PC 4-22-2025

Item No. 4 Westport

Presentations

Westport Building 1

M-2024-003 & ASA-2024-003

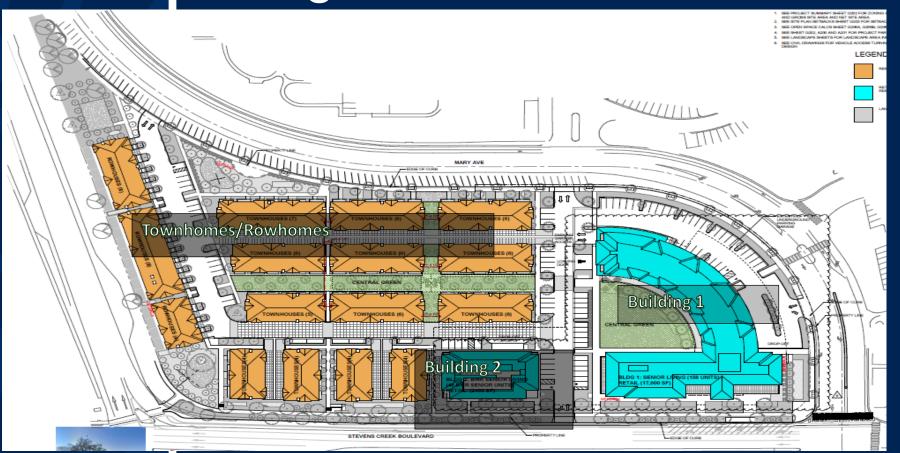
21267 Stevens Creek Boulevard



Subject

- Modification to a previously approved Development Permit and Architectural & Site Approval for the Westport Development including, but not limited to, dwelling count and ground floor retail, Park Land Dedication Fees and minor changes to Building 1.
- Applicant: Related California

Background



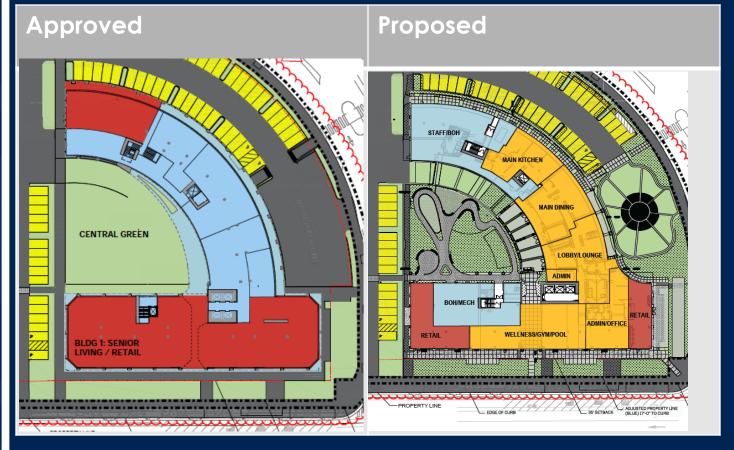
Background – Building 1 Modifications

- City Council approved Westport on August 19, 2020.
- Current programming of the Building 1 portion approved through a modification permit on December 21, 2021.

Application Request – Building 1 Modification

- Utilize their remaining density bonus Incentive/Concession to reduce amount of retail from 17,600 square feet to 4,000 square feet.
- Request density bonus to increase senior assisted living dwelling count by 13 units, from 123 to 136
- Utilize provisions of state law (Assembly Bill 2097) to remove underground parking facility (a decrease of 146 parking stalls for the development)
- Minor adjustments to proposed structure, including reducing building height, moving sixth floor amenities to the ground floor, and decreasing overall square footage of proposed building from 199,800 square feet to 195,253 square feet.
- Waive the application of the Park Land Dedication In-Lieu Fee.

Analysis – Reduction in Retail



Analysis – Reduction in Retail

- Westport Development remains eligible for the second of two allowable State density bonus law incentives and concessions. Developer requests to use second available incentive and concession to reduce the required ground floor retail.
- Retains retail locations on corner of Building 1 adjacent to Mary Avenue and driveway entrance along Stevens Creek Boulevard.
- Agreement requires users of Building 1 to pay for a portion of shared infrastructure with Building 2 as on-going site maintenance costs.
 - Allows operator of BMR building (Building 2) better to finance long-term operating costs of affordable units.

Analysis – Assisted Unit Count

- Westport Development provides 12% of its base density as affordable to very low-income households.
 - Entitles development to a 38.75% density bonus, or a total count of 329 units for entire development.
- Total number of units in development would increase from 259 to 272 units due to the addition of 13 assisted living units in Building 1 (12.8% Density Bonus).
- Increase from 123 assisted living units to 136 assisted living units in Building 1.
- Increase compatibility with BMR unit size and mix.

Analysis – Parking Reduction

 AB2097 that prohibit cities from requiring minimum parking requirements do not apply to this project since the project was approved and entitled prior to the enactment of AB2097.

Comparison of Approved and Proposed Parking				
	Previously Approved	Proposed		
Residential (Buildina 1)	80 (below grade)	8		
Residential (Building 2)	26 (below grade)	26		
Residential (Townhomes)	6 (surface)	6		
Bldg. 1 Facility Employees	28 (below grade)	10		
Retail (Building 1)	71 (10 below grade, 61 surface)	16		
Retail (Building 2)	7 (surface)	7		
Total Building 1	218 (144 below grade and 74 surface)	73 (all surface)		

Analysis – Parking Reduction

- Property is in Planned Development with General Commercial and Residential uses (P (CG/Res)) zoning district.
 - Allows flexibility in standards.

Anticipated Parking Demand vs. Proposed Supply For Building 1				
	Previously Approved	Proposed	Expected	
Residents	80	3	14	
Employees (40 max per shift)	28	10	13	
Guests	(included in resident count)	5	10	
Retail	71	16	16	
Total	179	34	53	
GAP			19	

 Condition of approval, applicant is required to update site plan to add a minimum of 20 onsite parking spaces, prior to issuance of building permits.

Analysis - Architectural & Site Approval

- Increasing footprint of curved (sickle) portion of building along Mary Avenue by 8 feet.
- Relocating memory care terrace to interior of project to overlook central green.
- Reducing ground floor height from 20 feet to 18 feet, with incremental height increases to upper floors.
 - Overall building height would be reduced to 78.6 feet.
- Moving therapy pool terrace and wellness gym to ground floor from the sixth floor.

Analysis – Park Land Dedication In-Lieu Fee

- A136-unit count Building 1 would be required to pay approximately \$4,080,000 (\$30,000 per senior citizen housing development unit) as Park Land Dedication In-Lieu of Fees.
- To date, the developer has already paid \$3.69M to date for 123 units.
- Applicant has identified following reasons for waiving the fee:
 - Applicant has constructed a new pedestrian walkways connecting Stevens Creek Boulevard and Mary Avenue through the project.
 - Residents of senior housing units in Building 1 cannot reasonably be anticipated to generate a material demand on City park lands
 - Anticipated to use the open space amenities included in Building 1 and its publicly accessible, privately maintained <u>Central Green</u>.
 - Strategy HE-2.3.9 of the Housing Element requires the City to explore revising its Park Land Dedication Fee, including a specific reference to allowing credits for privately owned and maintained public open spaces and other pedestrian connections and trails.

Environmental Review

- An Initial Study was prepared and a Final EIR (State Clearinghouse 2019070377) was certified for the project by City Council on August 18, 2020.
- Under CEQA Guidelines section 15164, an addendum to an EIR was prepared to analyze the modifications.
- Construction and operation of modified project would not result in any new impacts or increase severity of previously identified significant impacts analyzed in the Adopted EIR.

Modified Condition – M-2024-003

PARKING MODIFICATION

The applicant will work with Staff to supply a further 20 parking spaces dispersed within the Building 1 parcel to accommodate the employees, guests, and residents of the assisted living facility (including memory care). In addition, if sustained, prolonged parking (more than 3 consecutive days) is observed in the right of way, the operator will identify an additional 20 spaces for use by the facility, on- or offsite. The applicant shall provide a recorded agreement with any offsite parking facility, in the event the property owner/operator is required to provide such additional parking.

Recommended Action

That the Planning Commission adopt the proposed draft resolutions to recommend City Council:

- 1. Adopt the First Addendum to an EIR and approve the Development Permit Amendment (M-2024-003); and
- 2. Approve the Architectural and Site Approval Permit (ASA-2024-003); and



Background (8/18/2020)

- Residential/commercial buildings:
 - Building 1: six-story building with 131 senior, assisted living units, 27 memory care rooms, and 17,600 square-feet of ground-floor retail/commercial space.
 - A one-level, below-ground parking garage with 191 parking spaces.
 - Building 2: six-story building with 48 BMR senior independent living units and 2,400 square feet of ground-floor retail/commercial.
- 70 single-family residential townhouses and 18 single-family residential rowhouse condominiums.
- Height waivers of 45 foot height limit in General Plan to allow:
 - Building 1 to be 70' 0" to the eave line, and 79' 6" to roof ridge.
 - $_{\circ}$ Building 2 to be 65' to the eave line, and 74' 6" to roof ridge.
- Slope line setback waivers of 1:1 slope line setback from curb line in General Plan to a slope line setback of 1:1.70 for Building 1 and a slope line setback of 1:1.48 for Building 2.
- Incentive/concession allowing all BMR units to be consolidated in Building 2.

Building 1 Modification – (12/21/21)

- Added eight (8) memory care rooms (for a total of 35 memory care rooms).
- Decreased the total residential unit count from 131 to 123.
- Reduced underground parking garage to a single floor and utilizing parking lifts and valet service to maintain original parking stall count.
- Reduced massing on the top floor to accommodate a sixthfloor aqua therapy pool.
- No change in retail square footage from the original permit.

	Approved Project	Current Proposal		
Units within Building 1	123	136		
Total number of units within the Westport Development	259	272		
Residential Density	32.78 du/acre	34.4 du/acre		
Density Bonus Requested	8.4%	12.8%		
Height of Structures	Building 1 – 79.5 feet	Building 1 – 78.6 feet		
Memory Care Rooms	35	35		
Building 1 Retail				
Stevens Creek Blvd frontage	60%	10%		
Rear of building	26%	5%		
Retail Square Footage	17,600	4,000		
Building 1 Parking				
Residential	81	32		
Residential Care	27	18		
Retail	103	23		
Total Building 1	211	73		

Unit Comparability Between Buildings 1 & 2

Approved Building 1 (123 Units)	Studio	One Bedroom	Two Bedroom	
Average Unit Size	530 s.f.	710 s.f.	1,110 s.f.	
Unit Count	12	75	36	
Mix Percentage	10%	61%	29%	
Proposed Building 1 (136 Units)	Studio	One Bedroom	Two Bedroom	
Average Unit Size	530 s.f.	710 s.f.	1,110 s.f.	
Unit Count	27	79	30	
Mix Percentage	20%	58%	22%	
Building 2 (48 Units)	Studio	One Bedroom	Two Bedroom	
Average Unit Size	518.6 s.f.	615.7 s.f.	843 s.f.	
Unit Count	9	28	11	
Mix Percentage	19%	58%	23%	

Applicant Parking Reduction

- The median age of the tenants in the Senior assisted living units is anticipated to be approximately 84, based on the applicant/operator's experience at similar facilities. Therefore, a very small percentage (8%) of the tenants will drive or own a vehicle. According to the applicant many residents dispose of, or donate, their vehicles prior to downsizing into one of their facilities, preferring to use the concierge vehicles operated by the facility.
- Almost 75% of the employees of their other facilities are incentivized to use alternative means of transportation or park elsewhere (here, De Anza College facilities are located close by, and the operator is in talks with them regarding parking arrangements).
- Guests are usually only at the facility for a maximum of 90 minutes per visit and can
 use public parking or park at De Anza College, if necessary.
- Retail reduced to 4,000 square feet, significantly reducing parking demand based on the City's retail parking standard of 1 space per 250 square feet.





RELATED

Westport Cupertino: Senior Assisted Living

PROPOSED PROGRAM CHANGES
APRIL 22, 2025

Related Companies: Building Communities for Five Decades

- One of the largest developers / preservationists of affordable housing with 55,000+ affordable homes in the US (13,000+ in California)
- 53-year history in the US (four decades in California) with mission to address housing needs across all demographics
- Long term owner / operator rarely exiting or selling buildings after completion













Project is Not Feasible as Designed

- Original entitlement (2021): 158 units, 17,600 SF retail, 218 parking stalls
- Project is not financially feasible → 3 years, 60+ lenders and equity partners turned down project
 - Construction costs up 42% since 2020 (source: California Construction Cost Index)
 - Operating expenses are up 20-30%: labor, insurance, food, etc.
 - Interest rates from 0% to 5%
 - Valuations dropped by 10-15%



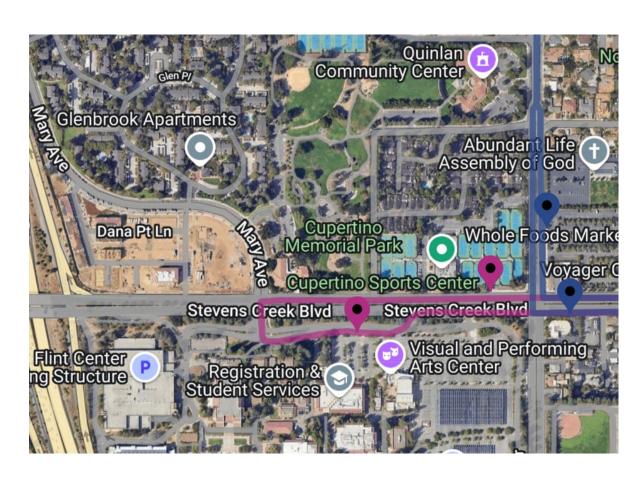
Cost Reduction Necessary to Move Forward

- Revised entitlement request (2024): 173 units, 4,000 SF retail, 73 surface parked stalls, eliminate park fees
 - Add 13 RHNA qualified units while reducing height/bulk
 - Eliminate 50,000 SF of underground parking
 - 50,000 SF basement at \$200-\$300/sf = \$10-\$15M
 - Code required parking for assisted living is unnecessary
 - Reduce retail to 4,000 SF to cut costs, make space for other uses, and align parking
 - 14,000 SF retail at \$400-\$500/sf = \$5-\$7M
 - Basement / L6 reductions require space on ground floor
 - Parking reductions require limiting retail
 - Eliminate \$4M of park fees
 - Providing a 12,250 SF public park on site
 - Residents pose no wear and tear on public parks



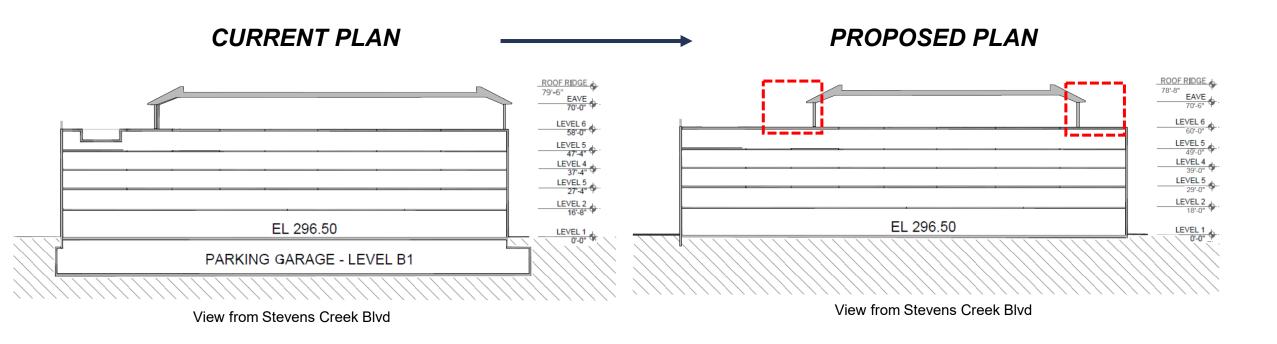
A State Recognized Need to Address Housing Shortages

- Unit Count Increase / Retail Reduction: unused concession under State Density Bonus Law
- Parking Reduction: State Legislation (AB-2097) prohibits cities from imposing minimum parking requirements on development projects within 0.5 mile of major public transit
- Park Fee Reduction: HCD approved Housing Element expressly requires City to explore reduction in Park Fee as a method to make housing more affordable



VTA bus routes 23 (pink) and Rapid 523 (blue), running every 15 minutes or less during peak

Overall Decrease in Height and Bulk

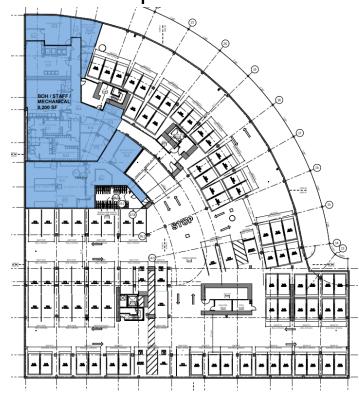


Reallocation of amenity space from Level 6 to Ground Floor increases Level 6 setback on Stevens Creek Blvd.

Elimination of Basement Floor

CURRENT PLAN

 Current Plan: +/- 50,000 SF of basement space with 146 parking stalls and 8,200 SF of back-of-house space



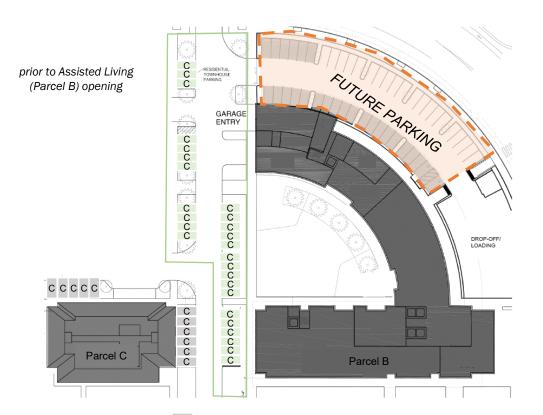
PROPOSED PLAN

- Proposed Plan: Eliminate basement floor entirely. Reallocate back-of-house space to ground floor
 - No change to 33 BMR / 6 TH parking stall allocations
- Proposed Plan results in significant savings in building and operating costs

No Changes to Parking for Seniors or Townhomes

TEMPORARY PARKING

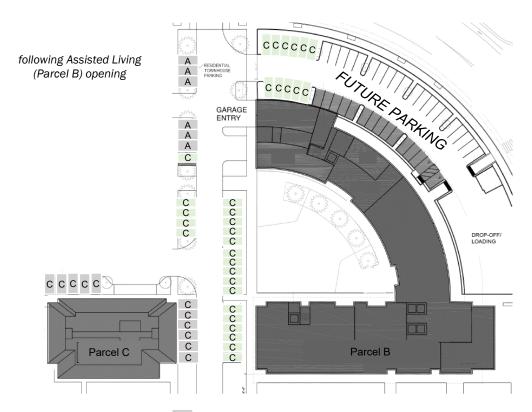
26 stalls allocated to Senior Independent Living (Parcel C)



- A Parcel A (Townhome)
- B Parcel B Parking (Assisted Living)
- C Parcel C Parking (Independent Living)

FUTURE PARKING

33 stalls allocated to Senior Independent Living (Parcel C)
 + 6 stalls for Townhomes

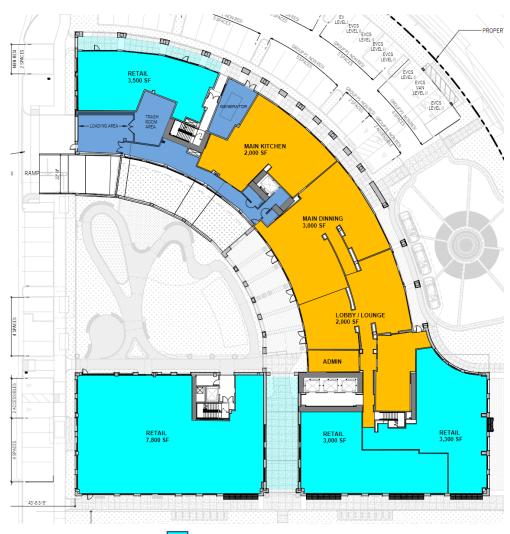


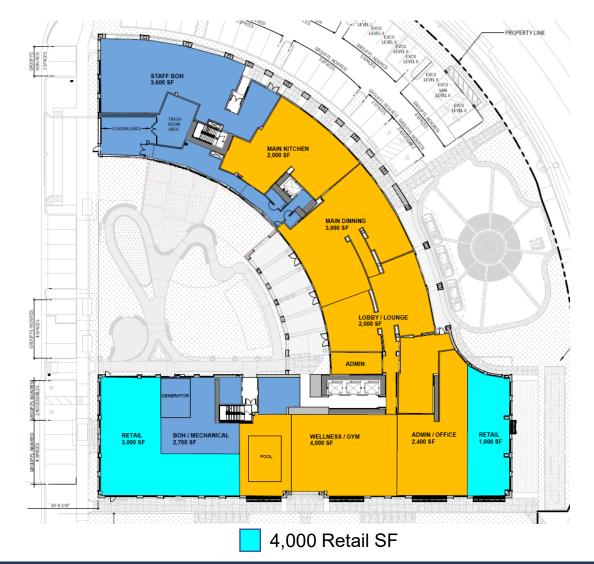
- Parcel A (Townhome)
- B Parcel B Parking (Assisted Living)
- Parcel C Parking (Independent Living)

Updated Ground Floor Plan

CURRENT PLAN

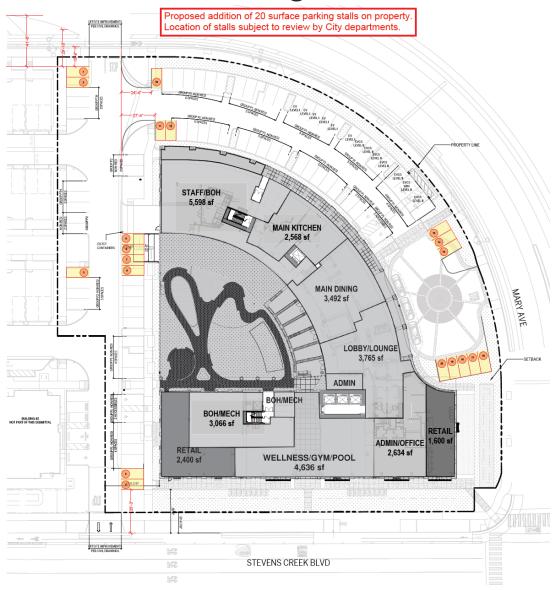
PROPOSED PLAN





17,600 Retail SF

Potential Areas for Increased Parking



Elimination of Park Fee to Further Reduce Costs

- Code allows for Park Land Dedication of 17,800
 SF in lieu of Fee
- Project is providing 27,860 SF of outdoor open spaces (12,250 public park + 15,610 SF of additional open space)
 - The provided public park is 70% of the park land dedication exemption
- AL residents (typically 83-85 average age) pose little wear and tear on public parks



Oakmont Mgmt Company: best in class operator in California



10K+

Over 10,500 units under management

40+ 📆

40+ developments completed & under construction

90%

Portfolio occupancy

102



98 communities under management and 4 under development with an average size of ~110 units

\$850M+

Annual revenue under management

8K+ 👺

Oakmont employs 8,500 team members

What is Assisted Living, Memory Care and Independent Living?

Assisted Living	 For seniors who need or want assistance with daily activities
	 Private or shared residences with amenities and social activities + caregiver support
	 Services include activities, transportation, meals, personal care and medication management
	 Specialized setting for Alzheimer's and dementia patients
Memory Care	 Secure setting with trained staff and structured routines
	 Services include activities, transportation, meals, personal care and medication management
	 For active seniors, where no personal care is provided

Private residences with amenities and social activities

Independent Living

Cupertino Has Few Housing Options for Seniors

	Subject		Bay Area Counties		US	
	3 Mile	5 Mile	10 Mile	Aggregate	Santa Clara	Total
Units in Market						
Assisted Living / Memory Care Units	312	993	2,365	9,593	3,342	1,200,000
Primary Target Group (Age 75+)						
Population (age 75+)	12,638	30,872	76,216	337,410	119,303	24,530,000
Penetration Rates (# Units / 75+ Populat	ion)					 ,
Penetration Rate	2.47%	3.22%	3.10%	2.84%	2.80%	4.89%

Cupertino Supply:

- 512 Independent Living (IL) / 221 Assisted Living (AL) / 103 Memory Care (MC)
 - Sunny View CCRC (1964): 90 IL-AL / 23 MC / 48 SNF
 - Chateau Cupertino (1988): 170 IL
 - The Forum CCRC (1991): 342 IL / 62 AL / 46 MC
 - Morningstar Senior Living (2023): 69 AL / 34 MC



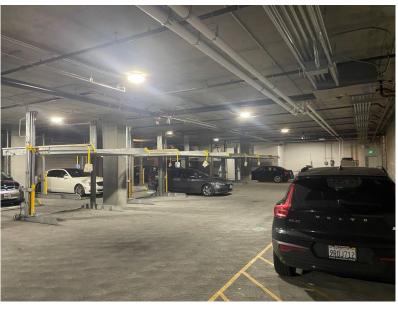
Assisted Living Parking Operations

Use	Expected Count	Typical Parking Need	Onsite Stalls	Potential Surplus	Reasoning for Delta	Alternative for Potential Surplus
Residents		14 Stalls = 8% Utilization Rate # of Cars / # of Units)	3	11	 Majority of Residents can't drive and will be encouraged against bringing cars. Onsite stalls dedicated to concierge vehicles for Residents w/in 25 min radius. 	Nearby Oakmont Properties have surplus parking (6.5-8.0 miles away in SJ)
Staff	110 Staff / 3 Shifts = 37 Staff per Shift	10-13 Stalls = 25-35% of Max 40 Shift Staff	10	3	 75% of staff at nearby Oakmont Properties take alt transit. Staff will be incentivized through vouchers, etc. 	Bus, Bike, Hopper, Carpool, De Anza, Use of Retail Space when not open (i.e. night shift)
Visitor	30 Daily = 5-10 at given time	5-10 Stalls = 17-33% of Daily Visitors	5	5	 Guest count is variable on day/time Estimated 30 guests per day spread across 3-6 visit times 	Uber/Carshare, De Anza Public Parking
Subtotal - Senior Assisted Living 37 Stalls		18 Stalls	19 Stalls			
Retail	4 Stalls per 1,000 GSF on 4,000 GSF	16 Stalls	16	0	N/A	
Total - Seniors + Retail 53 Stalls		34 Stalls	19 Stalls			
ALTERTNAT	TIVE: REMOVE RETAIL SF				Reallocate 16 Retail Stalls	
Reallocate 16 Retail Stalls to Resident/Staff Parking			16 Stalls		to Residential/Staff Parking	
Total - Seni	ior Assisted Living (No Retai	il) 53 Stalls	34 Stalls			



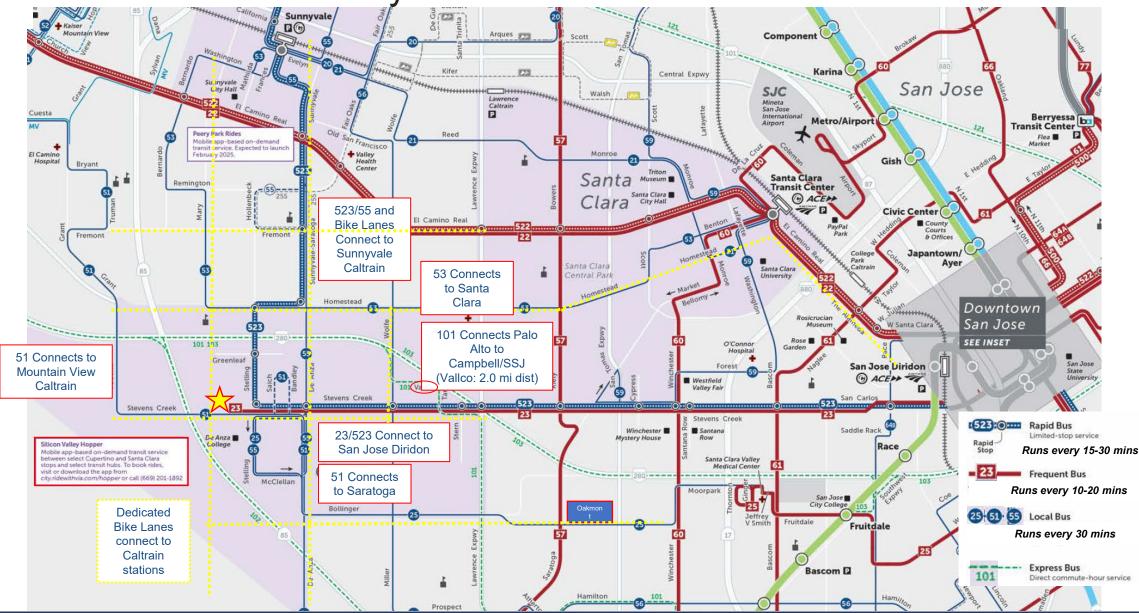
Residents Mostly Don't Drive

- City Parking requirements (ie. 0.5 stalls per bedroom) are overly conservative for Assisted Living Facilities with low resident Parking Utilization Rate
- Coterie San Francisco = ~8% Parking Utilization Rate (17 cars for +200 residents) vs. 44 stalls provided
- Oakmont CA average across 100 communities = ~10%
 Parking Utilization Rate
 - Actual <u>VEHICLE</u> Utilization is less than 3% across Oakmont Portfolio





Public Transit Accessibility for Staff



Visitor Trends at Comparable Properties

Drawing on visitor log data from our suburban RCFE licensed communities (100–175 units), our conservative per day visitor projections are:

- Mon–Thu: ~10–15 unique visitors/day
- Friday: ~15–20 unique visitors/day
- Saturday & Sunday: ~20–30 unique visitors/day (peak)

By Time of Day (weekends as the highest load example):

- 11 AM 1 PM: ~20 % of daily visits
- 4 PM 6 PM: ~30 % of daily visits
- 6 PM 7 PM: ~10 % of daily visits
- Remaining visits spread across late morning and early afternoon



Mary Street Rendering





Stevens Creek Boulevard Rendering





We Develop Curated Retail Opportunities



Thank You!

PC 4-22-2025

Item No. 5 CIP Improvement Programs

Presentations

CAPITAL IMPROVEMENT PROGRAMS FY25-26 and 5-YEAR PLAN

Planning Commission April 22, 2025



Tonight's Action

Subject: Review of the new projects proposed in the Fiscal Year 2025 - 2026 Capital Improvement Program for consistency with the City of Cupertino's General Plan.

Recommended Action: Adopt a Resolution finding that the Fiscal Year 2025 - 2026 Capital Improvement Programs proposal is consistent with the City's General Plan

CIP webpage

For more detail on the status of current CIP projects, refer to the CIP page found under Public Works

Navigation: Cupertino.gov > Your City > Departments > Public Works > Capital Improvement Programs Projects

Capital Improvement Programs Projects





Contact Us

Capital Improvement Programs
Phone: 408:777.3354
capitalprojects@cupertino.gov

Capital Improvement Programs (CIP) projects are city-funded improvements to city land, parks, building and infrastructure. A Capital Improvement is a project that enhances the unit of property, restores or prolongs the useful life of the unit of property, or adapts the property to a new or different use. Capital Improvements are assets that are capitalized each year, routine maintenance projects are not. The CIP is a multi-year plan that sidentifies, plans and implements improvements over time, accounting for budgetary and staffing constraints, as well as ongoing facility and infrastructure needs.

City of Cupertino Notifications Signup

E-Notification Signup

How do we prioritize/rank the CIP projects?

- . Repair or upgrading necessary to protect public Health and Safety take highest priority.
- . Council Priorities, Commission suggestions and Community input.
- . Subsequent phases of existing projects.
- Master Plans and General Plan have many stated goals and policies that affect the generation of CIP projects.
- Fiscally responsible use of City resources, including staff time and funding. If projects have secured (or could secure) outside funding, that is also considered.

Projects	•
CIP Dashboard	+
Engage Cuperlino	·
CIP Books	+
Other Resources	

FY25-26 CIP

Agenda

- Review proposed new CIP projects for consistency with the City of Cupertino's General Plan.
- 2. Next Steps

FY 25-26 CIP Process

Conformance with the General Plan Goals

- Policy INF-1.1, Infrastructure Planning: Upgrade and enhance the City's infrastructure through the City's Capital Improvement Program (CIP) and requirements for development
- Policy INF-1.1.1, Capital Improvement Program: Ensure that CIP projects reflect the goals and policies identified in Community Vision 2040

Proposed FY25-26 Projects

Project name	Project Description	INTERNAL	EXTERNAL	FY25-26 Funding
Storm Drain Outfalls Repairs	New Project Following the recommendations of the 2024 Outfalls Report	\$950,000	\$0	\$950,000
ADA Improvements (Annually funded)	Additional Funding This is an ongoing program, funded annually, to improve accessibility at all public facilities throughout the City.	\$110,000	\$0	\$110,000
Citywide Facilities Condition Assessment (FCA) Implementation	Additional Funding Implement priority recommendations identified in the Facility Condition Assessment reports.	\$940,000	\$0	\$940,000
		\$2,000,000	\$0	\$2,000,000



Proposed FY 25-26: Storm Drain Outfall Repairs







\$950,000 City Funding

\$0 External Funding

\$950,000 Total

The 2024 Storm Drain Outfall Condition Assessment report identified multiple structural defects of existing storm drain pipelines that need to be rehabilitated. These defects pose a significant risk to the integrity of the storm drain system. Addressing the issues through timely rehabilitation is crucial to maintain the functionality of the system. This funding will address the three outfalls with the most severe damage and present as imminent failures. In following years, additional funding will be requested to address deficiencies noted in the report.

Proposed FY 25-26: Additional Funding for

Existing projects

Conformance with the General Plan reviewed and approved in previous years

- ADA Improvements: \$110,000 (Funded Annually)
- Facilities Condition Assessment (FCA) Implementation: \$940,000









Storm Drain Outfall Repairs project: Conformance with Land Use and Energy Sustainability

Policy LU-8.5, **Efficient Operations:** plan land use and design projects to allow the City to maintain efficient operations in the delivery of services including community centers, parks, roads, and storm drainage, and other infrastructure.

Goal ES-5, **Urban and Rural ecosystems:** Project the City's Urban and Rural ecosystems

Goal ES-7, **Water:** Ensure protection and efficient use of water resources

Storm Drain Outfall Repairs project: Conformance with Infrastructure

Strategy INF-1.1.2, **Design Capacity:** Ensure that public infrastructure is designed to meet planned needs and to avoid the need for future upsizing. Maintain a balance between meeting future growth needs and over-sizing of infrastructure to avoid fiscal impacts or impacts to other goals.

Policy INF-1.2, **Maintenance:** ensure that existing facilities are maintained to meet the community's needs.

Goal INF-1.3, **Coordination:** Coordinate with utility and service providers to ensure that their planning and operations meet the City's service standards and future growth.

Storm Drain Outfall Repairs project: Conformance with Infrastructure

Goal INF-4, **Stormwater:** Implement best practices in stormwater management to reduce demand on the stormwater network, reduce soil erosion, and reduce pollution into reservoirs and the Bay

Policy INF-4.1, **Planning and Management:** Create plans and operational policies to develop and maintain an effective and efficient stormwater system.

Strategy INF-4.1.2, **Infrastructure:** Develop a Capital Improvement Program (CIP) for the City's storm drain infrastructure that meets the current and future needs of the community.



Next Steps

PROPOSAL DEVELOPED/STAFF & CMO REVIEWS

FY25-26 and 5-year CIP proposal developed in February 2025, following input from Staff and Commissions. Staff reviews proposal with Senior Leadership and the City Manager.

COUNCIL - April 2
 FY25-26 and 5-year CIP proposal previewed at [this] 4/02 City Council meeting.

• COMMISSIONS April 3, 16 and 17 FY25-26 CIP proposal will be reviewed at 4/03 Parks & Rec, 4/16 Bike Ped, and 4/17 Sustainability Commission meetings.

PLANNING COMMISSION – April 22
 FY25-26 CIP proposal presented at the Planning Commission, to review for conformance to the General Plan.

CITY COUNCIL – May/June
 CIP will be proposed as part of City's Annual Budget review

Tonight's Action

Subject: Review of the new projects proposed in the Fiscal Year 2025 - 2026 Capital Improvement Program for consistency with the City of Cupertino's General Plan.

Recommended Action: Adopt a Resolution finding that the Fiscal Year 2025 - 2026 Capital Improvement Programs proposal is consistent with the City's General Plan

Thank You!

