

May 30, 2025

City of Cupertino
Planning Department
Attn: Emi Sugiyama
10300 Torre Ave
Cupertino, CA 95014

Sent Via E-Mail: EmiS@cupertino.gov

**RE: Proposed Townhome Development at 20840 Stevens Creek Blvd /
Development Permit File #DP-2024-002**

Dear Ms. Sugiyama:

I am writing this letter to express my support of the proposed townhome development by SummerHill Homes at 20840 Stevens Creek Blvd. I am the owner of the next door restaurant, Dish N Dash at 20750 Stevens Creek Boulevard, which I have been operating in Cupertino since 2018.

We welcome the new residents who will lead to more revenue, which will help offset some of the inflationary challenges we face. The proposed townhome project will replace the older vacant retail space providing a substantial safety improvement to the neighborhood. The existing property currently feels largely abandoned with the vacant restaurant building and limited customer traffic to Staples. As such I currently have to keep certain staff members on longer to walk employees to their cars at the end of their shift and provide security. We are also concerned about the continued tenant turnover at the shopping center now that Party City has vacated. The permanence of the new residents directly next door will bring great tailwinds to my business, which I hope will stay for decades to come. Additionally, unlike our downtown Sunnyvale location where many customers walk over, all of the customers currently drive to the Cupertino site. We've found there is a much greater sense of community when there are residents that can walk over. Those customers visit much more often.

I look forward to seeing the townhome project approved and brought to fruition as it will greatly benefit my business along with the other businesses in the neighborhood.

Thank you,

DocuSigned by:

Emad Ibrahim

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Emad Ibrahim

Owner of Dish N Dash

June 2, 2025

City of Cupertino
Planning Department
Attn: Emi Sugiyama
10300 Torre Ave
Cupertino, CA 95014
Sent via email: EmiS@cupertino.gov

**Re: Proposed Townhome Development at 20840 Stevens Creek Blvd /
Development Permit File #DP-2024-002**

Dear Ms. Sugiyama,

My name is Don Tepman, and I have helped the Byer family asset manage Cupertino Crossroads for more than twenty years. The Byer family has owned this property since the 1960s and takes immense pride in operating and maintaining high-quality retail centers across the Bay Area. Over the decades, we've continually reinvested in Cupertino Crossroads to support its businesses and the surrounding community. We know this property intimately—every storefront, every tenant, every challenge.

We write today in strong support of SummerHill Homes' proposed townhome development at 20840 Stevens Creek Blvd.

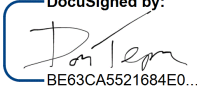
Despite our efforts to market the Staples building extensively for several years, we have not had success. Retail has fundamentally changed, and this specific corridor has been hit particularly hard. Over the last several years alone, Party City, Pizza Hut, Fontana's, and Sprouts have all vacated. Staples is struggling—its sales continue to decline, it continues to close stores nationally and its lease expires in Spring 2026. We approached them with the opportunity to move into the Party City space, but they declined to consider it.

The current buildings are functionally obsolete. The capital required to redevelop them for modern retail use is simply not economically viable or sustainable given current demand. If this proposed townhome development is not approved, we fear the status quo will persist indefinitely—leaving the community with more vacant, deteriorating buildings and an increasingly hollow retail corridor. As longtime property owners and supporters of Cupertino, it is situation we would not want to see.

This project represents a rare and timely opportunity to support the existing businesses in Cupertino Crossroads—more than 20 small retailers and service providers who face mounting pressure from rising labor, utility, and insurance costs. New residential neighbors would bring much-needed foot traffic, energy, and stability to the area. We've

seen firsthand how businesses thrive when there's a walkable, local customer base. Without it, many of our tenants may not survive.

The Cupertino Crossroads has been a part of this community for over 60 years. We want to ensure it remains vibrant for decades to come. We believe this project would be a catalyst for revitalization—not just for our property, but for the entire Stevens Creek corridor. We fully support the proposed townhomes and encourage the City to approve this important step forward.

DocuSigned by:

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Sincerely,

Don Tepman

On behalf of the Byer Family, Owners of Cupertino Crossroads



YIMBY LAW

YIMBY Law

2261 Market Street STE 10416

San Francisco, CA 94114

hello@yimbylaw.org

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05/12/2025

City of Cupertino
Planning Commission
10300 Torre Ave
Cupertino, CA 95014
Via email (planning@cupertino.gov)

Re: May 13, 2025 hearing, agenda item 3

Dear Planning Commission of Cupertino,

We are pleased to submit this letter of support of the proposed Summerhill Homes project at 20840 Stevens Creek Boulevard. YIMBY Law is a 501(c)3 non-profit corporation, whose mission is to increase the accessibility and affordability of housing in California. The Summerhill Homes project will consist of 59 townhomes, which include 12 below market rate townhomes, on a site designated for residential development in the Cupertino Housing 2023- 2031 Housing Element.

Summerhill's proposal is consistent with the Heart of the City specific plan, the Cupertino General Plan, and local zoning ordinances. As your officials have already identified to California's Department of Housing and Community Development that the site is appropriate for residential use and may contribute to the RHNA obligations, it is inarguably beneficial to public welfare that it be used for that purpose.

The Housing Crisis Act of 2019 (SB 330) and the City's Housing Element

SummerHill proposes to develop 59 townhome-style condominiums on a portion of the approximately 2.97-acre site at 20840 Stevens Creek Boulevard. SummerHill submitted an SB 330 Preliminary Application for the project on January 29, 2024. Pursuant to section 65589.5

YIMBY Law, 2261 Market Street STE 10416, San Francisco, CA 94114

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YIMBY LAW

YIMBY Law

2261 Market Street STE 10416

San Francisco, CA 94114

hello@yimbylaw.org

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of the Government Code, the project is subject only to the ordinances, policies, and standards adopted and in effect when the Preliminary Application was submitted.

The proposed project is consistent with the City's General Plan and zoning ordinance and other applicable objective standards. In addition, the City's subsequently approved 2023–2031 Housing Element identifies the project as a Housing Inventory Site. By designating the site as a Housing Inventory Site, the City selected the site for residential use and determined that residential development of the site would assist the City in meeting its Regional Housing Needs Allocation.

The State Density Bonus Law

SummerHill proposes to provide 12 of the 59 townhome-style condominiums at below market rate prices. By designating at least 10 percent of the units for Moderate Income households, the project qualifies for benefits under the State Density Bonus Law.

Under the State Density Bonus Law, a developer may propose unlimited waivers of development standards that would have the effect of physically precluding construction of a qualifying project at the densities or with the concessions or incentives permitted by the Density Bonus Law. SummerHill is entitled to the waivers it has requested, all of which will provide relief from development standards that would physically preclude construction of the project at the density proposed.

Once a project qualifies for a density bonus, State law provides that the City may deny a requested waiver only if it would have a specific, adverse impact upon health or safety, would have an adverse impact on a historic resource, or would be contrary to State or Federal law. In this context, specific adverse impact “means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.”¹ There is no

¹ Gov. Code, §§ 65915, subd. (e)(1), 65589.5, subd. (d)(2).



YIMBY LAW

YIMBY Law

2261 Market Street STE 10416

San Francisco, CA 94114

hello@yimbylaw.org

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substantial evidence in the record that any of SummerHill's requested waivers would meet the criteria for City denial.

The Housing Accountability Act

The Housing Accountability Act, in Section 65589.5(j)(1)(A)-(B), limits a municipality's ability to deny or condition on lower density a housing development project that complies with objective standards. The City may only disapprove the project or impose conditions on the project that would reduce density if necessary to avoid a "significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" and there is no feasible method to mitigate or avoid those impacts other than disapproval or development at a lower density.

We have reviewed the project plans, the CEQA document and the various expert reports that have been prepared for the project, and there is not a preponderance of evidence in the record that would justify the City's disapproval of the project or conditioning the project in a manner that would reduce density.

Summary

The Legislature has made numerous amendments to California Housing Law in an effort to provide increased clarity and certainty for both municipalities and housing providers. Based on these laws, the project is subject only to the objective standards that were in effect on the date of the Preliminary Application; the project is entitled to the requested waivers under Density Bonus law; with those waivers the project is consistent with applicable objective standards; and the evidence in the record would *not* justify the City's denial of the project or imposition of approval that would reduce density. Disapproval of the project or approval with conditions that would render the project infeasible at the density proposed would contravene State law.



YIMBY LAW

YIMBY Law

2261 Market Street STE 10416

San Francisco, CA 94114

hello@yimbylaw.org

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It is YIMBY Action's understanding that City staff has processed SummerHill's development application with professionalism and recognition of the City's obligations under State law. We appreciate the staff's cooperation and encourage the Planning Commission and the City Council to continue to uphold the same standard.

I am signing this letter both in my capacity as the Executive Director of YIMBY Law, and as a resident of California who is affected by the shortage of housing in our state. I look forward to seeing this project approved and brought to realization to help change the tides of the housing crisis in the Bay Area.

Sincerely,

Sonja Trauss
Executive Director
YIMBY Law

June 4, 2025

RE: Endorsement of 20840 Stevens Creek in Cupertino, CA

Dear Cupertino Planning Commission,



For over 60 years, Greenbelt Alliance has helped create cities and neighborhoods that make the Bay Area a better place to live—healthy places where people can walk and bike; communities with parks, shops, transportation options; homes that are affordable and resilient to the impacts of climate change. Greenbelt Alliance’s Climate SMART—Sustainable, Mixed, Affordable, Resilient, Transit-Oriented—Development Endorsement Program provides support for projects that advance the right kind of development in the right places. By promoting climate-smart development we can create thriving, resilient neighborhoods with ready access to transit and housing choices for all of the Bay Area’s people.

After careful review, Greenbelt Alliance is pleased to endorse the proposed 20840 Stevens Creek project.

Location and Economic Benefits

In hopes to build more infill housing, the developer SummerHill Homes is proposing a 59-unit townhome neighborhood nearby a plethora of community amenities including shops, parks, schools, and a community college. It is well situated for residents to have access to many of their basic needs. 12 of the units will be deed-restricted, below-market rate housing which will promote affordability and accessibility in the community.

Sustainable Development

The project will be an all-electric residential neighborhood, providing solar panels and EV charging capacities within each home. Sustainability is also reflected in their landscaping and water management practices: SummerHill will grow drought tolerant and native plants, include climate sensitive controllers in common areas, and set up biological treatment for stormwater runoff. The development will also be built in an area with minimal fire and flood risks, promoting its overall resilience to climate hazards.

Moreover, the 20840 Stevens Creek project will be moderately connected to public transit. It will be besides multiple VTA bus routes including the 55, 51, Rapid 523, and 23. Residents are also encouraged to bike to nearby amenities, with each garage allotting 2 spaces for bicycles.

According to GreenTRIP—a free online tool created by Transform that models traffic and greenhouse gas impacts of residential projects in California— the 20840 Stevens Creek project development will result in:

- **231 fewer miles** driven every day compared to the Santa Clara County average.
- **12% fewer GHG impacts** every day compared to the Santa Clara County average.
- **3% less parking use** every day compared to the Santa Clara County average.

Greenbelt Alliance believes the 20840 Stevens Creek project will provide much needed SMART, infill housing in Cupertino and we are proud to give this project an endorsement! We hope its approval will inspire higher density development in the city and around the Bay Area.

Sincerely,



Andrew Ha
State and Regional Resilience Associate
Greenbelt Alliance