

From: [Connie Cunningham](#)
To: [City of Cupertino Planning Commission](#)
Subject: 23-3-28 PC Agenda Item 2, 19191 Vallco Parkway by Apple, Inc.
Date: Tuesday, March 28, 2023 2:40:45 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.

Subject: Agenda Item 2, Consider the proposed development at 19191 Vallco Parkway Project by Apple, Inc.

Good evening, Chair Scharf and Commissioners,

My name is Connie Cunningham, Housing Commissioner, speaking for myself only.

Thank you for this opportunity to speak on the Apple project at 19191 Vallco Parkway.

Thank you for this Staff Report. The Senior Planner advised that he or the applicant could respond to questions on the Bird-safe Dark Skies Ordinance at this meeting.

I am pleased that the applicant plans to abide by the ordinance, and the project is conditioned in the Development Permit.

The Santa Clara Valley Audubon Society (SCVAS) letter addresses several issues. I hope that are clarified this evening.

I hope the Commission can answer another question this evening. Calabazas Creek runs along the western side of the property. Also, there is the Junipero Serra Channel that runs along the northern side of the property.

Can the applicant provide detail on the creek corridor and, also, on the channel?

For example, what is the width of the creek setback, and what structures and activities are permitted in the setback? Please provide the width of the channel setback, and what structures and activities are permitted in the setback?

Thank you for your attention to these questions.

Sincerely,
Connie Cunningham (self only)



March 27, 2023

RE: 19191 Vallco Parkway Project

Dear Chair Scharf and Commissioners,

The Santa Clara Valley Audubon Society (SCVAS) is one of the largest National Audubon Society chapters in California. Our mission is to promote the enjoyment, understanding, and protection of birds and other wildlife by engaging people of all ages in birding, education, and conservation. We appreciate the opportunity to comment on the 19191 Vallco Parkway Project. The Project proposes to develop a 282,320-square-foot office building with a detached 213,080-square-foot parking structure and to remove and replace 113 trees. Not all project plans are available for public review, which limits our ability to comment on the project. We hope the Planning Commission will be able to clarify the following questions:

1. Trees

- a. Many of the trees on the property seem to be newly planted. Were any of these trees initially planted at 19191 Vallco Parkway as mitigation for the loss of trees and/or canopy cover elsewhere?
- b. The Project description proposes that 113 trees will be removed. The arborist report states that 96 trees will be removed. Can the applicant clarify the discrepancy?

2. Dark Sky and Bird Safety

- a. We understand that the building must comply with Cupertino's Bird Safe and Dark Sky Ordinance. Since the Project Description does not provide specific Bird-Safe and Dark Sky implementation details, can the applicant provide information on the anticipated bird safety treatment for the project?

We are concerned as the artist's rendering makes it appear that the glass is untreated and has transparent corners. Effective bird safety measures are especially critical when glass facades are adjacent and face a riparian corridor, such as Calabazas Creek.

- i. The American Bird Conservancy has an updated product database with bird-friendly materials and their associated Threat Factors that provide a measure of the hazard level that glass poses to birds.¹ Can Cupertino ask for, and

¹ <https://abcbirds.org/glass-collisions/products-database/>

is the applicant amenable to, using a Threat Factor lower than 20, and avoiding UV treatments (UV treatments are ineffective)?

- b. The Dark Sky Ordinance requires that the Correlated Color Temperature (CCT) of outdoor lighting not exceed 3000 Kelvin. This CCT still retains a large blue light component, which is unhealthy to humans and ecosystems. Newer recommendations as well as increased product availability supports using lower CCT for outdoor lighting. Is the applicant amenable to using CCT of 2700 or less, especially within 300 feet of the riparian corridor?
- c. Can the applicant provide detail on the creek corridor? For example, what is the width of the creek setback, and what structures and activities are permitted in the setback?

Thank you for your consideration. Please do not hesitate to contact us if you have questions.

Respectfully,

Annie Yang

Cupertino Resident
Environmental Action Committee Chair
Santa Clara Valley Audubon Society
22221 McClellan Rd
Cupertino, CA 95014
eac@scvas.org

From: [Piu Ghosh \(she/her\)](#)
To: [Luke Connolly](#); [Gian Martire](#)
Subject: FW: Comments/Questions for the Apple VP01 Project
Date: Tuesday, March 28, 2023 4:28:39 PM
Attachments: [image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)

FYI...



Piu Ghosh (she/her)

Planning Manager
Community Development
PiuG@cupertino.org
[\(408\) 777-3277](tel:(408)777-3277)



From: Larry Dean <ldean95014@comcast.net>
Sent: Tuesday, March 28, 2023 4:21 PM
To: City of Cupertino Planning Commission <PlanningCommission@cupertino.org>
Cc: 'Larry Dean' <ldean95014@comcast.net>
Subject: Comments/Questions for the Apple VP01 Project

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 Planning Commissioner,

I am a neo-native Cupertinian and have been a very active advocate for making it “Safe and Easy to Walk and Bike” in Cupertino.

Regarding the plans submitted for the Apple VP01 development project, my questions/comments below are mine alone. That said, the community is fortunate to have such a solid community partner like Apple Computer who wants to continue to improve its presence and growth in Cupertino- for all community stakeholders.

My current questions/comments regarding the Apple VP01 project are:

- We understand that in addition to Apples’ business/office needs, the project will house some retail businesses that *could* include a bicycle shop and other retail amenities that the community would benefit from. This is great - but I wonder if the space allocated is large enough. I would think a bike shop would need 4K-5K square feet;
- In the submitted planning documents, there doesn’t appear to be any meaningful mention of the site plan’s integration with the existing Cupertino Master Bike and Pedestrian plans – and how they would integrate with any special issues - either physical or user volume related.
- Currently, there are painted bike lanes on both sides of Vallco Parkway and on Tantau

Avenue , but I am concerned that the lanes on Vallco don't appear wide enough to accommodate merging bike users entering/exiting from the Tamien Trail. The developer/planner might look/consider accessing right of way from Valley Water to the broaden access and use of the existing bike lanes. As you know, we recently sustained a cyclist's death at the intersection of Vallco Parkway and Tantau Avenue. Since a report hasn't yet been released by the Sheriff's department, it's unclear if any special adjustments/changes have or should be considered to the intra and extra-site design elements.

- How the complex handles intra-site bike and "ped-ways": There are parking garages as part of this project that will generate much traffic. Does the plan look and facilitate safe walking and cycling when entering/exiting the complex and walk/bike travel within the complex?

Thank you for your time and service to the community. On the surface the Apple VP01 project appears solid, but I urge you to clarify the project's plans as it relates to safe cycling and walking on-site and in the broader community.

Best regards,

Larry Dean, Founder

Walk-Bike Cupertino

From: Benjamin Fu
To: Gian Martire
Subject: Fwd: March 28, 2023 Agenda Item #2 Replacement Apple Building on Vallico Parkway
Date: Tuesday, March 28, 2023 5:42:18 PM
Attachments: image001.png
image002.png
image003.png



Benjamin Fu
Director of Community Development
Community Development
BenjaminF@cupertino.org
(408) 777-3247



Begin forwarded message:

From: Lisa Warren <la-warren@att.net>
Date: March 28, 2023 at 5:19:41 PM PDT
To: City Clerk <CityClerk@cupertino.org>, City of Cupertino Planning Commission <PlanningCommission@cupertino.org>
Subject: RE : March 28, 2023 Agenda Item #2 Replacement Apple Building on Vallico Parkway

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.

RE : March 28, 2023 Agenda Item #2 Replacement Apple Building on Vallico Parkway

Planning Commission Chair, Vice Chair, and Members,

Retail for Height Unbalanced

I am asking for discussion for an increase in ground floor 'commercial' (should be 'Retail') square footage, and potential for more retail dedicated parking stalls at the Apple VP1 site.

Please be sure to have the 'commercial' designation in the project's description and images be corrected to 'retail'. As I understand it, that is how the GP requirement is written.

And it would be best to consider that there has been a long standing awareness that the city's ordinance (19.08.030) is wholly inadequate because it does not provide a minimum amount (percentage) of Retail in the requirement that entitles property owners/developers to increase building height in areas from max 45 to 60 feet (Applicant is just shy of that max ht) in 'trade' for public retail.

It is truly off-putting that this project has just over 3 percent of the ground floor total square footage identified as 'commercial' (should be Retail) square footage.

My understanding is that Apple is considering a bicycle store in the proposed mere 2,300 square foot space. While this seems to satisfy the current general plan, as written, it is disappointing that the applicant isn't providing a significantly larger square footage of publicly accessible useful retail offerings.

What is the mechanism used by the City to ensure that this 'commercial' (should be Retail) space acts and remains as Publicly accessible amenity, and with adequate public parking ?

Trees

While the applicant is reportedly following the GP requirements for tree replacement, I hope that they are encouraged to do better than that. More trees on the property is much preferred for numerous reasons. The applicant has proven to be good stewards of trees, so that it comforting, but sticking to the minimum required feels wrong when building size/height, parking capacity, and 'site population' are all significantly increasing. Native tree species would be appreciated.

Bird Safe - Dark Sky

This project is conditioned with both Bird Safe and Dark Sky 'requirements'. This is a great thing.

There are, however, issues with glass buildings that are not covered by those ordinances.

Majority glass buildings create glare and light trespass. Santa Clara home owners/residents, Residence Inn and potentially loft apartments could all suffer from that.

Some older examples of this - attached photos show the occupied leased office building on SC Blvd. It's 'twin' is not yet occupied. I was unable to find all of the photos I hoped to include

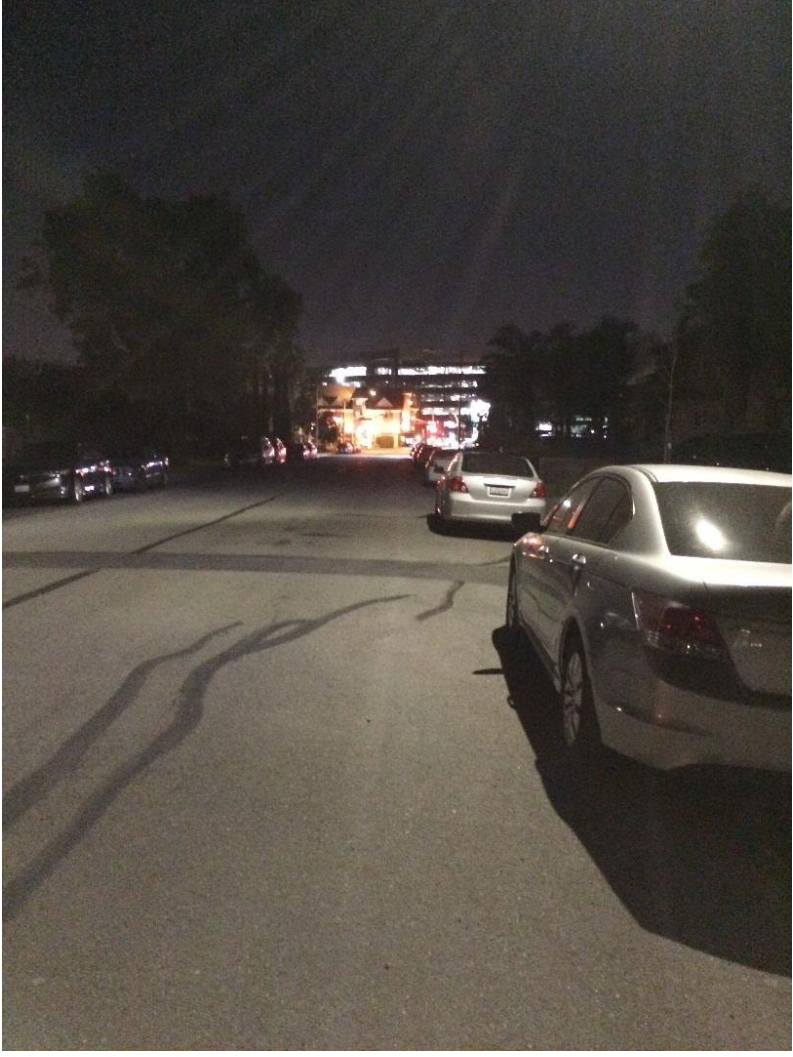
Future Exemptions or 'Modifications'

Once this portion of the project is discussed, potentially modified, and approved, there may be any number of exemptions applied for. I ask that any future 'exemption(s)' on a project of this size NOT be 'approved' by staff, via 'director's approval' or any other mechanism that bypasses Planning Commission and/or City Council.

Thank you for your time and consideration.

Lisa Warren





From: [Rhoda Fry](#)
To: [City Clerk](#); [City of Cupertino Planning Commission](#)
Subject: Planning Commission 3/28 Agenda #2 New Apple building
Date: Tuesday, March 28, 2023 11:56:42 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.

March 28, 2023
RE: Agenda Item #2 New Apple Building

Dear Planning Commission,

- - - Summary of Comments - - -

1. More trees on Tantau if possible
2. Increase bicycle store square footage from 2300 sq ft to 5000 sq ft

- - - Details - - -

Regarding the new Apple building, it is good that they are doing a good job with tree replacement and providing shade on the Vallco Pkwy sidewalks. Would it be possible to do similar on Tantau? I do like that they have selected a different type of tree than surrounding developments. It would also be nice to see as many native trees as practical.

It is perplexing that a small amount of retail square footage entitles developers to raise their roofs from 45 to 65 feet (Apple is going to 58 feet). My understanding is that Apple is considering a bicycle store in its proposed 2300 square foot space, and I think that this is too small for a business to be viable as shown in the following table. I did some very crude measurements of a number of local bike stores using google earth and it seems to me that having a store of approximately 5000 square feet would be preferable in order for there to be room for different types of bikes, accessories, and a repair shop.

1. What will the City do to ensure that a retail tenant shall remain in that location?
2. Will there be sufficient parking in that location?
3. Will there be an area where customers can take bikes for a test ride?

Approximate Square Footage of Bicycle Stores Near Cupertino	
Bicycle Store	Square Feet
Bicycle Outfitter 963, 969, 971, 973 Fremont Avenue Los Altos	> 9000
Bike Connection Palo Alto 2011 El Camino Real Palo Alto, CA 94306	~ 5000
Wheel Away Cycle Center 402 E Hamilton Ave Campbell, CA 95008	~ 4300
Mike's Bikes of Los Gatos 201 N Santa Cruz Ave, Los Gatos, CA 95030	> 5000
Summit Bicycles 111 E Main St Los Gatos, CA 95030	> 4000
Palo Alto Bicycles 171 University Ave, Palo Alto, CA 94301	> 5000

Sincerely,

Rhoda Fry