

From: [Sarah Schueler](#)
To: [Gian Martire](#)
Subject: [Urgent] Re: Westport Plan amendments - please review
Date: Tuesday, February 25, 2025 2:06:48 PM

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Dear Mr. Martire,

I am writing on behalf of the concerned residents of Arroyo Village and Glenbrook Apartments, located near the proposed Westport Senior Living Community. After reviewing the arguments presented by the builder/owner, Jim Abrahms, we would like to express our concerns to the city's elected officials and sincerely hope that these issues will be taken into consideration.

Overall concerns:

1. **Revisions to the Original Agreement:** The builder/owner of the Westport Community made several promises to city officials and to nearby residents, committing to the construction of a community that would not negatively impact the City of Cupertino. However, the builder has since revised the plans multiple times, now proposing a new design that primarily benefits the builder's profits, while disregarding the needs of future residents and the surrounding community. [Further details of these concerns are outlined below.]
2. **Rethinking the Lot Ownership:** There is a risk that the builder may continue to revise the plans in ways that reduce construction costs, ultimately leaving the city with an abandoned structure. Now is the time for the city to make tough decisions, either by asking the builder to propose alternative solutions or by purchasing the site for more beneficial uses in the future (e.g., a new senior center, daycare facility, or recreational space). Cupertino has limited prime real estate, and it should not be compromised to save money for a builder at the expense of the residents who contribute significantly in taxes.
3. **Traffic and Safety Issues:** The traffic and crosswalk situation at Mary and Memorial Park is already dangerous for families, children, and the elderly. Vehicles rarely stop, and with the new construction, visibility will be further impaired, making it difficult for drivers to see pedestrians in time and potentially leading to fatal accidents.

Arguments Raised by the Builder

Retail and Garage Concerns:

- **Lack of Effort in Retail Space Development:** The retail space in Building 1 has not been properly promoted, and the placement of benches along that side of the building makes it difficult for potential merchants to envision occupying the space.
- **Insufficient Parking for Retail Visitors:** If the builder does not add more underground

parking, the existing parking spots will be fully occupied by residents, leaving no space for retail visitors. This lack of designated parking is already a problem, as current parking spots are often filled throughout the day, and there is no additional parking available due to the limited spaces on 85 Entrance and Mary (which only allows permit parking).

- **Inadequate Parking for Residents:** With the proposed increase in units, parking will become even more strained. The current plan provides fewer than 30% of the required parking spaces for residents. This suggests that fewer than 30% of residents will own cars, which is highly unlikely, especially considering that some residents may not have access to nearby transit hubs.
- **Unkept Promises to Current Residents:** Current residents were initially promised underground parking for the next phase of construction. This promise has now been abandoned, creating further frustration for those living in the Westport community.

Arguments Raised by the Builder

Retail and Garage Concerns:

- **Lack of Effort in Retail Space Development:** The retail space in Building 1 has not been properly promoted, and the placement of benches along that side of the building makes it difficult for potential merchants to envision occupying the space. The builder instead uses the building 1 residents as scapegoats to carry the burden of failed retail. (page 3 of Jim Abraham's letter).
- **Insufficient Parking for Retail Visitors:** If the builder does not add more underground parking, the existing parking spots will be fully occupied by residents, leaving no space for retail visitors. This lack of designated parking is already a problem, as current parking spots are often filled throughout the day, and there is no additional parking available due to the limited spaces on 85 Entrance and Mary (which only allows permit parking).
- **Inadequate Parking for Residents:** With the proposed increase in units, parking will become even more strained. The current plan provides fewer than 30% of the required parking spaces for residents. This suggests that fewer than 30% of residents will own cars, which is highly unlikely, especially considering that some residents may not have access to nearby transit hubs.
- **Unkept Promises to Current Residents:** Current residents were initially promised underground parking for the next phase of construction. This promise has now been abandoned, creating further frustration for those living in the Westport community.

Park Land Dedication fee Argument:

- **Contradiction in the Builder's Argument:** The builder claims that future residents will be able to walk 0.5 miles to a "major public transit hub," yet they argue that these same residents will be unable to walk to the nearby park, which is less than 0.5 miles away. This contradiction suggests that the builder is trying to circumvent the \$4M agreement, which would significantly impact both current residents and the city.

- **Impact on Existing Residents:** Residents of Building 1 regularly utilize nearby facilities, such as the park, senior center, and Quilan Community Center. They also frequently walk their pets in the park. The addition of new residents would put additional strain on these public amenities, including the park and nearby transit options, potentially leading to increased trash and other environmental impacts.
- **Sidewalk argument:** The current proposal does not offer a better pedestrian flow and the existing sidewalks / crosswalks offer the only way into Memorial Park, the new structure actually increases risks rather than improves the situation.

We sincerely hope that our elected city officials will carefully consider these concerns before agreeing to any further changes proposed by the builder. The builder's main priority seems to be maximizing profits at the expense of the community's well-being—whether through circumventing the \$4M agreement, increasing the number of units to boost profits, or worsening parking and traffic conditions for existing residents.

Unfortunately, due to the arrival of my newborn son, I will be unable to attend the upcoming meeting. However, I would welcome the opportunity to meet with any city official in person to discuss these concerns. I strongly urge the city to engage with community members, not just the builder, to ensure that our voices are heard.

Thank you for your time and consideration.

Kind regards,

Sarah Schueler

#129769 Concern with the modification to the Westport Project

Submitted	Received via	Requester
February 23, 2025 at 5:59 PM	Mail	greatben3 <greatbena@gmail.com>

Status	Type	Priority	Group	Assignee
Solved	-	Normal	Planning	Gian Martire

Address	Planning Request Type
21267 Stevens Creek Blvd	Planning Permit Submission/Resubmission

greatben3 February 23, 2025 at 5:59 PM

Dear Director,

I am writing to express my concerns regarding the latest modification to the WestPort Project at 21267 Stevens Creek Boulevard. In particular, the modification seems to include the elimination of the underground garage.

As a current resident and home owner of the Arroyo Village community, we are quite frustrated by the lack of guest parking availability as it is now. At the moment, there are 21 guest parking spots within the community, and 40 parking spots that are near the existing senior apartments. These parking spots are almost always full, and primarily occupied by the residents of the senior apartments (which does not have dedicated underground parking). With the addition of 136 new units in the larger senior apartment, but only 40 more ground parking spots, I could not see how this would allow a reasonable life quality for whoever lives in the new senior apartments, let alone allowing any guests to find parking within the Arroyo Village community.

Imagine a senior resident returning to home from grocery shopping, only to find no parking available, and the nearest public parking is either the Cupertino Sports Center or Target. They would have to hand carry all the grocery and walk a quarter mile to get home.

Eventually, people will learn to avoid using their cars whenever possible, so as to not lose the precious parking spot that they currently occupy. These situations are common in Beijing or Tokyo, where parking is scarce and expensive, but I did not expect people living in a newly built apartment in the center of Cupertino would have to face the same difficulty.

I understand that there will be a public hearing to discuss the modification proposal, but I am unable to attend due to some conflicts. If this item is being discussed as part of the modification proposal, please take this fact into your careful consideration. Also please feel free to reach out to me if you have any questions regarding the current situation of the parking space.

Thank you
Hanchi C.

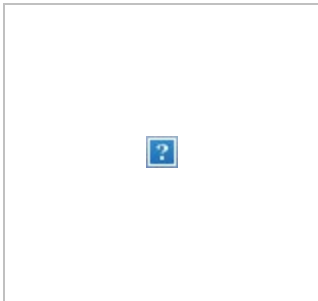
Gian Martire February 25, 2025 at 4:50 PM

Thank you for your comment. I will add this to the file and include it in the staff report.

Support Software by **Zendesk**

From: [Luke Connolly](#)
To: [Gian Martire](#)
Subject: FW: Project Changes At Westport
Date: Sunday, March 2, 2025 4:44:43 PM

FYI.



Luke Connolly

Assistant Director of Community Development
Community Development
LukeC@cupertino.gov
[\(408\)777-1275](tel:(408)777-1275)



From: Liang Chao <LChao@cupertino.gov>
Sent: Sunday, March 2, 2025 3:59 PM
To: Pamela Wu <PamelaW@cupertino.gov>
Cc: Benjamin Fu <BenjaminF@cupertino.gov>; Luke Connolly <LukeC@cupertino.gov>; Floy Andrews <fandrews@awattorneys.com>
Subject: Fw: Project Changes At Westport

What's the approval process for the following amendment for the Westport project plus a reduction in parking?

"Development Permit Amendment and Architectural & Site Approval to modify Building 1 to increase the residential unit from 123 units to 136 units (an overall increase of 13 units), eliminate the basement-level parking garage, reduce the ground floor retail from ~12,000 sq. ft. to 4,000 sq. ft., and a request to waive the Park Land Dedication Fee. "

The Westport site has been sold to three property owners as I understand. Would the waiver on Park Land Dedicate Fee be applicable to all three parcels or just to the remaining unfinished parcel?

The last approval included underground parking for the BMR units for senior independent living. What will happen to the parking spaces promised for that project in the underground garage of the last approval?

Thanks for clarifying these.

Liang

Liang Chao
Mayor



City Council
LChao@cupertino.gov
[408-777-3192](tel:408-777-3192)



From: Danessa Techmanski <danessa@pacbell.net>
Sent: Sunday, March 2, 2025 11:57 AM
To: City Council <citycouncil@cupertino.org>; Cupertino City Manager's Office <manager@cupertino.org>; City of Cupertino Planning Commission <planningcommission@cupertino.org>
Subject: Project Changes At Westport

Dear City Council, City Manager, and Planning Commission,

I am writing you regarding the following project change proposal for the Westport development:

M-2024-003, ASA-2024-003

Development Permit Amendment and Architectural & Site Approval to modify Building 1 to increase the residential unit from 123 units to 136 units (an overall increase of 13 units), eliminate the basement-level parking garage, reduce the ground floor retail from ~12,000 sq. ft. to 4,000 sq. ft., and a request to waive the Park Land Dedication Fee. For details, please see the 2024 Applications tab below. This proposal is under review.

I find the request for these changes to the retirement development at Westport to be ludicrous on a number of levels including setting precedents for other developments within our city and also for their negative impact on our residents' quality of life.

In terms of precedents, I think that we need to hold developers accountable to their development agreements in most cases. Allowing developers to go back on their word is like having no real plan at all. Additionally this allows developers to secure plan approvals that would otherwise not pass and then partially build while awaiting new housing bills that they can take advantage of in the future. Keep in mind bills like pending SB79 or any of the other housing bills that call for a reduction in parking. Ditto for reductions in park or other fees. It has become a game with developers being the only ones who are winning at this.

As for quality of life, this is wrong on so many levels. As our residential developments become denser and denser we need to rely on more public park spaces and their upgrades, Not less!

The parking reduction is awful. Although Hopper works well for some it is too area restricted and inconvenient for many. How do you use Hopper when you want to load up or purchase large bulky items? What about multiple stops? How do you carpool and pick up friends? I carry many items that I use in my car and I can't do that with Hopper either. I can only take it part way to many places and then I would have to figure out how to do the last miles and the first miles getting back to Hopper on my return. If people are forced to use Uber and Hopper that means double the trips as the rides come in and then leave after the return which doubles our traffic! We just don't have the connected mass transit to support this.

The proposed cut to retail is also horrible. We need to put something in place that ensures that retail that is removed from a site is reincorporated in any new development plans. Already we are losing so much retail space along Steven's Creek where Staples and Panera and Voyager coffee are. Those places continue to be busy and will be sorely missed when they are gone. I hear of many residents really being tired of the inconvenience of having to drive farther and spend their tax dollars in other cities. I can't believe that the original retail of 40,000 sq. ft. was reduced to 12,000 sq. ft. and now they want only 4,000 sq. ft?!!! This is right across from our busy De Anza College as well.

Thank you sincerely,
Danessa Techmanski
33-year Cupertino resident

From: [Steve Lim](#)
To: [Gian Martire](#)
Subject: Re: Westport Senior Community Center - important arguments for public hearing
Date: Tuesday, February 25, 2025 2:11:30 PM

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Dear Mr. Martire,

I am a current resident and owner of a property at Arroyo Village, bordering onto the proposed Westport community, I am expressing my deepest concerns for the proposed changes and hope you can review these and take them into consideration.

Key Concerns

1. **Changes to the Original Agreement:** The builder/owner made commitments to both city officials and residents to create a community that wouldn't negatively impact Cupertino. However, the builder has since revised the plans to prioritize profit, disregarding the needs of future and nearby residents.
2. **Traffic and Safety:** The traffic and crosswalk conditions at Mary and Memorial Park are already hazardous. The new construction will worsen visibility for pedestrians, increasing the risk of accidents, especially for families and the elderly.

Concerns Regarding the Builder's Arguments

Retail and Parking Issues:

- **Retail Space Planning:** The retail space in Building 1 has not been properly marketed, and the placement of benches limits its appeal to potential merchants. The lack of designated retail parking is a problem, with current spaces often filled and no additional parking available due to permit-only restrictions.
- **Inadequate Resident Parking:** The current proposal offers fewer than 30% of units with parking, which assumes an unrealistic number of residents won't own cars. This will worsen parking problems for all.
- **Unkept Promises to Residents:** Existing residents were promised underground parking for the next phase, but this promise is no longer being honored.

Senior Fee Concerns:

- **Contradictory Arguments:** The builder claims future residents can walk 0.5 miles to a "major public transit hub" but argues they can't walk to the nearby park (less than 0.5 miles away). This inconsistency suggests an attempt to bypass the \$4M agreement, which would impact residents and the city.
- **Impact on Local Facilities:** Current residents frequently use nearby amenities like the

park, senior center, and community center. The addition of more residents will strain these resources and increase trash and congestion.

I kindly urge the city's elected officials to carefully consider these issues before approving further changes proposed by the builder. The builder is prioritizing profit at the expense of the community's well-being.

Thank you for your time.

Kind regards,

Steven Lim

March 7, 2025

Gian Martire

Re: Westport Cupertino Project, Building 1

Dear Mr. Martire,

I am a, long time, resident of the Casa De Anza Condominium complex on Mary Ave. Unfortunately, I cannot attend the March 11 meeting of the Planning Commission, to share my concerns about one modification for this project. I believe that the Planning Commission needs to carefully evaluate the impact of the elimination of the underground parking. From the drawings that are available, it looks like onsite, ground level, parking is inadequate to serve the needs of a project consisting of 135 dwelling units and 35 non-residential memory care units. There appears to be only 40 or parking spaces. I would hope the Commission would ascertain the number of staff needing parking spaces during the day and evening and how many spaces would be available for visitors and outside medical staff visiting residents.

From the early planning for the Westport projects, there were promises of underground parking. First, that was eliminated from the project #3 townhomes. There were still promises that there would be underground parking for the #2 and #1 projects. The #2 building developers, managed to talk the City into letting them eliminate the underground parking and now, the developer of the #1 building wants to eliminate underground parking, claiming that they could be allowed to eliminate it because it is close to a major transportation hub. A bus stop on Stevens Creek Blvd., in no way, constitutes a major transportation hub for the foreseeable future.

There is another project planned for the west side of Mary Ave, to be called the Villa Apartments. This is to be a complex of 40 apartments, which will require restructuring the traffic lanes, downsizing the width of the bike lanes, eliminating parallel parking on the east side of Mary Ave. and replacing diagonal parking with parallel parking along the length of the Villa Apartments, resulting in a significant reduction of parking space along Mary Ave. In addition, the need for parking for Memorial Park visitors and events and Senior Center members is growing, as parking on Mary Ave is diminishing. For these reasons, the need for adequate parking within the building #1 property is imperative. I highly recommend that the #1 building project developers not be allowed to eliminate underground parking.

Another concern is that the building #1 drawing, is very unclear, as to what the impact will be on west bound traffic on Stevens Creek Blvd. The drawings look as though the proposed bike lane and bus stop will reduce the number of west bound traffic lanes to two, on a portion of Stevens Creek Blvd., from Mary Ave to the highway 85 on ramp. Additional traffic coming out of Mary Ave added to that from De Anza College, as well as west bound traffic coming along Stevens Creek Blvd. and the relocation of the bus stop to the west side of the Mary Ave intersection, would cause serious backups.

I am copying this letter to the Planning Commissioners. Thank you for your attention to my concerns and I hope the Planning Commissioners have a chance to read the letter before the meeting on March 11.

Sincerely,

Jean Schwab

10353 Mary Ave

Cupertino, CA 95014

jeanschwab@aol.com