

From: [Connie Cunningham](#)
To: [City of Cupertino Planning Dept.](#)
Cc: [Piu Ghosh \(she/her\)](#)
Subject: Public Hearing: Agenda Item 3: De Anza (7 story) Hotel Project Mar 12 Planning Commission
Date: Monday, March 11, 2024 4:07:22 PM

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Dear Chair Fung, Vice-Chair Lindskog, and Planning Commissioners:

Public Hearing: Agenda Item 3: De Anza (7 story) Hotel Project Mar 12 Planning Commission

Did the Development Agreement (DA-2023-003) include the Cupertino Bird-Safe and Dark Skies Ordinance? If not, I urge the Planning Commission to require this before approving the project extension.

Studies have shown millions of birds die each year from colliding with glass. Millions more are harmed because their night migration is disrupted by city lights. Cupertino is located on the Pacific Flyway. Birds like the Yellow-crowned Sparrow migrate 3000 miles to spend the winter here.

It is important for the public to know what the details of the project are that address the Ordinance.

This De Anza Hotel will be 7 stories tall with a rooftop lounge with separate bar. Following the Cupertino Ordinance will protect night-time migrating birds, and birds that will hit glass during the day.

I urge you to ask this question about the Cupertino Bird-Safe and Dark Skies Ordinance for every project that comes before the Planning Commission.

Sincerely,
Connie L. Cunningham
Housing Commission (self only)

From: [Swim5am \(Connie Cunningham\)](#)
To: [City of Cupertino Planning Commission](#)
Cc: [Piu Ghosh \(she/her\)](#); [Gian Martire](#)
Subject: Thank you! The Birds thank you! March 12 PC, Agenda Items 2 & 3.
Date: Tuesday, March 12, 2024 8:31:42 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.

Dear Chair Fung, Vice-Chair Lindskog, Commissioner Scharf, and Commissioner Mistry,

Thank you, Vice-Chair Lindskog, for asking about whether the Bird-Safe and Dark Skies Ordinance was included in the plans for the De Anza Hotel and the Cupertino Boutique Hotel. I had thought tonight that the answer from each applicant would be “yes”, and “here are the details for our hotel.” Since the Chamber of Commerce had been a partner with the Santa Clara Valley Audubon Society and City Staff in negotiating the Ordinance, I really thought that a simple extension that was not an SB35 project would be in compliance with Cupertino’s Ordinance. I was shocked when they told you that it was not included. And that, yes, they would follow all other building codes that were more recent than their proposal. Really, that was a shock.

It was great to hear agreement from your colleagues on the Planning Commission and to see the vote recommending to City Council that they approve these plans only if they include the Bird-Safe and Dark Skies Ordinance. I will see you [April 3 at the City Council meeting](#).

Thank you all for listening to the voices this evening speaking for the Bird-Safe and Dark Skies Ordinance to be added to both the hotels. Birds that live in, and fly through, our city on the Pacific Flyway, are facing continuing change. These changes are taking away their habitat and reducing their navigable airspace. They will only survive into the future if people like yourselves at the city government level take this opportunity to see the world through their eyes.

As nice as their current plans are, the De Anza Hotel and the Cupertino Boutique Hotel will each have a better design as a result of looking at it from the perspective of birds.

Thank you again for listening to our voices.

Sincerely,

Connie Cunningham (Housing Commission, self only)

Cedar Waxwing