

CC 08-30-2022

Item No. 2

6th Cycle
Housing Element
Update

Written Communications

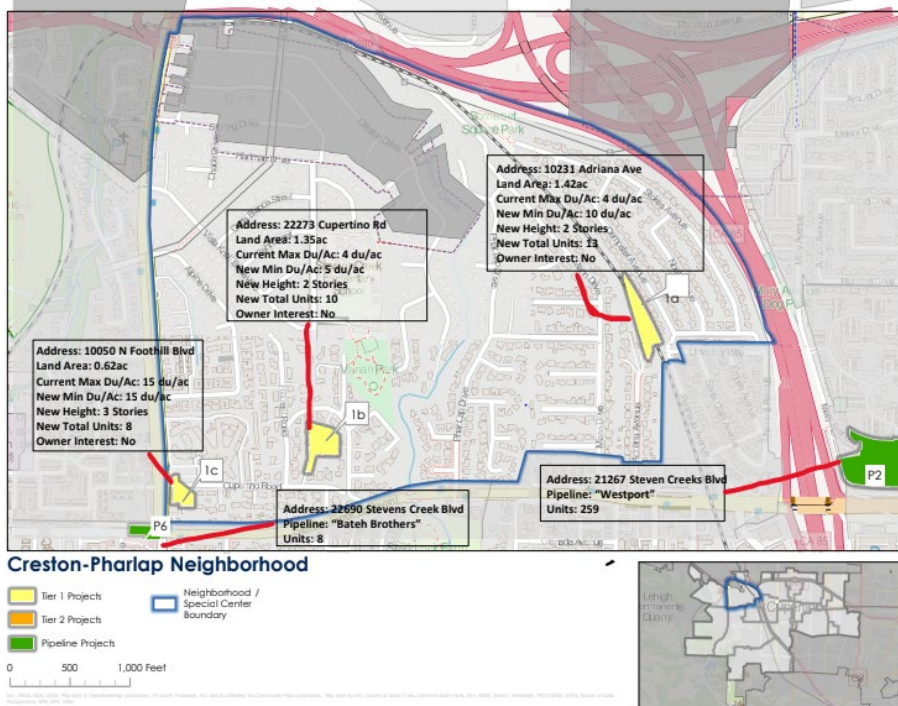
From: Liang Chao
To: City Clerk; Pamela Wu
Cc: Luke Connolly; Piu Ghosh (she/her)
Subject: FW: Housing Element Maps from Scott Connolly
Date: Tuesday, August 30, 2022 1:25:38 AM
Attachments: ELS Memo Spreadsheet.xlsx
image001.png
image002.png

City Clerk,

Please consider this email, including the attached spreadsheet, as written communication for the 8/30 Council meeting.

Scott Connolly edited the neighborhood map to add property information:

Here is from this file (<https://www.dropbox.com/s/eqfbiond2e8ivds/G%20%20Neighborhood%20Map%20Series%20%28Attachment%20D%20from%20August%2016%20Staff%20Report%29%20-%20Connolly%20Edits.pdf?dl=0>) as an example.



The attached excel spreadsheet has info of the current use. Here is an example:

2	Site 23a: 10105 S. De Anza Blvd	Old "Caldwell Banker" bldg	1	1	5 stories	50	The rationale for density change
3	Site 23b: 10291 S. De Anza Blvd	Allario Retail Center	1	1.32	5 stories	50	The rationale for density change
4	Site 23c: 10619 South De Anza Blvd	Nail Salon - 1 story	1	0.26	5 stories	30	The rationale for density change
5	Site 23d: 1361 S. De Anza Blvd	Yamagami's Nursury	1	2.41	5 stories	50	The rationale for density change
6	Site 23e: 1375 S De Anza Blvd	Old "Photo Drive Up" site	2	0.3	5 stories	30	The rationale for density change
7	Site 23f: 1491 s De Anza Blvd	"Summerwinds Nursery"	2	2.31	5 stories	30	The rationale for density change
8	Site 23g: 1451 S De Anza Blvd. and Saratoga/Sunr	"Jack in the Box"	1	0.51	5 stories	50	The rationale for density change
9	Site 23h: 1471 S De Anza Blvd	"Kitchen Store"	1	0.4	5 stories	50	The rationale for density change
0	Site 23i: 1505 S De Anza Blvd	New "Kelly Moore" Paints	1	1.34	N/A	50	The rationale for density change
1	Site 23j: 1515 S De Anza Blvd	"Learning Tree"	1	0.86	5 stories	50	The rationale for density change
2	Site 23k: South De Anza Blvd	Parking Lot for Sherriffs office	1	0.92	5 stories	50	The rationale for density change
3	Site 23l: Prospect Road	Vacant Medical Office Bldg	1	N/A	N/A	50	N/A
4	Site 24a: Vallco Shopping District	Raw Land	1	5.16	8 stories	70	The rationale for density change
5	Site 26a: 10989 N Wolfe Road et al	99 Ranch Retail Center	2	1.68	5 stories	25	The rationale for density change

Hope this helps the staff to prepare.

Liang

Liang Chao
Vice Mayor
City Council
LiangChao@cupertino.org
408-777-3192





From: scemail777@gmail.com <scemail777@gmail.com>

Sent: Monday, August 29, 2022 9:07 PM

To: Liang Chao <LiangChao@cupertino.org>

Subject: Housing Element Maps

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.

I put these together...they show the information that I think you are looking for. The file is large so it's a link below to the document.

<https://www.dropbox.com/s/eqfbiond2e8iyds/G%20-%20Neighborhood%20Map%20Series%20%28Attachment%20D%20from%20August%2016%20Staff%20Report%29%20-%20Connelly%20Edits.pdf?dl=0>

I also included an excel sheet that has the existing uses for each site.

Perhaps these can help you understand the sites and their size, units, etc...

Scott

Cupertino Sites Inventory / "Existing Uses"

Site	Existing Use	Site Condition	Tier	Land Area	New Height	New Min DU/AC	Rationale (from ELS "Cupertino Sites Overview")	O.I.
Site 1a: 10231 Adriana Ave	SFH	Very Skinny parcel	1	1.42	2 stories	10	Rationale for density change is because it is a large site	N
Site 1b: 22273 Cupertino Road	SFH	On a steep hill	1	1.35	2 stories	5	Rationale for density change is because it is a large site	N
Site 1c: 10050 N Foothill Blvd	Arcadia Vet Clinic - 1 story bldg	On the corner	1	0.62	3 stories	15	N/A	N
Site 3b: Right- of- Way, Mary Ave Site	Raw land	Very Skinny parcel - Looks like only 25 feet wide?	1	0.71	5 stories	40	Rationale for density change is to recognize opportunity for affordable housing within the un-utilized ROW	N
Site 4a: 10860 Maxine Ave.	SFH	Skinny parcel in SFH neighborhood	1	0.71	2 stories	20	N/A	N
Site 6a: 20865 McClellan road	SFH w/Land	Great Site for 3 story townies at 20 du/ac	2	1	2 stories	20	The rationale for density change is pending application review	Y
Site 6b: 21050 McClellan Road	Owner/User Office Building - 1 story	User owns it and just purchased in 2020.	1	0.78	4 stories	30	The rationale for density change is because it is within a high-transit corridor, neighboring high density, and because it is a large site	Y
Site 6c: 7540 McClellan Road	SFH		1	0.33	2 stories	10	Rationale for density change is high-transit corridor	N
Site 6d: 20920 McClellan Road	Church property "Orchard Area" of the site		1	0.71	4 stories	30	The rationale for density change is because it is within a high-transit corridor and because it is a large site	N
Site 7a: Linda Vista Dr	SFH'S OLD HOMES		1	2.54	3 stories	30	Rationale for density change is because it is within a self-enclosed cul de sac and because it is a large site	Y
Site 7b: 22381 McClellan Road	SFH		2	0.44	2 stories	N/A	N/A	Y
Site 8a: 20666 Cleo Ave	SFH	This is in a SFH neighborhood...4 stories???	2	0.25	4 stories	30	Rationale for density change is that it would be compatible with adjacent density	Y
Site 8b: No address	Raw Land	Inefficient parcel shape	1	0.23	4 stories	30	Rationale for density change is adjacent to Hwy 85	N
Site 8c: 21710 Regnart Road	SFH	Great site if Topography works, next to Creek (setbacks?)	1	1.61	2 stories	15	Rationale for density change is a large site: similar density adjacent	Y
Site 8d: 21530 Rainbow Dr.	SFH		2	0.43	2 stories	3.4???	N/A	Y
Site 9a: 10730 N. Blaney Ave. & 10710 N. Blaney Ave	Self Storage & SFH (Separate Owners)	Good site	1	2.13	5 stories	30	Rationale for density change is because it is close to Hwy 280; significant increase in density offset loss of existing high-density housing; and because it is a large site	Y
Site 11a South Blaney	Former "Tin Tin #1" Retail Center	Great site, changed to 20 du/ac - right decision	1	3.24	4 stories	20	Rationale for density change is surrounded on three sides by small-lot SFD; and because it is a large site	Y
Site 11b: South Blaney various contiguous properties	Vacant "Taco Bell" and homes	Backs up to 5 SFH's...5 stories?	1	N/A	5 stories	40	The rationale for density change is because it is in a high transit corridor, because it is a large site, surrounded by commercial; and adjacent to the city limit	N
Site 13a: 21431 McClellan Road	SFH (just West of 85)	Across St from SFH's	1	0.47	5 stories	50	Rationale for density change is that it is close to Hwy 85 and adjacent to commercial	Y
Site 15a: 10125 Bandlely Dr	Lei Garden Restaurant - by Marina Foods	Good site for 8 stories	2	1.09	8 stories	50	Rationale for density change is that it is a high transit corridor; Heart of the City; and because it is a large site	N
Site 15b: 20950 Stevens Creek Blvd	Mr. Sun Tea - By Stelling & ST. Crk		2	0.32	8 stories	50	Rationale for the density change is that it is a high transit corridor; Heart of the City	Y
Site 15c: 20840 Stevens Creek Blvd	Former "Fontanas" Restaurant	Byer Properties owns	2	0.83	5 stories	30	Rationale for the density change is that it is a high transit corridor and a large site	N
Site 15d: 20730 Stevens Creek Blvd	Party City, etc....Old Mervyn's Shopping Center	Byer Properties owns	2	10.45	5 stories	30	Rationale for the density change is that it is a high transit corridor and a large site	N
Site 15e: 20830 Stevens Creek Blvd	"Staples" building	Byer Properties owns	2	0.81	5 stories	30	Rationale for the density change is that it is a high transit corridor and a large site	N
Site 15f: 20750 Stevens Creek Blvd	"Dish & Dash" Restaurant properties	Byer Properties owns	2	0.92	5 stories	30	Rationale for the density change is that it is a high transit corridor and a large site	N
Site 15g: 20850 Stevens Creek Blvd	Part of Byer Property's but not sure what bldg	Byer Properties owns	2	0.45	5 stories	30	Rationale for the density change is that it is a high transit corridor and a large site	N
Site 16a: 19990 Stevens Creek Blvd	"Alliance" Gas Station	Small site for 8 stories	2	0.46	8 stories	50	Rationale for density change is a high transit corridor; Heart of the City	N
Site 16b: 20010 Stevens Creek Blvd	Old Cicero's bldg	Small site for 8 stories	2	0.47	8 stories	50	Rationale for density change is a high transit corridor; Heart of the City	Y
Site 16c: 20149 Stevens Creek Blvd	"Sun Design Center" bldg	Small site for 8 stories	2	0.64	8 stories	50	Rationale for density change is a high transit corridor; Heart of the City	Y
Site 18a: 10065 E Estates Dr	United Furniture Retail Center	Great Site	1	3	N/A	50	N/A	N
Site 18b: 19550 Stevens Creek Blvd	Older "76" Gas Station	Small site for 8 stories	1	0.64	8 stories	50	Rationale for density change is a high transit corridor; Heart of the City and a large site	N
Site 18c: 19220 Stevens Creek Blvd. Heart of City-East	"Sunflower Leaning Ctr" & "CitiBank"	Thriving Tenants, but great site	2	3	8 stories	50	Rationale for density change is a high transit corridor; Heart of the City and a large site	Y
Site 18d: 19400 Stevens Creek Blvd	2 story Office Bldg	Multi tenant building, will have lease issues likely	2	1.2	8 stories	50	Rationale for density change is a high transit corridor	Y
Site 19a: 19820 Homestead Road	SFH	Good site	1	0.44	2 stories	15	N/A	Y
Site 19b: 11025 N De Anza Blvd	Burned Down Auto Repair Bldg	Small site for 8 stories	1	0.42	8 stories	50	Rationale for density change is because it is close to Hwy 280 interchange; high-transit corridor; adjacent commercial	Y
Site 20a: No address	Valley Church Tennis Courts	No owner interest	1	0.92	8 stories	50	N/A	N
Site 20b: Homestead Road	Former "Brunswick" Bowling Retail Center	CCR's / No owner interest noted by consultant	1	4.61	8 stories	50	The rationale for density change is because it is in a high transit corridor; adjacent commercial; and because it is a large site	N
Site 20c: No address	Valley Church land	No owner interest noted by consultant	1	3.38	8 stories	50	The rationale for density change is because it is in a high transit corridor; adjacent commercial; and because it is a large site	N
Site 23a: 10105 S. De Anza Blvd	Old "Caldwell Banker" bldg	New tenant in this building now	1	1	5 stories	50	The rationale for density change is because it is in a high transit corridor, and because it is a large site	Y
Site 23b: 10291 S. De Anza Blvd	Allario Retail Center	Good site	1	1.32	5 stories	50	The rationale for density change is because it is in a high transit corridor, and because it is a large site	Y
Site 23c: 10619 South De Anza Blvd	Nail Salon - 1 story	Too small to develop	1	0.26	5 stories	30	The rationale for density change is because it is in a high transit corridor, and because it is a large site	Y
Site 23d: 1361 S. De Anza Blvd	Yamagami's Nursery	Great site...should be more than 50 du/ac	1	2.41	5 stories	50	The rationale for density change is because it is in a high transit corridor, and because it is a large site	Y
Site 23e: 1375 S De Anza Blvd	Old "Photo Drive Up" site	Too small a site	2	0.3	5 stories	30	The rationale for density change is because it is in a high transit corridor	N
Site 23f: 1491 S De Anza Blvd	"Summerwinds Nursery"	Great site...should be more than 50 du/ac	2	2.31	5 stories	30	The rationale for density change is because it is in a high transit corridor, and because it is a large site	N
Site 23g: 1451 S De Anza Blvd. and Saratoga/Sunnyvale Rd	"Jack in the Box"	Going nowhere	1	0.51	5 stories	50	The rationale for density change is because it is in a high transit corridor, and because it is a large site	N
Site 23h: 1471 S De Anza Blvd	"Kitchen Store"	Bill Cooper owns	1	0.4	5 stories	50	The rationale for density change is because it is in a high transit corridor	N
Site 23i: 1505 S De Anza Blvd	New "Kelly Moore" Paints	Bill Cooper owns	1	1.34	N/A	50	The rationale for density change is because it is in a high transit corridor, and because it is a large site	N
Site 23j: 1515 S De Anza Blvd	"Learning Tree"	Good site, why only 5 stories?	1	0.86	5 stories	50	The rationale for density change is because it is in a high transit corridor, and because it is a large site	N
Site 23k: South De Anza Blvd	Parking Lot for Sherriffs office	Dollinger owns / No interest	1	0.92	5 stories	50	The rationale for density change is because it is in a high transit corridor, and because it is a large site	N
Site 23l: Prospect Road	Vacant Medical Office Bldg	Great site...should be max density for BMR	1	N/A	N/A	50	N/A	N
Site 24a: Vallico Shopping District	Raw Land	Why showing "no owner interest"?	1	5.16	8 stories	70	The rationale for density change is because it is in a high transit corridor, and because it is a large site & close to Hwy 280	N
Site 26a: 10989 N Wolfe Road et al	99 Ranch Retail Center	Why showing "no owner interest"?	2	1.68	5 stories	25	The rationale for density change is because it is in a high transit corridor, and because it is a large site	N

From: [joy.chan](#)
To: [City Clerk](#)
Subject: De Anza students for an ambitious housing element
Date: Tuesday, August 30, 2022 12:34:16 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.

City Clerk Kirsten Squarcia,

I am a student at De Anza College. I heard about the Cupertino housing element update process and have been trying to stay engaged. I strongly support an ambitious housing element, so that we can (1) meet the housing needs of De Anza students, faculty, and workers, and (2) meaningfully address racism and segregation in the South Bay. The current status of the draft housing element is not sufficiently ambitious to accomplish this.

As a De Anza student, I have seen my fellow peers deal with housing insecurity and homelessness. We should plan for more homes at all income levels near the College to meet our needs. Home and rental prices in Cupertino have risen dramatically over the past several years, making it impossible for most young people to move back here after college.

The median home price has more than doubled in the past decade, at nearly \$2.5 million dollars. Rents are typically above 3,000 a month, meaning that even a household making over \$100,000 annually would be cost-burdened to rent a typical apartment in Cupertino.

These numbers make it clear—students and our housing needs must be part of the housing element conversation. The programs, policies, and zoning that Cupertino advances should therefore be tailored to our needs.

77% of the homes planned to account for Cupertino's 6th Cycle RHNA come from pipeline projects. Two pipeline projects in particular account for the bulk of that figure: 2402 homes at Vallco/The Rise, and 600 net new homes at The Hamptons. Combined, these two projects constitute some 84% of all pipeline project homes. Both have been approved for a number of years (2018 and 2016, respectively), but, to date, neither has built a single new home.

In effect, this is allowing Cupertino to avoid having to plan for affordable housing on several sites near De Anza College, by falling back on thousands of pipeline units—many of which the city is unable to demonstrate are likely to be built during the planning period.

The City must do all three of the following to realistically meet the housing needs of our cherished community college:

Optimize Planning for the Community

Plan our city around people. Reduce burdensome costs, fees, and unnecessary requirements that make it difficult to build and scale affordable housing projects.

Promote Sustainable Housing

Incentivize mixed-use, efficient, walkable, bikeable, transit-oriented housing options by strengthening our Heart of the City Plan—which dictates what can be built on Stevens Creek Blvd.

Protect our Communities

Center the housing needs of those who already work, play, and teach in Cupertino, but cannot afford to live here. Protect our vulnerable renters and homeowners.

Upzoning: As a young person, I am OK with taller buildings being part of Cupertino's future, and I also do not believe Cupertino is "full". If we allow developers to build up and out, we can make much better use of limited land and allow for more families of all backgrounds and incomes to be here.

joy chan

joychan999@gmail.com

318 Vida Leon Ct

San Jose, California 95116

From: [joy.chan](#)
To: [City Clerk](#)
Subject: We need a more ambitious housing element
Date: Tuesday, August 30, 2022 12:33:48 PM

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City Clerk Kirsten Squarcia,

This is for the Cupertino City Council, staff, and consultants:

I am writing today regarding the updated site inventory. There are some key changes that I urge you to consider. I am overall concerned that Cupertino will receive similar criticism from California HCD because we are similarly overcounting pipeline projects as in the case of San Francisco <https://www.sfchronicle.com/sf/article/housing-California-construction-17368517.php> San Francisco is depending on a number of pipeline projects that they have been unable to substantiate as being likely to get developed.

To ensure we do not end up repeating the mistakes of San Francisco and subsequently getting our city into further legal trouble, we should commit to the following:

1) Reduce reliance on Pipeline Projects.

Reliance on pipeline projects, such as The Rise (Vallco) and the Hamptons, introduces risk of missing production goals and displacement of current residents. The Rise will not likely be completed in eight years, so more alternative sites are needed. Development of the Hamptons may displace hundreds of individuals and families, and has not started even though it was approved in 2016.

Please direct staff to provide an explanation for the assumption that the Rise will be complete within eight years, and a housing feasibility study for the Hamptons site. Furthermore, please direct staff to find additional, back-up sites for both these projects in the event that site development cannot begin or be completed within the 8-year period of the Housing Element.

2) Recommend a larger buffer of housing units.

The current buffer is too low to meet the HCD requirements, and may invoke parts of the "No Net Loss Law". The buffer could be expanded by increasing higher permissible densities on key sites, or by including more sites. The Housing Element itself could also include an alternate set of back-up sites to provide more certainty that our Housing Element is certified, and that our housing production goals are actually accomplished.

3) Reconsider upzoning as a policy tool.

The City's policy priorities should focus on feasibility so that the City can actually produce much-needed homes at all income levels.

Policies from Staff Report June 28, page 2:

“Housing sites should be dispersed throughout the City and strive for a balance between eastern and western areas” and

“the Housing Element should avoid ‘up-zoning’ sites to the extent feasible”

are opposed to each other. The city does not currently include many sites zoned for multi-family buildings, therefore the City cannot disperse new housing throughout the city without up-zoning. The City should still consider upzoning as an important tool for building affordable housing. Concerns about building bulk and aesthetics can be addressed through other policies.

4.) Prioritize sites in the Heart of the City.

The City should focus its efforts on building homes in the Heart of the City. By building more homes along transit corridors and near places people work, play, and shop, the City can encourage more people to take transit and reduce traffic congestion. There are several Heart of the City Specific Plan areas that have 0 (zero) sites on the proposed site inventory. There are several Heart of the City areas on the western and eastern sides of the city to help maintain a balance of sites. Please add more sites inside the Heart of the City.

5.) Avoid unnecessary displacement projects.

The current site inventory proposes sites with existing homes. Going forward with redevelopment of these sites would displace these residents. Some of these projects would not even generate a significant number of net new units. The City should avoid displacement projects if there are more reasonable alternatives for building net new homes.

Please continue your work for a sustainable plan that will provide housing for all incomes and abilities, and that will further fair housing practices.

joy chan

joychan999@gmail.com

318 Vida Leon Ct

San Jose, California 95116

From: [Kristy Kamiyama](#)
To: [City Clerk](#)
Subject: De Anza students for an ambitious housing element
Date: Tuesday, August 30, 2022 10:28:21 AM

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Upzoning: As a young person, I am OK with taller buildings being part of Cupertino's future, and I also do not believe Cupertino is "full". If we allow developers to build up and out, we can make much better use of limited land and allow for more families of all backgrounds and incomes to be here.

Kristy Kamiyama

kristykamiyama@gmail.com

20800 valley green drive apt 484

Cupertino , California 95014

From: [Soe Lin](#)
To: [City Clerk](#)
Subject: De Anza students for an ambitious housing element
Date: Tuesday, August 30, 2022 10:12:42 AM

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Soe Lin

soeko.skkl@gmail.com

10221 Park Circle W

Cupertino, California 95014

From: [Estelle Gackiere](#)
To: [City Clerk](#)
Subject: We need a more ambitious housing element
Date: Tuesday, August 30, 2022 8:43:33 AM

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Policies from Staff Report June 28, page 2:

“Housing sites should be dispersed throughout the City and strive for a balance between eastern and western areas” and

“the Housing Element should avoid ‘up-zoning’ sites to the extent feasible”

are opposed to each other. The city does not currently include many sites zoned for multi-family buildings, therefore the City cannot disperse new housing throughout the city without up-zoning. The City should still consider upzoning as an important tool for building affordable housing. Concerns about building bulk and aesthetics can be addressed through other policies.

4.) Prioritize sites in the Heart of the City.

The City should focus its efforts on building homes in the Heart of the City. By building more homes along transit corridors and near places people work, play, and shop, the City can encourage more people to take transit and reduce traffic congestion. There are several Heart of the City Specific Plan areas that have 0 (zero) sites on the proposed site inventory. There are several Heart of the City areas on the western and eastern sides of the city to help maintain a balance of sites. Please add more sites inside the Heart of the City.

5.) Avoid unnecessary displacement projects.

The current site inventory proposes sites with existing homes. Going forward with redevelopment of these sites would displace these residents. Some of these projects would not even generate a significant number of net new units. The City should avoid displacement projects if there are more reasonable alternatives for building net new homes.

Please continue your work for a sustainable plan that will provide housing for all incomes and abilities, and that will further fair housing practices.

Estelle Gackiere

estellegackiere@yahoo.com

10543 Cedar Tree Ct

Cupertino, California 95014

From: [Jenny Griffin](#)
To: [City Clerk](#)
Cc: grenna5000@yahoo.com
Subject: Fwd: State of California Bills and Assault on California Cities and Local Governance
Date: Tuesday, August 30, 2022 8:25:03 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 this email in the Public Record for the City Council meeting on Tuesday, August 30 for

item number 2: Priority Housing Sites for the 2023-2031 Housing Element agenda
Item continued from the Monday, August 29 City Council meeting. Thank you.

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

Subject: State of California Bills and Assault on California Cities and Local Governance
From: Jenny Griffin <grenna5000@yahoo.com>
Sent: Tuesday, August 30, 2022, 8:05 AM
To: "CityCouncil@Cupertino.org" <citycouncil@cupertino.org>
CC: grenna5000@yahoo.com

Dear City Council:

Yesterday, after our city spent hours doing its due diligence to try to crawl out of the Loaded political mess and incompetence heaped upon it by the latest RHNA Numbers Scandal and Housing Element debacle dreamed up by California State Agencies Such as ABAG, MTC and now plague ridden HCD, I found out that our state legislature Had moved along some of the most flat out worst, Tea Pot Dome inspired "housing bills" that had Ever been dreamed up in this state, let alone this country, straight along toward The governor's signature, a governor that may be running for president in two or more years.

Our cities and our residents who live in those cities are being hammered by two fronts That seek to erode local control and the right to vote on issues that affect us.

Not only do we have to defend ourselves and our trees against the snake-filled mire Of the ever expanding inflated RHNA number fiasco that is the Sixth Cycle Housing Element Which seems to be presided over by more and more "rules" created on the spur of the Moment by such self-righteous entities as HCD and it's PAC funded "non-profits" minions, We are under the threat of more "self-righteous" housing bills such as AB 2097, AB 2011, SB 6 and a nanny state of more granny unit bills that seek to build nanny units under High power utility lines, four feet from neighbors' fences and directly on front

Sidewalks with no setbacks and no room for street trees or no need for driveways
Because, apparently, no one drives cars. Wow! Wonder who decided we needed no trees
Or cars? ABAG? MTC? SPUR? HCD? The self righteously named Housing Accountability
Unit?

I don't ever remember us common folk who live in towns in California or Oregon or
Washington State ever being asked our opinion on any of this. We never got to vote,
We never get to vote on the non-stop drivel of Housing Element Theatre and bad housing
Bills and not only are they all bad, they never stop. It just keeps going. I guess it
Just keeps going until someone signed SB 9 and SB 10 this time last year and then
There was a loud thud. The two bad bills dropped it all in our laps. They showed us
The way the despots creating these bills wanted California to be, theirs, not ours.
They did not care. Why did they do it? For money? Apparently. For jobs? Apparently.
For power? Apparently. For the good of the non-profit PACs? Apparently. Do they even
Know who run the PACs? Where all that money for jobs, for power, for control comes
From? Who knows? If they want to live in a nanny state, they need a nanny. But,
Someone always pays the nanny. I don't think they even get that part.

Thanks to the nannies pushing AB 2097 along we will have no parking places for cars.
Thanks to the nannies pushing AB 2011 and SB 6 along we will have high rise housing
Complexes built by right ministerial on every contaminated tech park and strip mall and
former military base
in the state by right Fort Ord? Let's build high rise housing on 100 years of abandoned
ordinance
Pits and military debris. Who cares about the Camp LeJeune contaminated ground water?
If you just ignore it, it will go away, just like all the PCBs and trichloroethylene in the
contaminated
Tech parks and leaking drycleaners in the strip malls. If you don't look for it, you will not
Find it.

Thanks to the nannies pushing more nanny unit housing bills we will have nanny units
Built on front lawns seven stories high which will require all the street trees to be cut down.
You can't have any parks because nanny units have to be built on them too.

The amazing part of this Housing Element drama and Housing Bill Drama and Nanny
unit drama is that it is being carried out in Oregon and Washington State also. And even
More sinisterly, in other states. And also federally. Soon we will have the Housing Element,
High density housing bills and Nanny unit legislation on a Federal Level for the whole
Country to enjoy. PAC land gone wild at the Federal level. Non-profit PAC money
Dictating what happens across the whole country. It seems the money running the Housing
Element Theatre, the High Density Housing Bill Theatre and the Nanny Unit Bill Theatre
In California will be rolled out at the Federal Level for everyone to enjoy.

I am guessing they will drag Oregon and Washington and every other state along with them
To the Federal level.

Wow! That sounds like fun. No one gets to vote on any of this stuff in California now. What
happens
When this stuff gets to the federal level? Dictators in non-profit PACs running everything?
The public should be aware that we may be sending some of this California drivel to DC

If we don't understand what is going on with the Housing Elements, the High density housing Bills and the adu bills. If we send California politicians or Oregon politicians or Washington Politicians expounding and enabling this drivel to DC, we will see this same drivel manifest itself

As the Federal Mandate. No cars, no trees, no roads, no vote.

Cupertino is doing its due diligence. Every hour we spend slogging through this Housing Element

Quagmire is one hour spent toward fighting for our local control and our neighborhood voice. We need our voice to be heard in the halls of Sacramento so this regional mess does not Wind up in DC.

Sincerely,

Jennifer Griffin

From: [Daphne Ross](#)
To: [City Clerk](#)
Subject: We need a more ambitious housing element
Date: Tuesday, August 30, 2022 4:18:55 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.

City Clerk Kirsten Squarcia,

This is for the Cupertino City Council, staff, and consultants:

I am writing today regarding the updated site inventory. There are some key changes that I urge you to consider. I am overall concerned that Cupertino will receive similar criticism from HCD because we are similarly overcounting pipeline projects as in the case of San Francisco <https://www.sfchronicle.com/sf/article/housing-California-construction-17368517.php> San Francisco is depending on a number of pipeline projects that they have been unable to substantiate as being likely to get developed.

To ensure we do not end up repeating the mistakes of San Francisco and subsequently getting our city into further legal trouble, we should commit to the following:

1) Reduce reliance on Pipeline Projects.

Reliance on pipeline projects, such as The Rise (Vallco) and the Hamptons, introduces risk of missing production goals and displacement of current residents. The Rise will not likely be completed in eight years, so more alternative sites are needed. Development of the Hamptons may displace hundreds of individuals and families, and has not started even though it was approved in 2016.

Please direct staff to provide an explanation for the assumption that the Rise will be complete within eight years, and a housing feasibility study for the Hamptons site. Furthermore, please direct staff to find additional, back-up sites for both these projects in the event that site development cannot begin or be completed within the 8-year period of the Housing Element.

2) Recommend a larger buffer of housing units.

The current buffer is too low to meet the HCD requirements, and may invoke parts of the "No Net Loss Law." The buffer could be expanded by increasing higher permissible densities on key sites, or by including more sites. The Housing Element itself could also include an alternate set of back-up sites to provide more certainty that our Housing Element is certified, and that our housing production goals are actually accomplished.

3) Reconsider upzoning as a policy tool.

The City's policy priorities should focus on feasibility so that the City can actually produce much-needed homes at all income levels.

Policies from Staff Report June 28, page 2:

“Housing sites should be dispersed throughout the City and strive for a balance between eastern and western areas” and

“the Housing Element should avoid ‘up-zoning’ sites to the extent feasible”

are opposed to each other. The city does not currently include many sites zoned for multi-family buildings, therefore the City cannot disperse new housing throughout the city without up-zoning. The City should still consider upzoning as an important tool for building affordable housing. Concerns about building bulk and aesthetics can be addressed through other policies.

4.) Prioritize sites in the Heart of the City.

The City should focus its efforts on building homes in the Heart of the City. By building more homes along transit corridors and near places people work, play, and shop, the City can encourage more people to take transit and reduce traffic congestion. There are several Heart of the City Specific Plan areas that have 0 (zero) sites on the proposed site inventory. There are several Heart of the City areas on the western and eastern sides of the city to help maintain a balance of sites. Please add more sites inside the Heart of the City.

5.) Avoid unnecessary displacement projects.

The current site inventory proposes sites with existing homes. Going forward with redevelopment of these sites would displace these residents. Some of these projects would not even generate a significant number of net new units. The City should avoid displacement projects if there are more reasonable alternatives for building net new homes.

Because Cupertino, as well as other cities, has been resistant to development of multi-family projects, the school district enrollment has been falling. Because of this decrease, CUSD does not have adequate funding and schools have been closed. Even though I live in Los Altos, I am zoned for CUSD. This is a big concern, and while more housing will not fix everything, welcoming new neighbors, particularly young families, is a positive step forward.

Please continue your work for a sustainable plan that will provide housing for all incomes and abilities, and that will further fair housing practices.

Daphne Ross

daphne.ross@gmail.com

910 Oxford Drive

Los Altos, California 94024

From: [Tessa Parish](#)
To: [City Council](#); [City Clerk](#)
Subject: 19 Acres w/possible sub-division
Date: Tuesday, August 30, 2022 4:00:35 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.

Hello Honorable Mayor and Council,

This lot just got listed 14 days ago. Previously had an application for sub-division for 3 lots but I seller would rather cash out. The bid starts at \$1.7 but I have strong reason to believe, they willing to sell for \$2.2 prior to auction. I don't know if multiple units could be built? but if the city could build 4 units on each lot for \$2.2? that would be great! for the City's Low income Housing.

"RBID Auction Home Initial Offering! Market Value - \$2,700,000. Bidding to start from \$1,699,999. Auction Date - Thursday September 8, 2022 @ 12:00 pm"

Click the following link to view the Listing:

[View the Listing](#)

Tessa Parish
DRE#01158499
www.ParishRealEstateGroup.com
408-396-8377

Delivered By CoreLogic, Inc. | 40 Pacifica, Irvine, CA 92618
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From: [Lisa Warren](#)
To: [Darcy Paul](#); [Kitty Moore](#); [Jon Robert Willey](#); [Hung Wei](#); [Liang Chao](#)
Cc: [Christopher Jensen](#); [City Council](#); [City Clerk](#); [Pamela Wu](#)
Subject: Discussion of Priority Housing Sites for HE cycle 6 - City Council mtg August 30 2022
Date: Tuesday, August 30, 2022 4:28:57 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 Mayor, Council and others.

I sharing some observations about items attached to tonight's agenda. I will also share, here, comments related to last night's (Aug 29, 2022) city council meeting and previous public city meetings that I have attended since December 2021 that tackled this same subject - Housing Element cycle 6.

This will not be a comprehensive list. I have discussed and spoken numerous times on the entire process, but will limit things here in the interest in all of our time.

I spent nearly 4 hours responding on the Balancing Act mapping exercise and the new survey earlier this month.

For some unknown reason, my **input/comments** do NOT appear on the 100+ pages of feedback summary.

** Even though it is late in the game here.... I feel it is very important for consultant/staff to go thru the 11 missing area maps and allow for discussion on missed opportunities. There are others that agree, and it has been stated publicly.

**Please consider suggesting any sites you feel are missing. Especially in Areas on main arteries that have been noted (for mapping exercise and in your written packet) as Areas that have no recommended sites. Also don't shy away from considering, if appropriate, Tier2 sites over Tier1 sites. You may need to review older documents if you are looking for unused T2 sites if you are willing to think in new ways.

NOTE: The most recent (July 20, 2022- 27 pg) 'Sites Overview' attachment has uncorrected errors. Some are noted later in this message. I do not know if the information from that document is to be submitted to HCD packet.

**Please understand that for months there has been very little satisfaction from answers to questions about Why several sites are not

either Tier1 or Tier2. A number of sites throughout the city have been mentioned by various parties for many months now. You touched on some of them in last night's meeting.

I have, over many months, observed that answers are not consistent. Often they refer to 'property owner' showing no interest. However, the method to communicate with property owners has often not been productive.

I suggest this :

If a property owner indicated a level of interest, the site should be given good thought, but please do not 'adopt them' based on owner interest alone.

If a property owner gave a clear written message that they do not want their site(s) considered, respect that, but remember they could have a change of heart, or future change of ownership is very possible. Good sites should be studied while there is a method to do so.

If a property owner was unreachable, did not respond to inquiry, etc., do NOT take that as a NO to considering the site.

With a pending EIR, it seems wise to include sites that are very well suited, but not listed so that they can be studied.

other comments :

- It was mentioned last night that Owners of the "United Furniture" site (multiple parcels) have indicated interest in being 'a site'. Where the same owners do not want the gas station included on the inventory. These parcels have been 'for sale' for a long time and are rumored to be 'in contract'. I wonder who is the interested party.
- The Bubb Rd area did not 'just pop up' during your meeting last night. We have had commissioners, and community members ask and want a second look at that area.
- Please be aware that at the end of another late night, as you continue westward to discuss sites, it may be 'easy' to get a tally of the number of units you are potentially creating, and miss an opportunity to think beyond what is on paper/the screen in front of you. Please treat each map and site as important discussion material.

In the time I was able to spend trying to compare PC/HC documents and

CC documents, I found some errors, or concerns.

I list a couple here :

I remain frustrated that the city council was not presented with a comprehensive document in simple form (ie. spreadsheet/table) that tracked PC/HC comments and decision as well as added 'columns' for criteria that has repeatedly been asked for by commissioners and people in the community. There have been several delays and detours in this site selection process. Now, as it comes to you, I hope that you don't feel forced to rush the 'final yards'.

Heart of the City Crossroads initially had 2 T2 sites and nothing else. They were the Mr Sun and Lei Garden. There are now 5 sites added (total of 7). All are T2. Byer Properties owner of the additional 5. Several commissioners and residents have asked to consider HE sites in this area but I question how some of the 5 got included. I have heard/read anyone asking for TJMaxx/Homegoods, Sprout, DishnDash, etc to be sites to consider.

::::

Comparing the 'Sites Overview' documents (28p and 27p) there are errors.

Examples but may not be complete list since I only had time to review the first 3-4 pages:

Page 2 in July 20 (CC) version has P8 parcel# and address that do not match. Above I mention issues with McClellan address numbers. I believe that the parcel number in the document is correct and that the address number is wrong. ALSO I remember that P8 with the 20865 # was to be moved to 'Jollyman'.

Also page 2, there is a list titled 'Areas with NO specific sites anticipated to accommodate housing'. The lists differ some. It should be noted that Areas 16 and 26 included in the list on CC version DO have sites assigned to them... one is a biggy. North Vallco Park.

Page 3 in July 20 (CC) version is missing map.

I have no time to comment on the over 20 additional pages except this general comment :

Things I heard from PC/HC (and community members) Maximum building height should be defined in measured FEET, not just number of stories. I don't see that addition in the CC version of Overview document.

Commission (I believe it was the Chair) asked for Max Height in Feet to be added to the Site Inventory 'spreadsheet'. Also requested parking space info and maybe something else. No columns have been added.

It would be helpful if the appropriate digit be use (example 5, not 'five') when referring to max height, wherever that info is included.

Lisa Warren

From: [Hannah Estolano](#)
To: [City Clerk](#)
Subject: De Anza students for an ambitious housing element
Date: Tuesday, August 30, 2022 9:53:18 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.

City Clerk Kirsten Squarcia,

I am a student at De Anza College. I heard about the Cupertino housing element update process and have been trying to stay engaged. I strongly support an ambitious housing element, so that we can (1) meet the housing needs of De Anza students, faculty, and workers, and (2) meaningfully address racism and segregation in the South Bay. The current status of the draft housing element is not sufficiently ambitious to accomplish this.

As a De Anza student, I have seen my fellow peers deal with housing insecurity and homelessness. We should plan for more homes at all incoming levels near the College to meet our needs. Home and rental prices in Cupertino have risen dramatically over the past several years, making it impossible for most young people to move back here after college.

The median home price has more than doubled in the past decade, at nearly \$2.5 million dollars. Rents are typically above 3,000 a month, meaning that even a household making over \$100,000 annually would be cost-burdened to rent a typical apartment in Cupertino.

These numbers make it clear—students and our housing needs must be part of the housing element conversation. The programs, policies, and zoning that Cupertino advances should therefore be tailored to our needs.

77% of the homes planned to account for Cupertino's 6th Cycle RHNA come from pipeline projects. Two pipeline projects in particular account for the bulk of that figure: 2402 homes at Vallco/The Rise, and 600 net new homes at The Hamptons. Combined, these two projects constitute some 84% of all pipeline project homes. Both have been approved for a number of years (2018 and 2016, respectively), but, to date, neither has built a single new home.

In effect, this is allowing Cupertino to avoid having to plan for affordable housing on several sites near De Anza College, by falling back on thousands of pipeline units—many of which the city is unable to demonstrate are likely to be built during the planning period.

The City must do all three of the following to realistically meet the housing needs of our cherished community college:

Optimize Planning for the Community

Plan our city around people. Reduce burdensome costs, fees, and unnecessary requirements that make it difficult to build and scale affordable housing projects.

Promote Sustainable Housing

Incentivize mixed-use, efficient, walkable, bikeable, transit-oriented housing options by strengthening our Heart of the City Plan—which dictates what can be built on Stevens Creek Blvd.

Protect our Communities

Center the housing needs of those who already work, play, and teach in Cupertino, but cannot afford to live here. Protect our vulnerable renters and homeowners.

Upzoning: As a young person, I am OK with taller buildings being part of Cupertino's future, and I also do not believe Cupertino is "full". If we allow developers to build up and out, we can make much better use of limited land and allow for more families of all backgrounds and incomes to be here.

Hannah Estolano

hannahmestolano@gmail.com

2332 A Fulton Street Apt. 4

Berkeley , California 94704

From: [Jean Bedord](#)
To: [City Clerk](#)
Subject: Oral Comment for August 30, 2022 Agenda Item #2
Date: Tuesday, August 30, 2022 6:48:07 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.

Please put in written public comment for this meeting

Good evening, Mayor Paul and council members

My name is Jean Bedord and am a long time Cupertino resident. I am commenting tonight on the Housing Element sites in the Monta Vista Area.

The first issue is the assigning a higher density to the Linda Vista parcels than the resident and property owner is willing to accept. He is willing to build housing that fit the neighborhood of single-family homes. The Planning Commission arbitrarily increased the designation from 15 units per acre to 30 units per acre, over the opposition of the property owner. What is the incentive for a resident to build housing, when the city ignores their property rights?

The second issue is that, even at lower housing levels, neighbors have already expressed concern about increased traffic. The dreaded Bubb Road crawl is back. This area has to contend with traffic from not just one school, not just two schools, not just three schools, but four schools. The closure of Regnart Elementary is contributing to this traffic congestion. The area gets gridlocked at current levels of housing. What would happen if a thousand more units of housing were added on Bubb Road? In addition, there is a major Apple campus on Results Way with one entrance in and out. For years, the city has tried to mitigate traffic at Bubb and McClellan. There isn't a solution.

The third issue is that Bubb Road is the only area of the city zoned light industrial which allows light manufacturing in the city. Cupertino has a high tech image, but it is far too dependent on Apple. I moved here when Lockheed and Hewlett Packard were a major presence. What happens when Apple declines? The city needs to nurture new manufacturing companies, not just retail, hospitality and the plethora of tutoring and special schools. Durect is the last biotech company in that

area; there used to be more.

Years ago, a major developer proposed housing in the Bubb Road area. The community emphatically turned the project down, citing the need to provide space to develop new companies, not hindered by all the limitations of housing.

Land use has multiple dimensions, not just housing. Please consider these factors in finalizing the draft of the Housing Element.

Thank you.

Warm regards,
Jean Bedord

Council Comments from August 29.

Potential actionable items for this meeting are indicated in red text below.

(Italicized text include staff responses/clarifications)

Map A - North Vallco Park

- Maintain existing retail square footage but residential can be added (Chao) – *staff can make zoning recommendations as part of the subsequent process to ensure that no more than 323 units with a minimum amount of retail is retained on site.*
- Drycleaner concerns (Moore) – *Soil cleanup is required by the City prior to issuance of building permits, pursuant to Chapter 17.04 of the Cupertino Municipal Code.*

Map B - Vallco Shopping District/Simeon Property only

- “Step-down” or increased setback on west side (residential) of Simeon site (Mayor, Moore, Chao). – *staff can propose general plan/zoning recommendations as part of the subsequent process to address this concern.*
- Sound wall (Moore) – *environmental review on mitigations related to noise and other matters will occur as part of the subsequent process to ensure City standards are met.*

Map C - North Blaney/Mini-storage and adjacent single-family residence

- Remove single-family lot due to negative owner response (Wei).
- Remove both mini-storage and single-family lot (Chao).

Map D - South Blaney

- Increase density for site 11a (Tintin Market and adjacent strip mall) from 20 du/ac to 30 du/ac (Mayor/Chao). – *As previously mentioned, 20 du/ac would invite townhouse style development with no retail development. Higher densities might incentivize the provision of a commercial component within the project.*
- Increase 11b (Former Taco Bell and adjacent residential lots) from 30 du/ac to 50 du/ac (Chao).
- Maintain buffer with residential (Chao).

Map E- HOC East

- Remove sites 18a (United Furniture) and 18b (gas station) from inventory (Chao)
- Move Tier 2 office sites 18c and 18d to Tier 1 due to owner interest (Chao).
- Upgrade site 18c (HSBC Bank and others) and site 18d (Keller Williams) to Tier 1 from Tier 2 (Moore).
- Remove HOC-East altogether until Bubba Rd. area is considered (Willey). – *Elimination of sites from the inventory should be accompanied by adequate replacements to ensure appropriate level of realistic capacity for sites, and in the event HCD does not permit the City to use certain sites*

Map F- HOC Central

- Consider Bubba Rd. ahead of HOC Central (Willey) – *Elimination of sites from the inventory should be accompanied by adequate replacements to ensure appropriate level of realistic capacity for sites, and in the event HCD does not permit the City to use certain sites.*

Map G-HOC Crossroads

- Add site 15e (Staples), site 15c (Fontana's) and site 15g (Staples parking lot) to inventory as Tier 1. Remove the remaining Crossroads sites (Moore).
- Move site 15a (Lei Garden Restaurant), site 15b (Mr. Sun Tea), and site 15c (Fontana's) from Tier 2 to Tier 1 (Chao) – *A portion of site 15c (Fontana's) serves as the ingress/egress and parking for the Staples building.*
- Remove site 15d (Sprouts to Party City/Pizza Hut), site 15e (Staples), site 15f (Dish'n'Dash), and site 15g (Staples parking lot) from the Tier 2 inventory to preserve retail (Chao).
- Increase density to greater than 35 du/ac for site P5 (Marina) (Wei) – *This site could be suitable for development at 50 du/ac.*

Map H-Homestead Road

- Move site 20b (Homestead Bowl and adjacent strip malls) from Tier 1 to Tier 2 (Chao).

Map I-HOC West

- Increase density for site 14a (Mary Avenue R-O-W) from 30 du/ac to 50 du/ac (Chao).
- Look at earlier proposal for housing that showed more units (Willey)

Map K - Jollyman

- Potential for additional units at P8 (Moore, Chao)

Map L – Monta Vista South Neighborhood

- Viability of Dorthy Ann Way property (potential historical resources issues) (Paul)

Map M - Monta Vista North Neighborhood

- 7a – APN 001 30 du/ac or more – average ~25 du/acre (Moore)
- 7a – reduce density to 20 du/acre (Willey, Wei)
- 7a – keep density the same, design differently (Chao)

Map N – Bubb Rd. Special Area

- Include empty office building as Tier 1 ((10100 Bubb Rd) and remove east side of Cupertino sites (Willey) – *13 of the 20 sites in this area are occupied by Apple. Two sites are Corporate Headquarters for Durect Corporation. One site is a CalTrans Corporation Yard. One is a Church. Apple is considered the “gold standard” tenant and uses these concrete tilt-up buildings as flexible space. They have recently contributed to make significant improvements to the right-of-way to improve the pedestrian/biker experience on Bubb Road and other infrastructure improvements to support its shuttle services and the Transportation Demand Management efforts for the workforce. In addition, there might be environmental concerns in this area since these are historically industrial/manufacturing sites. However, as mentioned earlier, soil clean-up is required as part of the City's Municipal Code. Bubb Road serves as a major point of ingress and egress for the Monta Vista South neighborhood and is currently a one-lane street in each direction. Adding increased density would not be ideal. Staff recommends that any sites, if added, be considered Tier 2 sites.*
- Consider some/all sites on Bubb Road (Moore, Chao) – *see note above.*
- Zone for 15-30 du/acre, with higher density closed to Hwy. 85 (Moore) – *Note existing density is 20 du/acre.*
- Add 10040, 10080, 10100 Bubb to Tier 2 (Paul)

- Attempt to acquire Caltrans corp yard (Moore, Willey)
- Add 10100 Bubb (Willey)
- Potentially add some sites as Tier 2 but be cautious (Wei)

Map O – Homestead Rd. Special Area

- N/A

Map P – Creston-Pharlap Neighborhood

- N/A

North De Anza

- Include Former Outback Steakhouse site in inventory as Tier 2 site (Moore, Paul, Chao, Wei) – *This site is the subject of an ongoing land swap negotiation with the Simeon property, as presented to the City Council on June 18, 2021. Materials and video available online at: <https://cupertino.legistar.com/LegislationDetail.aspx?ID=4988595&GUID=0E378293-FF42-4CE7-8EA9-2B4E8D0045CF&Options=&Search=>. The Simeon site is more than three times larger than the Outback Steakhouse site and has the potential to accommodate more additional affordable housing. Staff recommends including the site as Tier 2.*
- Include former Outback Steakhouse site as Tier 1 (Moore) – *staff recommends 35 du/acre if Council chooses to rezone.*
- Include former Outback Steakhouse site as Tier 1 at 75 du/acre (Chao)