up emergency diesel-powered generator would be located at the southwest portion of the building. Renovation activities would consist of converting the existing, semi-private resident rooms to private rooms with larger bathrooms that would allow for in-room showers; upgrading the existing administration, dining and support areas. The architectural design of the addition would be consistent with the character, scale, mass and height of the existing buildings on site. The existing skilled nursing facility accommodates 48 beds for up to 48 residents. The proposed project would accommodate a total of 58 beds for up to 58 residents.

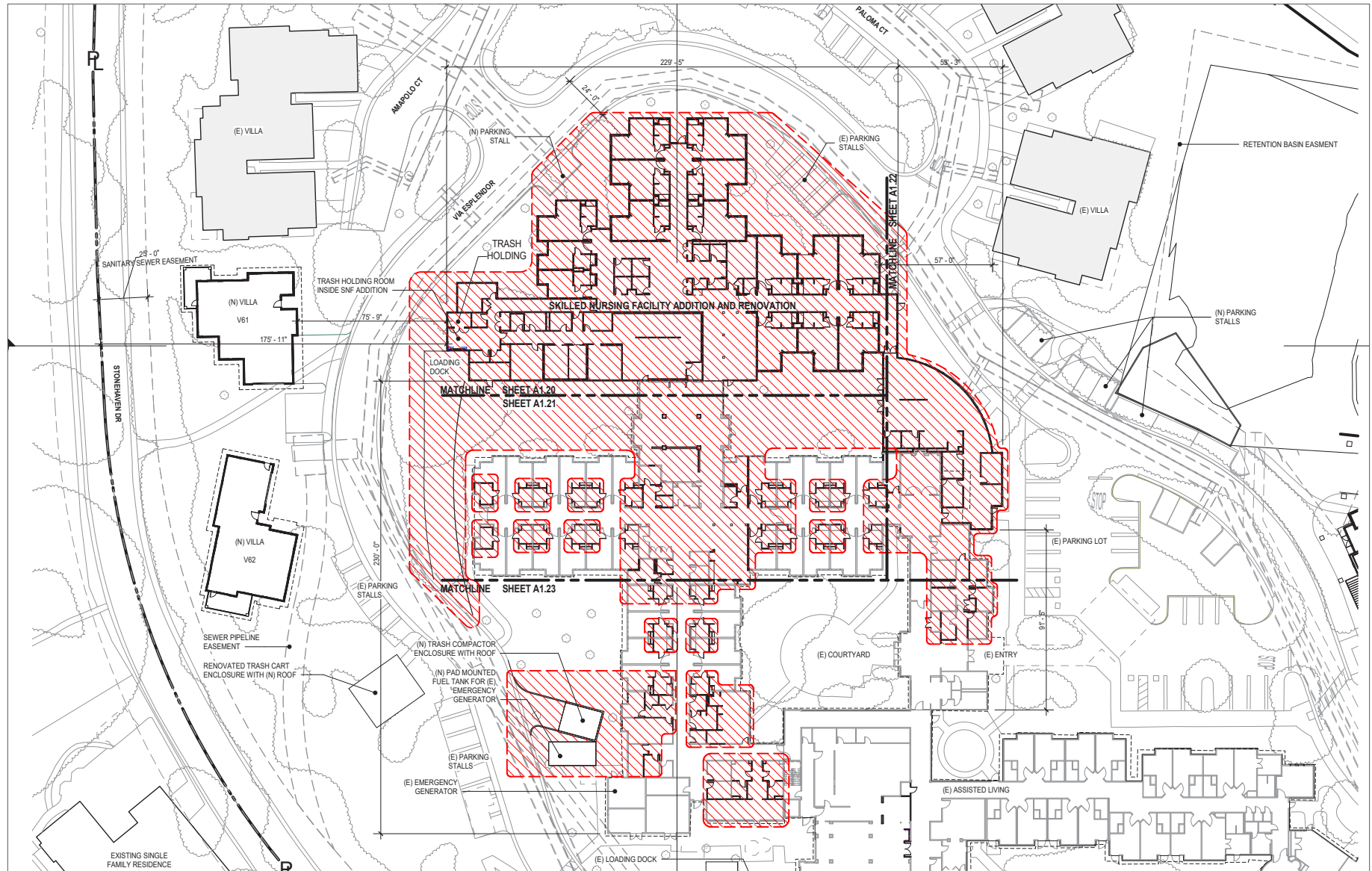
### Assisted Living Facility

This facility includes housing for older adults who require some assistance, but do not require the intensive medical and nursing care provided in the skilled nursing facility. The proposed project would include renovations to the existing assisted living facility, which is centrally located on the northern portion of the project site. This facility is bounded by Via Esplendor to the north, south and west, the skilled nursing facility to the north, and Cristo Rey Drive to the east and south. The conceptual site plan and extent of work for this project component is shown on Figure 3-6. The renovation would include repurposing selected existing spaces into new dedicated spaces providing functions such as exercise, multi-purpose, social gathering and alternative food service venues. The renovation plan also includes a modified kitchen that currently serves the existing skilled nursing facility, which is located in a separate building. This facility would continue to accommodate 40 beds for up to 40 residents.

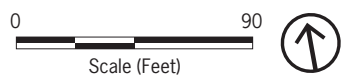
### Memory Care Facility

The memory care facility would be for residents with dementia or Alzheimer's and provide a structured environment with safety features and programs designed to cultivate cognitive skills. This facility would be a new two-story building with associated surface parking and drop off area located near the northern border in the northern portion of the project site. This facility would be bounded by I-280 and on-site open space to the north, northeast, and northwest, and Via Esplendor to the south. Due to the topography, the parking area would be cut into the hillside. The conceptual site plan and extent of work for this facility is shown on Figure 3-7. The first story would include support areas (e.g., administrative/staff uses, nursing, storage, and meeting). The second story would include private and semi-private resident rooms, and two common rooms for group activities and dining.

## PROJECT DESCRIPTION



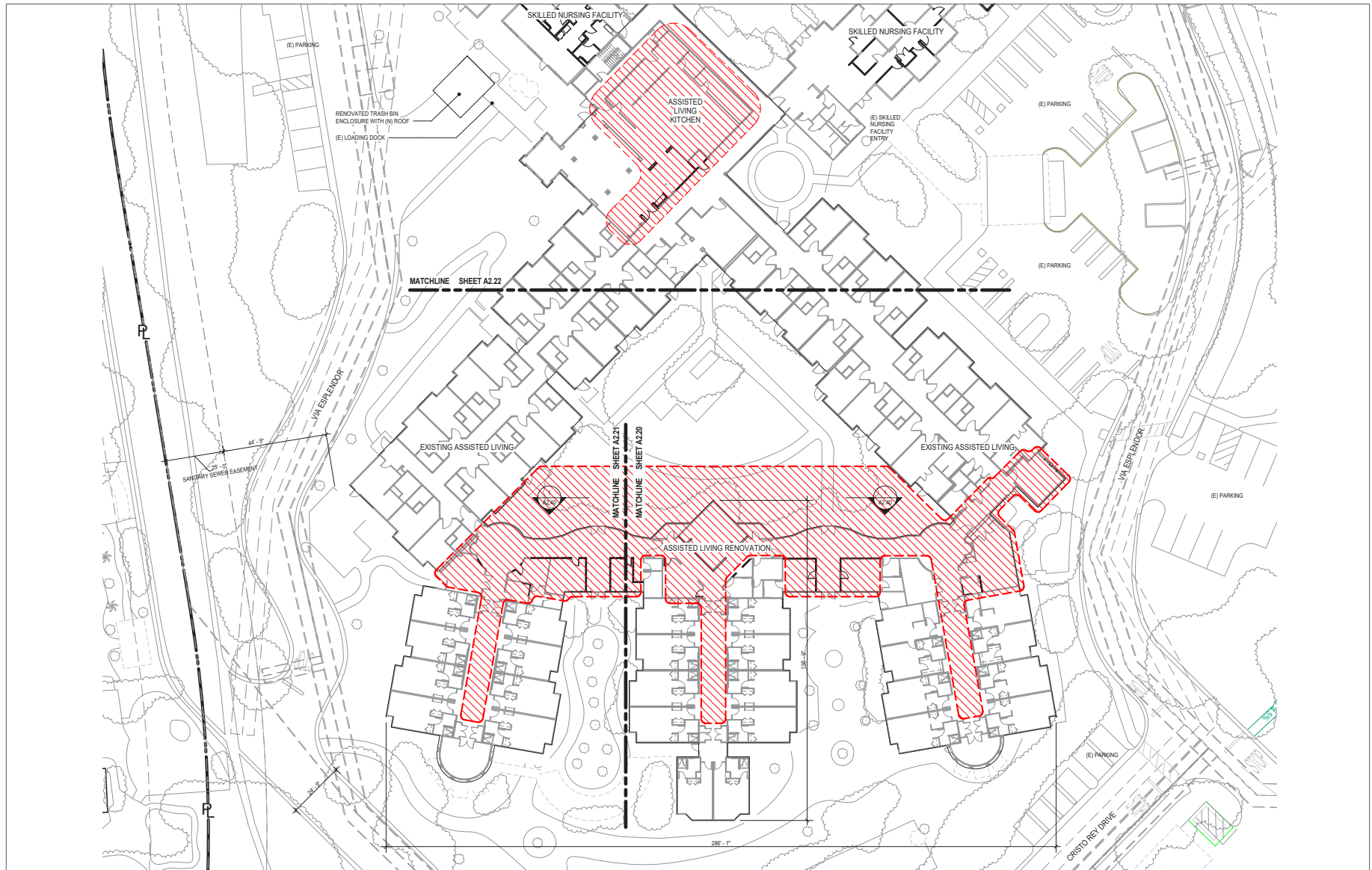
Source: SmithGroupJJR, 2017; PlaceWorks, 2017.



PLACEWORKS

Figure 3-5  
Skilled Nursing Facility Addition and Renovation

## PROJECT DESCRIPTION



Source: SmithGroupJJR, 2017; PlaceWorks, 2017.

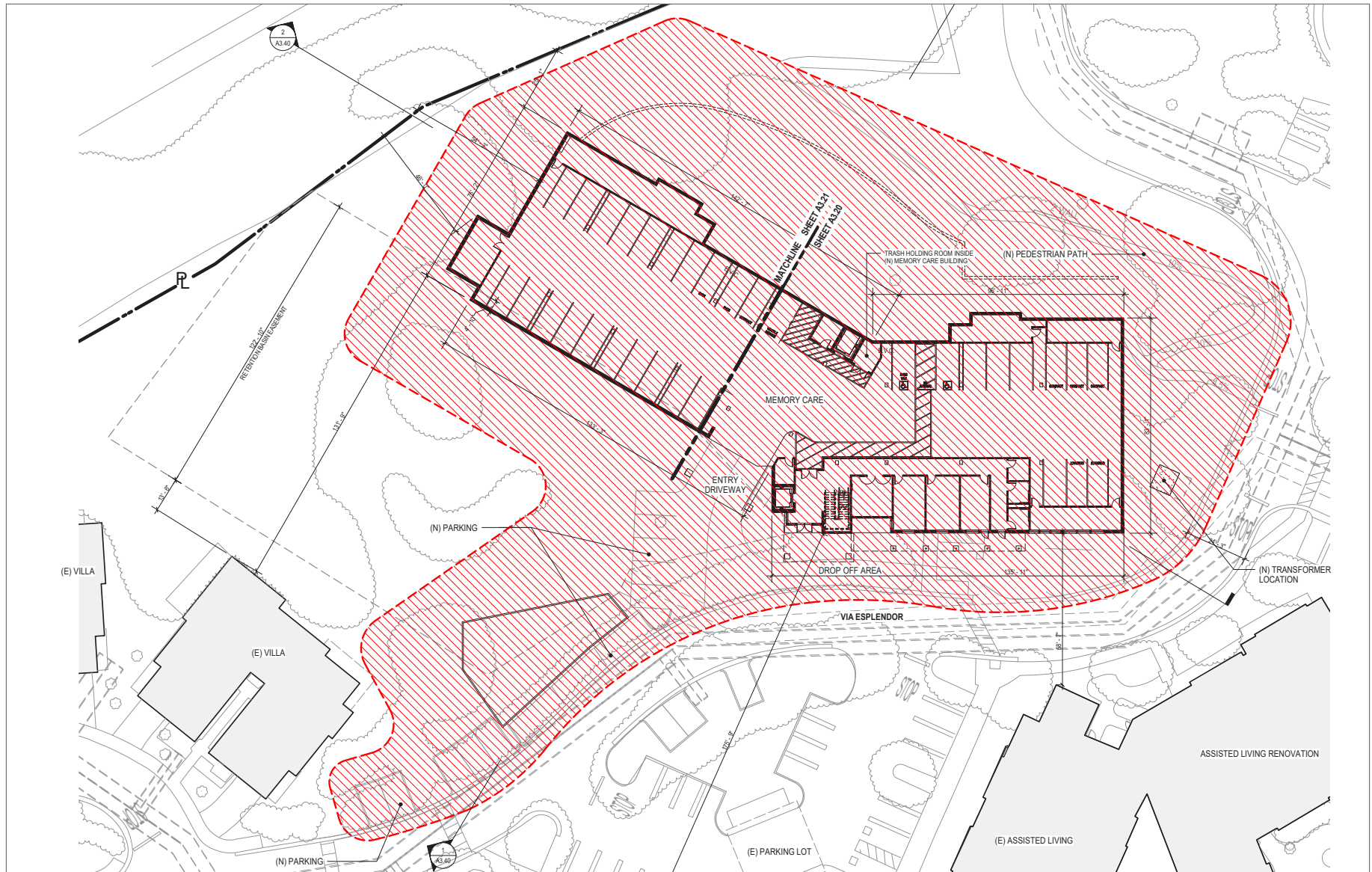


PLACEWORKS

Figure 3-6  
Assisted Living Facility Renovation



## PROJECT DESCRIPTION



Source: SmithGroupJJR, 2017; PlaceWorks, 2017.



PLACEWORKS

Figure 3-7  
New Memory Care Building

## PROJECT DESCRIPTION

The second level of the memory care facility level would also have two “neighborhood” areas that would house 13 residents in each neighborhood (i.e., 11 private resident rooms and 1 semi-private room) for a total of 26 total residents. Each neighborhood would open directly to a common garden and patio area designed specifically for memory care resident needs. Other proposed resident amenities would include a secure meditation garden and quiet room. The architectural character of the building would be consistent with the surrounding buildings.

### 3.4.1.2 COMMONS FACILITIES

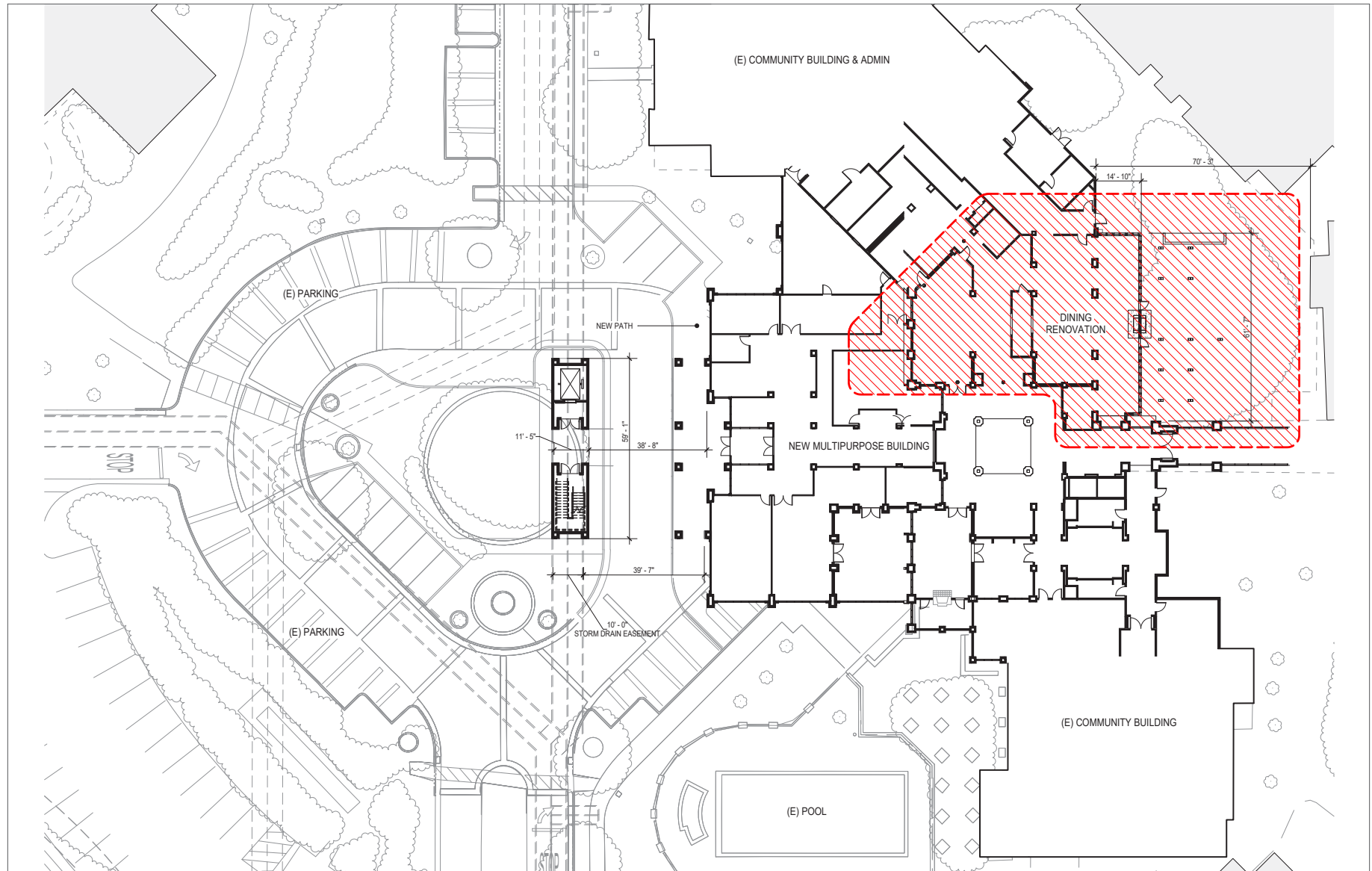
These proposed facilities would consist of renovations and additional space to accommodate residential support and leisure activities. The commons facilities would include a dining facility, a fitness facility, and a multi-purpose room building. The conceptual site plan and extent of work for these facilities are shown on Figure 3-8 through Figure 3-10, respectively. These facilities are centrally located on the project site and are bound by the assisted living facility and independent living villas to the north, independent living villas to the east and south, and Cristo Rey Drive to the west. Renovation activities would include administrative office upgrades to create additional areas for wellness programs, a new physician office, and full service spa located on the first floor; upgrades to the dining and kitchen areas, and patio located on the second floor; and upgrades to the existing fitness facility locker and shower areas and new aerobics room located at the swimming pool area. Construction activities would include new space at the commons building for emergency services on the first floor and a new 2-story addition to the front of the existing building that would include a multi-purpose room with marketing suite, theatre, relocated reception and dining areas, and related amenity space.

### 3.4.1.3 INDEPENDENT LIVING VILLAS

The proposed independent living villas would consist of 23 new 1-story villas and two new 2-story villas, which total 25 dwelling units with a total of 50 bedrooms. As shown in Table 3-1, the proposed villas range in size from 1,630 to 1,890 square feet and each would include an attached garage, for a total area of 57,166 square feet. The villas are denoted with a “V” and the villa number (e.g., villa 67 is V67). As shown on Figure 3-11, the villas would be located in the following locations:

- **West Via Esplendor Villas:** These two single villas (V61 and V62) would be located on the south border of the project site near the skilled nursing facility. These villas would be bound by Via Esplendor to the north, on-site open space to the east, Stonehaven Drive to the south, and an existing villa to the west. The off-site uses near these villas include open space and an off-site single-family home to the south.
- **Serano Court Villas:** This duplex unit (V63 and V64) would include two 2-story villas that would be located off of Serano Court, which is centrally located on the project site and surrounded by other existing villas. These villas would be bounded by Serano Way to the north and west, an existing villa to the east, and Serano Court to the south.
- **Via Esplendor/Capilla Way Villa:** This single villa (V65) would be located near the entrance to the project site. This villa would be bounded by Via Esplendor to the north, open space to the east, Cristo Rey Drive to the south and an existing villa to the west. This villa would be accessed via Capilla Way.

## PROJECT DESCRIPTION



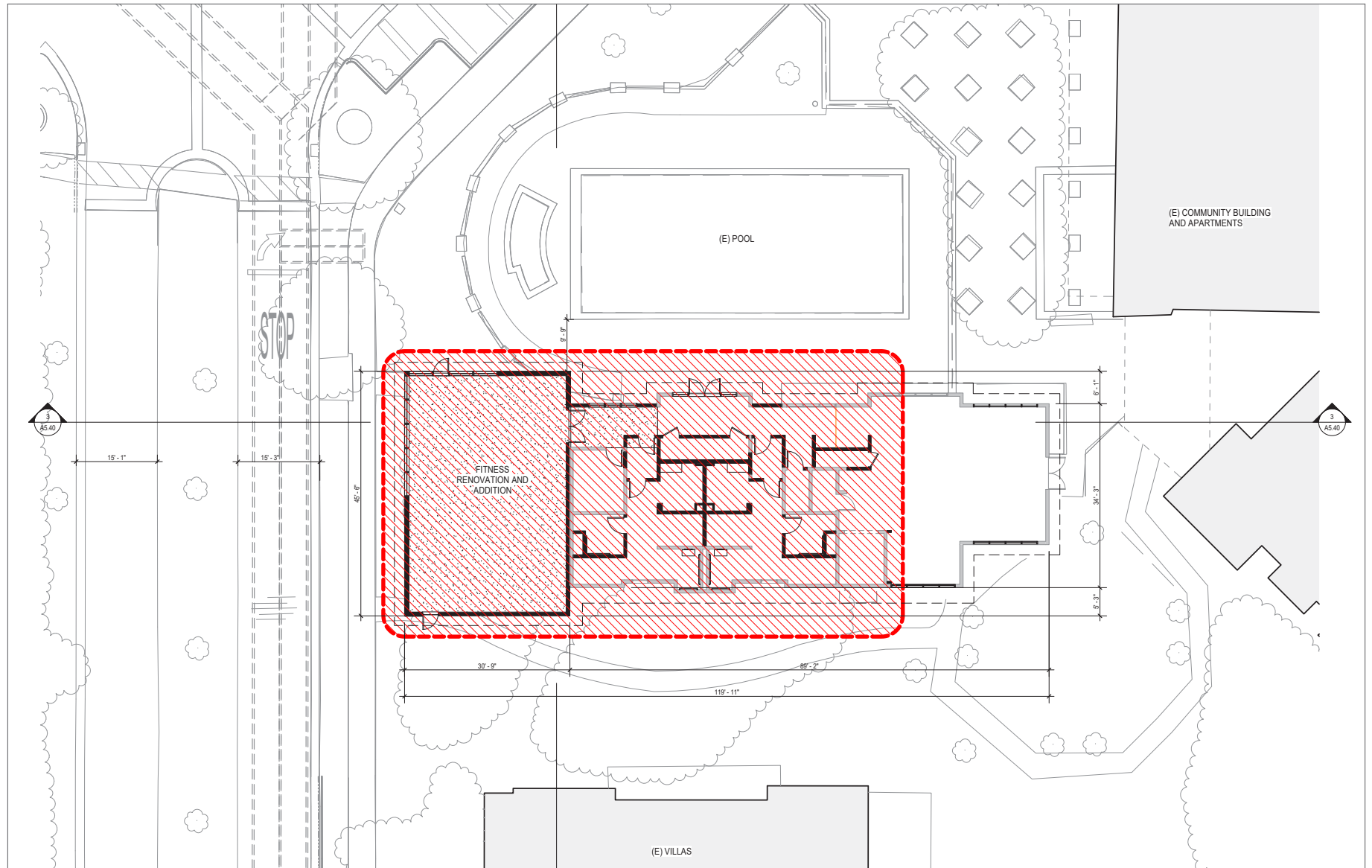
Source: SmithGroupJJR, 2017; PlaceWorks, 2017.



PLACEWORKS

Figure 3-8  
Dining Facility Renovation

## PROJECT DESCRIPTION



Source: SmithGroupJJR, 2017; PlaceWorks, 2017.

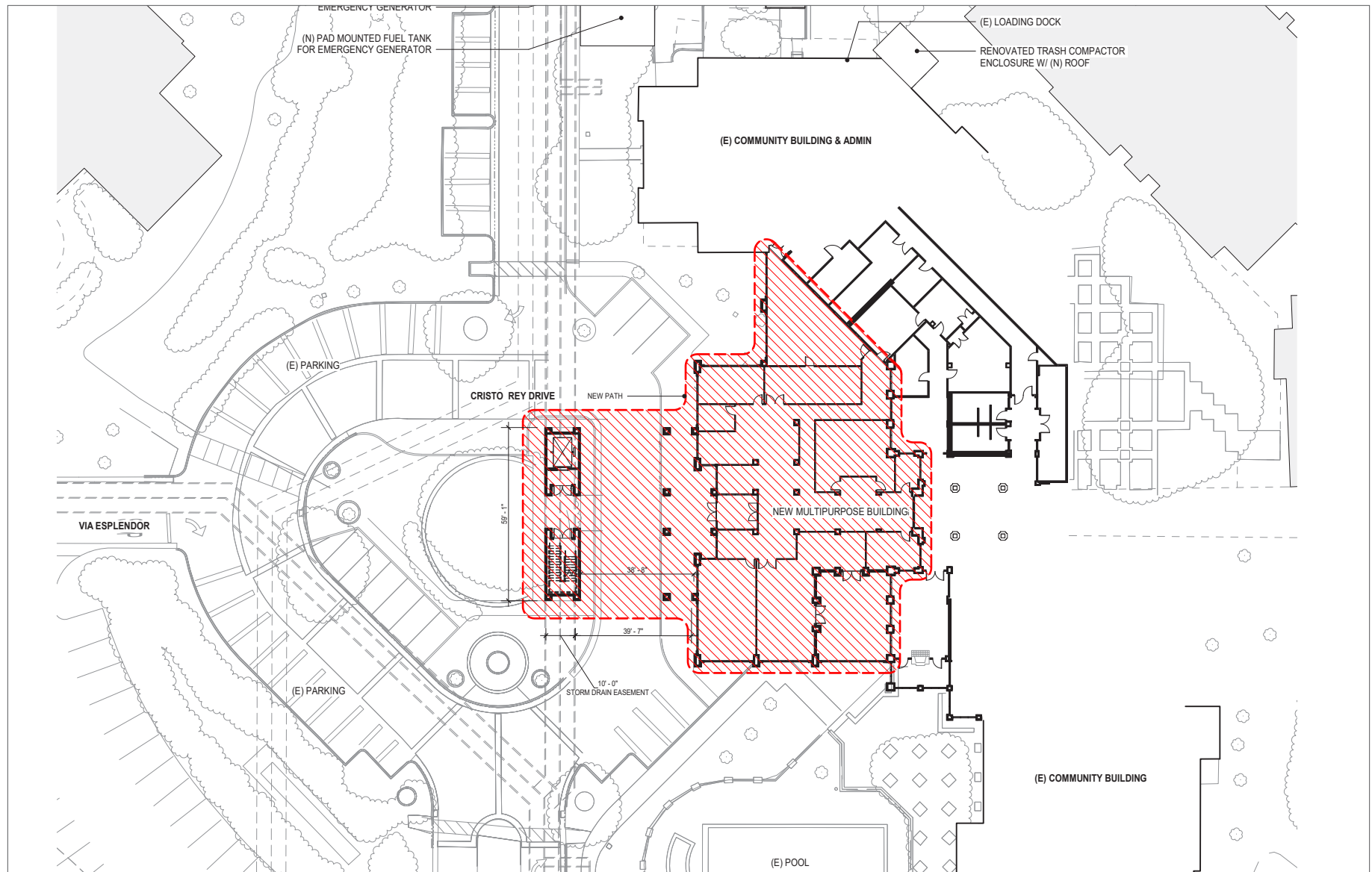


PLACEWORKS

Figure 3-9  
Fitness Facility Renovation and Addition



## PROJECT DESCRIPTION

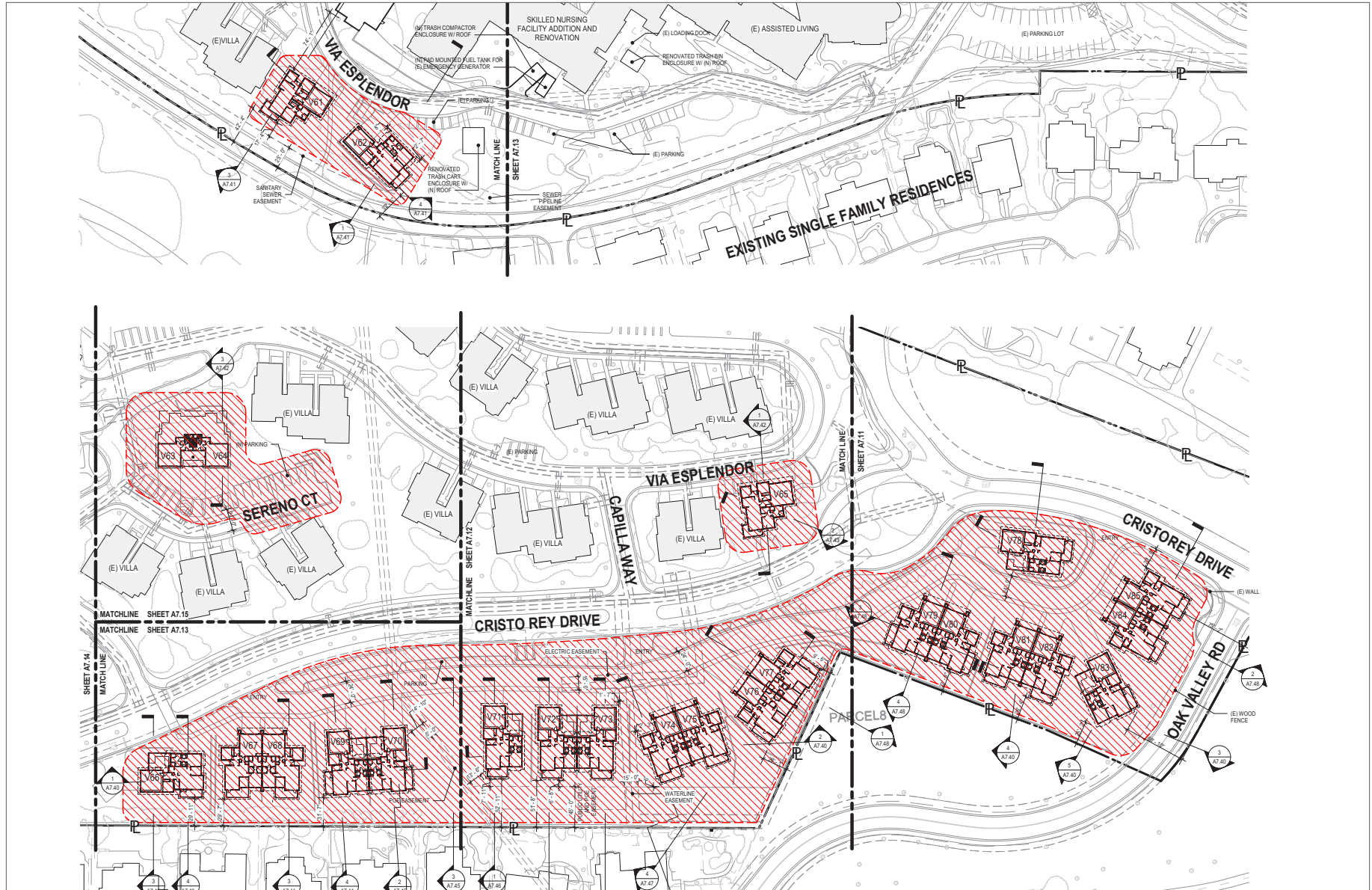


Source: SmithGroupJJR, 2017; PlaceWorks, 2017.



Figure 3-10  
New Multipurpose Room Building

## PROJECT DESCRIPTION



## PROJECT DESCRIPTION

- **Cristo Rey Drive Villas:** These 20 units (V66 to V85), made up of four single villas and 16 duplex villas, would be located near the entrance to the project site. These villas would be bounded by Cristo Rey Drive to the north and west, Oak Valley Road to the east and south, and existing off-site single-family homes. Pursuant to CMC development regulations, these villas would be setback approximately 25 feet or greater from the property line between the proposed villas and the existing, off-site, single-family homes.<sup>13</sup>

### 3.4.1.4 LANDSCAPING

The project site includes landscaping throughout the project site's interior and the surrounding perimeter (see Figure 3-12). The proposed project would result in 185,303 square feet of pervious landscaped surfaces and would comply with the City's Landscape Ordinance (CMC Section 14.15.000). The proposed landscaping would be consistent with the surrounding Northern California landscape and would include native and/or adaptive, and drought resistant plant materials of similar water use grouped by hydrozones. The majority of plantings would be drought tolerant grasses, shrubs, and trees that, once established, would be adapted to a dry summer and intermittent rain in the winter season. Landscaping would be specifically designed around the independent living villas to provide privacy between the adjacent land uses. Additionally, the proposed project would include green roofs and raised flow-through planters would be installed throughout the site. Because the proposed project would include a total of 176,312 square feet of impervious surfaces,<sup>14</sup> the proposed project would be required to include 7,052 square feet of bioretention areas.<sup>15</sup> However, the proposed project includes 9,363 square feet of bioretention areas, which is 2,311 square feet more than the required amount. The bioretention areas would be incorporated into the landscaped areas throughout the project site.

### 3.4.1.5 LIGHTING

The source, intensity, and type of exterior lighting for the project site would be typical for orientation and safety needs. All on-site lighting would be low-level illumination and shielded to reduce light spill or glare. In landscaped and paved areas, light sources would be concealed and would not be visible from a public viewpoint. All exterior surface and above-ground mounted fixtures would be sympathetic and complementary to the architectural theme.

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<sup>13</sup> Cupertino Municipal Code, Title 19, Zoning, Chapter 19.76, Quasi-Public Building (BQ), Site Development Regulations.

<sup>14</sup> The 8,596 square feet of added impervious surface is untreated and is offset by treating 9,972 sf of existing impervious surface.

<sup>15</sup> Santa Clara Valley Water District Municipal Regional Stormwater NPDES Permit C.3 requires 4 percent of the proposed impervious surface be treated to control the flow of stormwater and stormwater pollutants from new development, [http://www.scvurppp-w2k.com/pdfs/1516/c3\\_handbook\\_2016/SCVURPPP\\_C.3\\_Technical\\_Guidance\\_Handbook\\_2016\\_Chapters.pdf](http://www.scvurppp-w2k.com/pdfs/1516/c3_handbook_2016/SCVURPPP_C.3_Technical_Guidance_Handbook_2016_Chapters.pdf), accessed on April 14, 2017.



PROJECT DESCRIPTION



Source: SmithGroupJJR, 2017; PlaceWorks, 2017.

 Project Site Boundary 

Figure 3-12  
Conceptual Landscaping Plan

## PROJECT DESCRIPTION

### 3.4.1.6 PARKING AND ACCESS

The proposed project would include one new access point off of Cristo Rey Drive for the proposed new villas near the main entrance point, and all other components of the proposed project would continue to be accessed from the main entryway off of Cristo Rey Drive. See Figure 3-11 above. Pursuant to CMC Section 19.24.040,<sup>16</sup> the proposed project includes the addition of 182 parking stalls (169 standard and 13 accessible) for a net new total 129 parking stalls (123 standard and 6 accessible). Each independent living villa would include a private driveway and garage. The healthcare center and commons facilities would include surface parking lots for residents, guests, and employees.

Emergency response vehicles would access the project site from the primary entrance off Cristo Rey Drive, the new roadway to access the new villas at the southeastern portion of the site, and off Stonehaven Drive at the existing access point that is restricted to emergency vehicles only. There are no changes proposed to the primary existing circulation pattern on the project site which allows emergency vehicles full access to all internal streets off of Via Esplendor.

### 3.4.1.7 UTILITIES

#### Water Supply and Conservation

The project site is located within the San José Water Company (SJWC) service area. The proposed project would connect to existing water lines along the existing roadways on the project site and would not encroach on undisturbed areas.

The project incorporates a number of features meant to conserve water used for on-site irrigation. Water conserving features include an automatic “smart” (self-adjusting) irrigation controller with a rain-sensor that is based on requirements of various plant materials. A dedicated irrigation system water meter would connect to a looped irrigation system supply line. Low precipitation/low angle irrigation spray heads and high efficiency drip irrigation would be used within ground cover and shrub areas. As discussed in Subsection 3.7.1.4, Landscaping, above, the proposed landscaping would include low water consuming plants that are native and/or adaptive, and drought resistant plant materials of similar water use would be grouped by hydrozones. The majority of plantings would be drought tolerant grasses, shrubs, and trees that, once established, would be adapted to a dry summer and intermittent rain in the winter season, to conserve water.

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<sup>16</sup> Cupertino Municipal Code, Section 19.24.040, Table 19.124.040(A).

## PROJECT DESCRIPTION

### Stormwater Management

The storm drain system in Cupertino is operated by the City of Cupertino Department of Public Works. The City is responsible for the design, construction, and maintenance of City-owned facilities including public streets, sidewalks, curb, gutter, and storm drains. The proposed drainage includes an internal storm drain network that connects to the City's storm drain system along Via Esplendor, Serano Court, and Cristo Rey Drive.

As discussed in Subsection 3.7.1.4, Landscaping, above the proposed project includes 9,363 square feet of bioretention areas, which is 2,311 square feet more than the required amount. The proposed project also includes the expansion of the stormwater retention basin, which is an area on the project site that temporarily retains stormwater from surrounding developed areas. The proposed stormwater retention basin expansion to accommodate additional volume associated with impervious surface proposed as part of the project.

The proposed project includes drainage improvements that are designed to intercept surface water that naturally drains toward the adjacent property at 23505 Oak Valley Road and to carry it to a controlled drainage system. This drainage improvement would also reduce debris within the flow because the water that has historically flowed overland would be contained within pipes once The Forum's development and improvements are completed. The proposed drainage improvements at and adjacent to 23505 Oak Valley Road include the installation of new concrete valley gutter along the fence line of the property, constructing a new valley gutter where it did not previously exist, and connecting the new concrete valley gutter to the existing concrete valley gutter. The proposed improvements also include removal of the existing inlet and connecting drainage facilities on the project property directly into the existing drainage pipe to also eliminate overland flows onto 23505 Oak Valley Road. As a redundant drainage solution, the proposed improvements also include relocating the inlet and connecting it to the concrete valley gutter. This additional improvement would provide a secondary drainage option for water from the project site to drain into the valley gutter instead of across 23505 Oak Valley Road property in the event the pipe crossing this property becomes restricted for any reason.

The proposed bioretention areas, stormwater retention basin expansion, and proposed drainage improvements along with the proposed green roofs and raised planters would provide both treatment of site runoff, reduction in peak flow rates, and flow control prior to discharge to the City's storm drain system.

The project is required to comply with the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) C.3 requirements, which include the minimization of impervious surfaces, measures to detain or infiltrate runoff from peak flows to match pre-development conditions, and agreements to ensure that the stormwater treatment and flow control facilities are maintained in perpetuity. Additionally, the project must comply with CMC Chapter 9.18, Stormwater Pollution Prevention and Watershed Protection, which regulates and implements certain requirements of the National Pollutant Discharge Elimination System permit issued to the City of Cupertino.

## PROJECT DESCRIPTION

### 3.4.2 CONSTRUCTION, DEMOLITION, AND SITE PREPARATION

The demolition and construction would occur in two construction phases over a period of approximately five years, subject to regulatory approval. The construction of the independent living villas would occur first and would be followed by the construction of the healthcare center, and most of the commons facilities the first construction phase and the multi-purpose room component of the commons facilities would occur in the second construction phase. The first construction phase is proposed to occur over a 27-month period, with the independent living villas occurring during the first 6 months of this phase, and the second construction phase is proposed to occur over a 5-month period, for a total construction period of 32 months. The two construction phases could occur consecutively or could have a break in between and are anticipated to be completed by the year 2022.

The proposed project would involve demolition of some existing structures and parking stalls, and the removal of some of the existing landscaping on site. In total, site preparation would include 26,100 cubic yards (cy) of cut and 11,000 cy of fill. No soil import would occur, but 15,100 cy of export would be required. The proposed project would require the selected construction contractor(s) to use construction equipment fitted with Level 3 Diesel Particulate Filters (DPF) for all equipment of 50 horsepower or more to minimize hazardous air quality emissions during the construction phase (see Chapter 4.2, Air Quality, of this Draft EIR for further discussion on this topic).

Project demolition and construction could generate approximately 84 temporary jobs, with approximately 10 to 84 workers on-site depending on the construction phase. As shown on Figure 3-13 and Figure 3-14, employee parking and construction staging would occur in temporary facilities both on and off the project site. Demolition and construction work would be permitted between 7:00 a.m. to 8:00 p.m., Monday through Friday, and weekends between 9:00 a.m. to 6:00 p.m.<sup>17</sup>

### 3.4.3 POPULATION AND EMPLOYMENT PROJECTIONS

#### 3.4.3.1 POPULATION PROJECTIONS

As previously described, The Forum is a CCRC that offers a tiered approach to the aging process by providing a variety of residential and healthcare services within one community. Because the CCRC allows for transitions to meet residents' changing needs, an average 5 percent vacancy rate is typical for the independent living accommodations and a 7 to 10 percent vacancy rate is typical for the healthcare center accommodations. For a conservative evaluation of environmental impacts no vacancy rates have been applied.

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<sup>17</sup> Cupertino Municipal Code, Title 10, Public Peace, Safety and Morals, Chapter 10.48, Community Noise Control, Section 10.48.053, Grading Construction and Demolition.



## PROJECT DESCRIPTION



Source: Quiring, General, LLC, 2017.

Figure 3-13  
Off-site Construction Staging



## PROJECT DESCRIPTION



Source: Quiring, General, LLC, 2017.

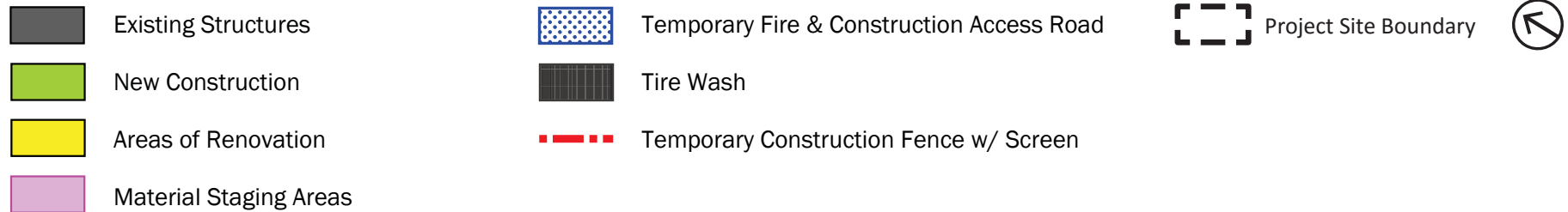


Figure 3-14  
On-site Construction Staging

## PROJECT DESCRIPTION

As shown in Table 3-2, there are 481 residents under existing conditions and 542 residents are expected at full buildout of the proposed project, which would introduce up to 61 new residents.

**TABLE 3-2 EXISTING AND PROPOSED POPULATION PROJECTIONS**

Facility Type	Existing Population <sup>a</sup>	Existing Units/Beds	Proposed Units/Beds	Existing plus Proposed Units/Beds	Proposed Population Buildout
<b>Healthcare Center</b>					
Skilled Nursing Facility	45	48 beds	10 beds	58 beds	58
Assisted Living Renovation	40	40 beds	0 beds	40 beds	40
Memory Care Building	18	18 beds	26 beds	26 beds	26
<b>Independent Living</b>					
Independent Living Villas	96	60 villas	25 villas	85 villas	136
Apartments	282	259 units	0 units	259 units	282
<b>Total</b>	<b>481</b>				<b>542</b>

Notes:

a. The population at The Forum as of April 10, 2017 is 378 residents and there is capacity for 481 residents.

Source: The Forum, April 2017.

### 3.4.3.2 EMPLOYMENT PROJECTIONS

As a CCRC that provides a variety of health and residential care and services to its residents 24 hours a day and 7 days a week, The Forum is regulated by the State of California Department of Health Service (DHS) and Office of Statewide Health Planning and Development (OSHPD). Under current conditions, The Forum has part-time and full-time employees that are on site at various times. Table 3-3 shows the existing and proposed employee projections. Under current conditions up to 189 employees come and go from the project site over a 24-hour period. Most employees work 8-hour shifts throughout the day for which their travel to and from the site primarily occurs outside of morning and evening peak commute periods (i.e., 7:00 to 10:00 a.m. and 4:00 to 7:00 p.m.). The proposed project would generate approximately 48 additional employees, totaling 237 employees, including both part- and full-time workers who are on-site during the 24-hour continuum of care service provided at the site.

PROJECT DESCRIPTION

TABLE 3-3 THE FORUM EMPLOYEE POPULATION AND SHIFT SCHEDULE

24-hour Cycle of Shifts	Current Employees	Proposed Employees	Proposed Employee Buildout
5:00 am to 1:00 pm	2	5.6	7.6
6:00 am to 2:00 pm	11	3.4	14.4
6:15 am to 2:15 pm	4	2	6
6:30 am to 2:30 pm	2	0	2
6:45 am to 2:45 pm	3	0	3
<b>7:00 am to 2:00 pm</b>	<b>2</b>	<b>0</b>	<b>2</b>
<b>7:00 am to 3:00 pm</b>	<b>17</b>	<b>10</b>	<b>27</b>
<b>7:00 am to 3:30 pm</b>	<b>4</b>	<b>2</b>	<b>6</b>
<b>7:30 am to 4:30 pm</b>	<b>1</b>	<b>0</b>	<b>1</b>
<b>8:00 am to 4:00 pm</b>	<b>24</b>	<b>1</b>	<b>25</b>
<b>8:00 am to 4:30 pm</b>	<b>7</b>	<b>0</b>	<b>7</b>
<b>8:00 am to 5:00 pm</b>	<b>13</b>	<b>0</b>	<b>13</b>
<b>8:30 am to 4:30 pm</b>	<b>3</b>	<b>0</b>	<b>3</b>
<b>9:00 am to 5:00 pm</b>	<b>16</b>	<b>6</b>	<b>22</b>
<b>9:00 am to 5:30 pm</b>	<b>3</b>	<b>0</b>	<b>3</b>
<b>10:00 am to 6:00 pm</b>	<b>0</b>	<b>1</b>	<b>1</b>
<b>10:30 am to 6:30 pm</b>	<b>1</b>	<b>0</b>	<b>1</b>
<b>11:00 am to 7:00 pm</b>	<b>6</b>	<b>5.9</b>	<b>11.9</b>
11:00 am to 8:00 pm	2	0	2
11:15 am to 7:15 pm	4	0	4
12:00 pm to 8:00 pm	11	0	11
1:00 pm to 9:00 pm	2	0	2
2:00 pm to 8:00 pm	1	0	1
2:00 pm to 10:00 pm	4	0	4
2:30 pm to 10:00 pm	1	0	1
2:30 pm to 11:00 pm	0	0	0
2:45 pm to 10:45 pm	3	0	3
3:00 pm to 11:00 pm	22	7.6	29.6
3:30 pm to 7:30 pm	4	0	4
4:00 pm to 9:00 pm	7	0	7
10:45 pm to 7:45 am	1	0	1
11:00 pm to 7:00 am	7	3.8	10.8
11:30 pm to 7:30 am	1	0	1
<b>Total</b>	<b>189</b>	<b>48</b>	<b>237</b>

Notes:

Bold text in shaded cells indicate peak hour commute shifts with morning and evening peak travel periods being from 7:00 to 10:00 a.m. and 4:00 to 7:00 p.m.

Source: The Forum, April 2017.

## PROJECT DESCRIPTION

### 3.4.4 REQUIRED PERMITS AND APPROVALS

Following approval of the CEQA-required environmental review and the approval of the proposed project by the Planning Commission, the following discretionary permits and approvals from the City would be required for the proposed project:

- Development Permit
- Architectural and Site Approval Permit
- Tree Removal Permit
- Demolition Permit
- Grading Permit
- Building Permit
- Certificate of Occupancy

Other agency approvals, such as the San Francisco Regional Water Quality Control Board (RWQCB) for permits related to water quality, may also be required.