

CC 7-02-2024

Oral
Communications

Written Comments

From: [Rhoda Fry](#)
To: [City Clerk](#); [City Council](#)
Cc: [Tina Kapoor](#)
Subject: Oral Communications, City Council July 2 2024 Farmers" Market
Date: Friday, June 28, 2024 4:44:07 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 City Council,

I was saddened to read the City letter pertaining to our Cupertino Sunday Farmers' Market. I'd just like you to know a few things and realize it won't change anyone's mind, but residents should know that the market they've known and loved since 2011 will be no more if a home for them is not found in Cupertino. Not all of Torre would need to be used, but I don't think it would make a difference anyway.

There is an assumption that all Farmers' Markets are alike. They're not!

What makes West Coast special is that they work with extremely small family farms that supply our community with specialty crops that appeal to our community. It is unlikely that they will be given space at De Anza by the new operator in the long run. The new operator was unsuccessful at Vallco – I don't know why they were turned away from there because the parking lot remains vacant. And has been even less successful at Creekside – and more recently they have been denied use of the adjacent parking lot. A large company is taking over. They have made a number of hostile takeovers in the Bay Area and our community has fallen victim.

It seems that some people have an issue with West Coast being a for-profit company. Keep in mind that people who work at non-profits make money too. According to public records, the top person at the non-profit Pacific Coast makes \$144K per year. <https://projects.propublica.org/nonprofits/organizations/770196199> Conversely, the City works with many for-profits – for instance those companies that run classes for Parks & Rec. Nevertheless, West Coast is working on having a non-profit status for appearances sake so that they don't run into these perception issues in the future. It saddens me that they've been given a black mark because of their tax status.

Cupertino was West Coast's first foray into Farmers' Markets. And this market represents over half of the company's income. Their loss is Cupertino's loss as well. The company moving to De Anza is huge (\$5M gross revenue) and has many markets and the cost and variety of food will just not be the same.

Feeling Bad for Our Residents,
Rhoda Fry

Below is the City Memo for those who haven't had a chance to read it.

CITY COUNCIL INFORMATIONAL MEMORANDUM
Date: June 27, 2024

To: Cupertino City Council
From: Tina Kapoor, Deputy City Manager
Re: West Coast Farmers Market
Background

At the June 18, 2024 City Council meeting, the City Council directed staff to explore options for an interim location for the West Coast Farmers Market Association (WCFMA).

WCFMA is a private, for-profit organization that operates 12 farmers markets across the Bay Area. WCFMA began operating in Cupertino in 2011. At the time, WCFMA operated at the Oaks Shopping Center. In 2022, WCFMA moved to De Anza College and has operated every Sunday.

Recently, WCFMA was notified to vacate their existing location by June 30, 2024 as De Anza College is conducting an RFP to seek proposals for a permanent Farmer's Market Facility Usage. Subsequently, WCFMA operator appeared before City Council and asked for assistance in identifying an interim location. Council then instructed staff to explore options for an interim location.

At a Special Board Meeting on June 26 at De Anza College, the following key developments occurred:

1. WCFMA has been provided an extension to operate at their existing location at De Anza College through the end of July.
2. The Farmer's Market Facility Usage contract was awarded to Pacific Coast Farmer's Market. The operation will commence at the beginning of August, following the extension granted to WCFMA.

With the June 26 decision, there will be no gap in the community having access to a farmer's market in Cupertino at the same location.

Should the city council desire to support a second farmer's market by the WCFMA, staff reviewed city-owned locations, including right-of-way locations, to determine their viability as a potential interim solution. Staff also assessed City-owned properties and facilities to determine if any can accommodate the market's requirements. This includes adequate space, accessibility, public and neighboring community impacts, and compliance with safety regulations.

Based on staff's assessment and input from the City Departments, City-owned parks were removed from the list of viable locations due to ongoing field use and to ensure adequate opportunities for the public to utilize open spaces, further limiting available options. However, a potential location is the public right-of-way along Torre Avenue, between Rodrigues Avenue and Pacifica Avenue. It is important to note that this location does not offer a strong logistical feasibility, and several factors require attention, as highlighted below.

For the second farmers' market to operate at this location, the entire block of Torre Avenue will need to be closed every Sunday between 7:00 am and 2:00 pm. In addition to the cost implications to the City as outlined in Attachment A, the following key considerations will need to be addressed:

1. Traffic Impacts: The street closure will affect traffic flow, including detour routes, and will impact local businesses, including the Cupertino Library, the library field, and nearby residents.

2. Parking Considerations: Staff recommends that the Civic Center parking lot be reserved for the use of Civic Center and Library visitors. Therefore, staff also recommends that farmer's market patron parking be limited to street parking in the area outside the Civic Center parking lot and that WCFMA coordinate and obtain permission from nearby property owners for additional parking in advance.
3. Public Safety: Proper arrangements will need to be made for emergency vehicle access and pedestrian safety during market hours. Staff recommends WCFMA contracting with the Sheriff's Office for necessary enforcement.
4. Staffing Requirement: Logistical coordination for the street closure will require two overtime staff members (Public Works and Parks and Recreation staff) and overhead costs.
5. Community Outreach and Notification: Residents, businesses, library staff and patrons, community hall rental groups, library field youth sports groups, and civic center event organizers need to be informed about street closures in advance and the potential implications for each group need to be considered and evaluated. Staff recommends WCFMA to distribute these notifications with staff's assistance.
6. Permits and Approvals: WCFMA will need to obtain the necessary permits, such as encroachment and right-of-way use permits from the City.

While Council could provide additional direction to facilitate the operation of a second farmers' market by WCFMA in the public right-of-way or on City property, based on recent developments, it appears that WCFMA will continue to operate the farmers' market at De Anza College through July, and a new operator will begin operating a farmers' market after that time. Given the limited options for alternative locations and the continued availability of the De Anza farmers' market as an amenity for Cupertino residents, staff is not recommending further action.

Sustainability Impact

No sustainability impact.

Fiscal Impact

The cost to operate the farmers' market at Torre Avenue is estimated at \$4,288 per week in addition to a one-time business license fee of \$174 as outlined in Attachment A.

California Environmental Quality Act

Not applicable.

Prepared by: Tina Kapoor, Deputy City Manager

Reviewed by: Chris Jensen, City Attorney

Approved for Submission by: Pamela Wu, City Manager

Attachments: Attachment A – Estimated City Costs

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ATTACHMENT A

Estimated City Costs

Weekly Costs:

Item Rate Quantity Cost

2 Staff - OT \$79/Hr 16 \$1,264

Overhead \$88 1 \$88

Sheriff Deputy/ Parking Control \$161/Hr 8 \$1,287

15% Admin Fee 1 \$396

Encroachment Permit \$608 1 \$608

Private Use for Right-of-Way \$1,253 1 \$1,253

Total Weekly Cost \$4,288

One-Time Costs:

Item Rate Quantity Cost

Business License \$174 1 \$174

Total One-Time Costs \$174



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From: [Rhoda Fry](#)
To: [City Clerk](#); [City Council](#); [City Attorney's Office](#)
Subject: Oral Communications, City Council July 2 2024 Purchasing a Building
Date: Friday, June 28, 2024 3:21:12 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 City Council,

I have a number of concerns regarding the purchase of a new building.

1. Typically, it only makes sense to purchase a building when the plan to hold it is at least 10 years. In this case, the idea is to use it for 2 years. It makes no sense to buy a building.
2. Because the intended use is only for 2 years, it looks like a real-estate investment. What is the City investment policy for real estate? And, if it is a good investment, it would have been purchased by now. There are plenty of newer buildings in the City and there will be plenty of even newer ones. I don't see this as being a good investment and I don't think that the City should get into real-estate investing anyway.
3. We also need to be looking at either leasing or buying a building for the sheriff substation because the current location is expected to go away. This has been on the City's radar for quite some time (I recall seeing it on some sort of work plan around the time of public safety forum at Quinlan before the most recent one as I had spoken with Mr. Morely about it). We should not be doing anything with another building that might risk resources that need to be applied to public safety.

Warm Regards,
Rhoda Fry



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From: [Rhoda Fry](#)
To: [City Clerk](#); [City Council](#)
Subject: non-agenda oral communications - lawson bike trail
Date: Friday, June 28, 2024 3:12:53 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 City Council,

I am worried about the Lawson bike trail because of the loss of parking.

As the district continues to close schools, students will be coming from further away, which will increase the need for parking.

Please keep this in mind to make sure that there is adequate parking to keep our community safe.

Regards,
Rhoda Fry



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From: [Jennifer Griffin](#)
To: [City Council](#); [City Clerk](#)
Cc: grenna5000@yahoo.com
Subject: 250th Anniversary of the Signing of the Declaration of Independence
Date: Thursday, June 27, 2024 5:24:35 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.

Dear City Council:

The Declaration of Independence was signed on July 4, 1776 in what was to become The future United States of America. I spent a week in Virginia in May/June of this Year, 2024, and I am already seeing Virginia beginning to celebrate the upcoming 250th Anniversary of the Signing of the Declaration on July 4, 2026.

There are special preparations being made at Monticello and Mount Vernon and Williamsburg and Yorktown. There are even "Bicentennial Minutes" being reported in the state's newspapers and on-line Media as to what was happening in the colony/state of Virginia and future country on dates leading up to 1776. These Bicentennial Minutes are similar to those that were broadcast and printed in California media And across the country in 1976 during the Country's Bicentennial Celebration which was a huge Affair.

I don't see any of this acknowledgement of America's 250th Anniversary in our area or even in California. This is an important time leading up to the 250th Anniversary to be thinking about the Birth of our Country and what our country means to us.

I hope Cupertino and the state will do more to remember this important, inspiring and historic event, the 250th Anniversary of our beloved country. I am very proud that I saw Virginia is remembering it.

Sincerely,

Jennifer Griffin

From: [Jennifer Griffin](#)
To: [City Council](#); [City Clerk](#)
Cc: grenna5000@yahoo.com
Subject: AB 1893 (Wicks/Bonta) Allows Developers to Override Planning Department Building Standards
Date: Wednesday, June 26, 2024 2:52:29 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.

Dear City Council:

Zelda Bronstein, writing in a June 25, 2024 article in 48Hills, is very concerned about A housing bill by Assemblymember Buffy Wicks and State Attorney General Rob Bonta called AB 1893. This bill would alter the way Builders Remedy is used in the state. This bill Has angered many yimby groups. While Ca Yimby and Housing Action Coalition actively support the Bill, other yimby groups like Yimby Action and Yimby Law don't like the bill because it seriously Affects Builders Remedy which these two groups have promoted.

Ms Bronstein says that AB 1893 goes even further than Builders Remedy to be a threat to Future construction in the state. AB 1893 eliminates the ability of local City Planning Departments To make rational decisions about the actual "buildability" of a project and whether it is not Buildable because of CEQA concerns, and allows "a reasonable person" to make judgements About whether the project is suitable to be built or not.

Under AB 1893, "a reasonable person" can determine that a planning department has inappropriately Delayed a building's construction and can sue that city under the HAA (Housing Accountability Act) to force the building to be built. Developers would be making "fundamental land use decisions" In building construction, rather than trained planners in city planning departments.

Not only do planners have to be concerned about this proposed housing bill AB 1893 by Assemblymember Wicks and AG Bonta, the general public needs to be aware that this Bill is expecting the General Public to be the best judge of what should or should not be Built in the state.

The ramifications of the allowed passage of this bill on the projects built in California in the future is Truly horrifying.

Sincerely,

Jennifer Griffin

From: [Brett Reed](#)
To: [Tina Kapoor](#)
Cc: [Cupertino City Manager's Office](#); [City Clerk](#); [City Council](#); [Jerry Lami](#)
Subject: Oral Communications July 2 City Council – Save Cupertino Farmers’ Market
Date: Wednesday, June 26, 2024 10:15:49 AM
Attachments: [Petition Signatures-r.pdf](#)
[Abrava Consulting.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 City Council,

Please see the support we have for West Coast Farmers’ Market in Cupertino through a petition that was circulated at the market last weekend.

Sincerely,

Brett Reed
831-287-9852 Office
831-345-5731 cell
Abrava Business Systems
www.AbravaConsulting.com

**Petition to Foothill-De Anza Community College District
Support our Community's Farmers Peak Season
Keep the Cupertino Farmers' Market Open**

Name	Address (City)	Email or other Contact Info	May We Contact You? (Y/N)
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**Petition to Foothill-De Anza Community College District
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Suntharee Hanayata	Cupertino		Y
Annie Niu	Cupertino		
Aina Ichiba	Santa Clara		
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Petition to Foothill-De Anza Community College District
 Support our Community's Farmers Peak Season
 Keep the Cupertino Farmers' Market Open

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Ferozia	Cupertino		Y
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MAA RAO	Cupertino	4256860208	Y
John Chhar	San Jose	john.t.chhar@gmail.com	Y
Keethi	Cupertino	ds.keethi@contact@gmail.com	Y
Mark Chow		ga-director@yahoo.com	Y
Jill Nakamura	Cupertino	jillgnak@comcast.net	N
Elizabeth Gyurelyan	Cupertino	gyurelyan@gmail.com	Y
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**Petition to Foothill-De Anza Community College District
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Chelsea Wen	Cupertino	chelseax.wen@gmail.com	Y
Ava Rose	Cupertino	writeavato today@gmail.com	Y
Sue	Cupertino	reach4spk@gmail.com	Y
Angela	Sunnyvale	KKRausch@comcast.net	
Manuel Elias	San Jose	manuel.eliasz@gmail.com	Y
John Adams			

**Petition to Foothill-De Anza Community College District
Support our Community's Farmers Peak Season
Keep the Cupertino Farmers' Market Open**

Name	Address (City)	Email or other Contact Info	May We Contact You? (Y/N)
Marcia Elmer	20612 Sunrise Dr. Cupertino	marcinelmer@gmail.com	Y
Eleni Mattheodoris	20617 Sunrise Dr Cupertino	eleni.horse10ver3@gmail.com	Y
Hannah Lewis	10524 Madrone Ct. Cupertino	e2halaw@yahoo.com	Y
Jonathan Dune	Campbell	jonathandune@gmail.com	Y
Pam Dune	Campbell	pamrdune@gmail.com	Y
Nancy Carter	Cupertino		Y
Pam Yoshida	San Jose	pameyotko.net	N
Ping Guo	Cupertino		
ADITI R	Sunnyvale	ads_6@hotmail.com	Y
Jerry Li	Cupertino	jerryzli@gmail.com	Y
Vadzim Rag	Sunnyvale	vadzim.raginick@gmail.com	Y
Dominick Mallett	Cupertino	DominickMallett@gmail.com	Y
Molly James	Cupertino	mollymjames@yahoo.com	Y
Song Kim	Cupertino	skimpham24@gmail.com	Y
Hanyan Wu	Cupertino	hanyanwu87@gmail.com	Y
Mia Liu	"	zmliu07@gmail	Y
Xiaodong zhang	"	xiaodong05@gmail	
Rick zhang	"	"	
Jake zhang	"	"	
Yunying zhang	"	"	
Yanqing Lin	"	"	
Xuan Zhao	Cupertino	zxwaiting@gmail.com	Y
Viktoria Fedorovich	Sunnyvale	vika.fedorovich@gmail.com	Y
Landon Jarzynski	Santa Clara	jarzynskila@gmail.com	Y
Shiva Gurumurthy	Santa Clara	shiva.shiva@gmail.com	Y
Prat Prem Sanlekar	Santa Clara	pratprem@gmail.com	Y
Eamon Oldridge	"	"	N
Scott Kao	Cupertino		N

**Petition to Foothill-De Anza Community College District
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Name	Address (City)	Email or other Contact Info	May We Contact You? (Y/N)
Dachuan Li	Cup.	GRSPOOK@SBC.NET	(Y/N)
Dexter Lam	Sunnyvale	dexterlam@gmail.com	N
Becky R Smith	Cupertino	beckys200@hotmail.com	Y
ANDY DEBAETS	CUPERTINO	debaets@hotmail.com	Y
Zhi Xiongy	Sunnyvale	Zhi.Xiongy@gmail.com	N
shih Cheng Wang	Cupertino	tongswang@gmail.com	Y
Grace Chuang	Cupertino	vtchengchuang@yahoo.com	N
SUNDAR RANGA NATH	CUPERTINO	SUNRANGA.US@gmail.com	N
JYOTI SHETE	Sunnyvale	shete.jyoti@gmail.com	Y
Ken Chang	Cupertino	kchang112@gmail.com	N
Cathy Huang	San Jose	chuang95109@gmail.com	Y
Rudney Pak	Sunnyvale	pacr67@gmail.com	Y
John Hanson	Sunnyvale	jh@packhanson.com	Y
Geoffrey Lee	Sunnyvale	jeff.3443@gsf.net.com	Y
Avi Liebermann	Cupertino	ANLU@gmail.com	N
Kriste Poon	Sunnyvale	krispoon16@gmail.com	N
HONGJUN QU	San Jose	quhongjun@gmail.com	Y
Zhangqiao Wang	San Jose	daxigua2009@gmail.com	Y
Anta Mathias	Cupertino	amathias@gmail.com	Y
David Maes	Cupertino	davidmaes6@gmail.com	N
Kelly Zhai	Cupertino	kellyzhai66@gmail.com	Y
Ammy Ho	Cupertino	hokenlanny@yahoo.com	N
Ryan Xie	Cupertino	Ryan.Xie@unikoersch.com	Y
MARCEL WAH	Cupertino	marcelwah@icafair.com	Y

**Petition to Foothill-De Anza Community College District
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Name	Address (City)	Email or other Contact Info	May We Contact You? (Y/N)
SU	Sunnyvale		
Akhila Ramachandra	Sunnyvale	akhilavijaya@gmail.com	Y
Vijaya Kaimath	Sunnyvale	aashvi.acharya@gmail.com	Y
Miyun S	Sunnyvale		N
Bruno S	Sunnyvale	Address ferniesu@gmail.com	Y
Ram Naga	Sunnyvale	ram.naga1132@gmail.com	N
Olga Pouchkretchev	Cupertino	ovp10@hotmail.com	Y
Vijaya Vasantharam	Cupertino	vijayavasantharam@yahoo.com	N
Jaya Hotta	Sunnyvale	jaya.hotta@gmail.com	N
Michelle Lum	San Jose		N
Sandie Cheng	Cupertino	cheng.sandie@gmail.com	Y
Thao Wagner	Cupertino	tw.wagner@gmail.com	Y
Yifeng Zhu	San Jose	florizhao7@gmail.com	N
Charlotte Wong	San Jose		N
Esther Linan	Cupertino	estherlinan@yahoo.com	
Axel Schildan	Sunnyvale	XL4@YAHOO.COM	Y
Wei Ye	San Jose	weiyewillto@gmail.com	Y
Crystal Lee	Sunnyvale	cryllee@gmail.com	Y
Joshua Cheung	Cupertino	jtcheung75@gmail.com	Y
Trinh Nguyen	MV	puppichao@gmail.com	Y
Miguel Kohn	MV		
Brian Wad-Skam	Saratoga	frisbeepop@protonmail.com	Y
JEFFREY ENH	CUPERTINO	fresnoeng@yahoo.com	Y
Jian Kang	Cupertino	jiankang75@yahoo.com	Y
Anneen Saigawi	Cupertino	sasa.0370@colorado.edu	Y
Ravi Shankar	Cupertino	RAVI95014@GMAIL.COM	Y
Pawan Singh	Cup,ertino	pls.cabrillo@gmail.com	N
Charlie Sun	Saratoga	sun-charlie@hotmail.com	Y

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Name	Address (City)	Email or other Contact Info	May We Contact You? (Y/N)
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T. A. TSAO	Sunnyvale	tseotr@gmail.com	Y
K. Schu	San Jose	keemced.com@gmail.com	Y
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J. Kera	Cupertino	jagannath.kera@gmail.com	N
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Haitong Tian	Cupertino	tianhaitong@gmail.com	Y
Jyoti Shete	Sunnyvale	shete.jyoti@gmail.com	Y
Shrinand Javadekar	Sunnyvale	shrinand@gmail.com	
Sandy Pardo	Cupertino	mspruay444@yahoo.com	Y
Justin Wang	San Jose		N
Shiyaling Lin	Sunnyvale	shiyalinglin@gmail.com	
Youna Hu	San Jose	youna.hu@gmail.com	Y
Xiao He	San Jose	xiaohexi.hu@gmail.com	Y
KRISHNA KILAMBI	Cupertino	krishnamkilambi@gmail.com	Y
Yun Liu	Los Altos	whshliyun@gmail.com	Y
David Fan	Mountain View	effayfan@gmail.com	Y
Sudarshan	Sunnyvale	sudhre005@gmail.com	Y
DO HUW TEL	Sunnyvale	wkdhlow@gmail.com	Y
John Li	Cupertino	jliurus@gmail.com	Y
Jay Krishnan	Sunnyvale	kriskannonandon@gmail.com	YES
Ai Fang Yang	Cupertino	aynetgeek5@... ..	N
Sandhya	San Jose		
Hannah An	Campbell		
Audrey Jim	Cupertino	fumingjin@gmail.com	Yes
Lea	San Jose	asliarochman@gmail.com	N
Rocher (RFD) Song	Cupertino	songrita946@gmail.com	N
Shiqi Huang	Cupertino	cs318888@gmail.com	N
Phuong Nguyen	San Jose	pnguyen766@gmail.com	Y

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Name	Address (City)	Email or other Contact Info	May We Contact You? (Y/N)
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Kyle Hirozawa	Sunnyvale, CA	kyle.hirozawa@gmail.com	X
ROSS Yezhov	Cupertino	f0rr0ss@hotmail.com	X
Minna Khan	San Jose	minna.khan@cgu.edu	X
Chelsea Wen	Cupertino	chelsea.x.wen@gmail.com	X
NOTHAN PARTHASARATHY	Cupertino	suruthi@gmail.com	Y
Daniel Ly	Campbell	d1173@cornell.edu	N
Michelle Cheng	Campbell	mjc@gmail.com	N
Natthu Bharambe	Sunnyvale	natthu@gmail.com	Y
Alyssa Tu	Cupertino	atttu0321@gmail.com	N
Maham Gokhale	Cupertino	mgokhale@yahoo.com	X
Olivia Maietta	Cupertino	oliviaemaietta@gmail.com	N
David Maietta	Cupertino	Maietta photo@gmail.com	N
Ben Low	Sunnyvale	benlowkl@gmail.com	N
Justin Long	Cupertino	Justin.bjaj-dds@yahoo.com	N
Hamzah Hussain	San Jose	luohamzah@gmail.com	N
Mark Shan	55	markshane2003@yahoo.com	?
Vatsal Singh	10440 Parwood Cupertino	sarvagya.vatsal@gmail.com	Y
Shyam	7775 Lanba	nukala.shyam@gmail.com	Y
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Deepak N	669 230 9511	ndeepak13@gmail.com	Y
Yuan Lin	Sunnyvale	njiujinyuan@gmail.com	Y
Danda Fu	Cupertino	nengnengfu@gmail.com	X
Juan Manuel Sanchez	Cupertino	Juan.Sanchez.5730@gmail.com	X
Femie Song	Saratoga	sisixus7@gmail.com	X
Yunzhang Xu	Saratoga	x72xyc@gmail.com	N

**Petition to Foothill-De Anza Community College District
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Name	Address (City)	Email or other Contact Info	May We Contact You? (Y/N)
Toya Baral	San Jose	tbaral@yahoo.com	N
Line Meng	Cupertino	linalang41@gmail.com	N
Kathy Tee	Santa Clara	Kathy-lin@yahoo.com	N
Narasimhan V	San Jose	narasimhan@gmail.com	N
Heath	Cupertino	heath@gmail.com	
Ganga Kc	Sunnyvale	gskc57@gmail.com	
J. Daniel Rohilla	Cupertino	ROHILLAREC@gmail.com	
NICK HARAAHILL	CUPERTINO	NHARAAHILL@GMAIL.COM	Y
SREENI	CUPERTINO	SALURU@HOTMAIL.COM	Y
Laxmi	Cupertino	Lakgkota@gmail.com	Y
Nancy Akur	Cupertino	akur@gmail.com	Y
Brenda Feltham	Santa Clara	tiedyedcat@gmail.com	Y
Hazel Li	Cupertino	fireflies44@outlook.com	Y
TONY CHIU	CUPERTINO	tjmonly@outlook.com	Y
Shin Low	Cupertino	sslow88@gmail.com	Y
Mary michael	Saratoga	marysowdhe@yahoo.com	Y
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Nogara D	Cupertino	jammni789@gmail.com	Y
Anil	Cupertino	anilpanta24@yahoo.com	Yes
Chutien	Saratoga	thelia@yahoo.com	N
Wor Wn	Cupertino	wunigel@gmail.com	
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ANKIT DANIYA	CUPERTINO	ankit1daniya@gmail.com	N
Lee	"	Leefung@gmail.com	Y
Sue	"		Y
H.K. Kanchanpuri	Cupertino	21201 Garden Ln Cupertino	Y
Alice Yang	San Jose	ayang@outlook.com	Y
Ram Pray	Sunnyvale	ram pray 1132@gmail.com	
Xingung Zhao	Cupertino	Xingungzhao@gmail.com	Y

**Petition to Foothill-De Anza Community College District
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Name	Address (City)	Email or other Contact Info	May We Contact You? (Y/N)
Hongwei Shang	807 Louise Dr, Sunnyvale	Hongwei_shang@yahoo.com	Y
CONNIE CHANG	10655 Stevens Canyon	conniewchang@yahoo.com	Y
Philip Liu	10222 Byrne Ave, Cupertino	pliu0611@yahoo.com	Y
Robin Luo	1961 Santa Inez Ct	yibing88bin@gmail.com	Y
Zheng Tao	Cupertino	tz646664@gmail.com	Y
Yuzhu Xi	Cupertino	xryuzhu@gmail.com	Y
Ala Bien	811 Timbale Ln	alabien@gmail.com	Y
DyatiKsha Koiri	Cupertino	2014iprodyatiKsha@gmail.com	Y
Appodeep Gaudan	Cupertino		X
Ching Hsin Wong	Cupertino	ChingHsinWong@yahoo.com	N
Raghuram Tallipalli	Cupertino	iamraghuram@yahoo.com	Y
Li zhu	Cupertino	lizhuli303@gmail.com	Y
Ranjani Asikan	Cupertino	ranjani.viha@gmail.com	Y
Anand Patil	Cupertino	anand.patil@gmail.com	N
Antone Jung	San Jose	antonejung1@gmail.com	N
Evan Gouy	Santa Clara		Y
Pinkisho Gouy	Santa Clara	gouyell13@gmail.com	Y
Tapas Puri	Santa Clara	tapas.puri@gmail.com	Y
Anand Singh	Cupertino	Singh.0rand@gmail.com	Y
HEMANT BIST	SAN JOSE	hemantbist@gmail.com	Y
MITCHELL T	Cupertino	408-496-1812 We depend on the market	X
Walter Wolf	Cupertino	We depend on the market	Y
Di'ang Lu	Mountain View		
Varsha	Cupertino	varsha.unni.16@gmail.com	X
Srikanth	Cupertino	sriks7@gmail.com	Y
Fan Steinke	San Mateo	fsteinke@gmail.com	Y
YONG ZHOU	Cupertino	zhongyca@gmail.com	Y
Gopi Kangerwamy	Cupertino	gopi@mc.com	Y
Devaki Srinivasan	Cupertino	devaki@gmail.com	Y
Chao Li	Cupertino	roy.g.lee@gmail.com	Y
Kalyani	San Jose	Kalyani.VT@gmail.com	Y

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**Petition to Foothill-De Anza Community College District
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Name	Address (City)	Email or other Contact Info	May We Contact You? (Y/N)
Michael Lin	12321 Saratoga Dr. Saratoga, CA 95072		Y
Lakshmi V	1063 Morse		N
Fang Chen	21473 Shamrock Dr. Foothill	9910@GMAIL.COM	Y
Ying Han	22377 Stevens Creek Blvd		Y
Jing Han	6702 Rainbow	hjsmile@yahoo.com	Y
Jehangir Dabunde	7526 Juniper Drive	jehangirdabunde@yahoo.com	Y
Emma Tao	10655 Stevens Canyon	taoemma@yahoo.com	Y
Kristy Liu	10222 Byrne Ave.	kristy-p-liu@yahoo.com	Y
Jaspreet Singh	19000 Bonnetway		Y
Rachel Peng	811 Timblott Ln Santa Clara	pengrachel@gmail.com	Y
Chris	1677 Morse Dr.	Dristee07109@gmail.com	Y
Chie tao	10244 Parkwood Dr.	yeocree@gmail.com	Y
Umi S	7375 Redwood Dr.	umi.sankaran-kutti@gmail.com	Y
Krishna S	10877 Buhny Ln Cupertino	qq-kush@yahoo.com	Y
Gayatri			
PETER ANDERSON	SANTA CLARA	rogenscone@hotmail.com	Y
Essie Guo	Cupertino	jguos8@gmail.com	Y
Ji Zuo	Cupertino	newlifezuo@yahoo.com	Y
Ganga Pulkapady	1047c Westwood Cupertino	gangadp@yahoo.com	Y
Havan	Cupertino	Santharajam-PA@yahoo.com	N
GOBU	SANTA CLARA	GOBU.EZHUMALAI@gmail.com	N
Gayatri Kamath	Liberty Oak	Hg2kamath@yahoo.com	N
Rama Hopalan	Saratoga	ramalai@yahoo.com	N
Meghan Du	Sunnyvale	yomegando@yahoo.com	N
Jae Zhou	Cupertino	zy070k@gmail.com	Y
Catherine He	Santa Clara	catherinehe@gmail.com	Y
Jim Zhu	San Jose	jim1708@yahoo.com	Y
Venkatesh	Santa Clara		Y
Sinduja Sethup	Santa Clara	SindujaSethup@gmail.com	Y
Gowtham Ranganathan	Santa Clara	GowthamRangan@gmail.com	Y
Seetha pathy M	Santa Clara	mspathy@gmail.com	Y

**Petition to Foothill-De Anza Community College District
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Name	Address (City)	Email or other Contact Info	May We Contact You? (Y/N)
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To my friend	1839 Hookwell	to my friend@gmail.com	Y
Na Wu	1600 Hookwell	9518018690	Y
Piya	Santa Clara		Y
Piya	Cupertino		
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Mahesh	San Jose	mahesh	Y
Mary	Cupertino	312 40-3370	Y
Shakeri	"	408 795 7250	Y
Karisha K.R.	Sunnyvale	karisha.k.raman@gmail.com	Y
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JOSEPH KLIGER	Cupertino	JOSEPH.KLIGER.GMAIL.COM	Y
Ashwini Shankar	Sunnyvale	ashwini@Yahoo.com	Y
Malavi & Dhari	Mountain View	malavi109@gmail.com	Y
Jordyn Kamitono	Sunnyvale	jordynnk@gmail.com	N
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Ruby Sun	Cupertino	RubySun5188@gmail.com	Y
Ruby Sun	Cupertino	Ruby Sun	
Julie	Cupertino	Julie@Yahoo.com	Y
Steven Lin	Santa Clara	5038752799	Y
Mike Kaveril	Sunnyvale	510 297 8505	Y
Elaine Beyer	Cupertino	thedeogstarfan@yahoo.com	N
Sam Fisher	Cupertino	Samfisher@gmail.com	Y
Anna	Cupertino	Anna@Yahoo.com	Y
Bhavana Kon	Cupertino	bhavana673@gmail.com	Y
Manoj	San Jose	manojkumar.com160@gmail.com	Y

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Bihu Wu	Cupertino	wubihu48@gmail.com	Y
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Zhaohong Li	Cupertino	zli999@gmail.com	N
ANNE DUDMAN	S.J.	annedudman@aol.com	Y
Jane Lee	Cupertino	janelee@gsia.com	Y
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YAMINI MODURUKU	Santa Clara	yaminim74@yahoo.com	Y
Avinash Sachdev	Santa Clara	avinashsachdev@gmail.com	Y
Ramit Sachdev	Santa Clara	ramitsachdev@gmail.com	Y
Mohamed Aslambarsha	San Jose	shebanashev@gmail.com	Y
SOUNDARARAJAN MANTHIRI	CUPERTINO	smanthiri@gmail.com	Y
PRANEETH PACHARU	SAN JOSE	PRANEETH40216@gmail.com	Y
Hetal Patel	Cupertino	hetalpatel@hotmail.com	Y
MURALI Kotalank	Cupertino	msms216@gmail.com	Y
Donald Szeto	Cupertino	donsze@hotmail.com	N
Vicky Szeto	Cupertino	vicsze@hotmail.com	N
Lichen Zhao	San Jose	lichenz18@yahoo.com	N
Alex Wu	Cupertino	dizab.wu.eh@gmail.com	N
Manoj Oli	Sunnyvale	manjoli07@gmail.com	Y
Bharathy Vela	Saratoga	bharathyv@gmail.com	Y
Saranya K	Cupertino	kolachana@yahoo.com	N
Jimmy Zheng	Sunnyvale	J.zheng@prodigy.net	N
Jack Zhu	San Jose	jackz11@yahoo.com	Y
Linda Lin	Cupertino	lindalin@yahoo.com	N
Norma Figueroa	Sunnyvale		N

Abrava

Business Systems & Consulting

June 26, 2024

To Whom it may concern,

As media producer for Oldtown Salinas Foundation, it has been my pleasure to work alongside Jerry Lami and his West Coast Farmers Market management team for the last year in Salinas, Ca. Our interactions have been nothing less than professional and enjoyable. Mr. Lami runs a well organized, friendly market that boasts a great sense of community among the vendors and customers alike.

I may be reached for comment or dialog via phone or email.

Sincerely,

Brett Reed

831-287-9852 Office

831-345-5731 cell

Abrava Business Systems

www.AbravaConsulting.com

From: [Rhoda Fry](#)
To: [City Council](#); [City Clerk](#); [Cupertino City Manager's Office](#)
Cc: [Debra Nascimento](#); [Tina Kapoor](#); [Economic Development](#)
Subject: Thanks for your swift efforts toward bringing our market back into Cupertino
Date: Tuesday, June 25, 2024 9:37:03 PM
Attachments: [Farmers Market- Support Letter WVCS \(2\).pdf](#)
[CFMA RFO RESPONSE CAMPBELL.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.

Hi All,

I hope that we can move the Cupertino Farmers' Market back into our City.
It appears that De Anza has become unworkable.

Things you should know about Cupertino's Farmers' Market

1. A Certified Farmers' Market is a government program run under the auspices of the CA dept. of Agriculture primarily in order to keep small family farms in business
2. The Farmers' Market provides affordable fresh food to Cupertino residents
3. The West Coast Farmers' Market has been in operation in Cupertino since 2011
4. West Valley Community Services values to contributions that the market has made available (see first attachment)
5. A Certified Farmers' Market provides a service to the community – it costs money to operate with various permits, fees, and ancillary expenses
6. Many Farmers' Market operators are paid to have markets and others have low or no rent. West Coast Farmers' Markets has a market at 2 County hospitals both of which pay for the annual permits totaling about \$3K with the operator paying for inspections at about \$600 per year. Larger markets pay more for inspections than smaller markets. West Valley College pays \$300 per week and patrons have access to public restrooms and so on.
7. Given the City's economic situation, it would make sense for the market operator to defray some of the city's costs – although the costs should be minimal (e.g., additional sheriff has not been used in the past)
8. Attached and below are letters showing how De Anza RFP process were extortionary
9. Having the market back in Cupertino would allow for economic development for the City like adding a "merchant in the market" which highlights a different local merchant every week. This has been done successfully in Carmel-by-the-Sea.

Thanks for your swift efforts toward bringing our market back into Cupertino.

Sincerely,
Rhoda Fry

From: Ron Pardini <ron@uvfm.org>
Subject: DeAnza RFP
Date: June 20, 2024 at 3:55:27 PM PDT

To: Chris Winn <winnchristian@fhda.edu>, Chris Winn <winnchristian@deanza.edu>, phamjohn@fhda.edu
Cc: Office <info@uvfm.org>

Dear Foothill-De Anza Community College District,

Thank you for reaching out and sharing the Request for Proposal (RFP) regarding the operations of the DeAnza Farmers' Market with Urban Village Farmers' Market Association (UVFM). UVFM, in operation since 1997, is well respected within the industry and amongst city leaders and community members. We currently run 10 successful and award-winning farmers' markets across the Bay Area, and we appreciate the opportunity to consider your proposal.

Upon careful review of the RFP, UVFM finds itself with significant concerns regarding the issuance of this RFP given the current operational status of the market. It is unusual for an RFP to be issued when there is no apparent issue or dispute with the existing operator, who was curiously also invited to apply. This raises questions about the motivation behind soliciting new operators, particularly whether financial considerations are driving this decision. Many cities and hosts often sponsor farmers' markets, recognizing them as neighborhood treasures rather than attempting to extract every dime from our operations.

The mandatory fees outlined in the RFP for the use of the college parking lot are exorbitant and unprecedented. Such costs would severely hamper our ability to operate the market successfully. Currently, every dollar we earn is crucial to supporting our operations, paying fees, staff, and promoting the market. Implementing these fees would inevitably force us to either pay unlivable wages to our employees or increase stall fees, significantly impacting the already struggling small family farms and local businesses that participate. These vendors are already grappling with rising business costs, the impacts of climate change on crop production, the overall cost of living, etc. Higher costs would likely lead vendors to raise prices, making healthy food less accessible to the community.

We are also disheartened to learn of the impending shutdown in July, which will further impact the farmers and small businesses that rely on the market for their income and community presence. If UVFM were to be awarded the market, we would commit to enhancing it even further with our time, energy, and resources. However, we are concerned about the uncertainty posed by the potential for another RFP every two years, potentially nullifying our hard work and dedication if it were to be handed off to another bidding market organization. Market operators like UVFM are not merely contractors; we are community resources that add significant value to local neighborhoods.

UVFM values transparency, integrity, and mutual respect in all our business dealings. Therefore, under the current circumstances and considering the concerns outlined above, UVFM will not be submitting a response to your RFP at this time. Nevertheless, should circumstances change due to termination or a mutual parting with the current operator, UVFM would be open to discussing how we can support

and integrate the DeAnza Farmers' Market into our Association, with the understanding that we cannot collaborate with hosts who see the market as a revenue generator and have plans for putting the market out to bid every two years.

We appreciate your attention to these matters and remain hopeful that future decisions regarding the DeAnza Farmers' Market will prioritize the long-term interests of its vendors and the community. Please feel free to contact us if you would like to further discuss these concerns or explore potential collaboration in the future.

Sincerely,

Ron Pardini

Executive Director

e-mail ron@uvfm.org

website uvfm.org



Virus-free. www.avg.com



Dear De Anza Board, Interim President Espinosa-Pieb and Chancellor Lambert,

I am writing on behalf of West Valley Community Services (WVCS) to express our strong support for the continued operation of the Farmers Market at De Anza College, specifically under the management of the West Coast Farmers Market Association (WCFMA), led by Jerry Lami. The Farmers Market has become an invaluable asset to our community, and its continuation is vital for several reasons that align with both community needs and the college's mission of equity and inclusion.

Firstly, I want to acknowledge the college's commitment to keeping the Farmers Market open. This decision is crucial for maintaining a healthy and vibrant community resource that provides fresh, nutritious food to the residents of Cupertino and beyond. WVCS has been a proud partner of this market, regularly receiving donations to support De Anza College's Food Pantry. The loss of this market would significantly impact the availability of fresh produce to some of the college's most needy students, directly affecting their health and well-being.

It is concerning to learn about the recent complications in the selection of the market operator. While it is understood that the college requires a Request for Proposal (RFP) process to ensure fair governance, I must highlight the proven track record of WCFMA. Despite a miscommunication regarding the RFP application process, which can be substantiated with email evidence, the market has consistently demonstrated its commitment to social equity by employing individuals with disabilities and those facing food and housing insecurity. This aligns perfectly with the District's credo of equity and inclusion.

Moreover, the environmental benefits of the Farmers Market cannot be overstated. By providing locally sourced food, the market significantly reduces the carbon footprint associated with long-distance food transportation, thereby supporting the college's sustainability goals. Additionally, the freshness and nutritional value of the produce from the market far exceed those of supermarket offerings, contributing to the overall health of the community.

The Sunday Cupertino Farmers Market, established by Jerry Lami in 2011, has uniquely catered to the diverse needs of our residents. It stands out among other Bay Area markets for its commitment to small family farmers, who might otherwise be displaced by larger operators. These small farmers have expressed concerns about their future if the market's management changes, which could result in a loss of the market's unique character and offerings.

To underscore the impact of WCFMA, over the two-year period from June 1, 2022, to May 31, 2024, the market has donated nearly 245,000 pounds of produce, including baked goods. This remarkable contribution highlights the market's role in combating food insecurity within our



community. Without these donations, WVCS would face a severe shortage of fresh foods for our food market, which currently provides groceries to over 700 persons each week. The loss of these donations would force WVCS to purchase additional food, significantly impacting our operating budget and necessitating cuts to other crucial safety net services.

In conclusion, WVCS strongly urges De Anza College to reconsider any changes that might jeopardize the current operation of the Farmers Market. We ask that you extend the market's operation at least until October, if not through the end of the year, to allow for a thorough review and consideration of all factors involved. The continued partnership with WCFMA is crucial for maintaining the market's positive impact on our community.

Thank you for your attention to this matter. We look forward to your favorable consideration and are willing to provide any additional information or support required.

Sincerely,

Sujatha Venkatraman
Executive Director
West Valley Community Services

Cassandra Magaña
Asst. Manager of Advocacy & Public Policy
West Valley Community Services



CALIFORNIA FARMERS' MARKETS ASSOCIATION

3585 Clayton Road, Concord, CA 94519 (925) 465-4690 Fax (925) 465-4693

Serramonte Center
Daly City

Mountain View
**Top 5 in the
Nation**
Top 4 in the State

West Valley
Community College
Saratoga

Morgan Hill

Westfield Oakridge
San Jose

Santana Row
San Jose

Los Gatos

Rossmoor
Walnut Creek

Diablo Valley
Walnut Creek
#1 in the State

Bayfair Center
San Leandro

Moraga
**Top 10 in the
Nation**
Top 2 in the State

Fort Mason Center
San Francisco

March 28, 2024

Dear City of Campbell,

Thank you for sending the Request for Qualifications (RFQ) for the Campbell Farmers' Market operations to California Farmers' Markets Association. (CFMA).

CFMA operates 13 large certified farmers' markets throughout the San Francisco Bay Area, grossing over \$30 million annually for 200 member local family farms. We pride ourselves on operating some of the finest farmers' markets in the United States, including the Mountain View Farmers' Market ranked top 5 in the Nation overall and the Diablo Valley Farmers' Market on Saturdays in Walnut Creek which was voted number 1 in the State of California by the American Farmland Trust. Our non-profit association of markets has been operating certified markets since 1994. Prior to that, our executives were part of the initial team working for the State of California's Department of Food and Agriculture at the inception of the program to develop 170 certified farmers' markets in the state from 1979-1987.

CFMA reviewed the RFQ thoroughly and our Marketing Director, Moti Phillips, attended the RFQ walk through hosted by city staff on March 18, 2024. Our organization was intrigued to be solicited by the City of Campbell as a farmers' market operator when an existing farmers' market is currently in operation. The current market is vibrant, stable, well-attended and has been voted the BEST in the Silicon Valley for 20 years. The RFQ process is an *unusual* process in California's farmers' market industry for a thriving market. Bringing the rural culture to the urban city is not an easy task and requires city staff to indulge the agricultural perspective. We find ourselves with many concerns surrounding your issuance of an RFQ at peak season:

Termination

Is the current provider being terminated from the location for a specific reason? What is the reason for putting the market out for bid now? In our industry, unless a definite separation has occurred, operators refrain from encroaching upon the *claimed* territory of small family farmers organized to sell their own agricultural products to their customer base. Has the Campbell Farmers' Market been afforded due process yielding a chance to remedy? If so, CFMA would proceed with responding to an RFQ. If not, CFMA cannot respond. It would not be considered proper, courteous or ethical for any farmers' market organization to begin operating another organization's business, nor is it ethical for other farmers to move in and pick up the sales of other farmers.

Property Rights

Many of CFMA's participating farmers are also involved with the Campbell Farmers' Market. Those farmers claim the operator (Urban Village Farmers Market) started the Farmers' Market in Campbell 26 years ago. The farmers, who have spent 26 years building a loyal customer base, claim they are tenants of the Campbell market and therefore hold property rights to their stalls. CFMA would like to inquire if this is true?

Moving the Market

The Urban Village Farmers' Market has operated this market for almost 3 decades. The organization, as well as the individual growers, have earned and invested in building considerable loyalty and goodwill. What would preclude the existing market from attempting to save their business from the possible encroachment of another operator by moving across the street, across the way or across town? Or adding a Sunday farmers' market? Having two certified farmers' markets near each other on the same day, at the same time creates competition detrimental to the local small family farmers. If two markets are operating on the same day, at the same time, with the same vendors in the same vicinity, no one wins. In fact, everyone loses, especially the small family farmers who would now have to make two trips on the same day, pay two stall fees, have two sales crews, etc. Their margins are already so low this would result in farmers dropping one or the other. One of the markets will not survive. Perhaps both will perish. Our guess is that the market with the best parking would remain viable. What measures are in place to prevent the existing market from moving their market location or day?

Indemnification

Will the City indemnify the selected market provider awarded the RFQ, from any and all damages arising from the existing market's potential claims of business interruption, interference, loss of economic advantage, forfeiture, and any other causes of action? The health permits are issued by the County on a yearly basis. All new permits issued by the county to small incubator non-agricultural stallholders are costly and require a 6 week process. The permitted sections of the market would have to close at peak earning time while the transition occurs. Another costly permit that takes 6 weeks to obtain is burdensome on the participating small businesses.

Unprecedented Fees- Family Farms Supporting City Infrastructure

The fees listed in the RFQ to use the city street for 1/2 day for 50 weeks per year are enormous. The small amount of money collected from small family farms is not generally used to support city infrastructure. It is typically used to accomplish cross promotional programs that stimulate economic spin-off for local businesses thereby producing local tax and sales tax revenue. After all, the reason to host the market downtown is to stimulate economic spin off. Collecting the stall fees for infrastructure is counter to the objective of the project. CFMA believes these same funds should be invested in cross promotional programs that will bring business to local shops nearby. If these funds were allocated toward programs to spur economic development with spin-off sales from those visiting the market, an estimated \$12.75 million would benefit the local businesses and grow the local tax revenue \$127,500 per year. To assist the local businesses in grabbing these spin-off dollars, CFMA urges the city to change the monetary structure to effective economic development. **Please see economic analysis attached.**

Peak Season Disruption

The RFQ dictates a potential change in management and therefore a change in grower participation in the middle of the peak harvest. This is *extremely* problematic. Crops were planted 120-180 days ago, harvest crews are planned, drivers and sales personnel are secured while health permits are granted yearly. A disruption of this nature is unfair to Campbell-loyal family farms counting on this market for their livelihood just as they have for 26 years. They have invested their time, their funds and their crop production for the Campbell community only to have it disrupted by no fault of their own. Please consider the dead of winter for this type of abrupt move that can devastate a family farm.

As the RFQ process for an existing successful farmers' market is unprecedented, we have concerns as prospective operators. We could potentially spend precious time and resources investing, building, and implementing a successful market with cross promotions only to be not renewed 3 years later.

CFMA appreciates your time considering the above concerns as you move forward. Our member markets and member farms require each of our business transactions and agreements to be done with transparency, integrity and full disclosure. For these reasons CFMA will not be submitting a response to your RFQ at this time. Should a termination occur, we would welcome your market in our Association.

In closing, CFMA's expertise in farmers' market economic development is unmatched. Should you decide to move toward a program to generate local spin off, we would be happy to assist.

Sincerely,



Gail Hayden
Director

CC Ken Johnson, Chamber of Commerce.
Brian Loventhal, City Manager

Attach: Economic Analysis

Campbell Farmers' Market Estimated Annual Economic Analysis Year-Round Market

Estimated Visits to the Farmers' Market

- Winter: 2,000 visits per week x 13 weeks = 26,000 visits
- Fall: 3,000 visits per week x 13 weeks = 39,000 visits
- Spring: 2500 visits per week x 6 weeks = 15,000 visits
- Summer: 4500 visits per week x 20 weeks = 90,000 visits

Total Estimated Annual Year-Round Visits = 170,000 visits

Total Estimated Annual Year-Round Visits

- 170,000 visits/2 people per group = 85,000 purchasing agents
- 85,000 x \$ 50.00 Average spent each visit = \$ 4.25 million

Spin-off Rate = for every \$ 1 spent at market, up to \$ 3 is spent at nearby businesses**

- \$ 4.25 million sales revenue x \$ 3 = \$ 12.75 million potential to local economy

1 % local sales tax revenue x \$12.75 million = \$ 127,500 in local taxes/year

Effective cross promotional programming is needed to generate the potential sales to nearby downtown businesses.

**Study of Costs and Benefits of California Certified Farmers' Markets, Division of Marketing Services, California Department of Food and Agriculture. August 1984

CC 7-02-2024

Item No. 7

Housing Element
Zoning

Written
Communications

From: [Nicole Phan](#)
To: [City Council](#)
Cc: [City Clerk](#); [Cupertino City Manager's Office](#)
Subject: Agenda Item #7: Amendments for 6th Cycle Housing Element
Date: Monday, July 1, 2024 3:08:50 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 Honorable Mayor Sheila Mohan, Vice-Mayor JR Fruen, Councilmembers and staff,

I am Nicole – a lifelong resident of Cupertino – writing to you about the Housing Element, an issue extremely important to me.

I believe a strong and robust Housing Element in compliance with state law is principal to bolstering Cupertino school enrollment, the city's economy, our community's resilience. It will also mitigate the worsening effects of climate change fueled primarily by single occupancy vehicle emissions due to commuting great lengths in California. **The heat waves and severe drought that Cupertino experiences will only get worse and more frequent until we readily allow an increase in housing supply near schools, work, transit and amenities.**

I strongly urge the council to adopt all of the city staff's recommendations regarding:

- R3 and R4 Zoning and eliminating the 5-story requirement which will allow for greater flexibility in development
- Parking standards - which should either be reduced or eliminated completely to allow for even greater flexibility with land use for housing
- Increasing height limits to 35 feet because General Plan Actions taken by Council (May 2024) already set height limits for various properties
- The definition of Duplexes as the existing definition of a Duplex is unenforceable under Housing Accountability Act so the council should eliminate the proposed standard.
- Retain the staff recommendation on retaining the proposed lot coverage standard and increasing FAR standard to 85% (Incorporated into MCA Draft Ordinance)

The city has so much potential to create a more vibrant and inclusive city that will strengthen our community and schools AND mitigate the effects of climate change on our environment with these implementations, so ***please adopt all staff recommendations.***

Kind regards,

Nicole

From: [Soluna Espinosa Pieb](#)
To: [City Council](#); [City Clerk](#)
Subject: For Public Comment (7/2): Item 7 Housing Element Rezonings
Date: Monday, July 1, 2024 3:04:56 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.

To the Cupertino City Council:

My name is Soluna Espinosa Pieb. I grew up in Cupertino, and am now living in San Jose due in large part to the cost of housing in Cupertino. The Housing Element is a commendable project that I am enthusiastic to support, especially if it is strengthened by this Council to fully bolster affordable housing projects.

I would like to thank Staff for their proposed rezonings, which are necessary for our Housing Element to achieve full compliance with HCD. Our Housing Element will no longer be eligible for state certification if we do not approach our rezonings in a manner that encourages all types of housing. We cannot stand by and watch unnecessary, harmful restrictions characterize Cupertino's zoning code.

Council has received a letter from Cupertino for All describing specific, actionable changes that they, as policymakers, can enact to enhance our rezonings and ensure that HCD will ultimately accept them. **I fully support the CFA recommendations and ask that you adopt them as your own.**

I would like to take a moment to highlight the following recommendations which ensure that our Housing Element is successful in fully answering the requirements of state law to affirmatively further fair housing.

First, Council must remove the 5-story limit, relying *only* on the 70 foot height limit (which is already in place) for R-4 Zoning. This will:

- Allow for greater flexibility to architects designing housing of different forms for different populations at different income levels;
- Grant architects more freedom to design housing typologies of varying types and for varying incomes without forcing developers to rely on state-law workarounds like the Density Bonus Law.

Our new codes should reflect state law requirements to support a range of housing across

different income levels. The 5-story limit is an unnecessary limit that pushes developers toward more expensive housing forms, which is contrary to the general thrust of Housing Element Law, HCD guidance, and affirmatively furthering fair housing principles.

Moreover, Council should strengthen the Strategy HE 1.3.6 (The Missing Middle Program). Revisions in the December 2023 submission of the Housing Element changed this strategy from allowing four-unit developments under R-3 standards, which were designed for small apartment buildings, to instead allowing development under the city's highly restrictive R-2 standards.

To fully enable the Strategy to work as it is intended to, the new duplex overlay must be much more flexible than what is currently proposed. In particular, Council should:

- Remove the change in the definition of a duplex, which requires principal dwelling units to be no more than 200 square feet different from each other;
 - According to the staff report, the change was meant to define comparable sized units, but, in reality, distorts the Missing Middle Program. Council can and should eliminate this proposed standard;
- Remove the 55% FAR limitation;
- Expand the 40% lot coverage maximum;
- Reexamine the interior side setback minimums.

Finally, Council should provide additional direction (via requesting staff to partner with stakeholders, community-based organizations, developers, and homeowners) in regards to staff's recommended Ordinance to adopt objective development Standards. They should do so to ensure that future development standards emphasize increased flexibility and architectural freedom, as opposed to unnecessary restrictions.

Thank you for your consideration and effort to foster an inclusive and vibrant Cupertino.

Sincerely,

Soluna Espinosa Pieb

--

All the best,
Soluna Espinosa Pieb
(*Pronouns: they/them/theirs, Mx.*)

From: [Peggy Griffin](#)
To: [City Council](#)
Cc: [City Clerk](#); [Luke Connolly](#); [Piu Ghosh \(she/her\)](#)
Subject: Fwd: 2024-07-02 City Council Meeting Agenda ITEM #7 - HE Re-zoning
Date: Monday, July 1, 2024 2:56:37 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.

Resending because I forgot to sign my name.

PLEASE INCLUDE THIS EMAIL AS PART OF WRITTEN COMMUNICATIONS FOR THE ABOVE MEETING AGENDA ITEM.

Dear Mayor Mohan and Council Members,

Please do not make any further changes to the staff's proposal to complete the Housing Element. The staff knows our city and the various areas and what is required by HCD. These changes are significant as it is and will drastically change our city.

Mayor Mohan and Council member Wei, you have repeatedly said you "trust our staff". This is the time to show you really mean this by passing their proposal without changes.

Mayor Mohan and Council member Wei, you ran promising you would preserve "neighborhood integrity". This is the time to show you meant it by passing the staff's proposal without changes.

Please support the staff and our neighborhoods by **passing the staff's proposal without changes**.

Sincerely,
Peggy Griffin

From: [Eric Schaefer](#)
To: [Luke Connolly](#); [Piu Ghosh \(she/her\)](#); [Pamela Wu](#); [City Council](#); [City Clerk](#)
Date: Monday, July 1, 2024 2:53:46 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 Cupertino City Staffers and City Council,

Do not make any further changes to the previously drafted housing element proposal. It has already received approval from HCD.

Any further changes should consider the following issues:

A. Preserve community character:

Maintain the current 5-story limit in R-4 zones to prevent overcrowding and ensure that new developments harmonize with existing neighborhood aesthetics.
Retain the 55% FAR limitation to avoid excessive density that could overwhelm local resources and infrastructure.

B. Support equitable housing:

Keep the current definition of a “duplex”.
Preserve existing parking requirements to ensure adequate parking availability and minimize congestion in residential areas.

C. Maintain standards and order:

Uphold current lot coverage limits and minimum lot size requirements to maintain orderly development and prevent overcrowding.
Retain existing interior side yard setbacks to ensure sufficient space between properties

D. Consider long-term Impact:

Align future ordinance updates with the community’s long-term vision and needs, ensuring that changes benefit all residents without compromising the quality of life.

Thank you.

Sincerely,

Eric Schaefer

From: [Hal and Janet Van Zoeren](#)
To: [City Council](#); [City Clerk](#)
Subject: For Public Comment (7/2): Item 7 Housing Element Rezonings
Date: Monday, July 1, 2024 2:38:00 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 Mayor Mohan and City Council,

My name is Janet Van Zoeren, and as you know, I am a resident of Cupertino.

I would like to compliment the Staff for their proposed rezonings, which are necessary for our Housing Element to achieve full compliance with HCD. I understand our Housing Element will no longer be eligible for state certification if we do not approach our rezonings in a manner that encourages all types of housing.

Council has received a letter from Cupertino for All describing specific, actionable changes that they, as policymakers, can enact to enhance our rezonings and ensure that HCD will ultimately accept them. **I fully support the CFA recommendations and ask that you adopt them.**

Thank you for your consideration and effort to foster an inclusive and vibrant Cupertino.

You are close to the finish line on the Housing Element. We will sigh in relief when the HCD approves it for us. Wow, this has been a huge undertaking! Whew!

Warm regards,

Janet Van Zoeren

From: [LimTak Cheung](#)
To: [Luke Connolly](#); [Piu Ghosh \(she/her\)](#); [Pamela Wu](#); [City Council](#); [City Clerk](#)
Subject: Stop adding more aggressive items to the Housing Elements
Date: Monday, July 1, 2024 2:08:58 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 Luke Connolly, Piu Ghosh, Pamela Wu, and Cupertino City Council,

I am writing to ask that you please do not make any further changes to the previously drafted housing element proposal, which has already received approval from HCD. Now is not the time to allow outside influences to disrupt the process and jeopardize the prospects of Cupertino passing the housing element and extending Builders Remedy.

It has come to my attention that certain advocates have suggested significant changes to the housing element draft during the last council meeting. I urge you not to accept any of those changes. This is not the time for major alterations, as doing so could lead to extreme conditions that would make Cupertino unrecognizable from its current character.

Luke and Piu have done an excellent job, and we do not need additional input from those who may not fully understand the unique needs of our community.

It is crucial to balance the need for new housing with the preservation of our community's character and existing standards. Increasing flexibility in rezoning and reducing parking requirements could lead to overdevelopment and strain our infrastructure. Instead of pushing for higher density and fewer restrictions, we should maintain reasonable limitations that align with Cupertino's current character.

Specifically, I urge you to consider the following points:

Preserving Community Character:

Maintain the current 5-story limit in R-4 zones to prevent overcrowding and ensure new developments harmonize with existing neighborhood aesthetics.

Retain the 55% FAR limitation to avoid excessive density that could overwhelm local resources and infrastructure.

Supporting Equitable Housing:

Keep the current definition of a “duplex” to avoid complications in design and development processes. Flexibility is important, but it should not come at the expense of community cohesion and established standards.

Preserve existing parking requirements to ensure adequate parking availability and minimize congestion in residential areas.

Maintaining Standards and Order:

Uphold current lot coverage limits and minimum lot size requirements to maintain orderly development and prevent overcrowding.

Retain existing interior side yard setbacks to ensure sufficient space between properties, promoting privacy and reducing potential conflicts between neighbors.

Consideration of Long-term Impact:

Any future ordinance updates should be carefully considered and aligned with the community’s long-term vision and needs, ensuring changes benefit all residents without compromising the quality of life.

While it is crucial to address the housing needs of underrepresented communities and comply with state regulations, it is equally important to consider the potential repercussions of drastic changes. A balanced approach that maintains some current restrictions will better serve Cupertino in the long run.

Thank you for your time and consideration of my perspective as a long-term Cupertino resident and current voter. This is a critical matter to me, and council members' votes on this issue will impact my decisions in the upcoming elections in November 2024 and 2026.

I trust that the Council will make decisions that reflect the best interests of our entire community.

Sincerely,

Lim Cheung

From: [hsiaofang.chen](#)
To: [Luke Connolly](#); [Piu Ghosh \(she/her\)](#); [Pamela Wu](#); [City Council](#); [City Clerk](#)
Subject: DO NOT build any building anymore and give me Cupertino residents peaceful lives
Date: Monday, July 1, 2024 2:00:35 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 Luke Connolly, Piu Ghosh, Pamela Wu, and Cupertino City Council,

I live in Cupertino for over 20 years and I love living here. However, more and more company want to earn money from the city not consider our residents peaceful lives. 20 years ago, I did not need to close the door or garage door and feel safety. However, right now I need to close the door and garage door and use locker for side yard door, I also need to use monitor to avoid strangers or thieves come to my house. We are more threatened than before. More and more people come to the city not want to live here only want to earn money or fraud money or steal things from the city. The construction company only want to build apartments to lease to engineers or people for earning money not for considering give Cupertino better life.

I am writing to ask that you please do not make any further changes to the previously drafted housing element proposal, which has already received approval from HCD. Now is not the time to allow outside influences to disrupt the process and jeopardize the prospects of Cupertino passing the housing element and extending Builders Remedy.

It has come to my attention that certain advocates have suggested significant changes to the housing element draft during the last council meeting. I urge you not to accept any of those changes. This is not the time for major alterations, as doing so could lead to extreme conditions that would make Cupertino unrecognizable from its current character.

Luke and Piu have done an excellent job, and we do not need additional input from those who may not fully understand the unique needs of our community.

It is crucial to balance the need for new housing with the preservation of our community's character and existing standards. Increasing flexibility in rezoning and reducing parking requirements could lead to overdevelopment and strain our infrastructure. Instead of pushing for higher density and fewer restrictions, we should maintain reasonable limitations that align with Cupertino's current character.

Specifically, I urge you to consider the following points:

Preserving Community Character:

Maintain the current 5-story limit in R-4 zones to prevent overcrowding and ensure new developments harmonize with existing neighborhood aesthetics.

Retain the 55% FAR limitation to avoid excessive density that could overwhelm local

resources and infrastructure.

Supporting Equitable Housing:

Keep the current definition of a “duplex” to avoid complications in design and development processes. Flexibility is important, but it should not come at the expense of community cohesion and established standards.

Preserve existing parking requirements to ensure adequate parking availability and minimize congestion in residential areas.

Maintaining Standards and Order:

Uphold current lot coverage limits and minimum lot size requirements to maintain orderly development and prevent overcrowding.

Retain existing interior side yard setbacks to ensure sufficient space between properties, promoting privacy and reducing potential conflicts between neighbors.

Consideration of Long-term Impact:

Any future ordinance updates should be carefully considered and aligned with the community’s long-term vision and needs, ensuring changes benefit all residents without compromising the quality of life.

While it is crucial to address the housing needs of underrepresented communities and comply with state regulations, it is equally important to consider the potential repercussions of drastic changes. A balanced approach that maintains some current restrictions will better serve Cupertino in the long run.

Thank you for your time and consideration of my perspective as a long-term Cupertino resident and current voter. This is a critical matter to me, and council members' votes on this issue will impact my decisions in the upcoming elections in November 2024 and 2026.

I trust that the Council will make decisions that reflect the best interests of our entire community.

Sincerely,
Hsiaofang Chen

From: [Philip Nguyen](#)
To: [City Council](#)
Cc: [Cupertino City Manager's Office; City Clerk](#)
Subject: Agenda Item #7, Municipal Code Text, Specific Plan, Below Market Rate Mitigation Manual and Zoning Map Amendments related to implementing the 6th Cycle Housing Element
Date: Monday, July 1, 2024 1:55:34 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 Honorable Mayor Sheila Mohan, Vice-Mayor JR Fruen, Councilmembers and staff,

My name is Philip and I am a long-time community member of Cupertino and this issue is very important to me as a person who believes a strong, compliant Housing Element is absolutely paramount to supporting enrollment in Cupertino schools, creating a stronger community overall, as well as mitigate the effects of climate catastrophe fueled especially by single occupancy vehicle emissions in California. The heat wave we are experiencing this week this early in the season will only get worse if we do not take cars off the road through an increase of housing supply near schools, work, transit and amenities.

I strongly urge the council to adopt all of the city staff's recommendations especially regarding:

- Increasing height limit to 35 feet because General Plan Actions taken by Council (May 2024) already set height limits for various properties
- R4 Zoning and eliminating the 5 story requirement which will allow for greater flexibility in development
- The definition of Duplexes as the existing definition of a Duplex is unenforceable under Housing Accountability Act so the council should eliminate proposed standard.
- Parking standards which should either be reduced or eliminated completely to allow for even greater flexibility with land use for housing.

The city has an immense amount of potential to create a more resilient and inclusive city that will bolster our community, and schools as well as sustain the environment with these implementations so please adopt all staff recommendations.

Sincerely,
Philip

From: [Max K. Agoston](#)
To: [City Clerk](#)
Subject: Housing Plan
Date: Monday, July 1, 2024 1:37:50 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.

To: Cupertino City Clerk

I am writing to ask that you please do not make any further changes to the previously drafted housing element proposal, which has already received approval from HCD. Now is not the time to allow outside influences to disrupt the process and jeopardize the prospects of Cupertino passing the housing element and extending Builders Remedy.

It has come to my attention that certain advocates have suggested significant changes to the housing element draft during the last council meeting. I urge you not to accept any of those changes. This is not the time for major alterations, as doing so could lead to extreme conditions that would make Cupertino unrecognizable from its current character.

Luke and Piu have done an excellent job, and we do not need additional input from those who may not fully understand the unique needs of our community.

It is crucial to balance the need for new housing with the preservation of our community's character and existing standards. Increasing flexibility in rezoning and reducing parking requirements could lead to overdevelopment and strain our infrastructure. Instead of pushing for higher density and fewer restrictions, we should maintain reasonable limitations that align with Cupertino's current character.

Specifically, I urge you to consider the following points:

Preserving Community Character:

Maintain the current 5-story limit in R-4 zones to prevent overcrowding and ensure new developments harmonize with existing neighborhood aesthetics.

Retain the 55% FAR limitation to avoid excessive density that could overwhelm local resources and infrastructure.

Supporting Equitable Housing:

Keep the current definition of a "duplex" to avoid complications in design and development processes. Flexibility is important, but it should not come at the expense of community cohesion and established standards.

Preserve existing parking requirements to ensure adequate parking availability and minimize

congestion in residential areas.

Maintaining Standards and Order:

Uphold current lot coverage limits and minimum lot size requirements to maintain orderly development and prevent overcrowding.

Retain existing interior side yard setbacks to ensure sufficient space between properties, promoting privacy and reducing potential conflicts between neighbors.

Consideration of Long-term Impact:

Any future ordinance updates should be carefully considered and aligned with the community's long-term vision and needs, ensuring changes benefit all residents without compromising the quality of life.

While it is crucial to address the housing needs of underrepresented communities and comply with state regulations, it is equally important to consider the potential repercussions of drastic changes. A balanced approach that maintains some current restrictions will better serve Cupertino in the long run.

Thank you for your time and consideration of my perspective as a long-term Cupertino resident and current voter. This is a critical matter to me, and council members' votes on this issue will impact my decisions in the upcoming elections in November 2024 and 2026.

I trust that the Council will make decisions that reflect the best interests of our entire community.

Sincerely,

Max Agoston
19787 La Mar Drive
Cupertino
95014

From: [Gauri Chawla](#)
To: [City Council](#); [City Clerk](#)
Subject: For Public Comment (7/2): Item 7 Housing Element Rezoning
Date: Monday, July 1, 2024 1:28:24 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.

Good afternoon,

Please see the attached letter for Public Comment regarding Agenda Item #7 for Tuesday's (7/2) Council meeting. The letter details suggestions for Cupertino's rezoning to ensure a compliant, state-certified Housing Element.

Thanks,

Gauri Chawla



For Public Comment (7/2) – Item #7 Housing Element ...

Re: For Public Comment (7/2) – Item 7 Housing Element Rezonings

To the Cupertino City Council:

My name is Gauri Chawla, and I am a current resident of Cupertino. I grew up here, and went to elementary, middle, and high schools here. As a student and member of my community, I've grown up hearing about Cupertino's continually higher housing prices, and thus declining enrollment. We must see the Housing Element as an opportunity to transform Cupertino into a thriving living environment, and our Rezonings are a crucial part of that.

The Housing Element is a commendable project that I am enthusiastic to support, especially if it is strengthened by this Council to fully bolster affordable housing projects. Our Housing Element can be a truly powerful document, if it is approached correctly. Council has a responsibility to fulfill this document's full potential, **especially considering HCD's current conditional approval.**

I would like to thank Staff for their proposed rezonings, which are necessary for our Housing Element to achieve full compliance with HCD. **Our Housing Element will no longer be eligible for state certification if we do not approach our rezonings in a manner that encourages all types of housing. We cannot stand by and watch unnecessary, harmful restrictions characterize Cupertino's zoning code.**

Council has received a letter from Cupertino for All describing specific, actionable changes that they, as policymakers, can enact to enhance our rezonings and ensure that HCD will ultimately accept them. **I fully support the CFA recommendations and ask that you adopt them as your own, but also add in my own suggestions that go further than what is outlined in CFA's letter.**

Council must remove the 5-story limit, relying *only* on the 70 foot height limit (which is already in place) for R-4 Zoning. This will:

- Allow for greater flexibility to architects designing housing of different forms for different populations at different income levels;
- Grant architects more freedom to design housing typologies of varying types and for varying incomes without forcing developers to rely on state-law workarounds like the Density Bonus Law.

Our new codes should reflect state law requirements to support a range of housing across different income levels. **The 5-story limit is an unnecessary limit that pushes developers**

toward more expensive housing forms, which is contrary to the general thrust of Housing Element Law, HCD guidance, and affirmatively furthering fair housing principles.

Moreover, Council should strengthen the Strategy HE 1.3.6 (The Missing Middle Program). Revisions in the December 2023 submission of the Housing Element changed this strategy from allowing four-unit developments under R-3 standards, which were designed for small apartment buildings, to instead allowing development under the city's highly restrictive R-2 standards.

To fully enable the Strategy to work as it is intended to, the new duplex overlay must be much more flexible than what is currently proposed. In particular, Council should:

- Remove the change in the definition of a duplex, which requires principal dwelling units to be no more than 200 square feet different from each other;
 - According to the staff report, the change was meant to define comparable sized units, but, in reality, distorts the Missing Middle Program. **Council can and should eliminate this proposed standard;**
- Remove the 55% FAR limitation. This limitation is not only redundant in its application, but has no bearing on the reality of duplex and other R-2 zoning standards. The Staff Report claims that this limitation is in place to avoid possible 80% FAR ratios, **but no duplex in Cupertino has this ratio.** There is no reason to limit FAR due to a hypothetical fear of expansion;
- Expand the 40% lot coverage maximum;
- Reexamine the interior side setback minimums and implement a 5 feet minimum as opposed to 12;
- Eliminate parking standards for principal dwelling units. As they are currently, much of the restrictions leave no room for an actual dwelling unit; all this room is made for cars. **Council should remember their obligation to housing individuals, not cars,** and make it so that lot coverage is dedicated to living space for people.

Finally, Council should provide additional direction (via requesting staff to partner with stakeholders, community-based organizations, developers, and homeowners) in regards to staff's recommended Ordinance to adopt objective development Standards. They should do so to ensure that future development standards **emphasize increased flexibility and architectural freedom, as opposed to unnecessary restrictions.**

Thank you for your consideration and effort to foster an inclusive and vibrant Cupertino.

Sincerely,

Gauri Chawla

From: [Debbie Timmers](#)
To: [City Council](#); [City Clerk](#)
Subject: 7/2 Agenda (Rezoning: Item #7)
Date: Monday, July 1, 2024 1:14:15 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.

Hello, my name is Debra Timmers. I have been a resident of Cupertino for the past decade, and I love living here. I purchased a home with my daughter and son-in-law in 2014 and can personally attest to the scarcity of affordable housing in our city. The situation has become so dire that if I were, instead, to purchase today, I would be unable to, even with pooling my resources with my daughter and son-in-law, both of whom are PhD engineers in high-tech firms. I live in an area with multi-family housing, like ours, and our neighbors are wonderful. I can't imagine why anyone would want to limit residents like us.

This lack of affordable housing has a profound impact on our community. Each year, several families with children attending my grandsons' Cupertino public school are forced to relocate due to financial constraints. This not only disrupts friendships but also threatens the viability of our local elementary school, which could eventually face closure.

I express my gratitude to the staff for their proposed rezonings, which are essential for our Housing Element to achieve full compliance with the Housing and Community Development Department (HCD). As stated in the April 10, 2024 letter from the HCD, our Housing Element will not be eligible for state certification if we do not rezone in a manner that encourages all types of housing. [2024-04-10 Letter from HCD](#). It is imperative that Cupertino's zoning code does not perpetuate unnecessary and harmful restrictions. Failure to obtain certification would result in the loss of local control and impede access to potential grants.

I fully support the recommendations of Cupertino For All and urge the Council to adopt them. Removing the 5-story limit while retaining the existing 70-foot height limit for R-4 Zoning is crucial. Additionally, the Council should bolster Strategy HE 1.3.6 (The Missing Middle Program) and eliminate the proposed change in the definition of a duplex. Future development standards must prioritize flexibility and architectural design freedom rather than imposing unwarranted restrictions.

Thank you for your commitment and efforts in cultivating an environment that embraces diversity and enhances the vibrancy of our wonderful Cupertino community. Thank you, too, for your service and dedication.

Sincerely,

Debra Timmers

From: [Yvonne Strom](#)
To: [City Council](#); [City Clerk](#)
Subject: For Public Comment (7/2): Item 7 Housing Element Rezoning
Date: Monday, July 1, 2024 12:25:58 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 Cupertino City Council,

I am a homeowner in Cupertino, and I am very pleased to see rezoning moving forward with improvements for building much needed housing at all levels. Thanks to the staff, the planning commissioners, and everyone who has worked toward this important milestone so far.

In the spirit of not having to revisit rezoning again very soon, I hope you will implement the additional recommendations proposed by Cupertino For All. These are thoughtful, common sense zoning rules to allow design flexibility and avoid unintended incentives toward more expensive housing.

1. Remove the 5-story limit in R-4 zones, and rely only on the 70 foot height limit. As shown in the Planning Commission discussion of this item, the city's consultant described how the 5-story limit would foster development of amenity-rich high-density housing with units that have very high ceilings → That is code for **expensive** housing

2. Strengthen the Missing Middle Program (HE section 1.3.6) to allow flexibility to build more types of housing at **all income levels**. Specifically,

- Remove the change to the definition of a "duplex" in Section 19.08.030
 - Eliminate minimum lot size requirements, and allow lot coverage up to 50%
 - Align side yard setbacks in R-2 zone to be consistent with R-1 rules
- Remove the 55% FAR limitation
- Reduce parking requirements to 1 enclosed and 1 exposed per unit

3. To summarize, Council should provide additional direction to the City Staff so that future development standards **err on the side of increased flexibility and architectural freedom rather than creating new or unnecessary restrictions.**

Thank you again for your efforts toward rezoning in Cupertino and embracing the spirit of affirmatively furthering fair housing in our city.

Respectfully,
Yvonne Thorstenson

From: tscannell01@earthlink.net
To: [City Council](#); [City Clerk](#)
Subject: Bring Cupertino Housing Element into full compliance
Date: Monday, July 1, 2024 11:21:20 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.

To the member of the City Council

I have been a resident of Cupertino since 1980. I support efforts to maintain Cupertino as a vibrant city open to resident of all incomes. As such, I am in support of bringing Cupertino's Housing Element into full compliance with State Law. I appreciate the City Council's and Planning Commission recent actions in this regard. The City Council has recently received a letter from *Cupertino for All* describing specific, actionable changes that you, as policymakers, can enact to enhance our rezonings and ensure that state will ultimately accept them. **I support the CFA recommendations and ask that you adopt them as your own.**

Best regards

Tom Scannell

From: [J Shearin](#)
To: [City Council](#); [City Clerk](#); [Cupertino City Manager's Office](#)
Subject: Make sensible zoning changes to encourage more housing | City Council Agenda item # 7 Housing Element Rezoning (July 2, 2024)
Date: Monday, July 1, 2024 11:00:23 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.

Dear Honorable Mayor Mohan, City Councilmembers, and City Manager Wu:

My family and I have rented our home here in Cupertino for the past 15 years and are looking for long-term housing here. As such, I hope you consider my viewpoint as someone who is deeply invested in Cupertino's Housing Element plan for building 4500 homes over the next eight years. This cycle's Housing Element has given a sense of hope for all those who wish for housing here in Cupertino that it will be built soon.

First, I want to say thank you as I appreciate all the work done by the City Council and city staff to get us to this point.

There still some needed small zoning changes that need to be made to offer greater inclusion and encourage more housing. The minor zoning changes (tweaks, really) are a personal issue for many current residents including myself, not just lines in a zoning document that don't have real world implications. My daughter, for example, who lives with us right now, could really use a small duplex to move into, which there are no where near enough supply today in Cupertino. My husband and I would really like to retire into a small condo or one side of a duplex ourselves. These are housing options that are just not very available here in Cupertino, and have a lot of demand. Making these changes could make real and discernible change.

Overall, I have read the Cupertino for All recommendations to the Council and support them. I urge you to adopt them.

I am personally most concerned about the following changes which will encourage more duplexes to be built or converted. These are commonsense changes that should be made to the zoning changes. Specifically:

- Eliminating the 55% Floor Area Ratio for R-2 homes, as other constraints will work without it for lot coverage.
- Eliminating the requirement that homes in a duplex are equal size (within 200 sq ft), which reduces flexibility for homeowners considering subdividing or those planning to build for families of all sizes. This requirement will discourage building of duplexes in favor of large single family homes with small ADUs instead.
- Allowing 5 foot setbacks on the sides of R-2 duplexes, like R-1 zoning. (The Cupertino For All recommendation is to "reexamine the interior side setback minimums " and I am in favor of this as long as it is no smaller than 5 feet.) This is sensible and keeps neighborhood

consistency.

- Eliminating the minimum lot requirement for R-2 homes. As long as it meets all our other standards, we should not be constraining building new homes in this way.
- Eliminating the requirement to have more than 1 interior parking space per side of the duplex, and 1 exterior parking space. Land space should be for people to live on, not as concrete parking which may or may not be ever used.

This has been a long road but the end is in sight with these zoning changes. We need to make sure that we pass these final 'hurdles' that HCD is looking for, so that we can get final approval which sticks for our Housing Element. Thank you for considering my input today. I urge you to encourage more housing by making these changes!

Best Wishes,

Jennifer Shearin

This message is from my personal email account. I am only writing as myself, not as a representative or spokesperson for any other organization.

From: [Jennifer Griffin](#)
To: [City Council](#); [City Clerk](#)
Cc: grenna5000@yahoo.com
Subject: Elimination of Parking in Cupertino in Agenda Item 7 (City Council 4/2/24)
Date: Monday, July 1, 2024 1:00:24 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.

Dear City Council:

I am very concerned about the city trying to reduce or eliminate parking in the city of Cupertino in Item Number 7 of the Cupertino City Council Meeting Agenda in 7/2/24. Number 7 cites AB 2097 by Assemblymember Laura Friedman. I have disagreed with AB 2097 since the day it was put forward by Laura Friedman in 2022 and signed by Governor Newsom. The public in California never had any ability to vote on whether they agreed with This preposterous bill.

I think this bill is discriminatory toward people who do not walk well. It is an egotistical, judgemental and Snobby bill which ignores anyone in the public who has difficulty moving or does not agree With the premise of the bill which is to eliminate the use of cars.

No one gave the public the ability to disagree with this nasty bill in 2022 so people are Having to do it now that HCD is putting Missing Middle in Cupertino's Housing Element.

I think AB 2097 is wrong and I think Missing Middle is wrong. This bill and this dogma of Missing Middle have no right to restrict the parking in Cupertino. Why are they doing this? To make builders not have to provide parking since it makes it too expensive for them To build. This is just a free ride that Ms Friedman is giving her developer friends who Paid for her bill. She didn't seem to ask anyone else in the state. She just did pay to Play. You give me the money and I will write you a bill so you don't have to provide parking.

Parking should be provided in abundance in Cupertino. If someone thinks New York City Transit Is so great, that person should probably move to New York and use it, rather than whine And complain and accuse California of not being like New York. These people do not seem To understand the history of the Bay Area in California. The Bay Area was a rural agricultural Area with orchards. It was developed as an agricultural area. It is not New York. Anyone who Does not understand this needs to go back and look at the history of the Bay Area in California or indeed the whole state.

Some of the statements made about how California should be like New York are truly astounding. They are really illogical and show a lack of understanding or comprehension of California or its history. In fact they Make blanket judgements about the people who live in California that are truly disrespectful and Vicious.

Please do not allow the parking in Cupertino to be reduced as Item Number 7 of the City Council Agenda from the 7/2/24 City Council Meeting is trying to do. Please do not Assume this is the will of the people of Cupertino. Please do assume AB 2097 is the Will of the people of Cupertino or even those of the people of California. We never got A chance to vote on AB 2097 and we don't seem to be getting a vote in this Missing Middle Dogma being inserted into the Housing Element, especially when groups pushing Missing Middle Dogma like Yimby Law have interfered in our city's Housing Element already.

The reduction of parking in Cupertino also affects who I choose to vote for in City Council

In November, 2024 as well as who I vote for elected offices in the state and who I vote For governor in the future and who I will even vote for president in 2028 because I will not Vote for our current governor for president since he signed AB 2097 into law in the First place.

Sincerely,

Jennifer Griffin

From: [Christine Cheng](#)
To: [City Clerk](#); [City Council](#); [Pamela Wu](#); [Piu Ghosh \(she/her\)](#); [Luke Connolly](#)
Subject: No higher density or overdevelopment please!
Date: Wednesday, June 26, 2024 9:17:35 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 Luke Connelly, Piu Ghosh, Pamela Wu, and Cupertino City Council,

I am writing to express my support for the proposed housing element draft and rezoning, as previously developed by Luke Connelly and Piu Ghosh. Please do not make any further changes to the previously drafted housing element proposal, which has already received approval from HCD. Now is not the time to allow outside influences to disrupt the process and jeopardize the prospects of Cupertino passing the housing element and extending Builders Remedy.

It has come to my attention that certain advocates have suggested significant changes to the housing element draft during the last council meeting. I urge you not to accept any of those changes. This is not the time for major alterations, as doing so could lead to extreme conditions that would make Cupertino unrecognizable from its current character.

Luke and Piu have done an excellent job, and we do not need additional input from those who may not fully understand the unique needs of our community.

It is crucial to balance the need for new housing with the preservation of our community's character and existing standards. Increasing flexibility in rezoning and reducing parking requirements could lead to overdevelopment and strain our infrastructure. Instead of pushing for higher density and fewer restrictions, we should maintain reasonable limitations that align with Cupertino's current character.

Specifically, I urge you to consider the following points:

Preserving Community Character:

Maintain the current 5-story limit in R-4 zones to prevent overcrowding and ensure new developments harmonize with existing neighborhood aesthetics. Retain the 55% FAR limitation to avoid excessive density that could overwhelm local resources and infrastructure.

Supporting Equitable Housing:

Keep the current definition of a "duplex" to avoid complications in design and development processes. Flexibility is important, but it should not come at the expense of community cohesion and established standards.

Preserve existing parking requirements to ensure adequate parking availability and minimize congestion in residential areas.

Maintaining Standards and Order:

Uphold current lot coverage limits and minimum lot size requirements to maintain orderly development and prevent overcrowding.
Retain existing interior side yard setbacks to ensure sufficient space between properties, promoting privacy and reducing potential conflicts between neighbors.

Consideration of Long-term Impact:

Any future ordinance updates should be carefully considered and aligned with the community's long-term vision and needs, ensuring changes benefit all residents without compromising the quality of life.

While it is crucial to address the housing needs of underrepresented communities and comply with state regulations, it is equally important to consider the potential repercussions of drastic changes. A balanced approach that maintains some current restrictions will better serve Cupertino in the long run.

Thank you for your time and consideration of my perspective as a long-term Cupertino resident and current voter. This is a critical matter to me, and council members' votes on this issue will impact my decisions in the upcoming elections in November 2024 and 2026.

I trust that the Council will make decisions that reflect the best interests of our entire community.

Sincerely,

Christine Cheng and family

Cupertino residents and voters

From: [Deepak Balasubramaniam](#)
To: [Luke Connolly](#); [Piu Ghosh \(she/her\)](#); [Pamela Wu](#); [City Council](#); [City Clerk](#)
Subject: Please pass the HCD approved Housing Element Proposal draft without delay!
Date: Wednesday, June 26, 2024 6:40:11 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 Luke Connelly, Piu Ghosh, Pamela Wu, and Cupertino City Council,

I am writing to express my full support for the proposed housing element draft and rezoning, as previously developed by Luke Connelly and Piu Ghosh. Please do not make any further changes to the previously drafted housing element proposal, which has already received approval from HCD. Now is not the time to allow outside influences to disrupt the process and jeopardize the prospects of Cupertino passing the housing element and extending Builders Remedy.

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Consideration of Long-term Impact:

Any future ordinance updates should be carefully considered and aligned with the community's long-term vision and needs, ensuring changes benefit all residents without compromising the quality of life.

While it is crucial to address the housing needs of underrepresented communities and comply with state regulations, it is equally important to consider the potential repercussions of drastic changes. A balanced approach that maintains some current restrictions will better serve Cupertino in the long run.

Thank you for your time and consideration of my perspective as a long-term Cupertino resident and current voter. This is a critical matter to me, and council members' votes on this issue will impact my decisions in the upcoming elections in November 2024 and 2026.

I trust that the Council will make decisions that reflect the best interests of our entire community.

Sincerely,
Deepak Balasubramaniam
Cupertino resident and voter

From: [Uma Krishnan](#)
To: [Luke Connolly](#); [Piu Ghosh \(she/her\)](#); [Pamela Wu](#); [City Council](#); [City Clerk](#)
Subject: *Urgent call to action. *
Date: Wednesday, June 26, 2024 6:28:06 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 Luke Connelly, Piu Ghosh, Pamela Wu, and Cupertino City Council,

I am writing to express my full support for the proposed housing element draft and rezoning, as previously developed by Luke Connelly and Piu Ghosh. Please do not make any further changes to the previously drafted housing element proposal, which has already received approval from HCD. Now is not the time to allow outside influences to disrupt the process and jeopardize the prospects of Cupertino passing the housing element and extending Builders Remedy.

It has come to my attention that certain advocates have suggested significant changes to the housing element draft during the last council meeting. I urge you not to accept any of those changes. This is not the time for major alterations, as doing so could lead to extreme conditions that would make Cupertino unrecognizable from its current character.

Luke and Piu have done an excellent job, and we do not need additional input from those who may not fully understand the unique needs of our community.

It is crucial to balance the need for new housing with the preservation of our community's character and existing standards. Increasing flexibility in rezoning and reducing parking requirements could lead to overdevelopment and strain our infrastructure. Instead of pushing for higher density and fewer restrictions, we should maintain reasonable limitations that align with Cupertino's current character.

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While it is crucial to address the housing needs of underrepresented communities and comply with state regulations, it is equally important to consider the potential repercussions of drastic changes. A balanced approach that maintains some current restrictions will better serve Cupertino in the long run.

Thank you for your time and consideration of my perspective as a long-term Cupertino resident and current voter. This is a critical matter to me, and council members' votes on this issue will impact my decisions in the upcoming elections in November 2024 and 2026.

I trust that the Council will make decisions that reflect the best interests of our entire community.

Sincerely,

Uma Krishnan
Cupertino resident and voter

From: [Bikram Srivastava](#)
To: [Luke Connolly](#); [Piu Ghosh \(she/her\)](#); [Pamela Wu](#); [City Council](#); [City Clerk](#)
Subject: Re: Cupertino housing element draft and rezoning
Date: Wednesday, June 26, 2024 3:35:03 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 Luke Connelly, Piu Ghosh, Pamela Wu, and Cupertino City Council,

I am writing to express my full support for the proposed housing element draft and rezoning, as previously developed by Luke Connelly and Piu Ghosh. Please do not make any further changes to the previously drafted housing element proposal, which has already received approval from HCD. Now is not the time to allow outside influences to disrupt the process and jeopardize the prospects of Cupertino passing the housing element and extending Builders Remedy.

It has come to my attention that certain advocates have suggested significant changes to the housing element draft during the last council meeting. I urge you not to accept any of those changes. This is not the time for major alterations, as doing so could lead to extreme conditions that would make Cupertino unrecognizable from its current character.

Luke and Piu have done an excellent job, and we do not need additional input from those who may not fully understand the unique needs of our community.

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Thank you for your time and consideration of my perspective as a long-term Cupertino resident and current voter. This is a critical matter to me, and council members' votes on this issue will impact my decisions in the upcoming elections in November 2024 and 2026.

I trust that the Council will make decisions that reflect the best interests of our entire community.

Sincerely,

Bikram Srivastava
Cupertino resident and voter

From: [Xiangchen Xu](#)
To: [Luke Connolly](#); [Piu Ghosh \(she/her\)](#); [Pamela Wu](#); [City Council](#); [City Clerk](#)
Subject: Please keep the drafted Housing Elements
Date: Wednesday, June 26, 2024 3:34:16 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 Luke Connolly, Piu Ghosh, Pamela Wu, and Cupertino City Councilmembers,

I am writing to express my support for the proposed housing element draft and rezoning, as previously developed by Luke Connolly and Piu Ghosh. Please do not make any further changes to the previously drafted housing element proposal, which has already received approval from HCD. Now is not the time to allow outside influences to disrupt the process and jeopardize the prospects of Cupertino passing the housing element and extending Builders Remedy.

It has come to my attention that certain advocates have suggested significant changes to the housing element draft during the last council meeting. I urge you not to accept any of those changes. This is not the time for major alterations, as doing so could lead to extreme conditions that would make Cupertino unrecognizable from its current character.

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Retain the 55% FAR limitation to avoid excessive density that could overwhelm local resources and infrastructure.

Supporting Equitable Housing:

Keep the current definition of a "duplex" to avoid complications in design and development processes. Flexibility is important, but it should not come at the expense of community cohesion and established standards.

Preserve existing parking requirements to ensure adequate parking availability and minimize congestion in residential areas.

Maintaining Standards and Order:

Uphold current lot coverage limits and minimum lot size requirements to maintain orderly development and prevent overcrowding.

Retain existing interior side yard setbacks to ensure sufficient space between properties, promoting privacy and reducing potential conflicts between neighbors.

Consideration of Long-term Impact:

Any future ordinance updates should be carefully considered and aligned with the community's long-term vision and needs, ensuring changes benefit all residents without compromising the quality of life.

While it is crucial to address the housing needs of underrepresented communities and comply with state regulations, it is equally important to consider the potential repercussions of drastic changes. A balanced approach that maintains some current restrictions will better serve Cupertino in the long run.

Thank you for your time and consideration of my perspective as a long-term Cupertino resident and current voter. This is a critical matter to me, and council members' votes on this issue will impact my decisions in the upcoming elections in November 2024 and 2026.

I trust that the Council will make decisions that reflect the best interests of our entire community. Please keep my email in record. Thank you!

Sincerely yours,
Xiangchen

From: [Sunil Malkani](#)
To: [Pamela Wu](#); [Luke Connolly](#); [Piu Ghosh \(she/her\)](#); [City Council](#); [City Clerk](#)
Subject: Housing Element Proposal
Date: Wednesday, June 26, 2024 3:04:21 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 Luke Connelly, Piu Ghosh, Pamela Wu, and Cupertino City Council,

I am writing to express my full support for the proposed housing element draft and rezoning, as previously developed by Luke Connelly and Piu Ghosh. Please do not make any further changes to the previously drafted housing element proposal, which has already received approval from HCD. Now is not the time to allow outside influences to disrupt the process and jeopardize the prospects of Cupertino passing the housing element and extending Builders Remedy.

It has come to my attention that certain advocates have suggested significant changes to the housing element draft during the last council meeting. I urge you not to accept any of those changes. This is not the time for major alterations, as doing so could lead to extreme conditions that would make Cupertino unrecognizable from its current character.

Luke and Piu have done an excellent job, and we do not need additional input from those who may not fully understand the unique needs of our community.

It is crucial to balance the need for new housing with the preservation of our community's character and existing standards. Increasing flexibility in rezoning and reducing parking requirements could lead to overdevelopment and strain our infrastructure. Instead of pushing for higher density and fewer restrictions, we should maintain reasonable limitations that align with Cupertino's current character.

Specifically, I urge you to consider the following points:

Preserving Community Character:

Maintain the current 5-story limit in R-4 zones to prevent overcrowding and ensure new developments harmonize with existing neighborhood aesthetics.

Retain the 55% FAR limitation to avoid excessive density that could overwhelm local resources and infrastructure.

Supporting Equitable Housing:

Keep the current definition of a “duplex” to avoid complications in design and development processes. Flexibility is important, but it should not come at the expense of community cohesion and established standards.

Preserve existing parking requirements to ensure adequate parking availability and minimize congestion in residential areas.

Maintaining Standards and Order:

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Thank you for your time and consideration of my perspective as a long-term Cupertino resident and current voter. This is a critical matter to me, and council members' votes on this issue will impact my decisions in the upcoming elections in November 2024 and 2026.

I trust that the Council will make decisions that reflect the best interests of our entire community.

Sincerely,

Sunil Malkani
Cupertino resident and voter

--

Sunil Malkani

From: [Ashwin Krishnan](#)
To: [Luke Connolly](#); [Piu Ghosh \(she/her\)](#); [Pamela Wu](#); [City Council](#); [City Clerk](#)
Subject: Urgent call to action Cupertino council members
Date: Wednesday, June 26, 2024 2:52:18 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 Luke Connelly, Piu Ghosh, Pamela Wu, and Cupertino City Council,

I am writing to express my full support for the proposed housing element draft and rezoning, as previously developed by Luke Connelly and Piu Ghosh. Please do not make any further changes to the previously drafted housing element proposal, which has already received approval from HCD. Now is not the time to allow outside influences to disrupt the process and jeopardize the prospects of Cupertino passing the housing element and extending Builders Remedy.

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Supporting Equitable Housing:

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Thank you for your time and consideration of my perspective as a long-term Cupertino resident and current voter. This is a critical matter to me, and council members' votes on this issue will impact my decisions in the upcoming elections in November 2024 and 2026.

I trust that the Council will make decisions that reflect the best interests of our entire community.

Sincerely,

Ashwin Krishnan,

Cupertino resident and voter

From: [Yuvaraj Athur Raghuvir](#)
To: [Luke Connolly](#); [Piu Ghosh \(she/her\)](#); [Pamela Wu](#); [City Council](#); [City Clerk](#)
Subject: Cupertino Housing Draft and Rezoning
Date: Wednesday, June 26, 2024 2:06:53 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 Luke Connelly, Piu Ghosh, Pamela Wu, and Cupertino City Council,

I am writing to express my full support for the proposed housing element draft and rezoning, as previously developed by Luke Connelly and Piu Ghosh. Please do not make any further changes to the previously drafted housing element proposal, which has already received approval from HCD. Now is not the time to allow outside influences to disrupt the process and jeopardize the prospects of Cupertino passing the housing element and extending Builders Remedy.

It has come to my attention that certain advocates have suggested significant changes to the housing element draft during the last council meeting. I urge you not to accept any of those changes. This is not the time for major alterations, as doing so could lead to extreme conditions that would make Cupertino unrecognizable from its current character.

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Thank you for your time and consideration of my perspective as a long-term Cupertino resident and current voter. This is a critical matter to me, and council members' votes on this issue will impact my decisions in the upcoming elections in November 2024 and 2026.

I trust that the Council will make decisions that reflect the best interests of our entire community.

Sincerely,

Yuva Athur
Cupertino resident and voter

From: [Jay S](#)
To: [Luke Connolly](#); [Piu Ghosh \(she/her\)](#); [Pamela Wu](#); [City Council](#); [City Clerk](#)
Subject: Support for Maintaining Current Housing Element Draft and Rezoning Proposal
Date: Wednesday, June 26, 2024 1:30:05 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 Luke Connelly, Piu Ghosh, Pamela Wu, and Cupertino City Council,

I am writing to express my full support for the proposed housing element draft and rezoning, as previously developed by Luke Connelly and Piu Ghosh. Please do not make any further changes to the previously drafted housing element proposal, which has already received approval from HCD. Now is not the time to allow outside influences to disrupt the process and jeopardize the prospects of Cupertino passing the housing element and extending Builders Remedy.

It has come to my attention that certain advocates have suggested significant changes to the housing element draft during the last council meeting. I urge you not to accept any of those changes. This is not the time for major alterations, as doing so could lead to extreme conditions that would make Cupertino unrecognizable from its current character.

Luke and Piu have done an excellent job, and we do not need additional input from those who may not fully understand the unique needs of our community.

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some current restrictions will better serve Cupertino in the long run.

Thank you for your time and consideration of my perspective as a long-term Cupertino resident and current voter. This is a critical matter to me, and council members' votes on this issue will impact my decisions in the upcoming elections in November 2024 and 2026.

I trust that the Council will make decisions that reflect the best interests of our entire community.

Sincerely,

Jayshri Yadwadkar
Cupertino resident and voter
408-888-1543(c)

==

From: [S B](#)
To: [City Council](#); [City Clerk](#); [Luke Connolly](#); [Piu Ghosh \(she/her\)](#); [Pamela Wu](#)
Subject: Full support for the housing element
Date: Wednesday, June 26, 2024 1:14:40 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 Luke Connolly, Piu Ghosh, Pamela Wu, and Cupertino City Council,

I am writing to express my full support for the proposed housing element draft and rezoning, as previously developed by Luke Connolly and Piu Ghosh. Please do not make any further changes to the previously drafted housing element proposal, which has already received approval from HCD. Now is not the time to allow outside influences to disrupt the process and jeopardize the prospects of Cupertino passing the housing element and extending Builders Remedy.

It has come to my attention that certain advocates have suggested significant changes to the housing element draft during the last council meeting. I urge you not to accept any of those changes. This is not the time for major alterations, as doing so could lead to extreme conditions that would make Cupertino unrecognizable from its current character.

Luke and Piu have done an excellent job, and we do not need additional input from those who may not fully understand the unique needs of our community.

It is crucial to balance the need for new housing with the preservation of our community's character and existing standards. Increasing flexibility in rezoning and reducing parking requirements could lead to overdevelopment and strain our infrastructure. Instead of pushing for higher density and fewer restrictions, we should maintain reasonable limitations that align with Cupertino's current character.

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some current restrictions will better serve Cupertino in the long run.

Thank you for your time and consideration of my perspective as a long-term Cupertino resident and current voter. This is a critical matter to me, and council members' votes on this issue will impact my decisions in the upcoming elections in November 2024 and 2026.

I trust that the Council will make decisions that reflect the best interests of our entire community.

Sincerely,

Sashi Begur
Cupertino resident and voter
Sent from my iPhone

From: [Deepa Mahendrakar](#)
To: [Luke Connolly](#); [Piu Ghosh \(she/her\)](#); [Pamela Wu](#); [City Council](#); [City Clerk](#)
Subject: Regarding proposed housing element draft and re-zoning
Date: Wednesday, June 26, 2024 12:54:04 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 Luke Connolly, Piu Ghosh, Pamela Wu, and Cupertino City Council,

I am writing to express my full support for the proposed housing element draft and rezoning, as previously developed by Luke Connolly and Piu Ghosh. Please do not make any further changes to the previously drafted housing element proposal, which has already received approval from HCD. Now is not the time to allow outside influences to disrupt the process and jeopardize the prospects of Cupertino passing the housing element and extending Builders Remedy.

It has come to my attention that certain advocates have suggested significant changes to the housing element draft during the last council meeting. I urge you not to accept any of those changes. This is not the time for major alterations, as doing so could lead to extreme conditions that would make Cupertino unrecognizable from its current character.

Luke and Piu have done an excellent job, and we do not need additional input from those who may not fully understand the unique needs of our community.

It is crucial to balance the need for new housing with the preservation of our community's character and existing standards. Increasing flexibility in rezoning and reducing parking requirements could lead to overdevelopment and strain our infrastructure. Instead of pushing for higher density and fewer restrictions, we should maintain reasonable limitations that align with Cupertino's current character.

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Preserving Community Character:

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Supporting Equitable Housing:

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Preserve existing parking requirements to ensure adequate parking availability and minimize congestion in residential areas.

Maintaining Standards and Order:

Uphold current lot coverage limits and minimum lot size requirements to maintain orderly development and prevent overcrowding.

Retain existing interior side yard setbacks to ensure sufficient space between properties, promoting privacy and reducing potential conflicts between neighbors.

Consideration of Long-term Impact:

Any future ordinance updates should be carefully considered and aligned with the community's long-term vision and needs, ensuring changes benefit all residents without compromising the quality of life.

While it is crucial to address the housing needs of underrepresented communities and comply with state regulations, it is equally important to consider the potential repercussions of drastic changes. A balanced approach that maintains some current restrictions will better serve Cupertino in the long run.

Thank you for your time and consideration of my perspective as a long-term Cupertino resident and current voter. This is a critical matter to me, and council members' votes on this issue will impact my decisions in the upcoming elections in November 2024 and 2026.

I trust that the Council will make decisions that reflect the best interests of our entire community.

Sincerely,

Deepa Mahendraker
Cupertino resident and voter

From: [Rhoda Fry](#)
To: [Cupertino City Manager's Office](#); [Tina Kapoor](#); [Luke Connolly](#); [Piu Ghosh \(she/her\)](#)
Cc: [City Council](#); [City Clerk](#)
Subject: Please leave housing element as is
Date: Wednesday, June 26, 2024 11:46:08 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.

Dear City Manager Wu,

The Housing Element has been an arduous overly-long expensive process.

Please, we're near the finish line, let's get it done.

Through multiple roadblocks and delays, Assistant Director of Community Development Luke Connolly has deftly managed to usher the housing element toward compliance.

I am grateful for the Planning Department's hard work.

I was dismayed to watch the Planning Commission meeting where commissioners proposed to further loosen our zoning rules.

The impacts of the Housing Element are already drastic – let's please not make it worse and let's please expedite its completion.

The City gave up CEQA to expedite the Housing Element, let's not delay it any further.

We are already experiencing a reduced quality of life through the City's densification.

Please do not add more density, reduce parking or increase building heights to our zoning.

- Ever since 9 homes replaced a church at the end of my street, I get a nasty sewer smell in my front yard and cannot open the windows that face the street on a hot day.

- I can't imagine what further densification could do on my street - infrastructure is being overwhelmed and parking is becoming hard to find.

- Taller buildings are also making it harder to add solar and reduce what little privacy we have

Presently, the State does not allow down-zoning.

Please, let's live with our housing element and new zoning rules for a few years before making any more changes.

With Gratitude,

Rhoda Fry, 40+ year Cupertino Resident



Virus-free www.avg.com

From: [Ravi Kiran Singh](#)
To: [Luke Connolly](#); [Piu Ghosh \(she/her\)](#); [Pamela Wu](#); [City Council](#)
Cc: [City Clerk](#)
Subject: Support for Maintaining Current Housing Element Draft and Rezoning Proposal
Date: Wednesday, June 26, 2024 10:50:23 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.

Dear Luke Connelly, Piu Ghosh, Pamela Wu, and Cupertino City Council,

I'm writing to express my full support for the proposed housing element draft and rezoning, as developed by Luke Connelly and Piu Ghosh. I urge you to maintain the current proposal, which has already received HCD approval, and avoid making significant changes that could jeopardize the housing element and Builders Remedy.

I believe it's crucial to balance new housing with preserving our community's character and existing standards. I request that you:

- Maintain the 5-story limit in R-4 zones
- Retain the 55% FAR limitation
- Keep the current definition of a duplex
- Preserve existing parking requirements
- Uphold current lot coverage limits and minimum lot size requirements
- Retain existing interior side yard setbacks

I trust that the Council will make decisions that reflect the best interests of our entire community. Thank you for your time and consideration.

Sincerely,
Ravi Kiran Singh
Cupertino resident and voter

From: [Santosh Rao](#)
To: [City Clerk](#)
Subject: Fw: Support for Maintaining Current Housing Element Draft and Rezoning Proposal. Please do NOT make further changes.
Date: Wednesday, June 26, 2024 10:15:37 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.

Dear City Clerk,

Please include my letter below in written communications for the upcoming city council meeting.

Thank you for your excellent contributions on and off Dias and your service to the city. We appreciate your great work.

Thanks,
Santosh Rao

Begin forwarded message:

On Wednesday, June 26, 2024, 10:12 AM, Santosh Rao <santo_a_rao@yahoo.com> wrote:

Dear Luke Connelly, Piu Ghosh, Pamela Wu, and Cupertino City Council,

I am writing to express my full support for the proposed housing element draft and rezoning, as previously developed by Luke Connelly and Piu Ghosh.

Please do NOT make any further changes to the previously drafted housing element proposal, which has already received approval from HCD. Now is not the time to allow outside influences to disrupt the process and jeopardize the prospects of Cupertino passing the housing element and extending Builders Remedy.

It has come to my attention that certain advocates have suggested significant changes to the housing element draft during the last council meeting. I urge you not to accept any of those changes. This is not the time for major alterations, as doing so could lead to extreme conditions that would make Cupertino unrecognizable from its current character.

Luke and Piu have done an excellent job, and we do not need additional last minute changes from unqualified zealots who second guess our very capable and experienced Luke Connelly and Piu Ghosh in the last minute. They do not understand the unique needs of our community. Now is NOT the time for late breaking changes risking another round of reviews and increasing our exposure to builders remedy.

It is crucial to balance the need for new housing with the preservation of our community's character and existing standards. Increasing flexibility in rezoning and reducing parking requirements could lead to overdevelopment and strain our infrastructure. Instead of pushing for higher density and fewer restrictions, we should maintain reasonable limitations that align with Cupertino's current character.

Specifically, I urge you to consider the following points:

Preserving Community Character:

- Maintain the current 5-story limit in R-4 zones to prevent overcrowding and ensure new developments harmonize with existing neighborhood aesthetics.
- Retain the 55% FAR limitation to avoid excessive density that could overwhelm local resources and infrastructure.

Supporting Equitable Housing:

- Keep the current definition of a “duplex” to avoid complications in design and development processes. Flexibility is important, but it should not come at the expense of community cohesion and established standards.
- Preserve existing parking requirements to ensure adequate parking availability and minimize congestion in residential areas.

Maintaining Standards and Order:

- Uphold current lot coverage limits and minimum lot size requirements to maintain orderly development and prevent

overcrowding.

- Retain existing interior side yard setbacks to ensure sufficient space between properties, promoting privacy and reducing potential conflicts between neighbors.

Consideration of Long-term Impact:

- Any future ordinance updates should be carefully considered and aligned with the community's long-term vision and needs, ensuring changes benefit all residents without compromising the quality of life.

While it is crucial to address housing needs and comply with state regulations, it is equally important to consider the potential repercussions of drastic changes. A balanced approach that maintains some current restrictions will better serve Cupertino in the long run.

Thank you for your time and consideration of my perspective as a long-term Cupertino resident and current voter. This is a critical matter to me, and council members' votes on this issue will impact my voting decisions in the upcoming elections in November 2024 and 2026.

I trust that the Council will make decisions that reflect the best interests of our entire community.

Sincerely,

Santosh Rao

Cupertino resident, US citizen and US voter

Working in Cupertino since 1998

Living in Cupertino since 2015

From: [Abdullah Enes Kut](#)
To: [City Council](#); [City Clerk](#)
Subject: For Public Comment (7/2): Item 7 Housing Element Rezonings
Date: Monday, July 1, 2024 2:34:44 PM
Attachments: [Housing Element Rezoning Recommendations - Abdullah Enes Kut.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.

Good Afternoon

I hope this email finds you well. I am Abdullah Enes Kut, an inhabitant and student of the city of Cupertino, who wishes to pioneer a positive impact for the community at large. Attached below, please find a recommendation letter with proposed policies towards the inclusivity, affordability and accessibility of the housing element of the city of Cupertino, which risks ineligibility from state certification at this time. Mutual effort, and the recommendations proposed by the CFA, map out a detailed plan to overcome this barrier, to which I urge your attention.

Thank you for your positive work towards the city we call home, and for considering our request towards a better Cupertino, for all.

Sincerely,
Abdullah Enes Kut

To the Cupertino City Council:

I hope this letter finds you well. My name is Abdullah Enes Kut. I am a resident, student and worker at Cupertino. The Housing Element is a commendable project that I am enthusiastic to support, especially if it is strengthened by this Council to fully bolster affordable housing projects. In this letter, I would like to address previous successes, as well as propose and promote better policies, to strengthen the inclusivity, affordability and accessibility of housing in Cupertino as an entity.

I would like to thank Staff for their proposed rezonings, which are necessary for our Housing Element to achieve full compliance with HCD. Our Housing Element will no longer be eligible for state certification if we do not approach our rezonings in a manner that encourages all types of housing. We cannot stand by and watch unnecessary, harmful restrictions characterize Cupertino's zoning code.

Council has received a letter from Cupertino for All describing specific, actionable changes that they, as policymakers, can enact to enhance our rezonings and ensure that HCD will ultimately accept them. **I fully support the CFA recommendations and ask that you adopt them as your own.**

I would like to take a moment to highlight the following recommendations which ensure that our Housing Element is successful in fully answering the requirements of state law to affirmatively further fair housing.

First, Council must remove the 5-story limit, relying *only* on the 70 foot height limit (which is already in place) for R-4 Zoning. This will:

- Allow for greater flexibility to architects designing housing of different forms for different populations at different income levels;
- Grant architects more freedom to design housing typologies of varying types and for varying incomes without forcing developers to rely on state-law workarounds like the Density Bonus Law.

Our new codes should reflect state law requirements to support a range of housing across different income levels. The 5-story limit is an unnecessary limit that pushes developers toward more expensive housing forms, which is contrary to the general thrust of Housing Element Law, HCD guidance, and affirmatively furthering fair housing principles.

Moreover, Council should strengthen the Strategy HE 1.3.6 (The Missing Middle Program). Revisions in the December 2023 submission of the Housing Element changed this strategy from

allowing four-unit developments under R-3 standards, which were designed for small apartment buildings, to instead allowing development under the city's highly restrictive R-2 standards.

To fully enable the Strategy to work as it is intended to, the new duplex overlay must be much more flexible than what is currently proposed. In particular, Council should:

- Remove the change in the definition of a duplex, which requires principal dwelling units to be no more than 200 square feet different from each other;
 - According to the staff report, the change was meant to define comparable sized units, but, in reality, distorts the Missing Middle Program. Council can and should eliminate this proposed standard;
- Remove the 55% FAR limitation;
- Expand the 40% lot coverage maximum;
- Reexamine the interior side setback minimums.

Finally, Council should provide additional direction (via requesting staff to partner with stakeholders, community-based organizations, developers, and homeowners) in regards to staff's recommended Ordinance to adopt objective development Standards. They should do so to ensure that future development standards emphasize increased flexibility and architectural freedom, as opposed to unnecessary restrictions.

Thank you for your consideration and effort to foster an inclusive and vibrant Cupertino.

Sincerely,
Abdullah Enes Kut

From: [susan.chen](#)
To: [Luke Connolly](#); [Piu Ghosh \(she/her\)](#); [Pamela Wu](#); [City Council](#); [City Clerk](#)
Subject: Stop adding more aggressive items to the Housing Elements
Date: Monday, July 1, 2024 3:22:11 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 Luke Connolly, Piu Ghosh, Pamela Wu, and Cupertino City Council,

I am writing to ask that you please do not make any further changes to the previously drafted housing element proposal, which has already received approval from HCD. Now is not the time to allow outside influences to disrupt the process and jeopardize the prospects of Cupertino passing the housing element and extending Builders Remedy.

It has come to my attention that certain advocates have suggested significant changes to the housing element draft during the last council meeting. I urge you not to accept any of those changes. This is not the time for major alterations, as doing so could lead to extreme conditions that would make Cupertino unrecognizable from its current character.

Luke and Piu have done an excellent job, and we do not need additional input from those who may not fully understand the unique needs of our community.

It is crucial to balance the need for new housing with the preservation of our community's character and existing standards. Increasing flexibility in rezoning and reducing parking requirements could lead to overdevelopment and strain our infrastructure. Instead of pushing for higher density and fewer restrictions, we should maintain reasonable limitations that align with Cupertino's current character.

Specifically, I urge you to consider the following points:

Preserving Community Character:

Maintain the current 5-story limit in R-4 zones to prevent overcrowding and ensure new developments harmonize with existing neighborhood aesthetics.

Retain the 55% FAR limitation to avoid excessive density that could overwhelm local resources and infrastructure.

Supporting Equitable Housing:

Keep the current definition of a "duplex" to avoid complications in design and development processes. Flexibility is important, but it should not come at the expense of community cohesion and established standards.

Preserve existing parking requirements to ensure adequate parking availability and

minimize congestion in residential areas.

Maintaining Standards and Order:

Uphold current lot coverage limits and minimum lot size requirements to maintain orderly development and prevent overcrowding.

Retain existing interior side yard setbacks to ensure sufficient space between properties, promoting privacy and reducing potential conflicts between neighbors.

Consideration of Long-term Impact:

Any future ordinance updates should be carefully considered and aligned with the community's long-term vision and needs, ensuring changes benefit all residents without compromising the quality of life.

While it is crucial to address the housing needs of underrepresented communities and comply with state regulations, it is equally important to consider the potential repercussions of drastic changes. A balanced approach that maintains some current restrictions will better serve Cupertino in the long run.

Thank you for your time and consideration of my perspective as a long-term Cupertino resident and current voter. This is a critical matter to me, and council members' votes on this issue will impact my decisions in the upcoming elections in November 2024 and 2026.

I trust that the Council will make decisions that reflect the best interests of our entire community.

Sincerely,
Susan Chen,
Cupertino citizen

From: [Sean Hughes](#)
To: [City Council](#); [City Clerk](#)
Subject: For Public Comment (7/2): Item 7 Housing Element Rezonings
Date: Monday, July 1, 2024 3:27:13 PM
Attachments: [Council Comment-Hughes-DraftMCA-07.02.24 .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.

Hello,

I would like to submit the attached document as comment for Agenda Item 7 in tomorrow's Council Meeting.

Thank you,
Sean

Re: For Public Comment (7/2) on Item 7 Housing Element Rezoning

To Cupertino's City Council:

My name is Jun-Xiong (Sean) Hughes, and I am a former resident in Cupertino; I grew up and went to school here, and also lived here from 2019 through the most of the 2020 COVID pandemic. I moved away, in large-part due to a lack of affordable housing, and have followed the Housing Element process with interest given the implications it has for Cupertino's inclusivity and climate change policies.

I appreciate the staff's work and changes to the municipal code amendments, in particular the increase to 85% Floor-Area Ratio (FAR) requirement in the Townhome (TH) combining district, the consideration of Cupertino for All's letter within the staff report and the suggested amendments for Council consideration. I hope the Council can adopt many of these amendments, as the current proposal without amendments appears inadequate to successfully achieve the goals and requirements of our Housing Element (HE). Furthermore, I hope that additional changes could be beneficial for creating a development environment that is more open, more beneficial to the City, and more supportive of the HE goals around affordability and inclusion of current and future residents.

In the past, Cupertino- not unlike many other cities across the country- have purposefully or inadvertently made the development of diverse housing opportunities difficult or logistically improbable by a myriad of arbitrary and restrictive zoning codes and housing policies. With these amendments, Cupertino has a rare opportunity to build a better "outline" for this City's development. I hope to see the following:

- Align code amendments to support, not frustrate, the stated purpose of Strategy HE-1.3.6: Encourage Missing-Middle Housing Developments to Affirmatively Further Fair Housing.
 - As outlined in previous drafts, this strategy should open up historically exclusive neighborhoods to a diverse range of residents, enhancing our community's strength through diversity and building a more stable and sustainable community. Amendments should be considered in this context, and efforts should be made to avoid diluting the effectiveness of programs like this one.
 - For example, to my understanding the 55% floor-area ratio requirement in the R-2 "overlay" (Part K. in Section 19.28.040, Permits required for development in Single-Family Zones) is a new restriction that goes

beyond the underlying R-2 standard. This new restriction seems randomly instituted, limits the effectiveness of this “overlay” policy within the missing-middle strategy 1.3.6, and will likely restrict the type of buildings possible in a zone with already smaller lots.

- Additionally, the change to the definition of a “duplex” in the “Definitions” (Section 19.08.030), creates a 200-foot distance requirement between primary dwelling units. The staff report for the July 2, 2024 Council meeting acknowledges that this “may create legal non-conforming structures within R2”, and states that this standard was created to have an objective standard for comparable units, and dissuade the development of “very large single-family homes with attached ADU”. While the possibility of very large single-family home with an attached ADU is not preferable to a duplex development from a affordability and unit volume perspective, there are other policy mechanisms and programs that could dissuade or persuade the development of duplexes, rather than legislating through the zoning code in a way that may create net-new problems.
- Given the importance of AFFH compliance within the HE, staff and the City should consider removing the additional FAR requirement on R-2 (Duplex) “overlay” standards and align the “overlay” standards with the underlying R-2 standards instead of adding new requirements, to ensure the success of Strategy 1.3.6 rather than undercutting its scope and effectiveness.
- Re-evaluate parking standards in all zones with consideration of commitments made in the Climate Action Plan Update 2.0 in 2023, and in consideration of neighboring jurisdictions who have gone further and created parking maximums rather than minimum requirements.
 - I support calls to reduce parking minimums, but given neighboring jurisdiction policies and the desire for Cupertino to be a leader in climate action and improve walkability, there should be consideration of the removal or implementation of maximums rather than parking minimums.
- Review and consider lowering all setback requirements within the R-3 and R-4 zones; especially the additional “upper-floor” setbacks.
 - These standards do not seem necessary for building integrity or success of a project, as other cities and neighborhood examples demonstrate otherwise. (See example below, or this lot for a townhome example of a project with high lot coverage, making use of a small lot).
 - Some discussion in the staff report regarding the TH district suggests that expanded lot coverage would not be “sustainable” or in-line with “urban heat island” goals - suggesting that it would not be possible for

lots to have space for mature trees. However, the trade-off of more desirable or feasible townhomes on smaller plots of land seem much more sustainable or climate action forward than the trade-off of having a mature tree on every single TH lot. Without even mentioning that there are other ways of greening or cooling a space, it is worth considering how higher density developments would likely have a much greater environmental impact than latching onto an idea that a mature tree on every lot is the only way to design a home with less urban heat-island impacts. In short, concepts of [“gray” vs. “green” environmentalism](#) should be considered when deliberating trade-offs, especially in districts directly adjacent to medium to very high-density developments.

- For R-4 zones in particular:
 - Remove the five-story restriction
 - Consider a higher, or removal altogether, of a height limit in R-4 zones
 - Re-consider the “stair-stepped” or upper floor setback requirements to a more reasonable number like 8 feet, and remove the additional 10 foot requirement if adjacent to primary residential zones (which could be R-3 or TH zones anyways)
 - Remove or expand the maximum lot coverage restriction to 70 or 80 percent of net lot area

In particular, the R-4 zone is rather disappointing. My understanding is that the R-4 zone is supposed to be one of our most ambitious zoning districts meant to support “high to very-high” density development. However the restrictions here don’t seem very ambitious nor helpful, and may actively limit the quality of developments and housing opportunities we could have on our already very limited sites. There was discussion in the last planning commission meeting that the reference to a five-story restriction was for a) layman’s understanding and b) could encourage development of mixed-use buildings. However, code amendments have legal implications so the layman’s understanding is of lesser importance than the highly prescriptive and restrictive nature of the five-story limit, and we did not see any evidence to support the idea why the presence of a five-story limit would be any less supportive of mixed-use development than the absence of a limit in the code. In the staff report, there was discussion that the story / height limit was based on developer surveys and feedback, but it is difficult to comprehend how no limit or a higher limit would be detrimental to developments in the supposedly most ambitious zoning district in the City. Cupertino is home to one of the most profitable companies in the world, and constraining future development to modest heights barely taller than the “Main Street Cupertino” development seems baffling and not very sustainable from a climate action perspective.

Furthermore, real-world projects raise questions of the value of many of these restrictions. For example, I currently reside in Ballard, a neighborhood in Seattle: this [development](#) in Ballard ([2318 NW MARKET ST 98107](#)) is on ~50,000 sq. ft lot with nearly 80% lot coverage, height at 75 feet (retail 14, apartment levels 10), setbacks (above 45 ft: 10 feet (avg), above 65 ft: 15 feet (avg)) meet zoning requirements of 8 feet from front lot line, and the project has less than 250 units. This project is not the tallest building in the neighborhood and is relatively modest in size, and while I understand the development environment is different between here and Cupertino, the point is that this type of project seems illegal to build when considered against the proposed R-4 standards. This seems significantly counter-intuitive toward the stated purpose of this new zone and meeting our HE goals.

Thank you for your consideration and continued work.

Regards,
Sean Hughes

From: [Jennifer Griffin](#)
To: [City Council](#)
Cc: grenna5000@yahoo.com; [City Clerk](#)
Subject: Missing Middle in the Housing Element
Date: Monday, July 1, 2024 3:42:12 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 City Council:

Why are we putting Missing Middle in our Housing Element? It has no place in the Housing Element. All these yimby groups are demanding we put Missing Middle in our Housing Element. Yimby Law is demanding we put Missing Middle in our Housing Element. These Pay to Play groups are all getting money from unknown sources and trying to take over Our Housing Element. They are demanding we do this and that and rezone this and That. Who are these people? Where did they get the money from to do this?

Is this like Forever California where groups or PACs with money from who knows where are Going to take over all the land and cities in California? This money may be coming From outside of the country. Are they just going to take over every city and elected position in the state?

Why doesn't the governor confront Missing Middle for what it is: Money from anarchists And Communist sources. It has no place in our Housing Element or cities. Please Protect our city from these things bad money is trying to buy.

Sincerely,

Jennifer Griffin

From: [Jennifer Griffin](#)
To: [City Clerk](#)
Cc: grenna5000@yahoo.com
Subject: Fwd: Missing Middle in the Housing Element
Date: Monday, July 1, 2024 3:43:52 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.

FYI. Please add these comments as public comments for Agenda Item Number 7 in The 7/2/24 City Council meeting. Thank you.

----- Original Message -----

Subject: Missing Middle in the Housing Element
From: Jennifer Griffin <grenna5000@yahoo.com>
Sent: Monday, July 1, 2024, 3:41 PM
To: citycouncil@cupertino.org
CC: grenna5000@yahoo.com, cityclerk@cupertino.org

Dear City Council:

Why are we putting Missing Middle in our Housing Element? It has no place in the Housing Element. All these yimby groups are demanding we put Missing Middle in our Housing Element. Yimby Law is demanding we put Missing Middle in our Housing Element. These Pay to Play groups are all getting money from unknown sources and trying to take over Our Housing Element. They are demanding we do this and that and rezone this and That. Who are these people? Where did they get the money from to do this?

Is this like Forever California where groups or PACs with money from who knows where are Going to take over all the land and cities in California? This money may be coming From outside of the country. Are they just going to take over every city and elected position in the state?

Why doesn't the governor confront Missing Middle for what it is: Money from anarchists And Communist sources. It has no place in our Housing Element or cities. Please Protect our city from these things bad money is trying to buy.

Sincerely,

Jennifer Griffin

From: [John Zhao](#)
To: [City Council](#); [City Clerk](#)
Subject: For Public Comment (7/2): Item 7 Housing Element Rezonings
Date: Monday, July 1, 2024 3:47:33 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 City Council:

I am writing to you in my capacity as an individual, not as a member of the Bicycle Pedestrian Commission. I am a renter living with my family in Cupertino.

I am happy to see the progress that the City has made on the Housing Element, though this Council has an important opportunity to strengthen the plan to more effectively pursue affordable housing and sound planning for the future of our community.

I would like to thank Staff for their proposed rezonings, which are necessary for our Housing Element to achieve full compliance with HCD. Our Housing Element will no longer be eligible for state certification if we do not rezone to allow for a diversity of types of homes, including duplexes, fourplexes, and multi-story multi-family housing units. Unnecessary zoning restrictions in the city's zoning code will only hamper our ability to plan for an inclusive, vibrant community.

Council has received a letter from Cupertino for All describing specific, actionable changes that they, as policymakers, can enact to enhance our rezonings and ensure that HCD will ultimately accept them. **I fully support the CFA recommendations and ask that you adopt them as your own.**

I would like to take a moment to highlight the following recommendations which ensure that our Housing Element is successful in fully answering the requirements of state law to affirmatively further fair housing.

First, Council must remove the 5-story limit, relying *only* on the 70 foot height limit (which is already in place) for R-4 Zoning. This will:

- Allow for greater flexibility to architects designing housing of different forms for different populations at different income levels;
- Grant architects more freedom to design housing typologies of varying types and for varying incomes without forcing developers to rely on state-law workarounds like the Density Bonus Law.

Our new codes should reflect state law requirements to support a range of housing across different income levels. The 5-story limit is an unnecessary limit that pushes developers toward more expensive housing forms, which is contrary to the general thrust of Housing Element Law, HCD guidance, and affirmatively furthering fair housing principles.

Moreover, Council should strengthen the Strategy HE 1.3.6 (The Missing Middle Program).

Revisions in the December 2023 submission of the Housing Element changed this strategy from allowing four-unit developments under R-3 standards, which were designed for small apartment buildings, to instead allowing development under the city's highly restrictive R-2 standards.

To fully enable the Strategy to work as it is intended to, the new duplex overlay must be much more

flexible than what is currently proposed. In particular, Council should:

- Remove the change in the definition of a duplex, which requires principal dwelling units to be no more than 200 square feet different from each other;
 - According to the staff report, the change was meant to define comparable sized units, but, in reality, distorts the Missing Middle Program. Council can and should eliminate this proposed standard;
- Remove the 55% FAR limitation;
- Expand the 40% lot coverage maximum;
- Reexamine the interior side setback minimums.

Third, Council should provide additional direction (via requesting staff to partner with stakeholders, community-based organizations, developers, and homeowners) in regards to staff's recommended Ordinance to adopt objective development Standards. They should do so to ensure that future development standards emphasize increased flexibility and architectural freedom, as opposed to unnecessary restrictions. In general, across different zoning types, the City should reconsider the purpose of FAR, setbacks, and parking standards. These zoning tools currently lead to sprawled suburban design, with seas of parking lots and architecture that is hostile to non-automobile users. This leads to an unpleasant experience for all involved, especially for pedestrians and active transportation users. Reconsidering these restrictive requirements - especially for R2, R3, and R4 zoning - would enable us to plan for a city that actually centers people's experiences over automobiles. There is a reason why some people are so drawn to indoor malls -- it's because (to some degree) they are a snippet of what an actually walkable and human-centered (sub)urban experience can feel like. Rather than keeping that design isolated in a moat of parking lots, why not actually integrate it into our cityscape?

Thank you for your consideration and effort to foster an inclusive and vibrant Cupertino.

Sincerely,
John Zhao
representing myself only
Commissioner, Bicycle Pedestrian Advisory Commission

From: [Swim5am \(Connie Cunningham\)](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: 2024-7-2 City Council Agenda Item 7 Rezoning for Housing Element
Date: Monday, July 1, 2024 3:49:17 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.

Honorable Chair Mohan, Vice Chair Fruen and Councilmembers,

My name is Connie Cunningham,
Chair, Housing Commission, self only, homeowner

I have lived here 37 years. Both my step-children attended local elementary, middle schools and high schools. After college, they each chose to move away from Cupertino because the cost of homes was too high. That was in the early 1990's. The situation is worse now for our children who live in Cupertino through high school, but are forced to live elsewhere afterwards.

Thank you for adopting the Housing Element in May! The Housing Element is a commendable project that I am enthusiastic to support, especially if it is strengthened by this Council to fully bolster affordable housing projects.

I would like to thank Staff for their proposed rezonings, which are necessary for our Housing Element to achieve full compliance with HCD. Our Housing Element will no longer be eligible for state certification if we do not approach our rezonings in a manner that encourages all types of housing. We cannot stand by and watch unnecessary, harmful restrictions characterize Cupertino's zoning code.

I like many of the rezoning topics, especially:
New Chapter 19.38 that includes universal design standards for people of all ages and abilities, as well as standards for the maintenance of common open spaces and landscaping.
New Chapter 19.50 Emergency Shelters: State Law AB 2339

One point I would like to emphasize and agree with is the Staff Comment on Page 7 of their Staff Report, dealing with the TH Combining District.

Eliminating the lot coverage standard could allow developments to occur with limited areas for landscaping. This would be contrary to many of the City's policies related to urban heat island effect, sustainability, and maintaining an urban tree canopy. Staff recommends retaining the lot coverage standard to ensure that there continue to be opportunities to plant trees that can attain a substantial stature at maturity and will be in a more appropriate scale for projects that are more urban in nature.

It is important to provide not only homes, but other protections like these, that are designed for all residents.

Council has received a letter from Cupertino for All describing specific, actionable changes that they, as policymakers, can enact to enhance our rezonings and ensure that HCD will ultimately accept them. I fully support the CFA recommendations and ask that you adopt them as your own.

I would, also, like to take a moment to highlight the following recommendations which ensure that our Housing Element is successful in fully answering the requirements of state law to affirmatively further fair housing.

First, Council must remove the 5-story limit, relying only on the 70 foot height limit (which is already in place) for R-4 Zoning. This will:

Allow for greater flexibility to architects designing housing of different forms for different populations at different income levels;
Grant architects more freedom to design housing typologies of varying types and for varying incomes without forcing developers to rely on state-law workarounds like the Density Bonus Law.

Our new codes should reflect state law requirements to support a range of housing across different income levels. The 5-story limit is an unnecessary limit that pushes developers toward more expensive housing forms, which is contrary to the general thrust of Housing Element Law, HCD guidance, and affirmatively furthering fair housing principles.

Moreover, Council should strengthen the Strategy HE 1.3.6 (The Missing Middle Program). Revisions in the December 2023 submission of the Housing Element changed this strategy from allowing four-unit developments under R-3 standards, which were designed for small apartment buildings, to instead allowing development under the city's highly restrictive R-2 standards.

To fully enable the Strategy to work as it is intended to, the new duplex overlay must be much more flexible than what is currently proposed. In particular, Council should:

Remove the change in the definition of a duplex, which requires principal dwelling units to be no more than 200 square feet different from each other;
According to the staff report, the change was meant to define comparable sized units, but, in reality, distorts the Missing Middle Program. Council can and should eliminate this proposed standard;
Remove the 55% FAR limitation;
Expand the 40% lot coverage maximum;
Reexamine the interior side setback minimums.

Finally, Council should provide additional direction (via requesting staff to partner with stakeholders, community-based organizations, developers, and homeowners) in regards to staff's recommended Ordinance to adopt objective development Standards. They should do so to ensure that future development standards emphasize increased flexibility and architectural freedom, as opposed to unnecessary restrictions.

Thank you for your consideration and effort to foster an inclusive and vibrant Cupertino.

Sincerely,

Connie L. Cunningham

.....
Connie Cunningham



From: [Kamyab Mashian](#)
To: [City Council](#); [City Clerk](#)
Subject: Proposed Rezonings
Date: Monday, July 1, 2024 3:50:46 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.

To the Cupertino City Council:

My name is Kamyab Mashian. I am a former resident of Cupertino, and I hope to be able to return, so I have remained actively involved in the community.

I am writing to address the proposed rezonings. In the Housing Element, Cupertino finally committed to a realistic path towards getting enough homes for everyone in the community. I appreciate the work that staff put into implementing the Housing Element through the rezoning, but (like many members of the community) I had some concerns about the initial proposal. I therefore urge the City Council to **implement the changes proposed by Cupertino For All** in their letter to staff.

One of these proposed changes would be to drop the 5-floor limit on R-4 zoning. The "five-over-one" construction style is at its most cost-effective for 6- or 7-floor buildings, so builders should be given flexibility to build those kinds of homes. The existing 70' limit already does more than enough to limit overly tall structures. By limiting apartments to both 70' but also 5 floors, we would only be encouraging more high-ceiling luxury development, rather than the more attainable homes that Cupertino so desperately needs.

I also strongly support Cupertino For All's recommendations for strategy HE 1.3.6. These changes will prevent builders from being needlessly hamstrung, and allow the "missing middle" housing our community needs to actually get built.

I hope you will take these recommendations into account at tomorrow's meeting, which I will be following closely. Thank you for your consideration.

Sincerely,

Kamyab Mashian (he/him)
Email: kamyab.mashian@gmail.com
Phone: (831) 295-4360

From: [Sandhana Siva](#)
To: [City Council](#); [City Clerk](#)
Subject: Rezoning and Housing Element
Date: Monday, July 1, 2024 3:52:00 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 Cupertino City Council,

My name is Sandhana Siva. I am a resident of the Rancho Rinconada neighborhood of Cupertino. I am a rising freshman at San Jose State University hoping to study Geography, Urban planning, and ecology/Environmental Science. I am happy to support the Housing Element, and I will be even more excited if the city council has support to fully bolster the supply of affordable housing projects. Furtherly, being an urbanist and environmentalist I strongly believe that the housing element will push Cupertino further away from sprawling into open space areas such as the vast grasslands and oak savannas and woodlands found in the Fremont Older Open Space Preserve, Rancho San Antonio, and Mclellan Ranch Preserve which is important for groundwater percolation and storage, wildlife linkage and migration and gene transfer, flood protection, carbon sequestration, and wildfire and heat hazard buffer. I am also a young person who would love to live in a multifamily home in Cupertino in the future, so including more affordable housing would be perfect.

I would like to thank the staff for their rezonings, which are necessary for the Housing Element to be in compliance with the department of Housing and Community Development's new policies on affirmatively furthering fair housing. Our Housing Element will no longer be eligible for state certification if we do not approach our rezonings in a manner that encourages all types of housing. We cannot stand by and watch unnecessary, harmful restrictions characterize Cupertino's zoning code.

The Council has received letters from Cupertino For All describing specific, actionable changes that you as policymakers, to enhance rezonings to be in compliance with HCD. I fully support Cupertino For All's proposed changes and recommendations and ask that you also accept it.

I would like to take a moment to go over the recommendations put forth by Cupertino For All to ensure that our Housing Element successfully furthers fair housing.

1.

Council must remove the 5 story limit, and rely only on the 70 ft height limit for the R4 zoning district which will allow for greater flexibility for architects in designing housing for people of different backgrounds without forcing developers to work around state laws such as the density bonus law.

2.

Council should strengthen HE 1.3.6 (The Missing Middle Program). To fully enable this strategy, council must remove the change in definition of a duplex which require principle dwelling units to be no more than 200 square feet different from eachother. They should also remove the 55% floor area ratio restriction, expand the 40% lot coverage maximum, and reexamine interior side setback minimums. There should also only be 1 parking space per dwelling unit to reserve more area for living space rather than cars.

Finally, Council should provide additional direction (via requesting staff to partner with stakeholders, community-based organizations, developers, and homeowners) in regards to staff's recommended Ordinance to adopt objective development Standards. They should do so to ensure that future development standards emphasize increased flexibility and architectural freedom, as opposed to unnecessary restrictions.

Thank you for your consideration and effort to foster an inclusive and vibrant Cupertino.

Sincerely,

Sandhana Siva

From: [Jean Bedord](#)
To: [City Council](#); [City Clerk](#)
Subject: Agenda Item #7: Rezoning for Housing Element Rezoning - Public Comment
Date: Monday, July 1, 2024 3:56:33 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.

Honorable Mayor Sheila Mohan, Vice-Mayor J.R. Fruen, Councilmembers Hug Wei, Liang Chao and Kitty Moore, and staff

Thank you for all the hard work to thoughtfully develop a set of zoning modifications to ensure compliance with the Housing Element that was approved by HCD, It's critical for council to approve these tonight so the city will belatedly have final approval, and forstall builders remedy projects, thus gaining more control over local land use development, rather than ceding to state control. I support the following:

- * Allowing duplexes on corner lots and lots abutting commercial corridors in r-1 zones. is a sensible recommendation. Given the abysmal turnover of properties in Cupertino and having to teardown an existing structure, this policy will have relatively low impact on neighborhoods. Every bit counts in reaching RHNA numbers.
- * Reducing the parking requirements to 4 spaces total for duplexes in the R-1 zoning district. It makes no sense to require 6 parking spaces for the same lot that would have 4 spaces for a single family house.
- * Increasing the FAR coverage to 85% encourages varied unit sizes and taller structures, allowing vegetation on the lower level.
- * Remove the 200 sq. ft. requirement for duplexes because it would create legal non-conforming structures within the R-2 district. It's OK to be more flexible and see whether the hypothetical staff concerns regarding size of units actually occur. Usually they don't and should they occur, can be addressed in the future.


In general, I support the recommendations of the Cupertino For All housing advocacy group.

Warm regards,
Jean Bedord
Long time resident and City Council Observer

From: [louise saadati \(via Google Docs\)](#)
To: [City Clerk](#)
Cc: [City Council](#)
Subject: Letter City Council 7/1/24
Date: Monday, July 1, 2024 3:56:48 PM

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louise saadati attached a document

 louise saadati (lwsaadati@gmail.com) has attached the following document:

Public Comment for 7/2/24 Item 7 Housing Element

 Letter City Council 7/1/24

Snapshot of the item below:

To the Cupertino City Council:

My name is Louise Saadati. I have been a homeowner and resident in Cupertino for over 38 years. I would like to see Cupertino to have smart development that will enable our community to grow to include fuller range of residents adult including our children, workers including wider range of income a chance of living in Cupertino.

Thank you to the Council for adopting the new Housing Element in May, which puts Cupertino on the path to greater inclusion and affordability.

Thank you to the staff for the proposed rezonings to achieve full compliance.

- Rezonings are to keep the Housing Element in compliance with state law; **without these rezonings, our Housing Element will no longer be eligible for state certification**
- There's a lot to be commended in this document, **especially the creation of the townhome combining district.**

However, there's a handful of key points that should be addressed to ensure that this Housing Element is successful and **fully answers the requirements of state law to affirmatively further fair housing in particular.**

I am 1000% in favor of our Housing Element to be successfully achieved. I would like the council to support rezoning that would enable the Housing Element to be achieved smoothly and efficiently. Please do not allow rezonings which would inhibit and hinder the Housing Element's successful completion.

Council has received a letter from Cupertino for All describing specific, actionable changes that they, as policymakers, can enact to enhance our rezonings and ensure that HCD will ultimately accept them. **I fully support the CFA recommendations and ask that you adopt them as your own.**

The following are a few highlights of the CFA recommendations that are critical to the success of our Housing Element.

First, Council must remove the 5-story limit, relying *only* on the 70 foot height limit (which is already in place) for R-4 Zoning.

Our new codes should reflect state law requirements to support a range of housing across different income levels. The 5-story limit is an unnecessary limit that pushes developers toward more expensive housing forms, which is contrary to the Housing Element Law, HCD guidance, and affirmatively furthering fair housing principles.

The Council should strengthen the Strategy HE 1.3.6 (The Missing Middle Program). Revisions in the December 2023 submission of the Housing Element changed this strategy from allowing four-unit developments under R-3 standards, which were designed for small apartment buildings, to instead allowing development under the city's highly restrictive R-2 standards.

To fully enable the Strategy to work as it is intended to, the new duplex overlay must be much more flexible than what is currently proposed. In particular, Council should:

- Remove the change in the definition of a duplex, which requires principal dwelling units to be no more than 200 square feet different from each other;
 - According to the staff report, the change was meant to define comparable sized units, but, in reality, distorts the Missing Middle Program. Council can and should eliminate this proposed standard;
- Remove the 55% FAR limitation;
- Expand the 40% lot coverage maximum;
- Reexamine the interior side setback minimums.

Finally, Council should provide additional direction to staff to increase partnership, involvement and collaboration in regards to staff's recommended Ordinance to adopt objective development Standards.

The staff should ensure that future development standards emphasize increased flexibility and architectural freedom, as opposed to unnecessary restrictions.

Thank you for all your work to help Cupertino become a more vibrant and inclusive community.

Sincerely,

Louise Saadati

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043,
USA
You have received this email because lwsaadati@gmail.com shared a
document with you from Google Docs.



From: infoforme@comcast.net
To: [Luke Connolly](#); [Piu Ghosh \(she/her\)](#); [Pamela Wu](#); [City Council](#); [City Clerk](#)
Subject: DO NOT MAKE ANY FURTHER CHANGES TO PREVIOUSLY DRAFTED HOUSING
Date: Monday, July 1, 2024 3:55:38 PM
Attachments: [2024CupCityCouncil.docx](#)

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.

July 1, 2024

Dear Luke Connolly, Piu Ghosh, Pamela Wu, and Cupertino City Council,

I am writing to ask that you please do not make any further changes to the previously drafted housing element proposal, which has already received approval from HCD. Now is not the time to allow outside influences to disrupt the process and jeopardize the prospects of Cupertino passing the housing element and extending Builders Remedy.

It has come to my attention that certain advocates have suggested significant changes to the housing element draft during the last council meeting. I urge you not to accept any of those changes. This is not the time for major alterations, as doing so could lead to extreme conditions that would make Cupertino unrecognizable from its current character.

Luke and Piu have done an excellent job, and we do not need additional input from those who may not fully understand the unique needs of our community.

It is crucial to balance the need for new housing with the preservation of our community's character and existing standards. Increasing flexibility in rezoning and reducing parking requirements could lead to overdevelopment and strain our infrastructure. Instead of pushing for higher density and fewer restrictions, we should maintain reasonable limitations that align with Cupertino's current character.

Specifically, I urge you to consider the following points:

Preserving Community Character:

Maintain the current 5-story limit in R-4 zones to prevent overcrowding and ensure new developments harmonize with existing neighborhood aesthetics.

Retain the 55% FAR limitation to avoid excessive density that could overwhelm local resources and infrastructure.

Supporting Equitable Housing:

Keep the current definition of a "duplex" to avoid complications in design and development processes. Flexibility is important, but it should not come at the expense of community cohesion and established standards.

Preserve existing parking requirements to ensure adequate parking availability and minimize congestion in residential areas.

Maintaining Standards and Order:

Uphold current lot coverage limits and minimum lot size requirements to maintain orderly development and prevent overcrowding.

Retain existing interior side yard setbacks to ensure sufficient space between properties, promoting privacy and reducing potential conflicts between neighbors.

Consideration of Long-term Impact:

Any future ordinance updates should be carefully considered and aligned with the community's long-term vision and needs, ensuring changes benefit all residents without compromising the quality of life.

While it is crucial to address the housing needs of underrepresented communities and comply with state regulations, it is equally important to consider the potential repercussions of drastic changes. A balanced approach that maintains some current restrictions will better serve Cupertino in the long run.

Thank you for your time and consideration of my perspective as a long-term Cupertino resident and current voter. This is a critical matter to me, and council members' votes on this issue will impact my decisions in the upcoming elections in November 2024 and 2026.

I trust that the Council will make decisions that reflect the best interests of our entire community.

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Sincerely,

Jame and Constance Guidotti

22640 Ricardo Road

Cupertino, CA 95014

infoforme@comcast.net

CC 7-02-2024

Item No. 9

Repeal of GPA
Authorization Process

Written
Communications

From: [Peggy Griffin](#)
To: [City Council](#); [Benjamin Fu](#); [Pamela Wu](#)
Cc: [City Clerk](#)
Subject: 2024-07-02 City Council Meeting Agenda ITEM 9-DO NOT Repeal GPA Process
Date: Monday, July 1, 2024 2:29:42 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.

PLEASE INCLUDE THIS EMAIL AS PART OF WRITTEN COMMUNICATION FOR THE ABOVE MEETING AGENDA ITEM.

Dear Mayor Mohan and City Council,

I urge you to leave this GPA process in place but correct the issues listed in the Staff Report. The reason we have this process is that projects would appear before the Planning Commission and City Council without ANY public review! By the time the public was made aware of the projects, they were a “done deal”. There was no negotiation. There were no changes.

Huge amounts of staff time and developer costs for designs and detailed plans would be presented. There was no input as to whether the amendment to our GP was even acceptable! Everything was left up to behind-the-scenes lobbying and deals that had no transparency and no public input.

The Staff Report lists 4 reasons it is recommending rescinding the GPA approval process.

#1-Confusion regarding whether a GPA authorization approval means the project has been approved...Over and over we have heard that it does NOT mean the project has been approved, just that it can continue with the process and submit their plans. SOLUTION...make it clearer! Sunnyvale’s flowchart says just that!

#2-It’s created an additional process increasing project review time...Duh, the applicant is asking to make a change to our General Plan! It SHOULD require additional review! In the case that the GPA application is not acceptable to the City Council, then it has SAVED process and review time both for the staff and the applicant!

#3-Community Benefits are inconsistent and don’t provide the intended benefits...Easy, don’t have them! When community benefits were first brought up, the public was outraged and did not want them yet the crept in anyway. The project should stand on its own and be a benefit to the community as it is presented. Eliminate the community benefits. Many of these “deals” have not come to fruition or were abused. Eliminate them! Problem solved.

#4-Project modification after approval triggered re-authorization. It should! Sunnyvale has a 2-year waiting period before the project can be re-submitted. That would be a good incentive to submit an accurate project in the first place.

Removing this procedure and process goes back to the back room deals and no public input. All decisions would be left up to staff with no input from the public until it has already been

decided.

Don't undo this procedure and process. Tighten it up!

Sincerely,
Peggy Griffin

From: [Jennifer Griffin](#)
To: [City Council](#); [City Clerk](#)
Cc: grenna5000@yahoo.com
Subject: General Plan Amendment Procedure in City
Date: Thursday, June 27, 2024 4:48:33 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.

Dear City Council:

I was shocked to see Agenda Item 9 from the 4/2/24 City Council Meeting which is Suggesting changing the Cupertino General Plan Amendment Procedure. This has nothing To do with the Housing Element. The state and HCD do not dictate how Cupertino handles It's General Plan Amendments. It is even all the more concerning since we are conducting This City Council Meeting two days before the Fourth of July holiday and 248 years Since the beginning of the Revolutionary War.

Item 8 of this City Council meeting is already inflammatory enough with the proposed Rezoning of most of the city by a fraudulent Housing Element with a bunch of illegal, scandalous Missing Middle Dogma dumped into it. What have the bad RHNA numbers brought to This city? Apparently all of this. And a complete rebuild of the city's General Plan Amendment to boot.

A lot of us spent our precious time in 2015 going to city meetings. So someone now Says it was wasted time? I don't think it was wasted time and we should not be trying To rebuild the city's General Plan Amendment Process in one night, especially when The Housing Element Rezoning is being dumped into the previous agenda item.

The City Rezoning by the Scandal Prone Statewide Sixth Cycle Housing Element should at least take more than one night. Victory by HCD should not be made that easy.

I still have tons of questions for the Rezoning which will be going through an audit in The fall. Does HCD even care? What happens on July 2 determines how I will vote in The upcoming City Election in November. It determines who I vote for governor and Other state level elections and who I vote for president even one day.

With the toil and trauma of 1776, I have my right to vote and not even HCD can take that Away from me.

Sincerely,

Jennifer Griffin

Bay Pacific Properties, LLC

Sent Via Email

July 1, 2024

Mayor Mohan & Members of the City Council:

I am writing to you concerning the Regular Meeting, Action Item 9 “Repeal of existing General Plan Amendment (GPA) Authorization procedure and process” scheduled for the Council Meeting at 6:45 PM on July 2, 2024. While I plan to speak during the public hearing portion of the Agenda Item, I wanted to summarize my thoughts for your consideration.

I represent the owners of the properties located at 10145 North DeAnza Boulevard and 10118-10122 Bandle Drive, both located in the City of Cupertino.

We support the staff’s recommendation to return the GPA process to the protocol that was in place before Resolution 15-078.

The **proposed** process will 1) encourage, rather than discourage GPA amendments that could result in more housing for the community. As a city that just endured the long and arduous process of revising the General Plan and Housing Element, each and every unit added to the community helps to meet the overall housing goals for the community.

The current process adds an additional step. It would appear to provide a false hope to an applicant if successful with the “GPA Authorization” hearing when in reality it just signals the start of assembling a credible application that meets the needs of the City and provides community benefits.

The elimination of the GPA Authorization step will free up both staff and Council’s time to focus on more important aspects of managing the City while not eliminating any opportunity for stakeholder input and a rigorous review from both the Planning Commission and City Council.

Thank you for your consideration.

Sincerely,

Greg Endom

925-550-8082

Mailing: Post Office Box 1652, Martinez CA 94553-0652
Overnight Delivery: 41 Shrewsbury Way, Pleasant Hill, CA 94523-2007
Tel. +1 925 550 8082, Facsimile +1 925 935 8222