

**From:** [Ting Kao](#)  
**To:** [Gian Martire](#)  
**Cc:** [Feng Li](#); [Glenn Serre](#); [Yu Ning](#); [soodanuj@gmail.com](mailto:soodanuj@gmail.com)  
**Subject:** Re: Development at 1655 S. DeAnza Blvd  
**Date:** Sunday, March 19, 2023 11:01:29 AM  
**Attachments:** [image004.png](#)  
[image008.png](#)  
[image003.png](#)  
[image006.png](#)  
[image001.png](#)  
[image007.png](#)  
[image005.png](#)  
[image002.png](#)

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Sorry, forgot the attachment



On Sun, Mar 19, 2023 at 10:59 AM Ting Kao <[ting@spiresoftware.com](mailto:ting@spiresoftware.com)> wrote:  
Hello Gian

I want to ass to what Feng said. We have only two cypress trees in our backyard and it covers a small corner of our back fence. Please see attached picture. We will need a different solution to protect our privacy.  
Thank you

Ting

On Fri, Mar 17, 2023 at 8:23 AM Gian Martire <[GianM@cupertino.org](mailto:GianM@cupertino.org)> wrote:

I understand and will coordinate with the developer. Have a great weekend!



**Gian Martire**

Senior Planner  
Community Development  
[GianM@cupertino.org](mailto:GianM@cupertino.org)  
(408) 777-3319



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**From:** Feng Li <[lifeng5042@gmail.com](mailto:lifeng5042@gmail.com)>  
**Sent:** Thursday, March 16, 2023 5:55 PM  
**To:** Gian Martire <[GianM@cupertino.org](mailto:GianM@cupertino.org)>  
**Cc:** Ting Kao <[ting@spiresoftware.com](mailto:ting@spiresoftware.com)>; Yu Ning <[yuninginfi@gmail.com](mailto:yuninginfi@gmail.com)>; Glenn Serre <[gaserre@spiresoftware.com](mailto:gaserre@spiresoftware.com)>; [soodanuj@gmail.com](mailto:soodanuj@gmail.com)  
**Subject:** Re: Development at 1655 S. DeAnza Blvd

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Thanks Gian for all the considerations!

Maintaining the existing cypress tree is definitely a good idea, however, there are also a few gaps among the trees ( please see the attached photos)

If the applicant also intends to keep them, can we request to grow a few additional to fill

the gaps? This will keep better privacy for both sides

Thanks

Feng

On Thu, Mar 16, 2023, 8:42 AM Gian Martire <[GianM@cupertino.org](mailto:GianM@cupertino.org)> wrote:

Good morning,

Thank you for your patience. I understand your concerns and will include this communication in our file for the project.

The project is subject to the California Environmental Quality Act (CEQA), its regulations, as well as the City's Municipal Code Chapter 17.04.050 which in part states:

[17.04.050 Standard Environmental Protection Permit Submittal Requirements.](#)

*Every project shall implement the following standard environmental protection permit submittal requirements prior to the issuance of permits by the City unless they are not applicable to the project as demonstrated by a written explanation of why any standard environmental protection permit submittal requirement is not applicable to the project, subject to the review and approval of the Director of Community Development and/or the City Engineer, or his or her designee, as appropriate:*

*A. Air Quality Permit Requirements*

*1. Control Fugitive Dust During Construction. Projects shall implement the Bay Area Air Quality Management District Basic Control Measures included in the latest version of BAAQMD's CEQA Air Quality Guidelines, as subsequently revised, supplemented, or replaced, to control fugitive dust (i.e., particulate matter PM2.5 and PM10) during demolition, ground disturbing activities and/or construction. The project applicant shall include these measures in the applicable construction documents, prior to issuance of the first permit.*

2. *Control Construction Exhaust.* Projects that disturb more than one-acre and are more than two months in duration, shall implement the following measures and the project applicant shall include them in the applicable construction document, prior to issuance of the first permit:

a. *Utilize off-road diesel-powered construction equipment that is rated by the U.S. Environmental Protection Agency (EPA) as Tier 4 or higher for equipment more than 25 horsepower. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Tier 4 interim emissions standard for a similarly sized engine, as defined by the California Air Resources Board's (CARB) regulations. Applicable construction documents shall clearly show the selected emission reduction strategy for construction equipment over 25 horsepower.*

b. *Ensure that the construction contractor shall maintain a list of all operating equipment in use on the project site for verification by the City. The construction equipment list shall state the makes, models, and number of construction equipment on-site.*

c. *Ensure that all equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations.*

The developer would have to meet these standards during construction, as well as those within the City's noise ordinance.

I understand your concern with the privacy issues. Staff is going to recommend that those mature Italian Cypresses are maintained. I believe that is also the intent of the applicant as well. I agree that privacy screenings can take multiple years to grow into effectiveness so maintaining those existing plantings should be the best option to maintain privacy.

**Gian Martire**

Senior Planner  
Community Development  
[GianM@cupertino.org](mailto:GianM@cupertino.org)  
[\(408\) 777-3319](tel:(408)777-3319)

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**From:** Ting Kao <[ting@spiresoftware.com](mailto:ting@spiresoftware.com)>

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**Sent:** Tuesday, March 14, 2023 11:42 AM  
**To:** Gian Martire <[GianM@cupertino.org](mailto:GianM@cupertino.org)>  
**Cc:** Feng Li <[lifeng5042@gmail.com](mailto:lifeng5042@gmail.com)>; Yu Ning <[yuninginfi@gmail.com](mailto:yuninginfi@gmail.com)>; Glenn Serre <[gaserre@spiresoftware.com](mailto:gaserre@spiresoftware.com)>; [soodanuj@gmail.com](mailto:soodanuj@gmail.com)  
**Subject:** Development at 1655 S. DeAnza Blvd

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Hello Gina,

My neighbor Feng at 1682 Jamestown Dr corresponded with you on Feb 4th in regards to the development proposed at 1655 S DeAnza Blvd. Since then, our little neighborhood which consists of the four houses that share backyard fences with the proposed development (1694, 1682, 1670, 1658 Jamestown Dr) have met and looked over the plans carefully. We have some shared concerns regarding the development that we would like to bring to the city's attention and would appreciate it if the city can provide appropriate mitigation to help address them. I am reaching out to you in the hopes that you are the right person to contact. If not, please let me know who it should be and I am happy to contact them instead.

In any case, our concerns are as follows:

1. We are concerned about the noise and dust during the potentially very long construction. We understand that the noise issues are bound by the city's ordinance but wanted to know if there will be any additional requirements since the construction is basically next to our backyards and will be ongoing for a very long time. We are also concerned about the dust as our households have children ranging from newborn to early teens. The dust and noise will have a pretty big negative impact on us, especially in our ability to enjoy our backyards during the day time when our young children will want to make use of those spaces. Are there any proposals to make sure that construction dust and potential chemicals will not be airborne and spread into our area? Will there be any additional requirements to mitigate the construction noise?
2. We are concerned that the second floor balconies in the proposed townhouses may have a direct line of sight into our second story windows which will greatly impact our privacy, especially given how close those balconies are to the back fence.

3. Even though the plan calls for privacy screening trees, we expect that it will take several years for the trees to reach maturity and provide the intended function. In the meantime, are there any proposals to ensure the privacy of our backyards? The second floor balconies are very close to the back fence and people using the balcony can easily look directly into our backyards without the help of mature screening trees. Are there any plans to address this issue?

Thank you for taking the time to read through our concerns. Our little neighborhood group looks forward to hearing from you soon.

The residences of Jamestown

Ting, Feng, Yu and Anuj