

CC 1-21-2026

Oral
Communications

Written Comments

Dear Cupertino City Council, City Manager and [PublicComments](#):

Subject: Concerns of Mary Ave Villas housing project

The project is estimated to remove 19.5 feet, or 26% of its current width/public-right-of way.

No community hearing was held for residents to voice their concerns about vacating public right of way to create the parcel from the road.

This is in the context of **increased traffic and parking usage** by adding 40 housing units + their cars, visitors, service providers, deliveries, etc. AND 5 future adjacent developments.

**Mary Ave Villas Project:
Net loss 19.5 ft (26%)
of public right-of-way**



There will be a net removal of 89 parking spots on Both Sides of Mary Avenue.

As it is, current parking spots fill up with Memorial Park Activities, Westport Development, DeAnza College Students. The loss of 89 parking spaces will create enormous hazards to the public.

As a community, we are requesting that this project be abandoned at this location.

This narrow strip of land is **illogical** for high density housing, and there are **FIVE** future developments that will force more cars looking for parking on Mary Ave:

- (1) The remaining 55% of the big Westport high rise development at Mary Ave & Stevens Creek soon to be built.
- (2) \$85 million approved to add amenities (8 pickleball courts, all abilities playground) to Memorial Park without significant increase in parking capacity
- (3) De Anza College's new Cultural Arts Building
- (4) De Anza's new EVENT CENTER
- (5) De Anza's new Student Services Center.

Problems with narrowing traffic, buffer, bike, and pedestrian lanes in an area with diverse users

Safety risks:

1. Increased risk of roadway accidents!
2. Less buffer between bike and traffic lane. Unsafe for families and especially kids
3. Parked car doors swing into narrow traffic lanes- not safe to exit vehicle
4. No bypass lane or space- stopped cars can clog traffic
 - Especially when trucks and vehicles are double parked or loading
5. Does it work for City public works trucks (~10 ft wide) and emergency vehicles?
Even if the fire marshal 'signed off'?

Quality of life impact:

1. Narrower pedestrian areas make it difficult and congested for families and Homestead High School cross country runners that use this space daily
2. Narrower bike lanes increases the risk to cyclist
3. Worsened access to/from our homes

Please remember the uniqueness of Mary Ave and its diverse users.

This area connects families, bikers, school kids, commuters between:

- Memorial Park
- Senior Center
- Garden Gate Elementary School
- Don Burnett Bridge
- Dog Park
- Cupertino Public Works Service Center
- De Anza College

As our representative of the Cupertino City Council, we ask that you do the proper thing by us.
Protect Our Safety and Quality of Life! **VOTE NO on this location.** It isn't the right place!

Sincerely,

12/8/2025

Sign

Date

Sign

Date

Print Name

Yvonne Wang 12/8/2025

Caleb Sios 12/8/2025

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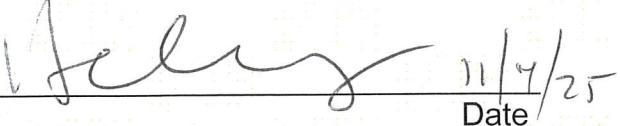
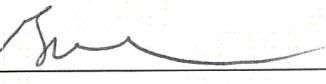
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Protect Our Safety and Quality of Life! **VOTE NO on this location.** It isn't the right place!

Sincerely,

 11/9/25  11/9/25

<u>Sign</u>	<u>Date</u>	<u>Sign</u>	<u>Date</u>
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Helen Cheung
Print Name

James Cheung
Print Name

From: [Santosh Rao](#)
To: [City Council](#); [Tina Kapoor](#); [City Clerk](#); [Kirsten Squarcia](#); [Chad Mosley](#); [Benjamin Fu](#); [Rachelle Sander](#); [Public Comments](#)
Subject: Cancel all discretionary spend on giveaways and commence review and halt of all discretionary spend on consultant projects.
Date: Thursday, January 15, 2026 11:15:01 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

[Writing on behalf of myself only as a Cupertino resident]

Dear Mayor Moore, Council Members, and CM Kapoor,

I urge you to cancel the items referenced below at the earliest opportunity. The City can no longer afford discretionary giveaways.

At a time when tax increases on residents are being contemplated, it is difficult to justify the continuation of such spending. This erodes public trust and undermines the credibility of both staff and Council.

Please immediately agendize a comprehensive review of discretionary expenditures. This should include constant projects, special projects, consultant engagements, and roles that could be eliminated or consolidated. Priority should be given to areas where staff capacity can replace consultants and where non-essential headcount can be reduced.

The City should not be paying healthcare and pension benefits for any staff whose primary role is supervising consultants and not doing the actual needed work in-house. If staff cannot perform the underlying work, those roles should be reconsidered. There is a substantial pool of qualified federal and other public agency professionals available due to federal layoffs. Please review available candidates for contract work without long-term healthcare and pension benefit obligations. Please close all open reqs immediately. Engagements should be contingent on delivery of actual work, not primarily consultant oversight.

It is time for a rigorous performance review across staff. Expectations must be clear. Staff should execute work, not just supervise consultants. Any project needing consultants needs to be cancelled until we replace staff with those who can do the work in-house.

All discretionary giveaways should be cancelled without delay.

This is how households manage their budgets. They cannot raise their own paychecks at will. Employers are laying people off. Revenues are slowing. Expecting residents to absorb higher taxes in this environment is disconnected from reality.

Many newer residents face severe financial strain. Property taxes are high. Mortgages are resetting from lower rates set five years ago. Utility, grocery, and education costs continue to rise. Paychecks are not keeping pace.

Now is the moment to review all staff spending, with urgency and a bias toward action. This

will also clearly show residents who amongst council are in touch with the realities of residents affordability challenges and who amongst council are totally disconnected from resident realities. Let's have agenda items and please vote so that council member track records are on record with actual votes on where they stand on issues. It's time to replace tax and spend policies with frugality and judicious use of taxpayer dollars to serve residents not lobbyist special interest groups.

Thank you for your urgent and immediate attention to fiscal discipline.

Thanks,
San Rao (writing on behalf of myself only as a Cupertino resident)

Begin forwarded message:

On Thursday, January 15, 2026, 10:35 AM, City of Cupertino <cupertino@public.govdelivery.com> wrote:

Having trouble viewing this email? [View it as a Web page](#).

City of Cupertino





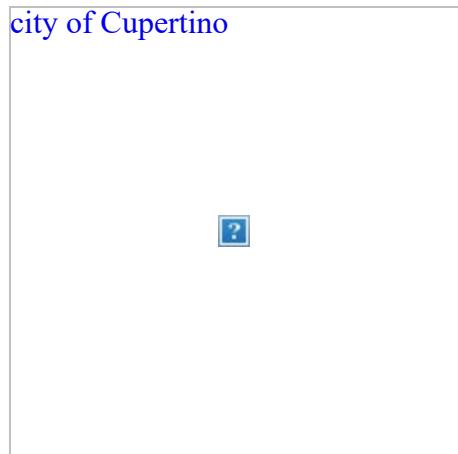
Cupertino's Community Funding Grant Program is Accepting Applications

The City of Cupertino is proud to support local non-profits that strengthen our community with grants of up to \$20,000. Applications are now open for the 2026–27 Community Funding Grant Program, which provides funding to organizations in social services, fine arts, and other public programs that benefit the Cupertino community.

The City is accepting applications now through Sunday, February 1.

Apply

Questions can be emailed to communityfunding@cupertino.gov.



City of Cupertino, California

Website | 408.777.3200

10300 Torre Avenue, Cupertino, CA 95014-3202



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This email was sent to santo_a_rao@yahoo.com using GovDelivery Communications Cloud, on behalf of: City of Cupertino, California · 10300 Torre Avenue · Cupertino, CA 95014-3202



From: [lj](#)
To: [Melissa Robertson](#)
Cc: [City Clerk](#)
Subject: RE: tonight's oral--on written communication
Date: Tuesday, January 6, 2026 4:22:03 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear clerk,

As a reminder, please include the ones you said you would post to the next meeting if it is earlier than 1/21/26. Thanks. Huang family

Sent from my Device

----- Original message -----

From: Melissa Robertson <MelissaR@cupertino.gov>
Date: 12/17/25 4:05 PM (GMT-08:00)
To: jzw96@hotmail.com
Cc: City Clerk <CityClerk@cupertino.gov>
Subject: RE: tonight's oral--on written communication

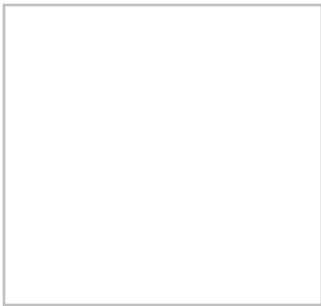
Good afternoon,

The below email you sent was included in the December 2, 2025 written communications. If you would like your written communication to be included in the next meeting on January 21, 2026 please send us an email after the agenda is posted for this meeting. We will include your email in the written communications if it is received by 4:00 p.m. the day of the meeting. If you send your email after that time, but before the end of the meeting, it will be added as a late communication.

Have a great day!

Melissa Robertson
Administrative Assistant
City Manager's Office
MelissaR@cupertino.gov
[\(408\)777-3148](tel:(408)777-3148)





From: J j <jzw96@hotmail.com>
Sent: Tuesday, December 16, 2025 6:25 PM
To: Kirsten Squarcia <kirstens@cupertino.org>
Subject: RE: tonight's oral--on written communication

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Continue

I saw you put on Dec 2 revision on Dec 3 file, which didn't get see before the Dec 2 meeting. I thought the missed publication before the Dec 2 meeting will be on Dec 16's meeting. Please publish it onto the next public meeting. Id tou have any question, please feel free to reach me. Thank you.

----- Original message -----

From: J j <jzw96@hotmail.com>
Date: 12/16/25 5:52 PM (GMT-08:00)
To: Kirsten Squarcia <kirstens@cupertino.org>
Subject: RE: tonight's oral--on written communication

Thanks. It's on today's, right?

Sent from my Device

----- Original message -----

From: Kirsten Squarcia <kirstens@cupertino.org>
Date: 12/2/25 7:33 PM (GMT-08:00)
To: J j <jzw96@hotmail.com>
Subject: RE: tonight's oral--on written communication

Yes, they will be posted. Thank you



From: J j <jzw96@hotmail.com>
Sent: Tuesday, December 2, 2025 7:04 PM
To: Kirsten Squarcia <kirstens@cupertino.org>
Subject: Re: tonight's oral--on written communication

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

continue

Just sent again from yahoo jzwxx@yahoo email. two email titled 'Request to Prioritize Rebuilding Direct Communication Between City Leadership and Residents' and time sensitive! Request for Support, Restoration of Communication, and lift the 'political prisoner/hostage'/Fair Treatment from the City' --both from Huang family

From: J j <jzw96@hotmail.com>
Sent: Tuesday, December 2, 2025 9:49 PM
To: Kirsten Squarcia <kirstens@cupertino.org>
Subject: Re: tonight's oral

Dear city clerk Kirsten,

I don't see the email I sent before, which asked to be included in the written communication. Please advise. 'Jenny' - Huang family

From: J j <jzw96@hotmail.com>
Sent: Tuesday, November 25, 2025 12:15 AM
To: Kirsten Squarcia <kirstens@cupertino.org>

Subject: FW: tonight's oral

Subject: RE: tonight's oral

Please publish the email from Huang family. Thank you!

Sent from Device

----- Original message -----

From: J j <jzw96@hotmail.com>
Date: 11/19/25 10:09 AM (GMT-08:00)
To: Kirsten Squarcia <kirstens@cupertino.org>
Subject: RE: tonight's oral

Dear Kirsten,

At several point of times, the calls got disconnected without my notice. I didn't know my raised hands were dropped as well.

Sent from my phone

----- Original message -----

From: Kirsten Squarcia <kirstens@cupertino.org>
Date: 11/18/25 8:42 PM (GMT-08:00)
To: J j <jzw96@hotmail.com>
Subject: RE: tonight's oral

Good evening, unfortunately you raised your hand well after the cutoff.

These people had their hands raised



Kirsten Squarcia

Interim Deputy City Manager/City Clerk
City Manager's Office
KirstenS@cupertino.gov
(408) 777-3225



From: J j <jzw96@hotmail.com>
Sent: Tuesday, November 18, 2025 8:17 PM
To: Kirsten Squarcia <kirstens@cupertino.org>
Subject: tonight's oral

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Kirsten,

I submitted this request within nine minutes of the start of the 6:45 p.m. oral session 648p. There was an emergency presentation at that time, and I tried to raise my hand immediately afterward and along the time since 648p. Could you please clarify what happened? Thank you. Huang family

From: [Randy Kim](#)
To: [Public Comments](#)
Subject: Public comment - The CuperDoodle Program - 12-18-2025
Date: Thursday, December 18, 2025 2:30:30 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My child is scheduled to attend the CuperDoodle program at the start of the new year so any potential changes would be deeply felt.

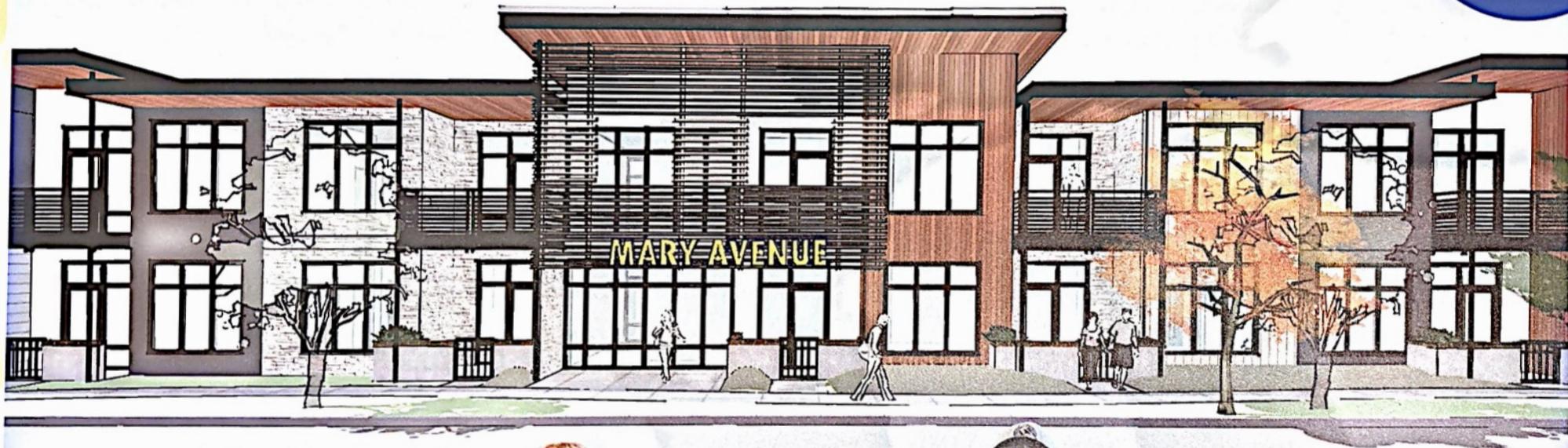
I was just there today with my family to take a tour. My son was terribly excited to see the classrooms and his future classmates. News of potential consideration for closure is shocking.

I want to say that I'm no stranger to tough times but I and my childhood friends have already felt the effects of closures in the school system before. I went to Regnart Elementary and knowing it's gone, hurts.

-Randy

YES

MARY AVENUE VILLAS



SLIPPERY SLOPE FOR ALL OF Cupertino

1. California Constitution Article #34
2. Against General Plan for housing at all income levels. Planning Dept would not approve exclusionary housing such that no residents could attend K-12 schools within a half mile (they say 5 units would be reserved for families – but there are 67 students there now). If the complex is sold and turned into a new housing project, there would be BMR units and anyone could live there and attend our local public schools within 0.5 Miles.
3. How do evictions comply with AB 1482, the 2019 tenant protection act? Are they really taking the complex off the market by renting to people they prefer? The District has said that the property is turn-key and ready for immediate occupancy august/sept 2025. Last night they told residents that students would not move in until all residents are out in June 2026. The off-market for remodeling does not hold water because after the due-diligence period they said that it was turn-key --- unless of course the tail is wagging the dog, not okay. Seems to also defy the Ellis Act.
4. The voters have been misled in the bond about dislocating our residents. Also, last night we learned that they would be paying out for 5 years in rental assistance (is this bribery and/or Ellis Act?). No one has been advised as to the cost of dislocation. We are looking at easily over \$5M in public bond funds!!!
5. Note that District has said some units would be used for staff on a temporary basis. Some units have been greatly enhanced and I can't see any good reason to remodel those. All units would need to be greatly remodeled in order to comply with the Ellis act and even then, they would need to offer the apartments back to the former tenants.

Community Advocacy for Mary Avenue Villas

- 1. Abilitypath**
- 2. Aging Well Task Force**
- 3. College of Adaptive Arts**
- 4. Community Advocates**
- 5. County Board of Supervisor's**
- 6. Cupertino Community Cyclists**
- 7. Former Cupertino Mayors**
- 8. Fremont Union High School District (FUMSD)**
- 9. Life Services Alternatives (LSA)**
- 10. Parent Advocates**
- 11. Parents Helping Parents**
- 12. San Andreas Regional Center**
- 13. Self Advocates**
- 14. Silicon Valley at Home (SV@Home)**
- 15. Silicon Valley Independent Living Center**
- 16. Silicon Valley United for the Common Good**
- 17. State Council on Developmental Disabilities**
- 18. West Valley Community Services**
- 19. Young Adults**
- 20. Cupertino for All**

Names of People who said
they will attend 1/21/26 to support Mary Avenue

Name	Role	Attended 1/21/26?	Speaker?
Janet	Parent Advocate		
John Robinson	Self Advocate, SARC		
Stephan Quan	Parent Advocate		
Cynthia Naylor	Parent Advocate		
Natalie Aguilar	Parent Advocate		
Hadiyah	LSA		
Per	Self Advocate		
Jennifer Lufcas	State Council		
Sohelia and Nadar Vahdat	Parent Advocate		
Momo Yanagihara	Parent Advocate		
Jim	Momo's Friend		
Jason Dorado	Works with students wih disabilities		
Akash Dey	Self Advocate		
Shira Leeder	Self Advocate		
Harold Van Zoeren	Parent Advocate		
Soheila Mozayan	Ability Path		
Cassy Curran	Ability Path		
Mattie Forte-Goldman	Ability Path		
Fabiola Arjona-Romos	Ability Path		
Smantha Arjona-Romos	Ability Path		
Barbara Goldman	Ability Path		
Michael Goldman	Ability Path		
Scott Kottmer	Ability Path		
Ian Pudney	Ability Path		
Jennifer Castillo	Ability Path		
Cindy Van Zoeren	Self Advocate		
Christina Ma	Ability Path		
Philip Ma	Self Advocate		
DeAnna Pursai	College of Adpative Arts		
Connie Cunningham	Chair, Cupertino Housing Commission		
Jennifer Shearin	Advocate, Cupertino Community Cyclists		
Helena Davis	Advocate, Cupertino Community Cyclists		
Herve Marcy	Advocate, Cupertino Community Cyclists		
Marcia Elmer	Parent Advocate		
Larry Matheakis	Husband of Marcia Elmer		
Daniel Stickney	Self Advocate		
Lisa Zuegel	Parent Advocate		
VivianaBarnwell	Advocate		
Eriks Ramans	Self Advocate		
Eileen	Self Advocate		
Doug	Self Advocate		
Sepideh Vahdat	Self Advocate		
Cindy Van Zoeren	Self Advocate		
Dolly Sandivol	Past Mayor		
Annita Liao	Parent Advocate		

CC 01-21-2026

#15 & 16

Dividend Homes I & II

Written Communications

From: [Whitney McNair](#)
To: [Kitty Moore](#); [Sheila Mohan](#); [J.R. Fruen](#); [Liang Chao](#); [R "Ray" Wang](#); [Public Comments](#)
Cc: [Todd McNair](#)
Subject: Items 15 & 16: Application #: DP-2025-002, ASA-2025-004, TM-2025-002, TR-2025-005, & U-2025-007
Date: Tuesday, January 20, 2026 9:46:35 AM
Attachments: [Cupertino Development.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Moore, Vice Mayor Chao, and members of the City Council:

Location: 20045 & 20065 Stevens Creek Blvd. (APN: 316-23-095, -096)

We are long-standing homeowners, having resided at 20074 Wheaton Drive for nearly 25 years. We represent a number of longtime homeowners who reside along Wheaton Drive, Myer Place, and Carol Lee Drive, many of whom attended the December 9th Planning Commission hearing.

We urge you to consider changes to the proposed 32-unit project, which is located directly behind our home. Although this letter focuses on the 32-unit project, the comments can be applied to the project at 20085 & 20111 Stevens Creek Blvd also being considered by the Council. I've attached a summary document showing the requested changes.

On December 9, 2025, the Planning Commission reviewed the proposed projects and for comparison purposes, they referenced the success of the recently approved SummerHill Homes project at 20770, 20830, and 20840 Stevens Creek Boulevard. Although they are similar housing projects, SummerHill Homes, upon hearing neighbors' concerns, modified the design to increase the setback to the property line where the project abuts single-family homes from 10 feet to 33 feet, and added a dense row of screen trees along the property line (see attached). The project before you tonight proposes a 13-foot setback to the property line.

The applicant, Dividend Homes, has developed a project in Palo Alto on Acacia Avenue with the same unit design and neighborhood context as proposed for this project in Cupertino: <https://www.dividendhomes.com/communities/acacia/>. Here, the developer has a 20 foot setback and a row of screen trees planted every 15 feet along the shared property line with existing single-family homes (see attached).

We are asking for the same consideration.

After the Planning Commission hearing, several neighbors met with the developer to request a rear setback of at least 20 feet. A 20 foot setback would provide a setback similar to that between other residential properties and mirrors the project's setback in Palo Alto. This request is less than the changes SummerHill Homes made for similar conditions. The setback can be increased with minimal impacts to the project design and site layout. The developer has declined to make this change, choosing to keep the setback at 13 feet. The Heart of the City Specific Plan requires that the rear setback be more than 60 feet. We are asking for a standard setback that any residential project would need to meet.

- **We are asking the Council to increase the rear setback to 20 feet.**

With a two-story home 13 feet from the property line, privacy will be an issue.

- **We are requesting that windows along the rear elevation be minimized or placed high on the wall to avoid a direct view into the existing homes. Alternatively, windows should be treated or opaque to minimize direct views.**

At the Planning Commission hearing, the developer committed to reducing the height of the units facing the rear of the site from three stories to two, mirroring the design they have in Palo Alto (see attached photo). This was an appreciated project change and should be reflected in the project approval. However, the project is still only 13 feet from the rear property line.

The project, as proposed, doesn't include any trees in the rear yard area of the homes facing the rear property line. Therefore, no screening is proposed where a building is only 13 feet from the property line. The developer's project in Palo Alto successfully includes trees planted every 15 feet in the rear yard of the homes (see attached photos). SummerHill Homes planted a dense row of screen trees along the property line to screen their project. The developer has agreed to plant one tree in the yard. The Planning Commission suggested hedges.

- **We are asking that the Council require not just one tree, but trees to be planted every 15 feet along the rear property line.**

Lastly, neighbors have asked that the wall along the rear property line be increased to 8 feet. The developer has agreed, and the homeowners support, adding a 2-foot trellis along the wall.

- **We are asking that the Council require the developer to add a 2-foot trellis to the existing wall.**

It is vital to provide housing throughout the region to a wide range of prospective owners and renters. The residents will be part of an existing community, one that we've been proud to be part of for nearly 25 years.

The developer has accepted and incorporated these same components in their project in Palo Alto. The Cupertino Council should take pride in the design of projects within its city, and hold the same, if not greater, regard for its citizens, and require the modest changes proposed in this letter. These changes would also better align with the recently approved SummerHill Homes project that has a similar condition of backing up to existing single family homes.

We thank you for considering these modest changes to the proposed project, which aim to ensure that all Cupertino residents enjoy well-intentioned, thoughtfully designed housing.

Whitney & Todd McNair
20074 Wheaton Drive
Sandy & Tom Siron
20064 Wheaton Drive
Jerry Yu
20094 Wheaton Drive
Ed Hsiao

20054 Wheaton Drive
William R. Lee, Jr. & Lisa Lee
20104 Wheaton Drive
Diana & Rich Lordan
10128 Meyer Place
Mary, Stephania & Susan Higdon & Julie Coy
10138 Meyer Place

Proposed Projects

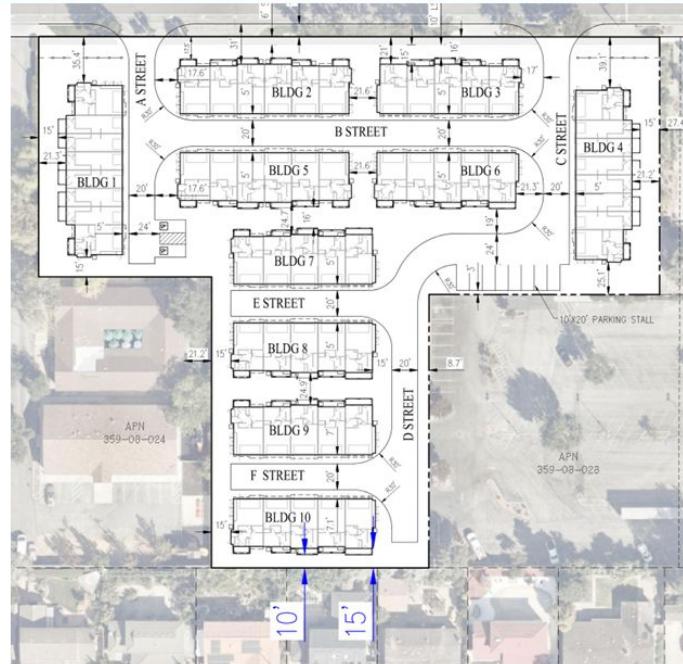
- 13 foot setback to rear property line shared with existing single family homes



Council approved project at 20770, 20830, 20840 SCB

- Comparison project references as successful by the Planning Commission
- SummerHill Homes
- Original design had a 10 foot setback to the rear property line

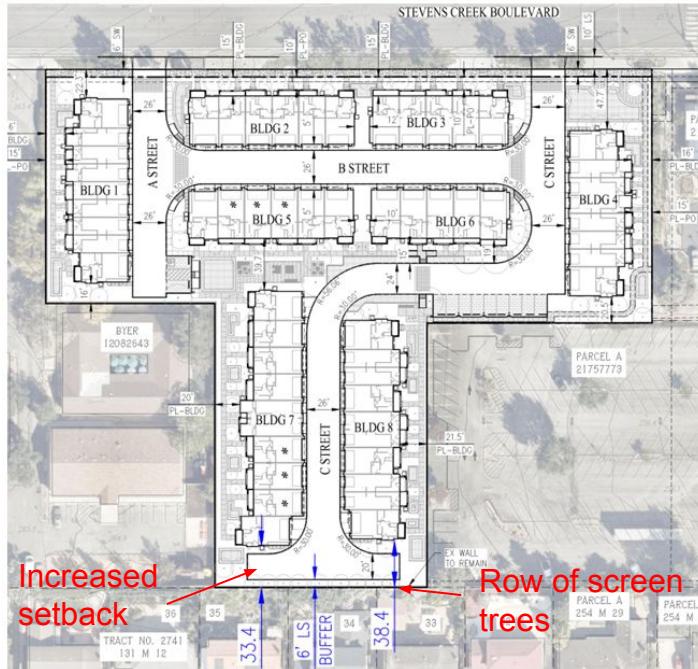
ORIGINAL SITE LAYOUT



SummerHill revised their plans

- Developer revised the project and increased the setback from 10 feet to 33 feet
- Added row of screen trees

UPDATED SITE LAYOUT



Dividend Homes project in Palo Alto

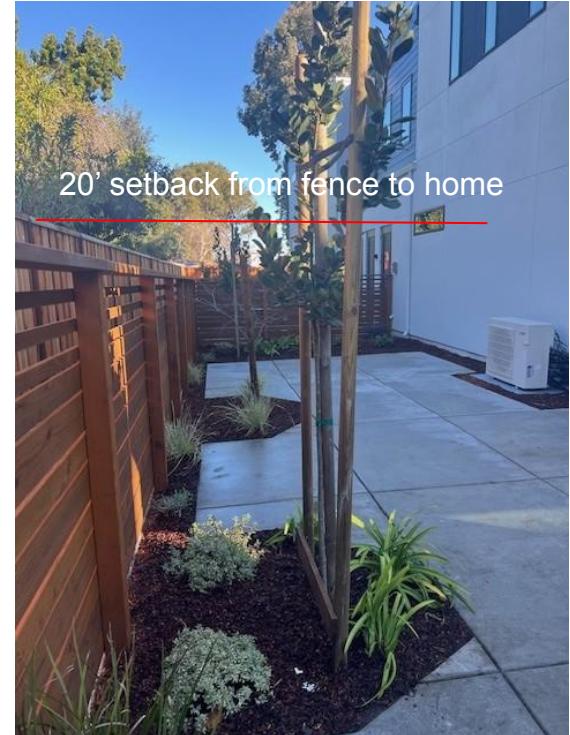
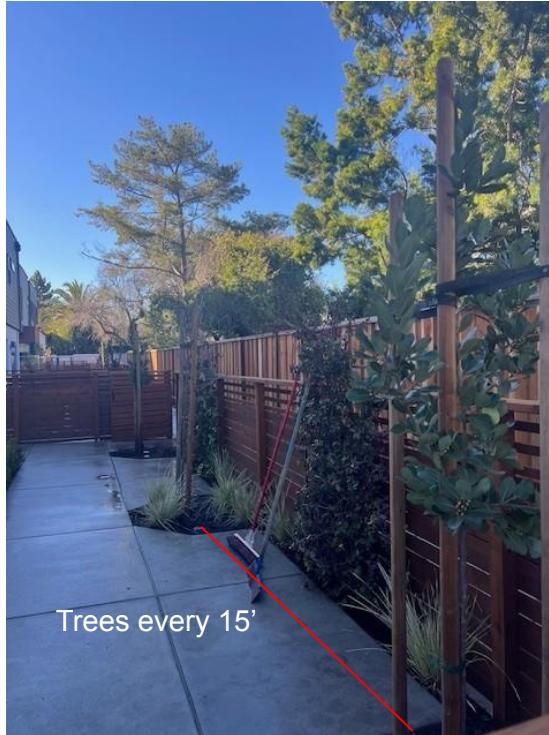
This is the same development in
Palo Alto

- 20-foot setback to existing single family homes
- 2-story unit
- Stepping up to 3-story unit

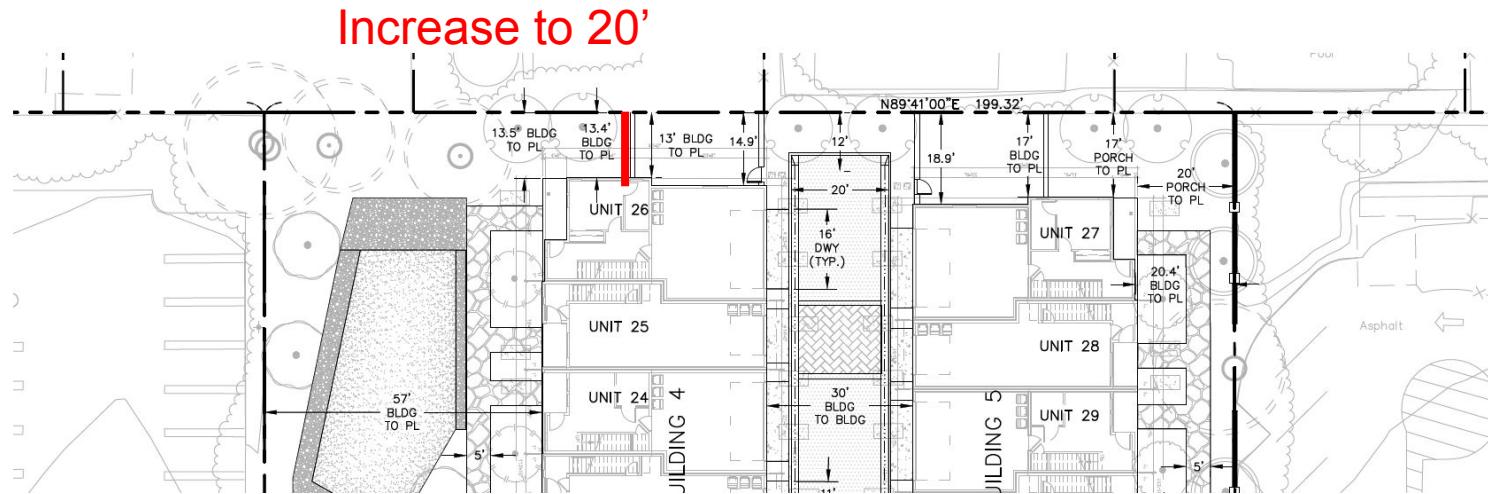


Dividend Homes project in Palo Alto

- Screen trees planted every 15 feet

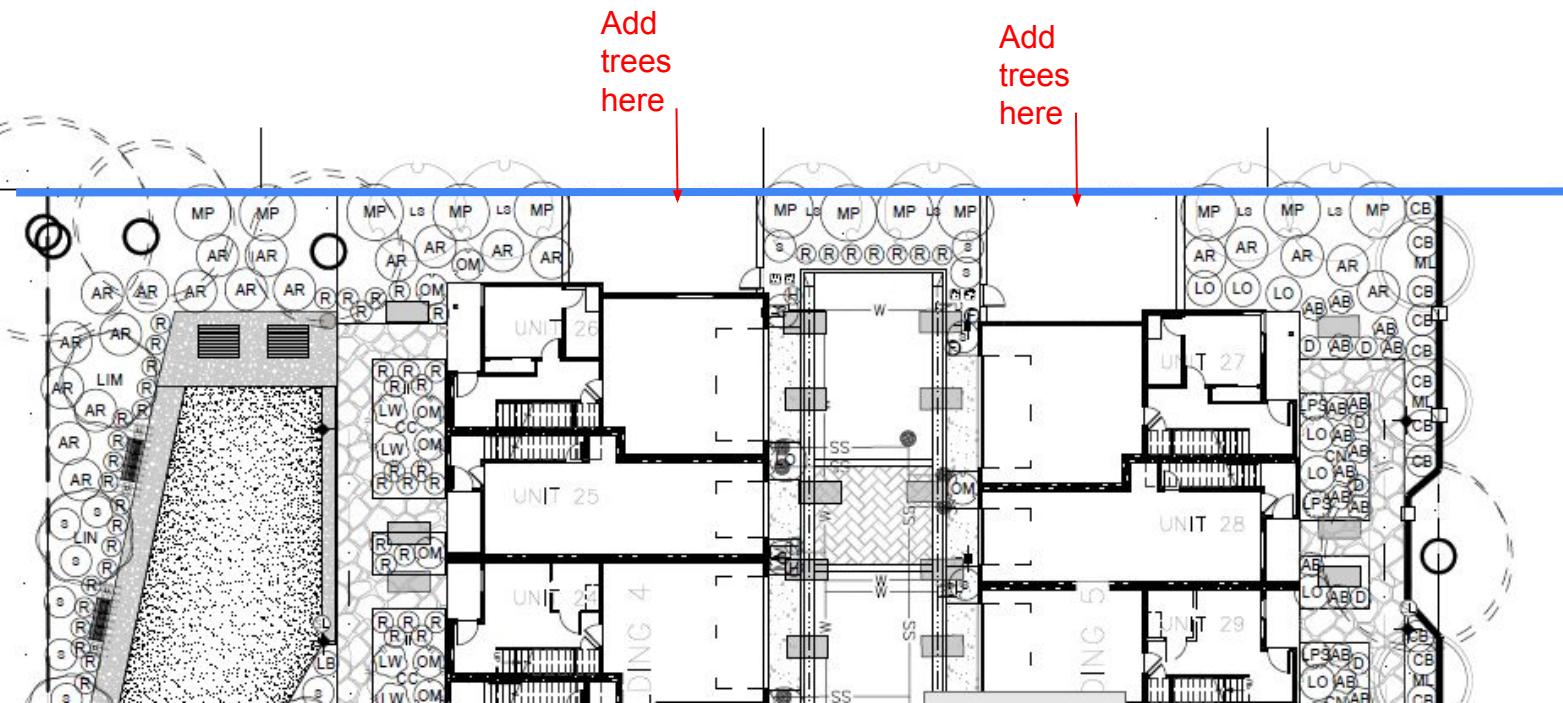


Request a 20 foot setback



Add trees in the yards to screen the building

Rear property line adjacent to existing single family homes



From: [James Lloyd](#)
To: [Kitty Moore](#); [Liang Chao](#); [Sheila Mohan](#); [J.R. Fruen](#); [R "Ray" Wang](#)
Cc: [Piu Ghosh \(she/her\)](#); [City Attorney's Office](#); [Cupertino City Manager's Office](#); [City Clerk](#); [City of Cupertino Planning Dept.](#)
Subject: Re: public comments re agenda items 15 and 16 for tonight's Council meeting
Date: Wednesday, January 21, 2026 11:32:33 AM
Attachments: [Cupertino - 20045-20065 Stevens Creek Blvd Townhouses - HAA Letter - CC.pdf](#)
[Cupertino - 20085-20111 Stevens Creek Blvd Townhouses - HAA Letter - CC.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

There was an error with the date in one of the letters with our previous submission. Please refer to the attached public comments instead.

Apologies for the inconvenience.

James M. Lloyd
Director of Planning and Investigations
California Housing Defense Fund
james@calhdf.org
CalHDF is grant & donation funded
Donate today - <https://calhdf.org/donate/>

On Wed, Jan 21, 2026 at 11:20 AM James Lloyd <james@calhdf.org> wrote:
Dear Cupertino City Council,

Please see attached public comments from the California Housing Defense Fund regarding agenda items 15 and 16 for tonight's Council meeting.

- the proposed 57-unit housing development project at 20085-20111 Stevens Creek Blvd, which includes six median- and five moderate-income units; and
- the proposed 32-unit housing development project at 20045-20065 Stevens Creek Blvd, which includes three median-income units and three moderate-income units.

Sincerely,

James M. Lloyd
Director of Planning and Investigations
California Housing Defense Fund
james@calhdf.org
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Donate today - <https://calhdf.org/donate/>



Jan 21, 2026

**City of Cupertino
10300 Torre Avenue
Cupertino, CA 95014**

Re: Proposed Housing Development at 20045-20065 Stevens Creek Blvd.

**By email: kmoore@cupertino.gov; lchao@cupertino.gov; smohan@cupertino.gov;
jrfruen@cupertino.gov; rwang@cupertino.gov**

**CC: piug@cupertino.gov; CityAttorney@cupertino.gov; CityManager@cupertino.gov;
CityClerk@Cupertino.gov; planning@cupertino.gov;**

Dear Cupertino City Council,

The California Housing Defense Fund (“CalHDF”) submits this letter to remind the City of its obligation to abide by all relevant state laws when evaluating the proposed 32-unit housing development project at 20045-20065 Stevens Creek Blvd, which includes three median-income units and three moderate-income units. These laws include the Housing Accountability Act (“HAA”), the Density Bonus Law (“DBL”), Housing Element Law, AB 130, and California Environmental Quality Act (“CEQA”) guidelines.

The HAA provides the project legal protections. It requires approval of zoning and general plan compliant housing development projects unless findings can be made regarding specific, objective, written health and safety hazards. (Gov. Code, § 65589.5, subd. (j).) The HAA also bars cities from imposing conditions on the approval of such projects that would reduce the project’s density unless, again, such written findings are made. (*Ibid.*) As a development with at least two-thirds of its area devoted to residential uses, the project falls within the HAA’s ambit, and it complies with local zoning code and the City’s general plan. Increased density, concessions, and waivers that a project is entitled to under the DBL (Gov. Code, § 65915) do not render the project noncompliant with the zoning code or general plan, for purposes of the HAA (Gov. Code, § 65589.5, subd. (j)(3)). The HAA’s protections therefore apply, and the City may not reject the project except based on health and safety standards, as outlined above. Furthermore, if the City rejects the project or impairs its feasibility, it must conduct “a thorough analysis of the economic, social, and environmental effects of the action.” (*Id.* at subd. (b).)

CalHDF also writes to emphasize that the DBL offers the proposed development certain protections. The City must respect these protections. In addition to granting the increase in residential units allowed by the DBL, the City must not deny the project the proposed waivers and concessions with respect to building bulk; front, side, and rear setbacks; building forms; lot coverage; parking requirements; mixed-use retail requirements; and common open space requirements. If the City wishes to deny requested waivers, Government Code section 65915, subdivision (e)(1) requires findings that the waivers would have a specific, adverse impact upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. If the City wishes to deny requested concessions, Government Code section 65915, subdivision (d)(1) requires findings that the concessions would not result in identifiable and actual cost reductions, that the concessions would have a specific, adverse impact on public health or safety, or that the concessions are contrary to state or federal law. The City, if it makes any such findings, bears the burden of proof. (Gov. Code, § 65915, subd. (d)(4).) Of note, the DBL specifically allows for a reduction in required accessory parking in addition to the allowable waivers and concessions. (*Id.* at subd. (p).) Additionally, the California Court of Appeal has ruled that when an applicant has requested one or more waivers and/or concessions pursuant to the DBL, the City “may not apply any development standard that would physically preclude construction of that project as designed, even if the building includes ‘amenities’ beyond the bare minimum of building components.” (*Bankers Hill 150 v. City of San Diego* (2022) 74 Cal.App.5th 755, 775.)

Finally, the project is exempt from state environmental review pursuant to AB 130 (Pub. Res. Code, § 21080.66), which was signed into law on June 30, 2025 and effective immediately (Assembly Bill No. 130, 2025-2026 Regular Session, Sec. 74, available [here](#)). Caselaw from the California Court of Appeal affirms that local governments err, and may be sued, when they improperly refuse to grant a project a CEQA exemption or streamlined CEQA review to which it is entitled. (*Hilltop Group, Inc. v. County of San Diego* (2024) 99 Cal.App.5th 890, 911.)

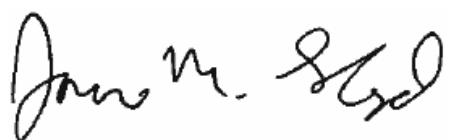
As you are well aware, California remains in the throes of a statewide crisis-level housing shortage. New housing such as this is a public benefit: by providing affordable housing, it will mitigate the state’s homelessness crisis; it will increase the city’s tax base; it will bring new customers to local businesses; and it will reduce displacement of existing residents by reducing competition for existing housing. It will also help cut down on transportation-related greenhouse gas emissions by providing housing in denser, more urban areas, as opposed to farther-flung regions in the state (and out of state). While no one project will solve the statewide housing crisis, the proposed development is a step in the right direction. CalHDF urges the City to approve it, consistent with its obligations under state law.

CalHDF is a 501(c)(3) non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at www.calhdf.org.

Sincerely,



Dylan Casey
CalHDF Executive Director



James M. Lloyd
CalHDF Director of Planning and Investigations



Jan 21, 2026

**City of Cupertino
10300 Torre Avenue
Cupertino, CA 95014**

Re: Proposed Housing Development at 20085-20111 Stevens Creek Blvd.

**By email: kmoore@cupertino.gov; lchao@cupertino.gov; smohan@cupertino.gov;
jrfruen@cupertino.gov; rwang@cupertino.gov**

**CC: piug@cupertino.gov; CityAttorney@cupertino.gov; CityManager@cupertino.gov;
CityClerk@Cupertino.gov; planning@cupertino.gov;**

Dear Cupertino City Council,

The California Housing Defense Fund (“CalHDF”) submits this letter to remind the City of its obligation to abide by all relevant state laws when evaluating the proposed 57-unit housing development project at 20085-20111 Stevens Creek Blvd, which includes six median- and five moderate-income units. These laws include the Housing Accountability Act (“HAA”), the Density Bonus Law (“DBL”), Housing Element Law, AB 130, and California Environmental Quality Act (“CEQA”) guidelines.

The HAA provides the project legal protections. It requires approval of zoning and general plan compliant housing development projects unless findings can be made regarding specific, objective, written health and safety hazards. (Gov. Code, § 65589.5, subd. (j).) The HAA also bars cities from imposing conditions on the approval of such projects that would reduce the project’s density unless, again, such written findings are made. (*Ibid.*) As a development with at least two-thirds of its area devoted to residential uses, the project falls within the HAA’s ambit, and it complies with local zoning code and the City’s general plan. Increased density, concessions, and waivers that a project is entitled to under the DBL (Gov. Code, § 65915) do not render the project noncompliant with the zoning code or general plan, for purposes of the HAA (Gov. Code, § 65589.5, subd. (j)(3)). The HAA’s protections therefore apply, and the City may not reject the project except based on health and safety standards, as outlined above. Furthermore, if the City rejects the project or impairs its feasibility, it must conduct “a thorough analysis of the economic, social, and environmental effects of the action.” (*Id.* at subd. (b).)

CalHDF also writes to emphasize that the DBL offers the proposed development certain protections. The City must respect these protections. In addition to granting the increase in residential units allowed by the DBL, the City must not deny the project the proposed waivers and concessions with respect to height limits, front, side, and rear setbacks, building form, building bulk, lot coverage, parking requirements, mixed-use retail requirements, and common open space requirements. If the City wishes to deny requested waivers, Government Code section 65915, subdivision (e)(1) requires findings that the waivers would have a specific, adverse impact upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. If the City wishes to deny requested concessions, Government Code section 65915, subdivision (d)(1) requires findings that the concessions would not result in identifiable and actual cost reductions, that the concessions would have a specific, adverse impact on public health or safety, or that the concessions are contrary to state or federal law. The City, if it makes any such findings, bears the burden of proof. (Gov. Code, § 65915, subd. (d)(4).) Of note, the DBL specifically allows for a reduction in required accessory parking in addition to the allowable waivers and concessions. (*Id.* at subd. (p).) Additionally, the California Court of Appeal has ruled that when an applicant has requested one or more waivers and/or concessions pursuant to the DBL, the City “may not apply any development standard that would physically preclude construction of that project as designed, even if the building includes ‘amenities’ beyond the bare minimum of building components.” (*Bankers Hill 150 v. City of San Diego* (2022) 74 Cal.App.5th 755, 775.)

Finally, the project is eligible for a statutory exemption from CEQA pursuant to AB 130 (Pub. Res. Code, § 21080.66), which was signed into law on June 30, 2025 and effective immediately (Assembly Bill No. 130, 2025-2026 Regular Session, Sec. 74, available [here](#)). Caselaw from the California Court of Appeal affirms that local governments err, and may be sued, when they improperly refuse to grant a project a CEQA exemption or streamlined CEQA review to which it is entitled. (*Hilltop Group, Inc. v. County of San Diego* (2024) 99 Cal.App.5th 890, 911.)

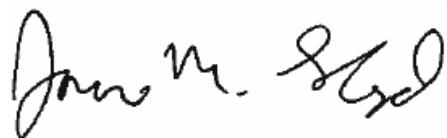
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CalHDF is a 501(c)(3) non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at www.calhdf.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dylan Casey".

Dylan Casey
CalHDF Executive Director

A handwritten signature in blue ink, appearing to read "James M. Lloyd".

James M. Lloyd
CalHDF Director of Planning and Investigations

From: [Kitty Moore](#)
To: [Lauren Sapudar](#)
Cc: [Kirsten Squarcia](#); [City Clerk](#)
Subject: Written Communications Items 15 and 16
Date: Wednesday, January 21, 2026 3:58:34 PM
Attachments: [Cupertino Public Art KM.pdf](#)

Dear City Clerk,

Please provide the attached Draft PDF as written communications for the Dividend Homes projects tonight.

Thank you,

Kitty Moore

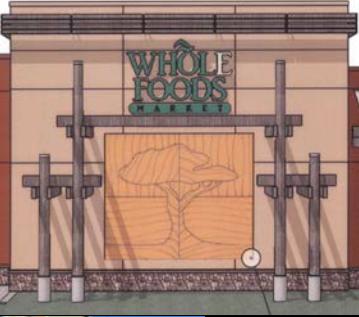


Cupertino Public Art – DRAFT compilation.

October 16, 2025

	Picture of Art	Artist	Title/Description	Location
1			"Little Trees", Menlo Equities	NE Corner SCB/Wolfe Rd.
2		John Augsberger	Morion sculpture, 1971	(City Hall) SE corner Torre and Rodrigues
3		Peter Max	Morion cover Page of Cupertino Courier, 9/03/2003 Courier Article	This was part of a promotion. Guests were invited to bring a copy of the Courier to his book signing at Borders Books at Santana Row. Location of original painting unknown.

4	 2004 / Public Library / Cupertino, California	Georgia Gerber	<u>"The Dancers"</u>	Civic Center Plaza at City Hall
5		?	?	19800 Wolfe Rd.
6		?	? Sculpture of a child reading with a rabbit looking on	Cupertino Library courtyard
7		?	? Quail Family	South end of Don Burnett Bridge
8		Stanley Proctor	"The Guardians"	Memorial Park Veterans Memorial

9		Ulrich Pakker	<u>"Glassflow"</u>	Oak Park Village, 10745 N. De Anza Blvd.
10			<u>"Magnificent Tree" Whole Foods Market</u>	Whole Foods
11		James Moore	<u>"Stargazer" Hyatt House</u>	Hyatt House N. Wolfe Rd.
12		Roger White Stoller	<u>"Natura" is the working title</u>	The Forum at Rancho San Antonio
13		Futureforms (Jason Kelly Johnson & Nataly Gattegno)	<u>"Bloom"</u>	Alan Row (SW Corner SCB and Foothill)

14		Katie Paterson and Zeller & Moye	"Mirage" Mirage website	Apple HQ Visitor's Center
15		Sarabjit Singh	"Harmony" Submittal to Arts and Culture Commission	Art in Unexpected Places Blackberry Farm Pool building
16		Roger Berry		Cali Mill Plaza, SE Corner SCB and DA Blvd.
17		Reed Madden Designs	"Emergence"	Westport, Mary Avenue
18-19			Pair of Stone Lanterns from Toyokawa Sister City	Memorial Park

				
20			<p><u>This ornate gazebo has historic relevance, saved wood from the Parrish home formerly located at the current Senior Center site.</u></p>	
21		Martin Web	<p><u>“Converge”</u></p>	Franco Park
22			<p>“Biltmore Family”</p>	20030 Stevens Creek Blvd.

The Following Collection is from the Main Street Cupertino Art Master Program - some pieces may have been installed but are not shown, see the Main Street Art Master Program linked				
	 	Murals: Alexander Lebron Parking Garage sculptures: Barbara Grygutis Apple core: “Flight” Sculpture” Jason Paul Bennett Creek Markers Others show up in the Master Program but do not know if they were installed	Main Street Art Master Program Approved Feb. 29, 2016.	Main Street Art Master Program



