

CC 12-21-21

Oral
Communications

Written Comments

From: [Jenny Griffin](#)
To: [City of Cupertino Planning Commission](#); [City Clerk](#)
Subject: Fwd: Housing Element and Role of ABAG, MTC and HCD
Date: Thursday, December 9, 2021 10:40:53 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.

FYI. Please include in the Public Record. Thank you very much.

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

Subject: Housing Element and Role of ABAG, MTC and HCD

From: Jenny Griffin <grenna5000@yahoo.com>
Sent: Thursday, December 9, 2021, 10:38 AM
To: CityCouncil@Cupertino.org
CC: grenna5000@yahoo.com

Dear City Council:

I think it is important for the city to start asking questions about the role of ABAG, HTC and HAD in the new Housing Laws and RHNA and the Housing Element.

As we roll into the Housing Element, it is important to try to examine the issues of The CASA Compact and Plan Bay Area and how they have influenced or are influencing The RHNA numbers etc.

There has been a lot that has been hidden or not discussed about the role of these entities In the Housing Laws and the inflation of the RHNA numbers. I will imagine much of This will come out in the examination of the Housing Element, but it needs to be Discussed in the open because it influences everything that is happening in this State.

I fully expect that next year there will be bills introduced and passed that will eliminate Parking in the state and will not allow people to drive. The public will have no Say in this.

This type of government in this state cannot continue. The public has to be included in The discussion or else it is time to get a new government or vote out current state level Politicians because not all of the public are leaving the state which is the message The current state level politicians and the governor sending. If you leave in the state Now, leave. You are not wanted here.

This is the message the current state government is sending with the Housing Laws, Elevated RHN A and behavior of HCD, ABAG and MTC: current residents, leave the state. Probably time to get new state government and new state level politicians.

Thank you.

Sincerely,

Jennifer Griffin

CC 12-21-21

Item #5
Mayor's Corner

Written Comments

Mayor's Corner

Greetings and Happy Holidays! I hope that this finds you well. At the end of this year, I would like to express my gratitude to the Cupertino community.

Recently, I had the opportunity to meet Charlene Nijmeh, Chairwoman of local Native American tribe, the Muwekma-Ohlone of the San Francisco Bay Area. We had a fascinating discussion that included very long-ago local history. I was very happy that Board members of the Cupertino Historical Society, including the CHS Board President were there for the discussion. Also part of our group was Acting Assistant City Manager Katy Nomura. It was a positive and illuminating discussion at the Quinlan Center, and I look forward to the possibility of follow-up, and an ongoing conversation. Perhaps in the upcoming calendar year we will be able to host a public discussion as part of my initiative to generate interesting content for our community not exclusively confined to the format of our formal Council discussions. So far, recently, we have had a discussion with Boris Stanley, who was involved in Cupertino's incorporation in 1955, as well as with a truly excellent panel of speakers on the topic of the Chinese Exclusion Act of 1882, and I still expect that we will be able to release the produced content for the latter in January.

Over the years serving on Council, I have found that the ongoing conversational process really is the most important part of everything that we do in order to maintain the cohesion of our community and by, perhaps seemingly much broader extension (but in reality quite legitimately), the quality of our society as reflected in how well we pursue our aspirations. Aspirations often deal with competing tensions. That in fact is part of what makes them aspirations. If they were easy to resolve and achieve, then they probably would simply be things that are done in a matter of simple course. One example I've heard used over the years is the competing tension between openness and efficiency. Certainly, that is a good example of competing tensions creating an aspiration. We would like to be both open and efficient. I've strived over the years to deliver that, and I think that we've met with a good measure of success in that regard. If you examine our work, be it at the beginning of the year 2021 with delivering on very thoughtful environmental legislation that took into account the input from local businesses as well, to our more recent efforts to focus upon environmental standards in our building requirements, we have managed to achieve a good conversation while at the same time keeping the process efficient. A couple of other events that have taken place in this past month have been year-end gatherings of the Cupertino Historical Society and the Cupertino Library Foundation. I was pleased to provide a few remarks for both organizations, and, yes, we had great conversational opportunities in each instance.

I'm glad to see the conversations around our community continuing, and I also know that we are all quite aware of safeguards that need to be taken to ensure that we all stay healthy. Please continue to mask up and observe common-sense social-distancing when possible. The omicron variant of COVID-19 as I write this has taken very quick hold in the United States, and I both hope and know on a basic level that our community will respond appropriately. Thank you for that continued response.

Finally, I would like to thank the many organizations around the City of Cupertino which allow us to continue to have great conversations and relationships with each other and the outside world. One such type of organization, and there are I have to say many such types, is a Sister City Committee. I recently had the opportunity to record a greeting to Toyokawa, Japan, coordinated by our Toyokawa Sister City Committee, and I know that Alysa Sakkas and everyone else dedicated to that Committee over the years has done tremendous work in keeping our relationships fair and positive. Be it Toyokawa, or Cupertino, or Hsinchu, or Bhubaneswar, all of our Sister Cities are wonderful relationships to have and to keep cultivating. And for those of us on the Cupertino side of the equation, whether it's getting involved in the public discussion surrounding various issues like housing, or transportation, or park space, or public amenities like our Library, I know that we will keep having a great conversation next year and beyond. And so, closing out 2021, allow me just to state, Thank You, and Have a Wonderful Start to 2022!

CC 12-21-21

#24

Westport
Development
Project

Written Comments

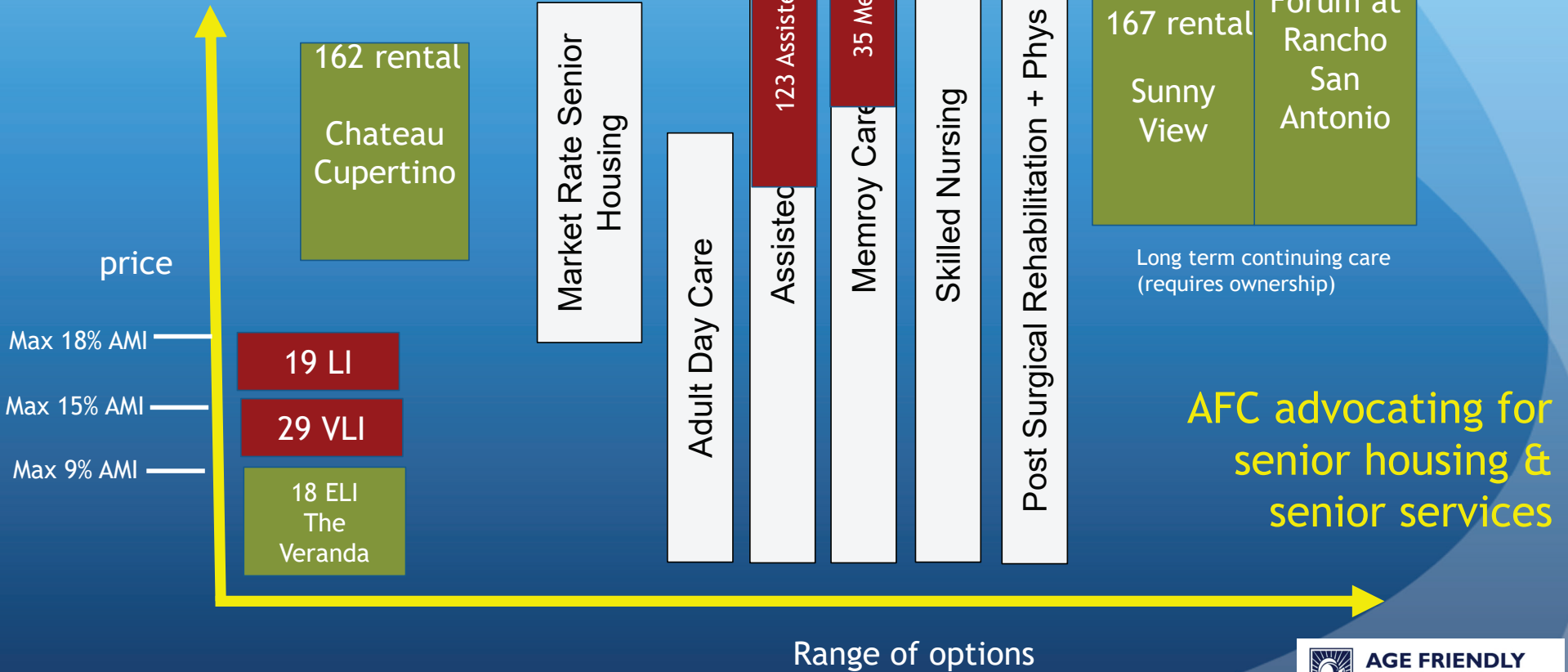


**AGE FRIENDLY
CUPERTINO**

Advocating Community Needs to Westport

Age Friendly Cupertino

Westport's fills in part of the Missing Middle

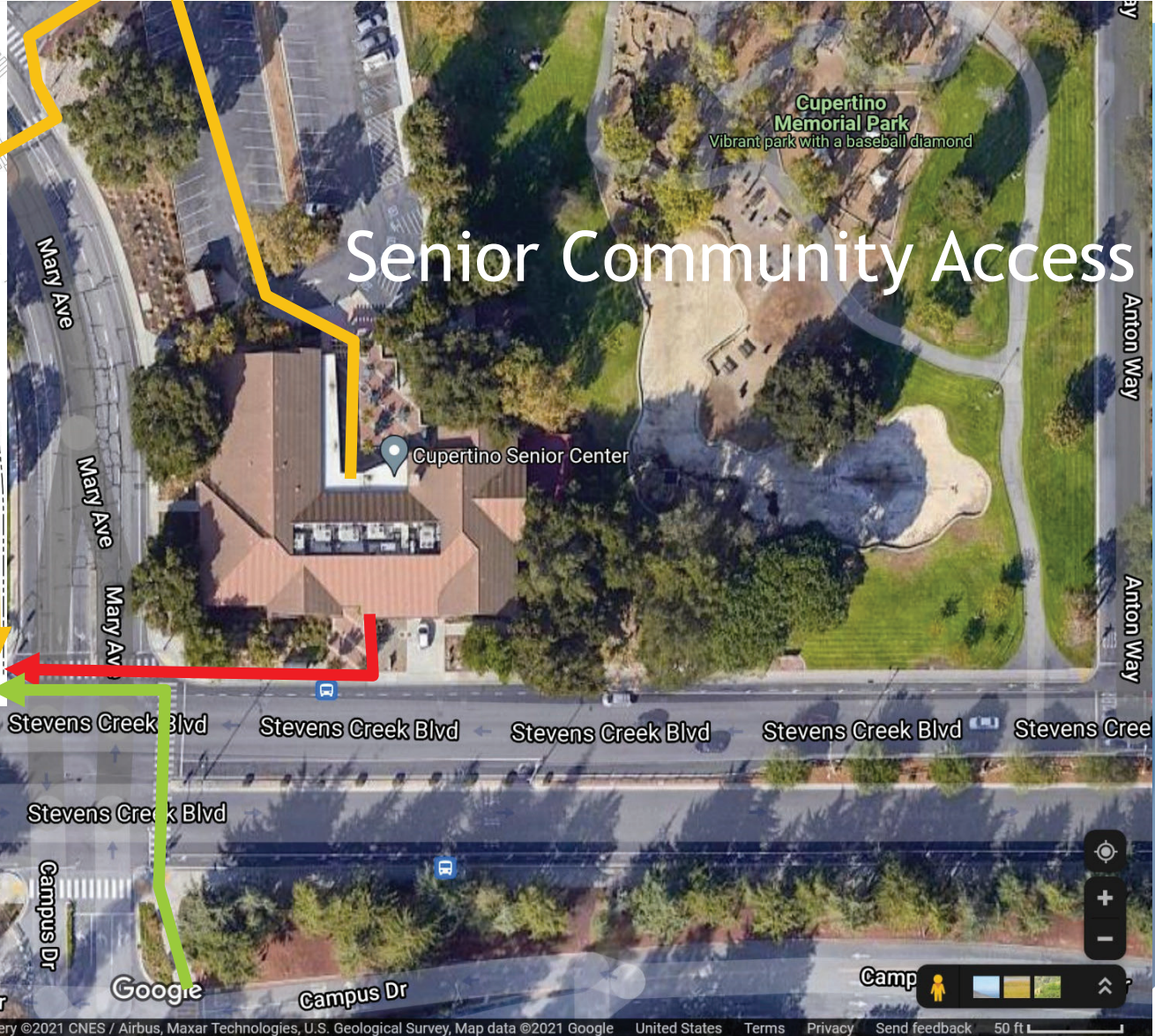
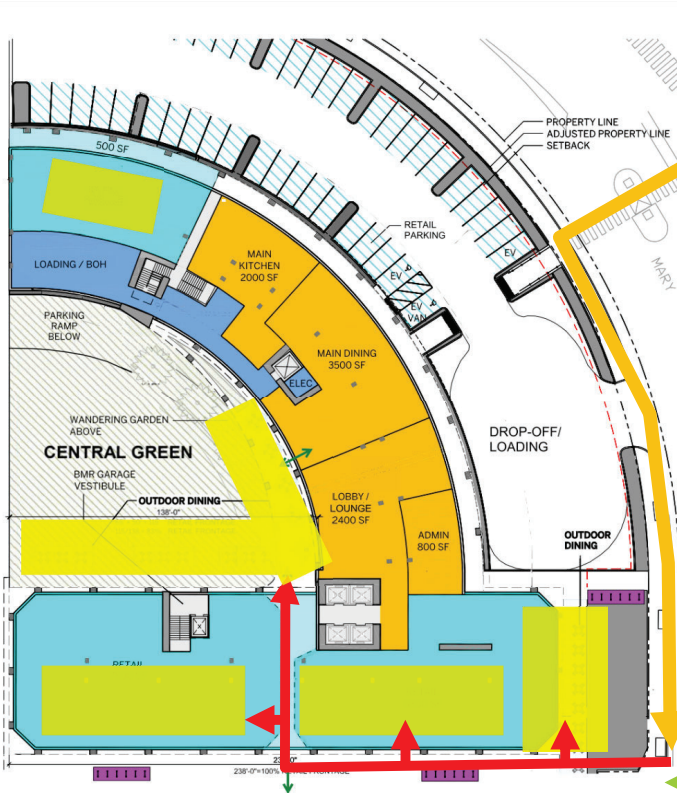


AFC advocating for senior housing & senior services

NOT meant to be quantitative



Senior Community Access



Backup slides

Front entrance/exit from Senior Center plus existing bus stop

- Shortest and safest path to Westport shops



Signalized pedestrian crosswalk at Mary

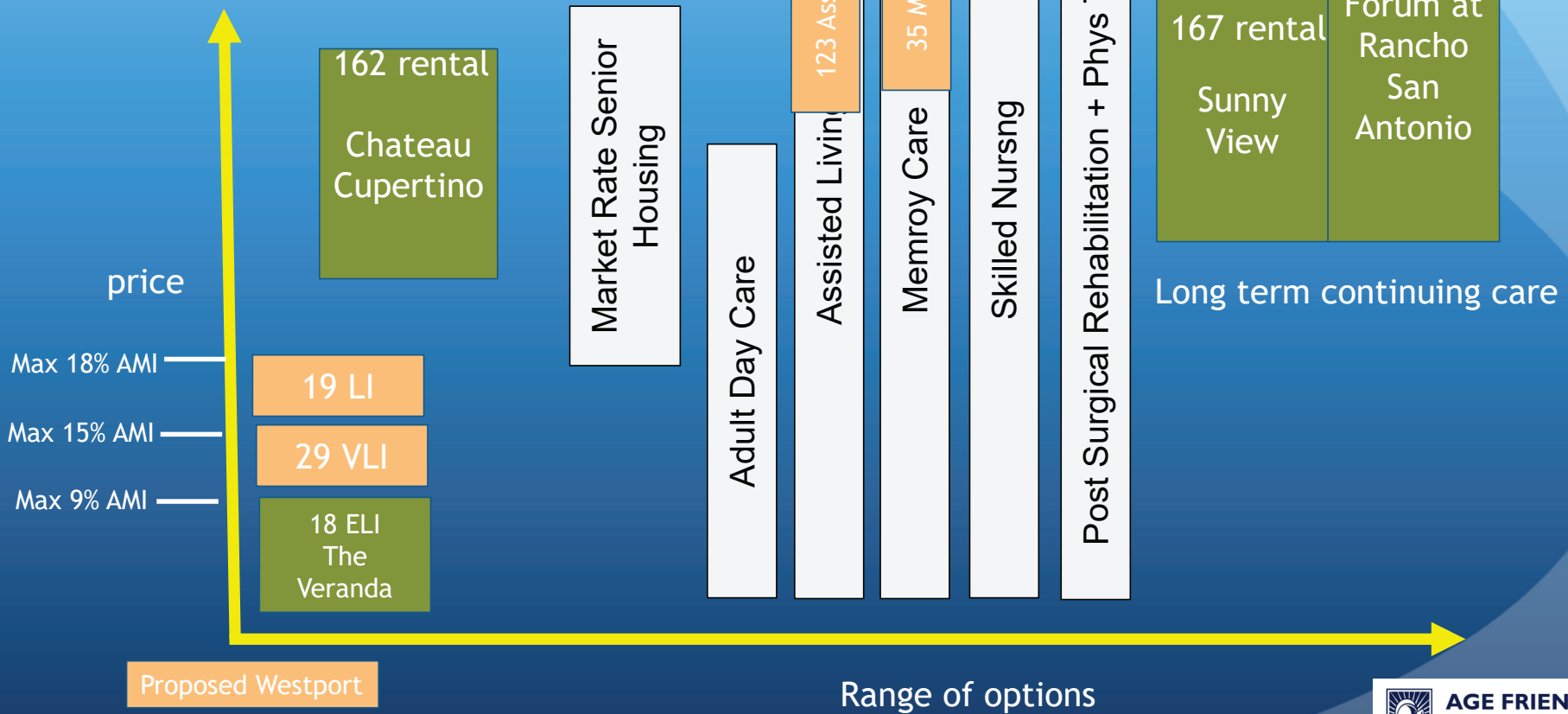


Cross walk at the curve of Mary

- No signals, center structure hides pedestrians, & long path to Westport
- Not the preferred path



New Stroke Recovery Forum at Rancho San Antonio



Proposed Westport

NOT meant to be quantitative



Dear Mayor Paul, Vice-Mayor Chao, Councilmember Willey, and Councilmember Moore:

This letter is regarding the changes that KT Urban is proposing for the Westport project. Thank you so much for not approving these changes at the December 7th City Council meeting. Don't succumb to veiled threats by the property owner and don't get pressured into approving the changes at the December 21st City Council meeting.

There are multiple reasons why the City Council should not approve these changes to the Westport Project, at least not without due process which would include sending the revised project back to the Planning Commission for review.

These are 19 reasons to not accede to the property owner's demands:

1. **Aging in Place.** We all know that Cupertino could use additional senior housing, both market-rate and below market rate. On the other hand, Cupertino has a large senior population that is aging in place, has considerable equity in their homes, plan to pass their homes to their children, and has zero interest in moving out of a paid-off house into a very expensive rental apartment. KT Urban's proposed changes will make the market rate housing in the Westport project even more expensive.
2. **Proposition 19.** What seniors are more likely to do, thanks to Proposition 19, is to sell their Cupertino home, take their low assessed value with them, and buy a home in a less expensive area. Proposition 19 only took effect earlier this year and has not yet had a chance to yield results.
3. **Need for more mixed-age, mixed-income housing.** While the approved Westport project may be the best that could have been negotiated at the time, the reality is that the construction of so much age-restricted housing, not available to families, is disappointing. What would be much better is a mixed-age, mixed-income project, such as what EAH Housing is building in Emeryville.
4. **Density Bonus Shortfall.** The current project does not use the entire Density Bonus that the property owner is entitled to. Given the RHNA numbers in the next cycle, the Westport location would be ideal for a project that takes full advantage of California's Density Bonus Law. In fact it would make sense for the City to grant a GPA to allow a taller project.
5. **"The Poor Door."** If you look at the Coterie project in San Francisco, which, like Westport, is being built by Related and Atria, it appears as if what will be built at Westport is a very luxurious and very expensive senior housing project situated next to a stripped-down BMR project for poor people. Coterie rents range from \$7,900 for a studio to as high as \$27,000 per month for two bedroom apartment. In the article "SNEAKING IN THROUGH THE BACK POOR DOOR: WHY MIXED-INCOME HOUSING MERELY MANAGES DISCRIMINATION," (see <https://www.uclalawreview.org/the-properties-of-integration-mixed-income-housing-as-discrimination-management-2/>) author Jamila Jefferson-Jones writes: *"The market-rate entrances, which are located on the buildings' front façades, have luxury amenities, like doormen and valets, while the entrance set aside for the lower-income residents are merely functional and usually hidden on the side of the building, away from the main entrance. Some buildings even preclude access to community amenities, like gyms and courtyards to preserve exclusivity by keeping the poorer residents from mixing with their economic "betters.""*
6. **Optics.** Think of the terrible optics of Cupertino approving such expensive and luxurious housing next to a starkly spartan BMR building. This kind of discrimination is actually not allowed by Cupertino's inclusionary housing ordinance, but it will exist at Westport thanks to waivers and concessions taken by the property owner. It will also exist in the Vallco SB-35 project. The City of Cupertino has already been repeatedly attacked by the media for high housing prices, even though the City has nothing to do with setting housing prices.
7. **"Zoom Meeting Redesign."** It was incredible that the applicant kept insisting that the project could not be redesigned in a Zoom meeting, as if it was the fault of the City Council, or residents, that all of these significant design changes were brought forward at the last minute in what only could be described as a bait and switch. Please don't reward this appalling behavior.

8. **Threats and Bullying.** The City Council should not be bullied. The applicant has made repeated veiled threats that if the City Council doesn't go along with all the proposed changes that the project will be abandoned. Please don't reward this detestable and threatening behavior.
9. **Completely Different Project than What was Approved.** Even though the approved project has issues, such as the lack of even a single unit of affordable housing for families, the City Council approved it.

The loss of open space, the loss of the restaurant, the elimination of parking under the BMR housing, the valet parking and stacker, the changes in unit sizes, the lack of comparability of the BMR with the market-rate housing, now make this a completely different project than what was originally approved.

10. **Loss of Retail.** The tiny amount of extra retail that the property owner has now proposed does not nearly make up for the loss of the ground floor publicly accessible restaurant. That location would have been great for the return of a new Hobee's franchise.
11. **Worsening of the BMR Portion.** It's disappointing to see the worsening of the Below Market Rate portion of the project, including the worsening of the BMR parking. Since the BMR is senior-only, it should have parking under the building, reducing the distance from the parking lot to the apartments.
12. **Project Should Have Gone Back to Planning Commission.** These are not minor modifications. The project should have went back to the Planning Commission, and not have gone straight to City Council. The whole job of the Planning Commission is to look at new projects and make recommendations in order to allow the City Council to concentrate on more policy issues.
13. **City Council Performance.** The performance of the City Council at the December 7th City Council meeting was, frankly, disappointing.
 - a. Vice-Mayor Chao was attempting to redesign the project in a motion, at midnight, which was absurd. Moving the resident dining area to an upper floor, while keeping the restaurant on the ground floor open to the public as originally planned, is an excellent idea, however changes need to be carefully considered in a review process, by the Planning Commission, then sent to City Council, and not be made in haste.
 - b. Mayor Paul stated that the project could not go back to the Planning Commission because of "time constraints." But what is the rush? A few extra weeks for a project that went through more than a year of review before being approved now comes back with significant changes that make it less attractive and there's an expectation by the property owner that approval of the changes that they want to be rushed through in one night? Don't succumb to threats and pressure from the property owner; send this back to the Planning Commission.
 - c. Council-member Moore proposed that in exchange for approving all of the changes that the applicant be required to change one of the for-sale units to BMR. This is ridiculous! The proposed changes are so major, and would increase profits and reduce costs by such a large amount, that trading the loss of retail, the loss of underground parking, and the changes in comparability between market-rate and BMR for public benefits should result in much more than a single unit of the non-senior housing becoming BMR. 20% is Cupertino's requirement for inclusionary, for-sale BMR units. Converting seventeen of the for-sale housing units to BMR might be an acceptable trade-off for the other changes that the property owner wants.
 - d. Mayor Paul suggested that perhaps Cupertino seniors would sell their homes to young families and use the money to move into the market-rate senior housing. The reality is that a) very few seniors that actually want to leave their long-term homes and move into senior housing, and b) those that do move into senior housing usually finance the costs by renting out their homes. When this happens, the city loses potential property tax revenue since houses are not reassessed, the schools lose parcel taxes because of senior exemptions, and young families do not have the opportunity to buy homes in Cupertino.

- e. Mayor Paul kept letting the property owner speak, even when their time was used up. The public should have been able to speak again as well if this is a new system of commenting.
 - f. Councilmember Hung Wei repeatedly stated that seniors in Cupertino support the project. But we only heard from one organized, developer-backed, group of three seniors, one of whom is a founding member of an anti-affordable housing organization, Catalyze Silicon Valley.
 - g. Councilmember Hung Wei repeatedly stated that, to her, this was “new project” since she had not been on City Council at the time it was approved. This was very insulting to the current and prior City Council members that voted to approve the project, as well as insulting to councilmember Moore, who was on the Planning Commission when this project was approved.
14. **Lack of Notice for Director’s Approval of Parking Changes.** The lack of notice to the City Council and the Planning Commission, of the Planning Director’s decision to allow the removal of parking beneath the BMR building, and the removal of one level of parking under the market-rate building by the use of stackers, should not have been allowed to occur. The planning staff needs to be disciplined for their lack of transparency.
15. **Projects that Get Approved that the Developer Has No Intention of Building.** Developers should not waste the time of City staff, the Planning Commission, and the City Council by presenting projects that they have no intention of actually building. Coming back to the City Council, a year after a project has been approved, with major changes that worsen the project, is an unacceptable bait and switch. We saw this with Main Street and we should have learned our lesson.
16. **Precedent.** Approving these changes would set a terrible precedent of developers proposing a project, obtaining approval because of how wonderful the project appears to be, then coming back with last-minute changes and proclaiming that if the City doesn’t approve these changes that they’ll abandon the whole project.
17. **Long-Term Impact.** We will have to live with this project for many decades, and the attempts to cheapen the project, solely for a short-term financial benefit to the property owner, is a bad idea. We have seen the problems at the Millenium Tower in San Francisco, which were the result of cheaping out during design and construction.
18. **Don’t worry, if the Current Project is Abandoned then Something Else Will Be Built.** If KT Urban wants to abandon the project that the City approved then that would be disappointing, but it would not be the end of the world. They can sell the land to a more experienced developer that won’t engage in such egregious bait and switch tactics.
19. **No Need to Rush.** We need to take a deep breath and not rush through such major modifications to what was once a great project. This is the time for careful consideration not a time to respond to threats.

I would urge that the City Council members not approve these major changes. This is not the same project that was originally approved. Major changes to an approved project, that reduce its quality, need to be carefully considered. Again, don’t succumb to veiled threats

Sincerely,

Grace Chan

Grace Chan
18 year Cupertino Resident
chan.grace88@yahoo.com

P.S. I have not sent this letter to councilmember Hung Wei since everyone in Cupertino knows that she will always vote for whatever a developer asks for.

From: [Donna austin](#)
To: [City Council](#); [Darcy Paul](#); [City Clerk](#); [Kirsten Squarcia](#); [Hung Wei](#); [Liang Chao](#); johnwilley@cupertino.org
Subject: The Oaks
Date: Thursday, December 9, 2021 9:00:45 AM

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Item 30 Westport/ Atria

Historically retail never made it at the oaks, Especially restaurants! Pedro's was the first and I loved it! The restaurants went out of business there all the time, and there was some really nice ones.

Today people shop online. They go to a place to meet someone for coffee or lunch! Our city limits evening hours to 9:00 for restaurants, unless you pay extra. A Clean Well Lighted place was a popular bookstore at the Oaks that everyone loved, that died when books went digital. Libraries continues to be successful because they grew and became an information center digitally and continues to have story hours and job information and teen rooms. Our library is always jumping. If you don't grow you die!

I laughed when the council said the Oaks didn't follow the heart of the city plan. I was on the planning commission and on many groups that developed that policy they believed that bringing the shops to the street was more attractive with parking in back! That was the 80's and 90's. That policy needs to be revisited, especially the Oaks adjacent to the freeway. Meanwhile this senior project that has so much synergy and is interrelated to the whole West Port project and so vitally needed for seniors is jeopardized by this antiquated policy. It would be so sad to lose Atria in this project. They are renown and specializes in senior care. They are required by law to have a private dining room for nutrition and care and safety, just to make way for more struggling retail. Vote yes for the vital changes so that senior care is available at Westport. Make this your legacy to the City of Cupertino!

Donna Austin

Sent from my iPhone

Melissa Robertson

From: J Shearin <shearin.jen@gmail.com>
Sent: Tuesday, December 21, 2021 10:45 AM
To: City Council; City Clerk
Subject: Agenda item 24: Please approve modifications to the Westport Development for increased senior/memory housing

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 Esteemed Mayor Paul and City Councilmembers,

Cupertino needs more senior housing, including memory care housing. Our population in Cupertino is aging, and we just don't have enough comfortable places to live that meet the unique needs of seniors. There is a distinct lack of memory housing in Cupertino, and the need is increasing. **I urge you today to approved the modifications to the Westport project.**

Westport Development is a prime place to put such housing, and the revised modifications to Westport Cupertino adds much-needed Assisted Living senior apartments and a Memory Care facility to Cupertino. The location has access to transportation, shops and businesses, the post office, and very easy access to the Cupertino Senior Center. The seniors would be in a community with a variety of ages which is important for keeping physically healthy and sharp mentally.

A key feature is that the Assisted Living facility is comprised of rental units so residents are able to choose how long they wish to stay. I personally have seen that this is necessary, as my father-in-law (and previously mother-in-law) needed this flexibility to meet his needs when he moved into Assisted Living in eastern North Carolina.

Tonight, please vote to approve the revised modifications to Westport Cupertino and help our growing population of seniors that love Cupertino and want to stay here in their later retirement. Thank you for your work on behalf of Cupertino.

Best Wishes,

Jennifer Shearin
Sr. Warden, St. Jude's Episcopal Church, Cupertino

Melissa Robertson

From: Mary Souza <marysouza1@me.com>
Sent: Tuesday, December 21, 2021 3:30 PM
To: Darcy Paul; Liang Chao; Kitty Moore; Hung Wei; Jon Robert Willey; Cupertino City Manager's Office; City Clerk; City Council
Subject: Approve Westport modifications

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 and officials,

I am writing to ask you to approve the modifications to the Westport Development project so that Cupertino can provide much needed assisted living and memory care housing for seniors. I especially appreciate that Westport is not a buy-in community, but has the rental option and that it is close to the Senior Center, and other amenities.

I am a 50-year Cupertino homeowner currently aging in place. Many of my neighbors are in the same situation. We need more options for continuing to live in Cupertino. I have attended St. Jude's Episcopal Church for 46 years and my husband's ashes are interred there in the beautiful Memorial Garden. I have been active in the Cupertino faith community and hope to remain a vital, contributing member to the faith community and the city for many more years. But I am beginning to look at my future options other than maintaining a home by myself.

Please approve this project at the meeting tonight.

Sincerely,
Mary Souza
7894 Belknap Drive
Cupertino, CA 95014

December 21, 2021

Lloyd A. Holmes, President
De Anza Community College
21250 Stevens Creek Blvd.
Cupertino, CA 95014

Dear Cupertino City Council Members,

I am writing to you as the President of De Anza College to express our support of Atria's proposal to develop licensed housing for seniors with a focus on assisted living and memory care. I, along with our vice president for instruction, had an opportunity to meet with Mark Alexander and Laura Miller to talk about possible partnerships between Atria and De Anza College. As an outcome of that meeting, we were quickly able to see numerous possibilities for our students, employees, and potential residents of Cupertino (if the plan is approved).

The partnerships discussed have the potential to greatly benefit the students of De Anza College by providing work experience through paid internships or employment opportunities, and also could be used as a site for our Nursing Program and Health Technologies students to complete their required hours for licensure. In addition, we see very real advantages for students earning degrees or certificates in the areas of Business Administration, Computer Science, Marketing and Communications, Environment Science, and all of our health-related classes.

Thank you for the opportunity to provide this letter of support.

Sincerely,



Lloyd A. Holmes, Ph.D.
President

Melissa Robertson

From: Anne Ezzat <aezzat95014@gmail.com>
Sent: Tuesday, December 21, 2021 2:08 PM
To: Darcy Paul; Liang Chao; Jon Robert Willey; Kitty Moore; City Clerk
Subject: Westport project and SB9 standards

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 Paul, Vice Mayor Chao, Council Member Wiley and Council Member Moore,

I am writing to request that you reject modifications to the Westport Project. By moving the parking, the safety of the less affluent members of the community will be impacted; a virtual “poor door,” will be created- a notion that has been rejected in other states. Do we really want to be the sort of community that tells our less affluent residents that they do not matter? Is that the message the community should send? When will the requests for modification of this project end? And what type of project will this be in the end? Something the residents did not want and did not bargain for? Please keep the project as is.

Regarding standards for SB9, please make sure that the residents, not the developers are first in your minds. Please do not allow balconies where they eliminate privacy for the residents, etc. Contrary to the proponents of SB9, most people do not relish the thought of others being in their inner ear canal. I hope that you will be able to ensure that Cupertino does not wind up looking like Mountain View, which looks increasingly like a tech ghetto from the brutally ugly and stupid school of architecture. Please ensure that the standards allow for aesthetically pleasing buildings and maximize privacy.

And finally, in what universe do people not grasp SB9 is a developer give a way? Developer lobbyists can chant “supply and demand” all they want, but that does not change the fact that classical economic theory has not worked in the past hundred years because of government intervention and technology. And the two markets classical economic theory has rarely impacted is housing and healthcare because people will pay anything for housing and the opportunity not to die.

Lobbyists can chant “supply and demand,” “the earth is flat,” and “the government is putting tracking devices in vaccines,” but that does not make it so. The wanton disregard this legislation has for communities, with evidence to the contrary (see how split lots have impacted the prices of housing in Vancouver), clearly demonstrates this movement is about housing capital and not people. And is completely at odds with the mission of a democratic and compassionate government which should seek to improve the lives of its citizens, not provide commercial interests with risk free environments.

Also... will SB9 projects be subject to the same requirement for solar (state law) that will kick in next month ? If not, Why?

Senior Housing



Judy Foot <judyfoot@gmail.com>

To: City Council; City Clerk

Follow up. Completed on Wednesday, December 22, 2021.

If there are problems with how this message is displayed, click here to view it in a web browser.

[Reply](#) [Reply All](#) [Forward](#) [...](#)

Tue 12/21/2021 4:55 PM

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"I am supportive of this revised modification to Westport Cupertino. Westport Cupertino adds much-needed Assisted Living senior apartments and a Memory Care facility to housing in Cupertino. There is already a lack of memory care units in Cupertino, and the need is growing. Another important feature is that this Assisted Living facility is comprised of rental units so you can choose how long you want to stay. Importantly, this community is designed in a way that makes it a destination for other Cupertino residents and the surrounding neighbors.

This particular location has added benefits for seniors: it has access to transportation, businesses, the Senior Center, and De Anza College. This housing will keep seniors in a diverse community of ages which is important for retaining social interactions and mental health.

I urge you to approve this thoughtful design and begin the New Year 2022 by filling a critical housing need for Cupertino."

Sincerely,

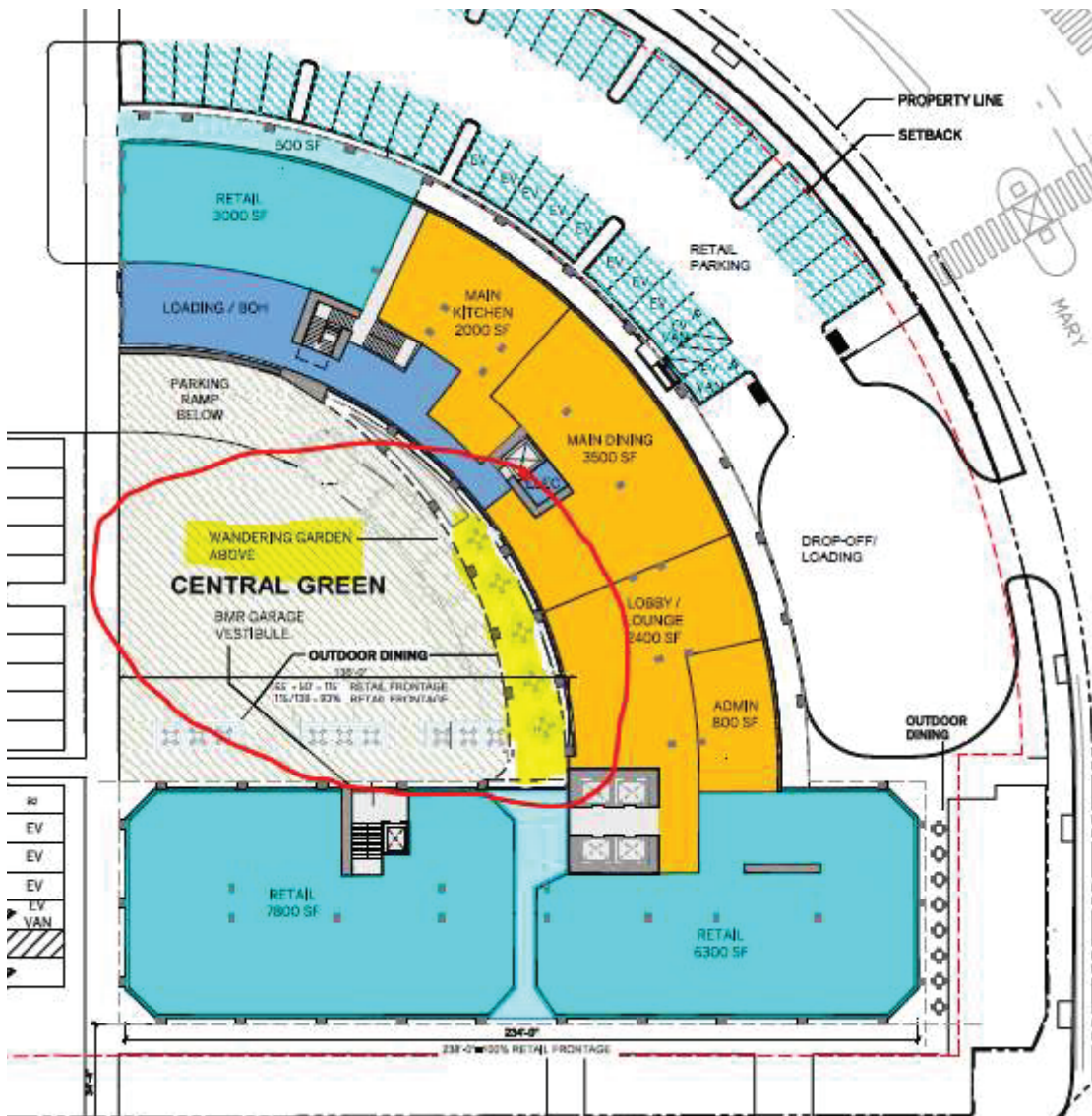
Judy Foot

10539 Farallone Dr. Cupertino

Member of St. Jude's Episcopal Church

2021-12-21 CC AGENDA ITEM 24 – WESTPORT

1. “...applicant is continuing to modify Building 1” yet –
What are you approving if plans are not final?
2. Less public open space because of “Wandering Garden” and increased width



Melissa Robertson

From: Liz Mulford <lizmulford@hotmail.com>
Sent: Tuesday, December 21, 2021 6:51 PM
To: City Clerk
Subject: Fwd: Westport Cupertino

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Sent from my iPad

Begin forwarded message:

From: Liz Mulford <Lizmulford@hotmail.com>
Date: December 21, 2021 at 8:49:54 PM CST
To: citycouncil@cupertino.org
Subject: **Westport Cupertino**

As a Cupertino senior, and member of St. Jude's, I strongly support the addition of senior apartments and a memory care facility here. Cupertino's shortage of senior housing is horrendous. This project would fill some of the huge need.

Thank you for supporting this project.

Liz Mulford,
10366 Tonita Way
Cupertino

Sent from my iPad

Melissa Robertson

From: Connie Cunningham <cunninghamconniel@gmail.com>
Sent: Tuesday, December 21, 2021 7:17 PM
To: City Clerk
Subject: Fwd: Support for Dec 21, CC, Public Hearing Agenda Item 24, Westport

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Hi Kirsten, I see that I had not included your email on my original email. I hope that you can accept it at this time since it went to all the Council and City Manager.

Thank you,
Connie

Begin forwarded message:

From: Connie Cunningham <CunninghamConnieL@gmail.com>
Subject: Support for Dec 21, CC, Public Hearing Agenda Item 24, Westport
Date: December 21, 2021 at 3:27:21 PM PST
To: "citycouncil@cupertino.org" <citycouncil@cupertino.org>
Cc: Heusler Kerri <kerrih@cupertino.org>

Dear Mayor, Vice-Mayor and Councilmembers:

Subject: Westport Cupertino moves Cupertino forward with Senior Strategy which is one of Cupertino's top 10 Priority Items on the FY 2021-22 City Work Program

I am thoroughly supportive of this revised modification to Westport Cupertino. Westport Cupertino moves Cupertino forward with Senior Strategy which is one of Cupertino's top 10 Priority Items on the FY 2021-22 City Work Program. Westport provides a much-needed number of homes of differing income levels, ages and health needs. It adds much-needed Assisted Living senior apartments and a Memory Care facility to Cupertino's housing. There is already a lack of memory care units in Cupertino, and the need is growing. Another important feature is that this Assisted Living facility is comprised of rental units so you can choose how long you want to stay. Also, 48 Senior Below-Market-Rate homes are part of the overall project and are a significant addition to the mix of homes available to seniors in Cupertino.

Importantly, these homes, shops and open space are designed in a way that makes this a destination for other Cupertino residents and the surrounding community.

Senior housing has been successfully advocated by residents to the Housing Commission and to the City Council. This past year the City Council chose Senior Strategy as one of its top 10 Priority Items on the FY 2021-22 City Work Program.

<https://www.cupertino.org/home/showpublisheddocument/29977/637686084310570000>

Housing is a major issue of that Senior Strategy. The first step of that work program item was to issue the on-line **Senior Resource Availability Survey** (Senior Survey) that went live in October, and closed recently. Significant resources were invested in this survey.

I am impressed by the housing builder's responses to Council questions from December 7:

--Retail is increased

--Surface parking is increased

-- Height is reduced for Building 1

Westport Cupertino creates a great sense of place. It creates an **intergenerational** neighborhood. The Westport location has many benefits for seniors: access to transportation, businesses, the Senior Center, and De Anza College. This housing will keep seniors in a diverse community of ages which is important for retaining social interactions and mental health.

I am very pleased to see that the Westport design is a big improvement for **Safety** for Seniors crossing from the Senior Center to dining and stores. It is shorter and more visible to drivers. This crosswalk is much closer than the crosswalk on the curve farther north along Mary Avenue.

There is **Synergy** with De Anza College. De Anza provides lifelong learning for all residents, while Westport offers coffee shops and places to relax for students. There is a De Anza College nursing program that one of my friend's daughters attended. She has been a nurse for 15 years.

I like this design for an **Interconnected** community,—a variety of ages using the Center Green, the cafes, the stores, the adjacent Senior Center, and De Anza Community College. It can be accessed on foot, on bicycle, by car or by bus. It is a thoughtful design that creates an interconnected **neighborhood** in the Heart of the City. People from around Cupertino will be attracted to this destination.

In closing, I urge you to approve this thoughtful design tonight and begin the New Year 2022 by filling a critical housing need for Cupertino and a big step forward on the FY2021-22 City Work Program for Senior Strategy.

Sincerely, Connie Cunningham

34 year resident, a Senior resident

Chair, Housing Commission, (self only)

CC 12-21-21

#25

SB9 Objective
Standards and
Regulations

Written Comments

Melissa Robertson

From: Lisa Warren <la-warren@att.net>
Sent: Tuesday, December 21, 2021 12:28 PM
To: City Council; City Clerk; City Attorney's Office; Piu Ghosh (she/her); Benjamin Fu
Cc: Christopher Jensen
Subject: CC Mtg input for SB9 Objective Standards Staff report/presentation.

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.

Thank you for the work on trying to limit the impacts of SB 9.
These things are so very much needed.
Below are some first pass notes/comments from me for that Agenda item tonight.
I will send another email if I have the time to do so.

Please DO read what is here thus far.

Thank you.
Lisa Warren

- Balconies - Please prohibit any version of Balconies and Second Story Decks
(would be helpful to define those two terms since they are both used. Is there some distinction between the two labels?)
Please select NO BALCONY (deck) option due to close proximity to neighbors and privacy concerns that are a continuing issue for residents already
- No basements Please. due to close proximity to property line cost to build/affordable units
? Would a basement on it's own be a stand alone housing unit if they are to be allowed...
? Shrinking setbacks make all things worse
- Outdoor space min 10 sf ? that is less than the size of a standard closet.
- Privacy planting requirement as it exists today is even more of a problem if the list of trees is not updated to what is appropriate for even tighter spaces.
- Solar - I believe that come January 2022, all new construction and 'rebuild' residential projects (including single family homes) will be required to install solar power systems. If the requirement for not blocking a percentage of 'existing solar' panels of adjacent properties with SB9 projects, it seems that there could be issues with 'future' (and required) solar that will now be 'required' - Was that discussed?

Thank you for your time and attention to my concerns.

Best regards,

Brooke Ezzat

Melissa Robertson

From: Lisa Warren <la-warren@att.net>
Sent: Tuesday, December 21, 2021 4:35 PM
To: City Council; City Clerk
Subject: Part 2 CC Mtg input for SB9 Objective Standards Staff report/presentation.

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.

City Council,

I did not capture all my 'notes' when cut and pasting to the initial email.

I missed this one:

-- As far as ADU's within SB9 projects, I request City Council to 'Disallow ADUs and/or Jr ADUs'.

Thank you for previous comments, direction to staff, and consideration of what is best for our community at this moment in connection to this subject. Staff has produced something helpful and workable for tonight's discussion. Please read, or re-read the comments from my previous email (below).

It would be helpful for Staff to explain, during tonight's meeting, the timeline for getting your decision finalized 'in time' for the required deadline. Not the best time of year to be faced with this... but oh so important.

Thank you All.
Lisa Warren

On Tuesday, December 21, 2021, 12:28:17 PM PST, Lisa Warren <la-warren@att.net> wrote:

Thank you for the work on trying to limit the impacts of SB 9. These things are so very much needed. Below are some first pass notes/comments from me for that Agenda item tonight. I will send another email if I have the time to do so.

Please DO read what is here thus far.

Thank you.
Lisa Warren

- Balconies - Please prohibit any version of Balconies and Second Story Decks
(would be helpful to define those two terms since they are both used. Is there some distinction between the two labels?)

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- Solar - I believe that come January 2022, all new construction and 'rebuild' residential projects (including single family homes) will be required to install solar power systems. If the requirement for not blocking a percentage of 'existing solar' panels of adjacent properties with SB9 projects, it seems that there could be issues with 'future' (and required) solar that will now be 'required' - Was that discussed?

Also... will SB9 projects be subject to the same requirement for solar (state law) that will kick in next month ? If not, Why?

City of Cupertino SB 9 Ordinance

REQUESTS

- P. 24/51 19.28.150.E.9 Second Story decks, balconies...
PICK OPTION A Not permitted.
- P. 29/51 19.28.150.G converting to a condo, etc.
PICK OPTION G! Make it ineligible
- P. 19.40.090.G converting to a condo, etc.
PICK THIS OPTION! Make it ineligible

QUESTIONS

- 1) There are some tweaks that I think may need to be done.
Q: When/how can the public provide their input regarding these tweaks?
- 2) Q: Does this ordinance prevent any further subdivision like on large hillside lots, can they be further subdivided?

Melissa Robertson

From: Peggy Griffin <griffin@compuserve.com>
Sent: Tuesday, December 21, 2021 5:30 PM
To: City Council; Piu Ghosh (she/her); Benjamin Fu; Christopher Jensen; Cupertino City Manager's Office
Cc: City Clerk
Subject: 2021-12-21 CC Agenda Item #25 SB9 Emergency Ordinance - REQUESTS

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, Staff, City Attorney Jensen,

Thank you all for being pro-active in making sure the provisions of SB-9 are successful. Having a structure and plan as to how the city will implement SB-9 will enable this process to be successful and be a positive experience to all involved.

The material provided by the staff is extensive and very thorough and I thank them for their efforts.

REQUESTS

- P. 24/51 19.28.150.E.9 Second Story decks, balconies...
PICK OPTION A Not permitted.
- P. 29/51 19.28.150.G converting to a condo, etc.
PICK OPTION G! Make it ineligible
- P. 19.40.090.G converting to a condo, etc.
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QUESTION

- 1) There are some tweaks that I think may need to be done. When/how can the public provide their input regarding these tweaks?
- 2) Does this ordinance prevent any further subdivision like on large hillside lots, can they be further subdivided?

Again, thank you all for taking a positive forward-looking approach to a state mandated law. The ultimate goal is to provide more housing in a structured and safe environment. Thank you!

Sincerely,
Peggy Griffin