

From: Paulette Altmaier [REDACTED]
Sent: Sunday, February 25, 2018 10:39 AM
To: City of Cupertino Planning Dept. <planning@cupertino.org<<mailto:planning@cupertino.org>>>
Cc: ICE Richard Altmaier <richalt2@yahoo.com<<mailto:richalt2@yahoo.com>>>
Subject: Vallco EIR vis a vis commuter patterns

I attended the EIR scoping meeting this past week. Several speakers had a coordinated talking point about how "only 10% of people who live in Cupertino work in Cupertino."

It's important that the EIR take into account several much more relevant issues when determining environmental impact, in particular the way Bay Area cities flow into each other. For instance, depending on which part of Sunnyvale you live in, you may live closer to Apple than people who live in Cupertino!

So the 10% statistic that was cited by these speakers is not environmentally meaningful. The meaningful questions are -

i) How close to their work do people live? And how close do they WANT to live?

ii) How do the numbers change when one analyzes renters separately from homeowners?

We know that moving is often cost-prohibitive once you buy - but we all know renters move when their job changes.

From an environmental impact point of view, if renters move to be close to their jobs, that is a huge positive benefit to providing high-density rental housing at Vallco that must be considered in an EIR.

iii) Another reason to make the distinction between renters and homeowner behaviors is that focusing on the total population (including the people fortunate enough to be homeowners) completely misses the population whose commute patterns we can actually affect with our decisions - all those renter employees at Apple and other companies who are commuting from distant locations.

Whatever we do at Vallco is not going to cause any changes in the commute patterns of people who own their own homes, given the barriers to selling and buying again. The EIR needs to focus on the variables that we DO control, which is the behaviors of renters. THAT is the environmental impact that matters.

Focusing on the variables one controls, not those one does not, is a key decision-making discipline, and needs to be part of the EIR process.

Sincerely,
Paulette Altmaier
22605 Salem Ave,
Cupertino, CA 95014
408-601-9982



City of Cupertino
Community Development Department
Attention: Piu Ghosh, Principal Planner
10300 Torre Avenue
Cupertino, CA 95014

via email

March 9, 2018

Re: Scoping Comments for the Vallco Special Area Specific Plan

Dear Ms. Ghosh,

The Santa Clara Valley Audubon Society appreciates the opportunity to comment on the Notice of Preperation for the Vallco Special Area Specific Plan (Project). Our organization has been headquartered at McClellan Ranch for over 25 years, and we consider Cupertino our home. Our mission is to promote the enjoyment, understanding, and protection of birds and other wildlife by engaging people of all ages in birding, education, and conservation.

We submit the following comments for the Environmental Review (EIR) of the Project:

Bird-safe Design

The issue of bird collision with glass structures should be paramount in evaluating the biological resource impacts of the proposed Project. It is now widely recognized that bird collisions with man-made structures, especially glass buildings and glassy elements, are significant contributors to bird-mortality and, most importantly, to the cumulative decline of bird populations in North America. Birds collide with glass buildings and structures during the day as they attempt to access resources reflected by or seen through the glass. At night, brightly lit glass buildings lure migrating birds to their death.

When bird-safe design is implemented as a guiding principal, the hazards can be greatly reduced. Many neighboring cities recognize bird-collision with glass as an important issue and make an effort to minimize hazardous construction. The issue is addressed in General and Specific Plans (San Jose, Palo Alto, Mountain View), in ordinances and mandatory Guidelines (San Francisco, Oakland, San Jose, Sunnyvale, Richmond) and in Mitigation Measures for areas near the Bay (Menlo Park).

The EIR should adhere strictly to bird-safe building design principles as mitigation for cumulative impacts to bird populations. We recommend reviewing the bird-safe building design guidelines of Sunnyvale (attached), Mountain View's North Bayshore Precise Plan (<http://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=15050>, see pages 125-126), and from the American Bird Conservancy ([https://abcbirds.org/wp-content/uploads/2015/05/Bird-friendly-Building-Guide LINKS.pdf](https://abcbirds.org/wp-content/uploads/2015/05/Bird-friendly-Building-Guide_LINKS.pdf)).

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Mackenzie Mossing". The signature is written in black ink on a white background.

Mackenzie Mossing
Environmental Advocacy Associate
Santa Clara Valley Audubon Society

Final
BIRD SAFE BUILDING DESIGN GUIDELINES

There are two types of design guidelines to address bird safe building. The first option is for projects within 300 feet of a body of water or projects adjacent to a landscaped or open space area larger than one acre in size. The second option is criteria to be used in reviewing new projects located in all other areas of the city.

Option 1: If within 300 feet of a body of water larger than one acre in size or located immediately adjacent to a landscaped area, open space or park larger than one acre in size.

If the project meets any of the prior criteria, projects should include specific bird safe design elements into the building and site design and operation. These would include:

1. Avoid the use of multi-floor expanse of reflective or transparent glass in the first 60 feet of the building design, specifically in these area facing the water or open space;
2. Building glass shall be limited to low reflectivity levels such as 25% or less;
3. Limit the amount of glass on ground level stories, especially in areas adjacent to landscaping;
4. Add architectural devices, such as louvers, awnings, sunshades or light shelves to building design to reduce massing of glass;
5. Consider use of opaque, fritted or etched glass on ground floor in areas adjacent to landscaped areas;
6. If site is near water features, use soil berms, furniture, landscaping or other features to prevent reflection of water in glass building facades;
7. Consider using angled glass (20-40 degrees) from vertical to reflect ground instead of adjacent habitat or sky buildings with an expanse of glass near water or landscaping areas
8. Avoid placing tall landscaping in front of highly reflective glass and the use of green roofs and water features near glass;
9. Avoid the funneling of open space towards a building face;
10. Avoid glass skyways or freestanding glass walls;
11. No up lighting or spot lights on site;
12. Ensure all site lighting uses shielded fixtures;
13. Turn building lights off at night or incorporate blinds into window treatment to use when lights are on at night;
14. Create smaller zones in internal lighting layouts to discourage wholesale area illumination;
15. Place signs at several locations near building with the telephone number an authorized bird conservation organization or museum to aid in species identification and to benefit scientific study;
16. Monitoring efforts shall include a bird-safe program developed by the project owner of the methods to ensure necessary steps are taken to reduce bird strikes. These efforts would include how each dead bird will be handled and donated to scientific study, providing a yearly inventory to the City of the number of birds found and locations, and the steps necessary to resolve any consistent location's bird deaths. Options include shades to reduce transparency and night lighting, fritted glass, netting, stickers, etc.

Option 2: All other locations in city

Efforts should be taken to reduce bird strikes in all locations of the city. The following items should be included regardless of location. These guidelines could be used as part of a project's review. Staff could include a discussion relative to the guidelines in staff reports in order to give decision-makers information necessary to review this aspect of a project's impact.

1. Avoid large expanse of glass near open areas, especially when tall landscaping is immediately adjacent to the glass walls;
2. Avoid the funneling of open space towards a building face;
3. Prohibit glass skyways or freestanding glass walls;
4. Avoid transparent glass walls coming together at building corners to avoid birds trying to fly through glass;
5. Reduce glass at top of building, especially when incorporating a green roof into the design;
6. Prohibit up lighting or spotlights;
7. Shield lighting to cast light down onto the area to be illuminated;
8. Turn commercial building lights off at night or incorporate blinds into window treatment to use when lights are on at night;
9. Create smaller zones in internal lighting layouts to discourage wholesale area illumination;

Monitoring efforts

The following options should be considered by each project owner for all locations in order to learn more about the subject and to avoid further issues:

1. Reduce the use of night lighting in the building without incorporating blinds into the window design;
2. Donation of discovered dead birds to an authorized bird conservation organization or museum;
3. Consider placing signs in several locations around the building with the telephone number an authorized bird conservation organization or museum to aid in species identification and to benefit scientific study.

DEPARTMENT OF TRANSPORTATION

DISTRICT 4

OFFICE OF TRANSIT AND COMMUNITY PLANNING

P.O. BOX 23660, MS-10D

OAKLAND, CA 94623-0660

PHONE (510) 286-5528

FAX (510) 286-5559

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www.dot.ca.gov

*Making Conservation
a California Way of Life*

February 28, 2018

SCH # 2018022021

GTS # 04-SCL-2016-00350

GTS I.D. 1174

SCL-280- 8.35

Piu Ghosh
Community Development Department
City of Cupertino
10300 Torre Avenue
Cupertino, CA 95014

Vallco Special Area Specific Plan – Notice of Preparation

Dear Piu Ghosh:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. In tandem with the Metropolitan Transportation Commission's (MTC) Sustainable Communities Strategy (SCS), the Caltrans *Strategic Management Plan 2015-2020* includes targets to reduce Vehicle Miles Travelled (VMT), in part, by tripling bicycle and doubling both pedestrian and transit travel by 2020. Our comments are based on the Notice of Preparation (NOP). Additional comments may be forthcoming pending final review.

Project Understanding

The proposed project is located immediately south of Interstate (I-) 280 in the southwest and southeast quadrants of the I-280/S. Wolfe Road interchange. It would demolish an approximately 1.2 million square feet (sq. ft.) regional shopping mall and associated parking and construct a mixed-use commercial, residential, and office development with the following uses:

- 625,000 sq. ft. of commercial and civic areas, including retail and entertainment uses, such as restaurants, a movie theater, an ice skating rink, bowling alley, health club and civic uses including a 10,000-sq. ft. High School Innovation Center and a 5,000-sq. ft. community center;
- 800 residential units, including 680 market rate units, 80 below market rate units and 40 senior age-restricted units;
- 2,000,000 sq. ft. of office uses;
- A 30-acre integrated green roof with public and private open space and recreational uses;
- Two town squares, approximately 2.98 acres total;
- Amenity space for residential and office uses;
- Loading, facility and security management areas;

- Transit center;
- Central plants; and
- Associated underground, surface and structured parking for 9,175 vehicles.

Vehicle Trip Reduction

The project is in the Santa Clara Valley Transportation Authority City Cores, Corridors & Station Areas (Cupertino) Priority Development Area (PDA). PDAs are identified by the Association of Bay Area Governments as areas for investment, new homes and job growth within existing communities. They are the foundation for MTC's *Plan Bay Area 2040* and sustainable regional growth. Additionally, the project site is best identified as **Place Type 4: Suburban Communities (Corridors)** in Caltrans' *Smart Mobility 2010: A Call to Action for the New Decade*. As such, location efficiency factors, such as community design are weak and regional accessibility varies.

Given the project's intensification of use, the low transportation efficiency factors of its place type and its characterization as a PDA, all the measures listed below should be considered in the project's Transportation Demand Management (TDM) Program to reduce VMT and greenhouse gas emissions. Such measures will be critical to facilitate efficient transportation access to and from the project location, reduce transportation impacts associated with the project, and promote smart mobility.

- Project design to encourage walking, bicycling and transit access;
- Incorporate the Santa Clara Valley Transportation Authority's Bus Routes 23, 26, 81, and 323 into the project. These routes connect to the Capitol Corridor, Caltrain, VTA Light Rail, and ACE Forward and, as important connections to regional transit, the service should be evaluated at each phase of the project.
- Transit fare incentives such as such as free or discounted transit passes on a continuing basis;
- Bundled annual transit passes;
- Real-time transit information system;
- Bus stop furniture improvements such as shelters, trees and porticos;
- Conveniently located bus stops near building entrances;
- Transit, bicycle and trip planning resources such as a commute information kiosk;
- Secured bicycle storage facilities located conveniently near entrances to minimize detriment of bicycle use due to weather conditions;
- Fix-it bicycle repair station(s);
- Showers, changing rooms and clothing lockers for employees that commute via active transportation;
- Ten percent vehicle parking reductions;
- Parking cash out programs for the commercial uses;
- Unbundled parking for the residential uses;
- Charging stations and designated parking spaces for electric vehicles;
- Carpool and clean-fuel parking spaces;

- Designated parking spaces for a car share program;
- Incorporate affordable housing into the project;
- Outdoor areas with patios, furniture, pedestrian pathways, picnic and recreational areas;
- Emergency Ride Home program;
- Transportation Demand Management coordinator;
- Participation/Formation in/of a Transportation Management Association (TMA) in partnership with other developments in the area; and
- Aggressive trip reduction targets with Lead Agency monitoring and enforcement.

Transportation Demand Management programs should be documented with annual monitoring reports by an onsite TDM coordinator to demonstrate effectiveness. If the project does not achieve the VMT reduction goals, the reports should also include next steps to take in order to achieve those targets. Also, reducing parking supply can encourage active forms of transportation, reduce regional VMT, and lessen future transportation impacts on I-280 and other nearby State facilities. These smart growth approaches are consistent with the MTC's Regional Transportation Plan/SCS goals and would meet Caltrans Strategic Management Plan sustainability goals.

For additional TDM options, please refer to the Federal Highway Administration's *Integrating Demand Management into the Transportation Planning Process: A Desk Reference* (Chapter 8). The reference is available online at:

<http://www.ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf>.

System Operations

Please provide trip generation, trip distribution, and trip assignment estimates for this project. To ensure that queue formation does not create traffic conflicts, project-generated trips should be provided with existing and future traffic volume scenarios for the following I-280 intersections and freeway ramps:

- North bound (NB) Wolfe Road on-ramp;
- NB Wolfe Road on-ramp;
- NB Wolfe Road off-ramp intersection;
- South bound (SB) Wolfe Road on-ramp;
- SB Wolfe Road on-ramp;
- SB Wolfe Road off-ramp intersection;
- NB off ramp and Lawrence Expressway at Stevens Creek Blvd intersection;
- SB off ramp to Stevens Creek Blvd intersection;
- SB on ramp from Lawrence Expressway.

To avoid traffic conflicts such as inadequate weaving distances, queues spilling back onto the freeway, and uneven lane utilization, the project should evaluate the adequacy of the operations of freeway segments near the project. The project should determine if there is adequate storage capacity available for the turning movements at the intersections and freeway off-ramps listed above and whether queues will spill back onto the freeway mainline. In addition, the project

should provide on-ramp storage capacity evaluations to avoid impacts such as on-ramp queues spilling back onto city streets near state highway on-ramps. Please use demand volumes rather than output or constrained flow volumes for storage capacity evaluations.

Travel Demand Analysis

Please analyze VMT resulting from the proposed project. With the enactment of Senate Bill (SB) 743, Caltrans is focusing on transportation infrastructure that supports smart growth and efficient development to ensure alignment with State policies using efficient development patterns, innovative travel demand reduction strategies, multimodal improvements, and VMT as the primary transportation impact metric. Please ensure that the travel demand analysis includes:

- A vicinity map, regional location map, and site plan clearly showing project access in relation to the STN. Ingress and egress for all project components should be clearly identified. Clearly identify the State right-of-way (ROW). Project driveways, local roads and intersections, car/bike parking, and transit facilities should be mapped.
- A VMT analysis pursuant to the City's guidelines or, if the City has no guidelines, the Office of Planning and Research's Draft Guidelines. Projects that result in automobile VMT per capita greater than 15% below existing (i.e. baseline) city-wide or regional values for similar land use types may indicate a significant impact. If necessary, mitigation for increasing VMT should be identified. Mitigation should support the use of transit and active transportation modes. Potential mitigation measures that include the requirements of other agencies such as Caltrans are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the City.
- A schematic illustration of walking, biking and auto conditions along the proposed roadway segment and nearby study area roadways. Potential issues for all road users should be identified and fully mitigated.
- The project's primary and secondary effects on pedestrians, bicycles, disabled travelers and transit performance should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access to pedestrians, bicycle, and transit facilities must be maintained.

Transportation Impact Fees

The Lead Agency should identify project-generated travel demand and estimate the costs of transit and active transportation improvements necessitated by the proposed Specific Plan; viable funding sources such as development and/or transportation impact fees should also be identified. We encourage a sufficient allocation of fair share contributions toward multimodal and regional transit improvements to fully mitigate cumulative impacts to regional transportation. We also strongly support measures to increase sustainable mode shares, thereby reducing VMT. The Lead Agency should also consider fair share fees for shuttles that use the public curb space.

The Lead Agency should also ensure that a capital improvement plan identifying the cost of needed improvements, funding sources, and a scheduled plan for implementation is prepared for

Piu Ghosh, City of Cupertino

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adoption along with the environmental document. Caltrans welcomes the opportunity to work with the Lead Agency and local partners to secure the funding for needed mitigation. Traffic mitigation- or cooperative agreements are examples of such measures.

Lead Agency

As the Lead Agency, the City of Cupertino is responsible for all project mitigation, including any needed improvements to the STN. The project's fair share contribution, financing, scheduling, implementation responsibilities and Lead Agency monitoring should be fully discussed for all proposed mitigation measures. Furthermore, this project meets the criteria to be deemed of statewide, regional, or areawide significance per CEQA Guidelines §15206. The DEIR should be submitted to both MTC, ABAG and the Alameda County Transportation Commission for review and comment.

Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the State ROW requires an Encroachment Permit that is issued by Caltrans. Traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process. To apply, a completed Encroachment Permit application, the adopted environmental document, and five (5) sets of plans clearly indicating State ROW must be submitted to the address below. Traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process.

David Salladay, District Office Chief
Office of Permits, MS 5E
California Department of Transportation, District 4
P.O. Box 23660
Oakland, CA 94623-0660

See the following website for more information:

<http://www.dot.ca.gov/trafficops/ep/index.html>

Piu Ghosh, City of Cupertino
February 28, 2018
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Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Jannette Ramirez at (510) 286-5535 or jannette.ramirez@dot.ca.gov.

Sincerely,



PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse

Piu Ghosh, City of Cupertino

February 28, 2018

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bc: PMaurice/JRamirez/KSchober/HAhmedi/FZohoury/DEI-Tawansy

loc: P:\Plan\TranComm\LD-IGR\Santa Clara County\The Hills at Vallco Mall\04-SCL-2016-00350-Vallco Special Area Specific Plan-NOP-2017FEB28.docx

file: 04-SCL-2016-00350-Vallco Special Area Specific Plan-NOP-2017FEB28.docx

From: Celia Chiang [REDACTED]
Sent: Monday, March 12, 2018 4:24 PM
To: City of Cupertino Planning Dept. <planning@cupertino.org>
Subject: I support "The Hills" at Vallco

Attn: Piu Ghosh, Dept of Community Development. Re: Vallco Specific Plan EIR

Please keep in mind 47% of Cupertino voters supported Measure D, Sandhill's original "The Hills" plan, and that's not a negligible number. We sincerely hope the final plan does not deviate significantly from it.

The 2 million sq.ft of office is totally acceptable to many of us who understand how business works, and who also understand there's no such thing as too many jobs because we remember the great recession. Many Cupertino and nearby residents who work in farther cities express their desire to find jobs close by their homes. And we cannot wait for "The Hills" office to be built so we'll have more job opportunities near home. Additionally, Cupertino desperately need the office workers to support the retail businesses — many are in dire situation because we do not have enough customers to support all existing retail/restaurants.

Traffic and jobs go hand in hand, and to many of us, having a job means quality of life. And we understand the price "the traffic jam" -- we have to pay in order to have quality of life. Cupertino's 'worsening traffic' is an exaggeration, it's quite smooth compare with San Jose, Milpitas, Mountain View, Palo Alto, San Francisco.

"The Hills" percentage of retail is more than enough given the difficult retail scene today. I'm pessimistic Vallco will be able to bring back its old customers who left them 20 yrs ago and attract new customers. I will never go back because it simply cannot be compared with Valley Fair in scale and it is only 2 freeway exits away.

The Better Cupertino and the like want 100% retail because they want to restrict the housing supply for their own selfish reason (as admitted by some residents to me), and they want discounted, low-end merchandise in a premium location.

On housing, not all residents move to Cupertino have school age children, just go to any apartment complex and watch and talk to the occupants. The complaints about over-crowded schools are gross exaggeration.

Lastly, we are very happy with Sandhill's mitigation measures and charitable contribution.

Thank you for your consideration.

Concerned neighbor

Celia Chiang

[REDACTED]

[REDACTED]

From: Liang-Fang Chao [REDACTED]
Sent: Monday, February 12, 2018 10:45 PM
To: City Council <CityCouncil@cupertino.org>; David Brandt <Davidb@cupertino.org>; Aarti Shrivastava <AartiS@cupertino.org>; Catarina Kidd <CatarinaK@cupertino.org>
Subject: Re: Vallco EIR NOP Provides Inaccurate Information on General Plan Allocation

How come the NOP did not ask which options the EIR should evaluate?
Shouldn't the public comment on which options that should be evaluated in the EIR?
But at the very least, the NOP should include the list of options that the city staff has in mind from the Dec. 19 Council meeting staff report.

Liang

On Mon, Feb 12, 2018 at 5:58 PM, Liang-Fang Chao <lfchao@gmail.com> wrote:

Dear Mayor Paul and City Council Members,

The Vallco EIR Notice of Preparation provides inaccurate information the the General Plan Allocation for Vallco Shopping District.

<http://www.cupertino.org/home/showdocument?id=19386>

Please instruct the staff to correct the General Plan Allocation as it is stated in the 2040 General Plan.

On December 4, 2014, the City Council promised that the office and residential allocation at Vallco "will expire" by May 31, 2018.

It can be proved by the city council video. The citizens attending the meeting and watching the video later will hold you accountable to your promise.

The Planning Commission recommended 0 office space and 0 housing units specifically because they said "the community hasn't weighed in yet." Some Council members pushed to give Sand Hill a chance to start the design process, so the Council gave them "provisional allocation", not entitlement.

However, As stated in the Vallco EIR Notice of Preparation (quoted below), the office and residential allocation have become "entitled". When did the City Council make such a decision to alter the General Plan? How come the community was never notified?

As shown in General Plan Table LU-1, the General Plan development allocation for the Vallco Special Area is as follows: approximately 1.2 million square feet of commercial uses (minimum 600,000 square feet of retail uses with a maximum of 30 percent of entertainment uses, pursuant to General Plan Strategy LU-19.1.4), 2.0 million square feet of office uses, 339 hotel rooms, and 389 residential dwelling units.2 Pursuant to General Plan Strategy LU-1.2.1, development allocations may be transferred among Planning Areas provided no significant environmental impacts are identified beyond those already studied in the Cupertino General Plan Community Vision 2015-2040 Final EIR (SCH#2014032007).

General Plan Table LU-1 specifically included the condition approved by the City Council.

The Vallco EIR Notice of Preparation did not mention the fact that the Housing Element has two scenarios, specifically because the allocation of 389 units at Vallco is "provisional". The NOP should not attempt to alter the content of the General Plan and the Housing Element.

It is important to establish the baseline in the Vallco EIR Notice of Preparation and the EIR document that the site is still zoned P(CG) and P(Regional Shopping) as of today. The office and residential allocation for Vallco is "provisional", pending on the approval of Vallco Specific Plan.

In the South Vallco Master Plan, approved by the City Council on September 19, 2008, designated Vallco area as "Regional Shopping".

Who made the decision to turn Vallco Shopping District into a housing development BEFORE the community process?

There is NO entitlement for 2 million square feet of office space at Vallco Shopping District.

There is NO entitlement for 389 housing units at Vallco Shopping District.

Not yet. Not until Vallco Specific Plan is approved.

There might be stronger community sentiment to accept some housing units at Vallco Shopping District, but it is predicated on the condition that the developer would be able to deliver a strong retail experience component, including shopping, dining, entertainment, fitness and more.

The retail experience component cannot be a side note.

Therefore, it is important to establish the baseline that the site is still zoned for Regional Shopping. That should be the starting point of any negotiation.

Please do not allow outside forces to alter Cupertino's General Plan.

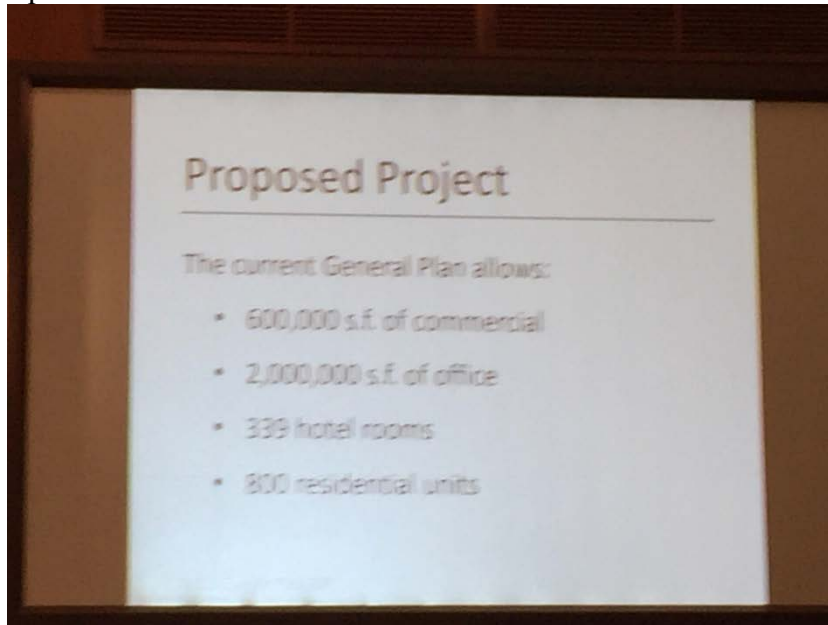
Please do not start the Vallco process by altering the General Plan to give out entitlements without any community inputs.

Sincerely,

Liang Chao
Cupertino Resident

Dear Vallico Project Managers,

The EIR consultant has provided inaccurate information for Vallico Shopping District Specific Plan in the adopted General Plan during the EIR Scoping Session. It refers to 600,000 square feet of retail space and 800 housing units when the maximum allowed retail space is 1.2 million square feet and the maximum residential allocation is 389 units.



In fact, the 9212 report for Measure D correctly specified the allocation. How come the EIR consultant is provided inaccurate information this time?

The **Adopted General Plan** scenario assumes the development allocation to the Vallico Shopping District Special Area at Buildout that is presented in Table LU-1 of the General Plan,¹⁹ which includes 1,207,744 square feet of commercial (which reflects the size of the existing Vallico Mall), 2 million square feet of office, 339 hotel rooms and 389 residential units. While the City does allow mixed-use sites with residential zoning to request approval of additional units with a CUP, this scenario assumes a residential allocation of 389 units as allocated per the Housing Element to the Vallico site.

Notice that the above paragraph uses the "max" allocation for all land uses, which is consistent. These numbers appear as the "Buildout" column (namely the maximum buildout allowed).

Yet the NOP states that the Specific Plan would only include ONLY 600,000 sqft of retail space, but doubled the residential allocation to 800 housing units.

general plan and the individual development proposal(s) in a defined area. Consistent with the adopted General Plan, the Specific Plan would facilitate the development of 600,000 square feet of commercial uses, 2.0 million square feet of office uses, 339 hotel rooms, and 800 residential dwelling units onsite. The proposed Specific Plan would include text and diagrams which specify

This is quite confusing.

When did the City Council decide to only evaluate 600,000 sqft of retail space and double the residential allocation to 800 units? Just wondering when was such decision made?

Shouldn't such decision be made AFTER the so-called community-driven specific plan process?

Thank you for making the attempt to create a community-drive specific plan process with ample chances for community inputs. I am looking forward to a transparent and interactive process that involve all stakeholders.

Please clarify the notices sent out from the city to reduce confusion and improve transparency and trust in the community-driven specific plan process.

Thank you.

Liang

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It can be proved by the city council video. The citizens attending the meeting and watching the video later will hold you accountable to your promise.

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However, As stated in the Vallco EIR Notice of Preparation (quoted below), the office and residential allocation have become "entitled". When did the City Council make such a decision to alter the General Plan? How come the community was never notified?

As shown in General Plan Table LU-1, the General Plan development allocation for the Vallco Special Area is as follows: approximately 1.2 million square feet of commercial uses (minimum 600,000 square feet of retail uses with a maximum of 30 percent of entertainment uses, pursuant to General Plan Strategy LU-19.1.4), 2.0 million square feet of office uses, 339 hotel rooms, and 389 residential dwelling units.² Pursuant to General Plan Strategy LU-1.2.1, development allocations may be transferred among Planning Areas provided no significant environmental impacts are identified beyond those already studied in the Cupertino General Plan Community Vision 2015-2040 Final EIR (SCH#2014032007).

General Plan Table LU-1 specifically included the condition approved by the City Council.

The Vallco EIR Notice of Preparation did not mention the fact that the Housing Element has two scenarios, specifically because the allocation of 389 units at Vallco is "provisional". The NOP should not attempt to alter the content of the General Plan and the Housing Element.

It is important to establish the baseline in the Vallco EIR Notice of Preparation and the EIR document that the site is still zoned P(CG) and P(Regional Shopping) as of today.

The office and residential allocation for Vallco is "provisional", pending on the approval of Vallco Specific Plan.

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There might be stronger community sentiment to accept some housing units at Vallco Shopping District, but it is predicated on the condition that the developer would be able to deliver a strong retail experience component, including shopping, dining, entertainment, fitness and more.

The retail experience component cannot be a side note.

Therefore, it is important to establish the baseline that the site is still zoned for Regional Shopping. That should be the starting point of any negotiation.

Please do not allow outside forces to alter Cupertino's General Plan.

Please do not start the Vallco process by altering the General Plan to give out entitlements without any community inputs.

Sincerely,

Liang Chao
Cupertino Resident

From: Liang-Fang Chao [REDACTED]
Sent: Monday, February 12, 2018 5:58 PM
To: City Council <CityCouncil@cupertino.org>; David Brandt <Davidb@cupertino.org>; Aarti Shrivastava <AartiS@cupertino.org>; Catarina Kidd <CatarinaK@cupertino.org>
Subject: Vallco EIR NOP Provides Inaccurate Information on General Plan Allocation

Dear Mayor Paul and City Council Members,

The Vallco EIR Notice of Preparation provides inaccurate information the the General Plan Allocation for Vallco Shopping District.

<http://www.cupertino.org/home/showdocument?id=19386>

Please instruct the staff to correct the General Plan Allocation as it is stated in the 2040 General Plan.

On December 4, 2014, the City Council promised that the office and residential allocation at Vallco "will expire" by May 31, 2018.

It can be proved by the city council video. The citizens attending the meeting and watching the video later will hold you accountable to your promise.

The Planning Commission recommended 0 office space and 0 housing units specifically because they said "the community hasn't weighed in yet." Some Council members pushed to give Sand Hill a chance to start the design process, so the Council gave them "provisional allocation", not entitlement.

However, As stated in the Vallco EIR Notice of Preparation (quoted below), the office and residential allocation have become "entitled". When did the City Council make such a decision to alter the General Plan? How come the community was never notified?

As shown in General Plan Table LU-1, the General Plan development allocation for the Vallco Special Area is as follows: approximately 1.2 million square feet of commercial uses (minimum 600,000 square feet of retail uses with a maximum of 30 percent of entertainment uses, pursuant to General Plan Strategy LU-19.1.4), 2.0 million square feet of office uses, 339 hotel rooms, and 389 residential dwelling units. Pursuant to General Plan Strategy LU-1.2.1, development allocations may be transferred among Planning Areas provided no significant environmental impacts are identified beyond those already studied in the Cupertino General Plan Community Vision 2015-2040 Final EIR (SCH#2014032007).

General Plan Table LU-1 specifically included the condition approved by the City Council.

The Vallco EIR Notice of Preparation did not mention the fact that the Housing Element has two scenarios, specifically because the allocation of 389 units at Vallco is "provisional". The NOP should not attempt to alter the content of the General Plan and the Housing Element.

It is important to establish the baseline in the Vallco EIR Notice of Preparation and the EIR document that the site is still zoned P(CG) and P(Regional Shopping) as of today.

The office and residential allocation for Vallco is "provisional", pending on the approval of Vallco Specific Plan.

In the South Vallco Master Plan, approved by the City Council on September 19, 2008, designated Vallco area as "Regional Shopping".

Who made the decision to turn Vallco Shopping District into a housing development BEFORE the community process?

There is NO entitlement for 2 million square feet of office space at Vallco Shopping District.

There is NO entitlement for 389 housing units at Vallco Shopping District.

Not yet. Not until Vallco Specific Plan is approved.

There might be stronger community sentiment to accept some housing units at Vallco Shopping District, but it is predicated on the condition that the developer would be able to deliver a strong retail experience component, including shopping, dining, entertainment, fitness and more.

The retail experience component cannot be a side note.

Therefore, it is important to establish the baseline that the site is still zoned for Regional Shopping. That should be the starting point of any negotiation.

Please do not allow outside forces to alter Cupertino's General Plan.

Please do not start the Vallco process by altering the General Plan to give out entitlements without any community inputs.

Sincerely,

Liang Chao
Cupertino Resident

From: Liang-Fang Chao
To: [Piu Ghosh](#)
Cc: [Peggy Griffin](#)
Subject: Alternatives to evaluate in Vallco EIR
Date: Friday, February 23, 2018 2:50:43 AM
Attachments: [image.png](#)

Dear Piu,

One of the slides in the EIR Scoping Session mentions three Alternative the EIR "may include". See the photo below.

I have some questions on them,

Who will decide which alternatives will be studied in the EIR. When will such decision be made?

How would the public know what exactly are the alternatives studied by the EIR?

The second option in the slide is "General Plan Buildout with Maximum Residential Density (2/3 residential, 1/3 non-residential use).

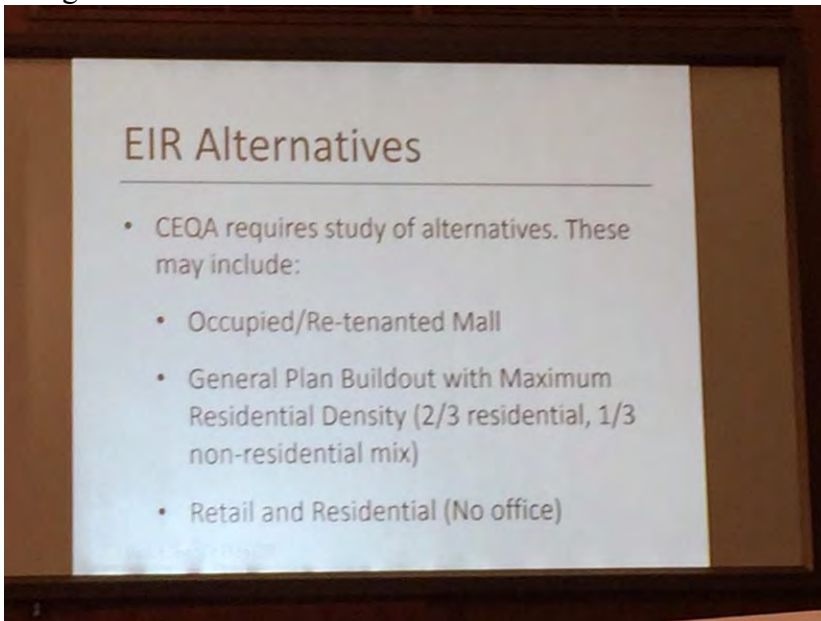
What exactly is that option? What's "General Plan Buildout with Maximum Residential Density"?

The third option in the slide is "Retail and Residential (no office)". How much retail space or residential units will be included in this option?

It seems none of the alternatives would include 2 million sqft office space, which seems reasonable since it makes no sense to waste time to evaluate an option that won't be acceptable by most. Please confirm if that's the case.

Thanks much.

Liang



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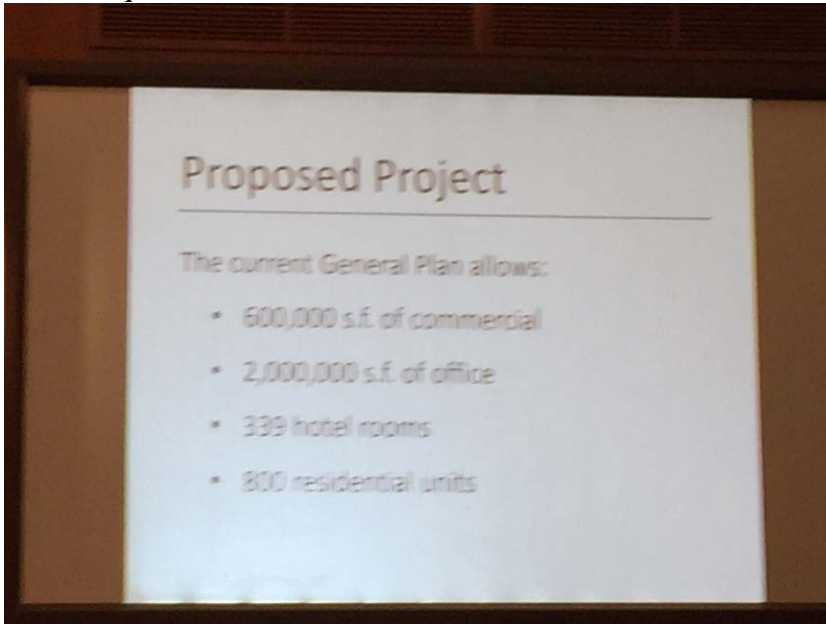
From: lfchao@gmail.com

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From: Liang-Fang Chao
To: [David Brandt](#); [Aarti Shrivastava](#); [Catarina Kidd](#); [Piu Ghosh](#)
Cc: [City Council](#)
Subject: Re: Vallco EIR NOP Provides Inaccurate Information on General Plan Allocation
Date: Sunday, February 25, 2018 4:16:07 PM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)

Dear Vallco Project Managers,

The EIR consultant has provided inaccurate information for Vallco Shopping District Specific Plan in the adopted General Plan during the EIR Scoping Session. It refers to 600,000 square feet of retail space and 800 housing units when the maximum allowed retail space is 1.2 million square feet and the maximum residential allocation is 389 units.



In fact, the 9212 report for Measure D correctly specified the allocation. How come the EIR consultant is provided inaccurate information this time?

The **Adopted General Plan** scenario assumes the development allocation to the Vallco Shopping District Special Area at Buildout that is presented in Table LU-1 of the General Plan,¹⁹ which includes 1,207,744 square feet of commercial (which reflects the size of the existing Vallco Mall), 2 million square feet of office, 339 hotel rooms and 389 residential units. While the City does allow mixed-use sites with residential zoning to request approval of additional units with a CUP, this scenario assumes a residential allocation of 389 units as allocated per the Housing Element to the Vallco site.

Notice that the above paragraph uses the "max" allocation for all land uses, which is consistent. These numbers appear as the "Buildout" column (namely the maximum buildout allowed).

Yet the NOP states that the Specific Plan would only include ONLY 600,000 sqft of retail space, but doubled the residential allocation to 800 housing units.

general plan and the individual development proposal(s) in a defined area. Consistent with the adopted General Plan, the Specific Plan would facilitate the development of 600,000 square feet of commercial uses, 2.0 million square feet of office uses, 339 hotel rooms, and 800 residential dwelling units onsite. The proposed Specific Plan would include text and diagrams which specify

This is quite confusing.

When did the City Council decide to only evaluate 600,000 sqft of retail space and double the residential allocation to 800 units? Just wondering when was such decision made? Shouldn't such decision be made AFTER the so-called community-driven specific plan process?

Thank you for making the attempt to create a community-drive specific plan process with ample chances for community inputs. I am looking forward to a transparent and interactive process that involve all stakeholders.

Please clarify the notices sent out from the city to reduce confusion and improve transparency and trust in the community-driven specific plan process.

Thank you.

Liang

On Mon, Feb 12, 2018 at 5:58 PM, Liang-Fang Chao <[REDACTED]> wrote:

Dear Mayor Paul and City Council Members,

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<http://www.cupertino.org/home/showdocument?id=19386>

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It can be proved by the city council video. The citizens attending the meeting and watching the video later will hold you accountable to your promise.

The Planning Commission recommended 0 office space and 0 housing units specifically because they said "the community hasn't weighed in yet." Some Council members pushed to give Sand Hill a chance to start the design process, so the Council gave them "provisional allocation", not entitlement.

However, As stated in the Vallco EIR Notice of Preparation (quoted below), the office and residential allocation have become "entitled". When did the City Council make such a decision to alter the General Plan? How come the community was never notified?

As shown in General Plan Table LU-1, the General Plan development allocation for the Vallco Special Area is as follows: approximately 1.2 million square feet of commercial uses (minimum 600,000 square feet of retail uses with a maximum of 30 percent of entertainment uses, pursuant to General Plan Strategy LU-19.1.4), 2.0 million square feet of office uses, 339 hotel rooms, and 389 residential dwelling units. Pursuant to General Plan Strategy LU-1.2.1, development allocations may be transferred among Planning Areas provided no significant environmental impacts are identified beyond those already studied in the Cupertino General Plan Community Vision 2015-2040 Final EIR (SCH#2014032007).

General Plan Table LU-1 specifically included the condition approved by the City Council.

The Vallco EIR Notice of Preparation did not mention the fact that the Housing Element has two scenarios, specifically because the allocation of 389 units at Vallco is "provisional". The NOP should not attempt to alter the content of the General Plan and the Housing Element.

It is important to establish the baseline in the Vallco EIR Notice of Preparation and the EIR document that the site is still zoned P(CG) and P(Regional Shopping) as of today. The office and residential allocation for Vallco is "provisional", pending on the approval of Vallco Specific Plan.

In the South Vallco Master Plan, approved by the City Council on September 19, 2008, designated Vallco area as "Regional Shopping".

Who made the decision to turn Vallco Shopping District into a housing development BEFORE the community process?

There is NO entitlement for 2 million square feet of office space at Vallco Shopping District.

There is NO entitlement for 389 housing units at Vallco Shopping District.

Not yet. Not until Vallco Specific Plan is approved.

There might be stronger community sentiment to accept some housing units at Vallco Shopping District, but it is predicated on the condition that the developer would be able to deliver a strong retail experience component, including shopping, dining, entertainment, fitness and more.

The retail experience component cannot be a side note.

Therefore, it is important to establish the baseline that the site is still zoned for Regional Shopping. That should be the starting point of any negotiation.

Please do not allow outside forces to alter Cupertino's General Plan.

Please do not start the Vallco process by altering the General Plan to give out entitlements without any community inputs.

Sincerely,

Liang Chao
Cupertino Resident

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From: lfchao@gmail.com

You received this message because the sender is on your allow list.

From: Liang-Fang Chao [REDACTED]
Sent: Sunday, February 25, 2018 5:11 PM
To: David Brandt <Davidb@cupertino.org>; Aarti Shrivastava <AartiS@cupertino.org>; Catarina Kidd <CatarinaK@cupertino.org>; Piu Ghosh <PiuG@cupertino.org>
Cc: City Council <CityCouncil@cupertino.org>
Subject: Re: Vallco EIR NOP Provides Inaccurate Information on General Plan Allocation

I found the rationalization to allow 800 units of housing at Vallco from the 9212 Report of Measure D:

The Initiative does not specify how many additional residential units may be developed in the Vallco area “consistent with the General Plan.” For purposes of analysis, this Report assumes that the maximum number of residential units

that could be authorized with a CUP is 800, based on the following assumptions:

- The total number of residential units allocated citywide under the General Plan is 1,882.
- Of that total number, 1,400 residential units are specifically allocated to Priority Housing Element Sites and 28 additional units have been approved, which leaves 454 units to be allocated.⁵¹

By the time a developer of the Vallco area could apply for a CUP for additional residential units, the City assumes that **sufficient unallocated units (approximately 410) would be available to develop a maximum of 800 units in the Vallco area.** Moreover, the General Plan Strategy LU-1.2.1 provides that allocations may only be transferred among planning areas provided “no significant environmental impacts are identified beyond those already studied in the Environmental Impact Report (EIR)” for the General Plan. **The General Plan EIR studied a maximum 800 units for the Vallco area.** As a result, **800 is considered the likely maximum number of residential units** that could be developed within the Vallco area, consistent with the General Plan and with a CUP.

Sorry for my ignorance earlier. Now I understand where the "800 units" come from. However, I believe many Cupertino residents would be as confused as me.

And it still doesn't explain when the City Council decided that the Specific Plan for Vallco Shopping District would only evaluate 600,000 sqft of retail space and would be allowed to double the residential allocation to 800 units?

Regards,

Liang

From: Liang-Fang Chao [REDACTED]
Sent: Sunday, February 25, 2018 5:49 PM
To: David Brandt <Davidb@cupertino.org>; Aarti Shrivastava <AartiS@cupertino.org>; Catarina Kidd <CatarinaK@cupertino.org>; Piu Ghosh <PiuG@cupertino.org>
Cc: City Council <CityCouncil@cupertino.org>
Subject: "Vallco Shopping District" is the proper term used in the General Plan

Dear Vallco Project Managers,

For this community-driven specific plan process to be successful, transparency and trust are important.

Perhaps, it should start with NOT trying to steer the process towards one direction or another intentionally. Or at least do not give any perception that the city is attempting to do so.

This should start with recognizing the purpose specified in the General Plan: "**a destination for shopping, dining and entertainment in the Santa Clara Valley**".

"The City envisions a complete redevelopment of the existing Vallco Fashion Mall into a vibrant mixed-use "town center" that is a focal point for regional visitors and the community. This new Vallco Shopping District will become a **destination for shopping, dining and entertainment in the Santa Clara Valley**." (Cupertino's 2040 General Plan)

And the proper term for the planning area is "Vallco Shopping District", as it is used throughout the 2040 General Plan.

However, the Notice of Preparation is titled "Notice of Preparation of a Draft Environmental Impact Report

Vallco Special Area Specific Plan", while the term "Vallco Special Area" is not used anywhere in the General Plan. The General Plan also uses other terms like "North Vallco Park Special Area" and "South Vallco Park Special Area" to refer to other areas. So, "Vallco Special Area" is a confusing and inaccurate term.

For transparency, accuracy and trust, please use the proper term "Vallco Shopping District" or "Vallco Shopping District Special Area" in all communications in the future to avoid any confusion. We don't want to give people the impression that the city is somehow discouraging the shopping center use at Vallco Shopping District when the area is specifically marked "Regional Shopping" in the approved South Vallco Master Plan and marked P(CG) and P(Regional Shopping) in the Zoning Map.

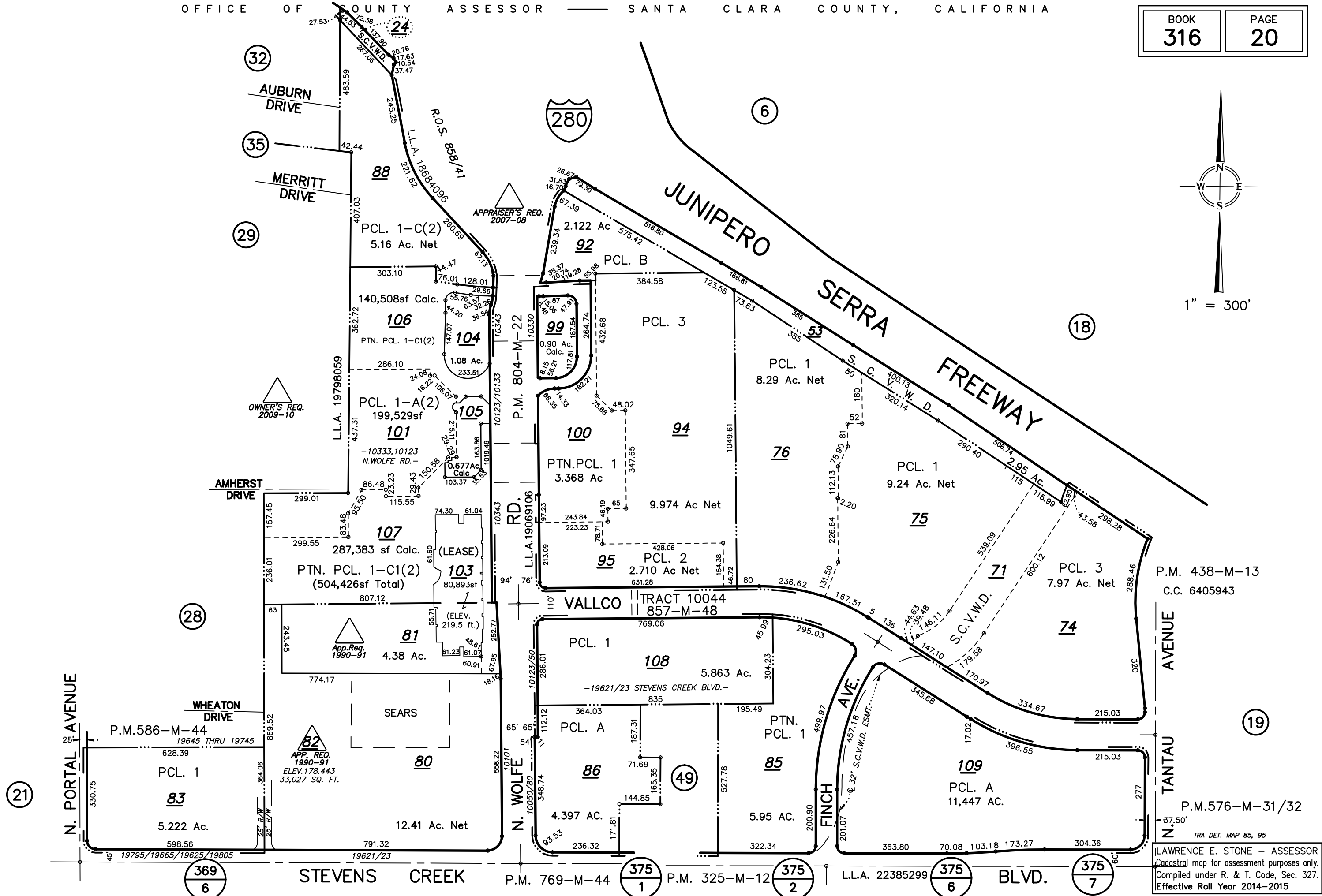
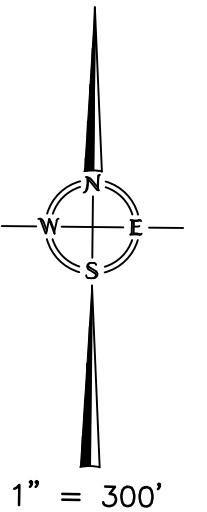
The proper term "Vallco Shopping District" is not used even once in the official city web site: <http://www.cupertino.org/our-city/departments/community-development/planning/major-projects/vallco>

The term "Vallco Special Area" is used in <http://envisionvallco.org> too. Unless the City amend the General Plan to specify where is "Vallco Special Area", please use the proper General Plan term.

Please let the community-drive process actually reflect the wishes of the community and NOT confuse the process with any misuse of terms that might give the wrong impression.

Sincerely,

Liang Chao



P.M. 438-M-13
C.C. 6405943

P.M. 576-M-31/32

LAWRENCE E. STONE — ASSESSOR
Cadastral map for assessment purposes only.
Compiled under R. & T. Code, Sec. 327.
Effective Roll Year 2014-2015

From: [City of Cupertino Planning Dept.](#)
To: [Catarina Kidd](#); [Piu Ghosh](#); [Aarti Shrivastava](#); [Benjamin Fu](#); "kweis@davidjpowers.com"
Subject: FW: No More Free Giveaway to Developer. Rezone Minimal Required to Residential Use. No Office Use. Please.
Date: Wednesday, March 07, 2018 8:31:12 AM
Attachments: [Vallco Plot Map316-20.pdf](#)

From the Planning Department's general mailbox:

From: Liang-Fang Chao [mailto:lfchao@gmail.com]
Sent: Tuesday, March 06, 2018 3:01 PM
To: City Council <CityCouncil@cupertino.org>; City of Cupertino Planning Dept. <planning@cupertino.org>; David Brandt <Davidb@cupertino.org>
Subject: No More Free Giveaway to Developer. Rezone Minimal Required to Residential Use. No Office Use. Please.

Dear City Council, Planning Commissioners, Vallco Planners and City Manager,

The City Council set a deadline for the provisional allocation at Vallco Shopping District area of May 31, 2018 because the city planners told the City Council that they have until that date to make the final decision. It seems the City Council will miss the deadline. I was also told by a city planner that the deadline to rezone Vallco, according to HCD, is in fact earlier than May 31, perhaps May 4. In that case, shouldn't the deadline to make a decision on Vallco Shopping District be moved up to early May? If no plan is approved, the provisional residential allocation and office allocation should be removed. That was the promise made by the City Council in December 2014 that the provisional allocation will expire. Any intention to keep that promise at all?

Even if the City Council wishes to extend the deadline for the provisional allocation at Vallco Shopping District, **the Council should not give MORE FREE GIVEAWAY to Sand Hill by rezoning the entire Vallco Shopping District site to allow THOUSANDS of HOUSING UNITS BEFORE the approval of Vallco Shopping District Specific Plan.** The FREE GIVEAWAY of 2 million square feet of office space without sufficient public input already caused us so much headache over the past three years, while the developer gave no promise of any community benefits at all. **NO MORE FREE GIVEAWAYS, please.**

When the description of a special area includes a certain land use, it does not require that the entire special area needs to be rezoned to include that land use designation. It is perfectly legal and common for parcels in a special area to have different land use designations. For example, the Vallco Shopping District site has two different zoning designations: P(CG) and P(Regional Shopping). Therefore, it is perfectly legal and common to rezone **ONLY ONE** parcel to P(CG,R) to allow residential use. **JUST ONE.**

The provisional residential allocation for Vallco Shopping District is 389 units. The Council ONLY needs to rezone enough parcels in the area to allow 389 units. NO MORE.

With 35 units per acre, the Council only needs to rezone 11,11 acres to include residential designations. **NO MORE.**

In light of the 2017 pro-housing laws, it is essential that the Council sets clear and objective standards when rezoning parcels to include residential use.

There is no need to rezone the entire 58 acres of Vallco Shopping District to include

residential use. Such grand-scale rezoning will cause confusion and community distrust and it is not consistent with the residential allocation of 389 units in the approved General Plan.

Vallco Shopping District contains about 13 parcels. See the attached map. Some are as small as 2 or 3 acres. The largest appears to be 12.4 acres. **There is no need at all to rezone ALL parcels in the Vallco Shopping District to include residential use. Only 11.11 acres is necessary to fulfill HCD's requirement.**

Furthermore, there is not need to rezone ANY site to include office use at all before May 2018. It is quite common for the zoning map to not completely agree with the General Plan as the land use map reflects the General Plan. Zoning Map could be updated later when the Vallco Specific Plan is actually approved with office use.

Note that the current P(CG) Zoning in some part of Vallco Shopping District does allow small business offices or small clinics or afterschools. There is no need to rezone any parcel in Vallco Shopping District at this time, especially since no one mentioned office use at the Vallco kickoff meeting at all.

In neither the NOP for Vallco EIR nor the presentation of the EIR Scoping Meeting, no where was the likelihood of allowing 35 units/acre on all 58 acres mentioned at all. No where was the likely impact of state legislatures were specified at all. The presentation in EIR Scoping Meeting only mentioned one option with 2/3 residential and 1/2 non-residential. A reasonable person would understand that to mean 389 units or at most 800 units, as stated in NOP by transferring 411 units, could occupy 2/3 footage of the entire project. The other 1/3 would be commercial, such as 1.2 million square feet of retail space.

To build trust and transparency, I urge you to keep your promise to the citizens. **No more unnecessary free giveaways without any public inputs. Please rezone at most 11.11 acres for residential use and 0 acre for office use. No more.**

Thank you.

Sincerely,

Liang Chao
Cupertino Resident

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From: [City of Cupertino Planning Dept.](#)
To: [Piu Ghosh](#); [Catarina Kidd](#); "kweis@davidjpowers.com"
Subject: FW: 2/3 Residential = 389 Units or 800 Units
Date: Monday, March 12, 2018 9:46:03 AM
Attachments: [Vallco Plot Map316-20.pdf](#)

From the Planning Department's general mailbox:

From: Liang-Fang Chao [mailto:lfchao@gmail.com]
Sent: Sunday, March 11, 2018 11:56 PM
To: City of Cupertino Planning Dept. <planning@cupertino.org>
Subject: 2/3 Residential = 389 Units or 800 Units

RE: Vallco Shopping District Specific Plan (NOT Vallco Special Area, which doesn't exist in the General Plan)

One of the options listed by the EIR consultant is "2/3 residential and 1/3 non-residential". No units are specified. Any reasonable person would assume that the 2/3 residential refers to either 389 units allocated in the 2040 General Plan or the 800 units as described as a possibility, pending Council approval, in the NOP.

The Zoning Map as of today shows Vallco Shopping District is zoned P(CG) and P(Regional Shopping).

No residential zoning on any parcel. Anyone who wants to justify 35 units per acre for the entire 58-acre site is on shaky ground since the Council had never shown any intention to rezone the entire Vallco Shopping District site with residential use and the Council has never taken any action to do so.

As pointed out in the enclosed email to the City Council, the Council should only rezone a parcel of the size 11.11 acre to accommodate 389 units per acre. In case the Council takes any action to transfer units from the rest of Cupertino to Vallco to make up 800 units, the Council should rezone more parcels to accommodate 411 more units then. Not BEFORE.

Of course, since the residential units could be transferred to other parcels, the 389 units could be transferred to a large site, say 20 acres, but the residential density should be lowered to 20 units/acre to match the allocation. In light of SB 35, which would ignore max unit allocation, the Council should set a tighter objective in the Zoning so that there is no ambiguity as to the residential density at Vallco Shopping District.

I am sure that the EIR consultants and consultants for Vallco Shopping District Specific Plan would carefully interpret the General Plan and respect the Zoning Map so that they don't inadvertently exceed the standards set by Cupertino City Council, 389 units specifically. It is best to avoid the perception that the consultants somehow relaxed the standards set by the City Council to please the developer or any outside advocates.

Thank you.

Liang Chao
Cupertino Resident

----- Forwarded message -----

From: **Liang-Fang Chao** <[REDACTED]>

Date: Tue, Mar 6, 2018 at 3:01 PM

Subject: No More Free Giveaway to Developer. Rezone Minimal Required to Residential Use. No Office Use. Please.

To: City Council <citycouncil@cupertino.org>, "City of Cupertino Planning Dept." <planning@cupertino.org>, David Brandt <davidb@cupertino.org>

Dear City Council, Planning Commissioners, Vallco Planners and City Manager,

The City Council set a deadline for the provisional allocation at Vallco Shopping District area of May 31, 2018 because the city planners told the City Council that they have until that date to make the final decision. It seems the City Council will miss the deadline. I was also told by a city planner that the deadline to rezone Vallco, according to HCD, is in fact earlier than May 31, perhaps May 4. In that case, shouldn't the deadline to make a decision on Vallco Shopping District be moved up to early May? If no plan is approved, the provisional residential allocation and office allocation should be removed. That was the promise made by the City Council in December 2014 that the provisional allocation will expire. Any intention to keep that promise at all?

Even if the City Council wishes to extend the deadline for the provisional allocation at Vallco Shopping District, **the Council should not give MORE FREE GIVEAWAY to Sand Hill by rezoning the entire Vallco Shopping District site to allow THOUSANDS of HOUSING UNITS BEFORE the approval of Vallco Shopping District Specific Plan.** The FREE GIVEAWAY of 2 million square feet of office space without sufficient public input already caused us so much headache over the past three years, while the developer gave no promise of any community benefits at all. NO MORE FREE GIVEAWAYS, please.

When the description of a special area includes a certain land use, it does not require that the entire special area needs to be rezoned to include that land use designation. It is perfectly legal and common for parcels in a special area to have different land use designations. For example, the Vallco Shopping District site has two different zoning designations: P(CG) and P(Regional Shopping). Therefore, it is perfectly legal and common to rezone ONLY ONE parcel to P(CG,R) to allow residential use. JUST ONE.

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With 35 units per acre, the Council only needs to rezone 11,11 acres to include residential designations. NO MORE.

In light of the 2017 pro-housing laws, it is essential that the Council sets clear and objective standards when rezoning parcels to include residential use.

There is no need to rezone the entire 58 acres of Vallco Shopping District to include residential use. Such grand-scale rezoning will cause confusion and community distrust and it is not consistent with the residential allocation of 389 units in the approved General Plan.

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as 2 or 3 acres. The largest appears to be 12.4 acres. **There is no need at all to rezone ALL parcels in the Vallco Shopping District to include residential use. Only 11.11 acres is necessary to fulfill HCD's requirement.**

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Note that the current P(CG) Zoning in some part of Vallco Shopping District does allow small business offices or small clinics or afterschools. There is no need to rezone any parcel in Vallco Shopping District at this time, especially since no one mentioned office use at the Vallco kickoff meeting at all.

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To build trust and transparency, I urge you to keep your promise to the citizens. **No more unnecessary free giveaways without any public inputs. Please rezone at most 11.11 acres for residential use and 0 acre for office use. No more.**

Thank you.

Sincerely,

Liang Chao
Cupertino Resident

Total Control Panel

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To: planning@cupertino.org [Remove](#) this sender from my allow list

From: [REDACTED]

You received this message because the sender is on your allow list.

Liang-Fang Chao Sent via email – Monday 3/12/2018 1:33 p.m.

RE: Vallco Shopping District Specific Plan (NOT Vallco Special Area, which doesn't exist in the General Plan)

Dear Vallco Planners,

Traffic generated does not all come from commute trips.

http://traveltrends.transportation.org/Documents/B2_CIA_Role%20Overall%20Travel_web_2.pdf

The above report is based on data from 2009, but people's needs to take trips for their daily needs do not change much.

It shows that commuting contribute to less than 20% of all trips traveled, which means buses which provide "frequent" services only during rush hours do not serve the need for the other 80% trips needed by residents in TOD with only bus services. When there is no bus or any other alternative, people drive.

When there is not enough parking space, they park on neighborhood streets. This can be seen in any metropolitan area. Taking away people's parking spaces won't reduce their needs to travel by car when no other reliable and efficient option available.

The other purposes that take up about 20% of all trips are 20% for work-related trips (but not commute, so not during commute hours), 20% for personal errands, 20% for social/recreation and the other 20% for other purposes.

The EIR should take into account the other 80% trips taken by people.

Housing near jobs have not been proven to reduce traffic. If the EIR or any traffic management system want to make such a claim, please provide actual case study from a city with similar transit services and similar demographics.

In fact, recent reports from LA have shown that housing near transit in fact reduce transit ridership because of ineffective transit services there.

<https://www.blogger.com/blogger.g?blogID=5878723825331240843#editor/target=post;postID=2680687971258481715;onPublishedMenu=allposts;onClosedMenu=allposts;postNum=5;src=postname>

" Passengers on Metropolitan Transportation Authority buses and trains took 397.5 million trips in 2017, **a decline of 15% over five years. Metro's workhorse**

bus system, which carries about three-quarters of the system's passengers, has seen a **drop of nearly 21%**. "

Less 10% people live within walking distance to work. Even if they move closer to work initially, they change job or the company change location to expand and their spouse work too. If any claim is made about housing closer to jobs will reduce commute trips, please back it up with data to show the realistic reduction over time.

LA Times reporters did some investigation and found that many people living in transit-rich development still drive to work.

"Near the rails but on the road"

<http://articles.latimes.com/print/2007/jun/30/local/me-transit30>

- In Los Angeles alone, billions of public and private dollars have been lavished on transit-oriented projects such as Hollywood & Vine, with **more than 20,000 residential units approved within a quarter mile of transit stations between 2001 and 2005**.
- But there is little research to back up the rosy predictions. Among the few academic studies of the subject, one that looked at buildings in the Los Angeles area showed that **transit-based development successfully weaned relatively few residents from their cars**. It also found that, **over time, no more people in the buildings studied were taking transit 10 years after a project opened than when it was first built**.

Since 80% of all trips are not used for commuting, your traffic analysis should take those into account too. Besides 20% trips for commuting, there are 20% for work-related trips (but not commute, so not during commute hours), 20% for personal errands, 20% for social/recreation and the other 20% for other purposes.

If Vallco Shopping District is developed into an area with substantial retail components, it will fulfill the trips taken by Cupertino area residents for personal errands for shopping, social and recreation. Not only it will generate more sales tax for the City of Cupertino, it will also reduce the trips taken to go to other shopping malls, such as Great Mall, Stanford Mall, Westridge Mall or Valley Fair.

For each residential unit, there are at most one trip per person going out and one trip coming back in the morning. Even if the residential unit is closer to work, it will only reduce the length of two trips per person daily. However, a substantial retail components with vibrant shops and entertainment or gathering space will get visited by

thousands of customers or visitors daily. When the retail component is closeby, thousands of trips will be shortened because Vallco will serve these local residents who otherwise have to travel 10 or 20 miles away to get their shopping, retail, entertainment needs met.

Please consider the trip reduction as a result of a substantial retail component at Vallco.

The Retail Strategy Report done for 2014 GPA has a Leakage analysis which showed that a lot of retail dollars went to other cities. These dollars also come with trips to other cities that could be saved or reduced if we have a vibrant shopping mall in Cupertino. (The city has moved the location of the Retail Strategy Report from 2014, so I don't have a current link. Please get a copy from the city to help you analyze the trips that might be reduced from local retail locations.)

Regards,

Liang Chao
Cupertino Resident

Liang-Fang Chao Sent via email – Monday 3/12/2018 1:33 p.m.

RE: Vallco Shopping District Specific Plan (NOT Vallco Special Area, which doesn't exist in the General Plan)

Dear Vallco Planners,

Traffic generated does not all come from commute trips.

http://traveltrends.transportation.org/Documents/B2_CIA_Role%20Overall%20Travel_web_2.pdf

The above report is based on data from 2009, but people's needs to take trips for their daily needs do not change much.

It shows that commuting contribute to less than 20% of all trips traveled, which means buses which provide "frequent" services only during rush hours do not serve the need for the other 80% trips needed by residents in TOD with only bus services. When there is no bus or any other alternative, people drive.

When there is not enough parking space, they park on neighborhood streets. This can be seen in any metropolitan area. Taking away people's parking spaces won't reduce their needs to travel by car when no other reliable and efficient option available.

The other purposes that take up about 20% of all trips are 20% for work-related trips (but not commute, so not during commute hours), 20% for personal errands, 20% for social/recreation and the other 20% for other purposes.

The EIR should take into account the other 80% trips taken by people.

Housing near jobs have not been proven to reduce traffic. If the EIR or any traffic management system want to make such a claim, please provide actual case study from a city with similar transit services and similar demographics.

In fact, recent reports from LA have shown that housing near transit in fact reduce transit ridership because of ineffective transit services there.

<https://www.blogger.com/blogger.g?blogID=5878723825331240843#editor/target=post;postID=2680687971258481715;onPublishedMenu=allposts;onClosedMenu=allposts;postNum=5;src=postname>

" Passengers on Metropolitan Transportation Authority buses and trains took 397.5 million trips in 2017, **a decline of 15% over five years. Metro's workhorse**

bus system, which carries about three-quarters of the system's passengers, has seen a **drop of nearly 21%**. "

Less 10% people live within walking distance to work. Even if they move closer to work initially, they change job or the company change location to expand and their spouse work too. If any claim is made about housing closer to jobs will reduce commute trips, please back it up with data to show the realistic reduction over time.

LA Times reporters did some investigation and found that many people living in transit-rich development still drive to work.

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- In Los Angeles alone, billions of public and private dollars have been lavished on transit-oriented projects such as Hollywood & Vine, with **more than 20,000 residential units approved within a quarter mile of transit stations between 2001 and 2005**.
- But there is little research to back up the rosy predictions. Among the few academic studies of the subject, one that looked at buildings in the Los Angeles area showed that **transit-based development successfully weaned relatively few residents from their cars**. It also found that, **over time, no more people in the buildings studied were taking transit 10 years after a project opened than when it was first built**.

Since 80% of all trips are not used for commuting, your traffic analysis should take those into account too. Besides 20% trips for commuting, there are 20% for work-related trips (but not commute, so not during commute hours), 20% for personal errands, 20% for social/recreation and the other 20% for other purposes.

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Regards,

Liang Chao
Cupertino Resident

Liang-Fang Chao Sent via email – 3/12/2018 1:37 p.m.

RE: Vallco Shopping District Specific Plan (NOT Vallco Special Area, which doesn't exist in the General Plan)

Dear Vallco Planners and City Council members,

Please consider these facts as you evaluate the land use decisions at Vallco Shopping District.

FACT1: Plenty of Interested Developers. Nine Potential buyers were interested to purchase Vallco within weeks of being the market in 2012. Among them, three companies specialized in shopping malls: Federal Realty, Caruso Affiliated, DDR Corp. [[May 19, 2014, Silicon Valley Business Journal](#)] (Vallco was purchased through a different agent to get around the first agent contacted by the 8 other interested buyers. This is still the subject of an ongoing lawsuit since 2014.)

FACT2: Great Location. Vallco Shopping Center in Cupertino sits at the heart of the Silicon Valley, easily accessible by all South Bay cities. There is no large shopping center in Saratoga, Los Altos or Cupertino. The image below show that Vallco (in blue square) sits in an area without sufficient coverage of shopping centers.



Vallco is the blue square, between the two clusters of circles.

FACT3: Affluent, Stable and Growing Population. The area around Vallco Shopping Center is an affluent community. The population in Cupertino has been growing at a

faster pace than the Bay Area Average. Other neighboring cities, like San Jose, Santa Clara and Sunnyvale have plan to build thousands more housing units.

FACT5: Stable Occupancy. EC 9212 Report for Measure C states that the occupancy rate of Vallco Mall was 66% in Nov. 2014 when Sand Hill took over Vallco. Majority of the occupants have been in Vallco since 2009 or earlier with a steady customer and were reluctant to leave Vallco. (At least 80% of the 1.2 million square feet of the former Vallco was occupied with stable businesses and stable customer base in 2014. More in <http://bettercupertino.blogspot.com/2016...>)

- Most of the Vallco Mall was occupied by many long-term viable business with stable customer. The large ones: Ice Center, Bowlmor, Dynasty Restaurant, Alexander's Steakhouse, Victoria Secret, Magic with 2 shops, Tatami, TGI Friday's Restaurant, Benihana of Tokyo, Fresh Choice, New Things West with 2 shops, Famous Footwear. Smaller ones: Howard's Shoes, American Nail, Perfume Plus, Capezio, Toys Sports Cards, SportAction, Gymboree, General Nutrition Center (GNC), Alteration Express, Apollo & TZ, Grain D'or, Elite Menswear, Site for Sore Eyes, Maxi's Fine Jewelry, Cinnabon, Pretzel Maker.

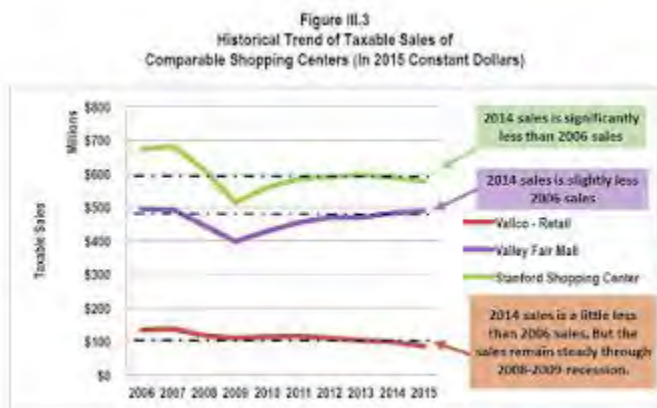


Figure III.3 (p.55) in EC 9212 Report for Measure C

- **Steady Sales.** Figure III.3 (p.55) in EC 9212 Report for Measure C shows that the sales at Vallco has remained relatively steady and kept up with inflation, despite of ignorance by the management without many promotional activities for years.

FACT6: NOT Operated by Professionals. Successful malls are operated by professional

shopping mall management companies, such as Simons, Westfield or Federal Realty. But Vallco has been owned by real estate developers who have no experience running successful shopping malls. (More in [Vallco Mall: the Abused and Neglected Poor Orphan with Great Potential](#))

- Moderate malls and their management firms: (ordered by sq. ft.)

- + Santana Row - 625,000 sq. ft. - Federal Realty
- + Westgate Mall - 637,000 sq. ft. - Federal Realty
- + Eastridge Mall - 1 million sq. ft. - General Growth Properties (GGP)
- + Oakridge Mall - 1.14 million sq. ft - Westfield
- + Vallco - 1.2 million sq. ft. ** a string of inexperienced owner or developer **
- + Stanford Shopping Center, 1.34 million - Simon Property
- + Great Mall (Milpitas), 1.36 million - Simon Property
- + Valley Fair - 1.5 million s.f. - Westfield

- Professional shopping center management firms:

- + Simon Property - more than 225 retail properties totaling approximately 189 million sq. ft.
- + General Growth Properties (GGP) - 120 U.S. locations, Total 125 million s.f.
- + Westfield - 38 shopping centres, 46 million square feet of retail space
- + Federal Realty - Federal Realty's 90 properties include over 2,600 tenants, in approximately 21 million square feet.
- + Sand Hill - real estate developer who builds mostly office buildings and some small scale shopping centers. No shopping center is operated by Sand Hill as a long-term holding.

FACT7: Bay Area shopping malls have about 2% vacancies in 2015 and 2016. The highest occupancy levels are in the South Bay. Both enclosed malls and the other types of shopping centers are doing well.

- "The highest occupancy levels are in the South Bay. The South Bay also has more disposable income than other areas." [Mercury News, May 13, 2016]
- "Because of the Bay Area's "exceptionally strong economic performance in recent years," both enclosed malls and the other types of shopping centers are doing well, said Garrick Brown, the vice president of research for DTZ." [San Francisco Business Times, Feb. 23, 2015]

FACT8: All three anchor stores are performing well at Vallco. Macy's earning is better than the Macy's in Sunnyvale. Valley Fair Macy's--in a large mall with better regional location--is doing better than the Vallco Macy's. The earnings of Vallco JCPenny is among the best in California. Sears is also profitable. All three anchor stores did not have any plan to close the store in Vallco, when interviewed for the [Retail Strategy Report](#) (March 6, 2014, prepared by the retail consultant for the GPA).

- More in [The Three Anchor Stores Were Not Doing Well? Or Were They Pushed Out?](#)
- Long-time tenants were pushed out: [Vallo Shop Owners Speak Up - 2015-11-03 CC Meeting](#)

FACT9: Vallco sales remained steady throughout 2008-2009 recession. The 2014 sales is only slightly less than that of 2006 sales, after adjusted for inflation. On the other hand, the sales of Stanford Shopping Center has seen a big decline during 2008-2009 recession and even the 2014 sales is still significantly lower than the 2006 sales. Refer to Figure III.3 (p.55) in EC 9212 Report for Measure C above.

REFERENCE:

- "Cupertino's ghost mall, Vallco, may be best hope for a real downtown — despite vexing lawsuit", May 19, 2014, Silicon Valley Business Journal (<http://www.bizjournals.com/sanjose/news/2014/05/19/cupertino-s-ghost-mall-vallco-may-be-best-hope-for.html>)
- [EC 9212 Report of Measure C](#) from March 31, 2016 City Council meeting.
- "Bay Area shopping malls enjoy low vacancy rates," May 13, 2016, Mercury News (<http://www.mercurynews.com/2016/05/13/bay-area-shopping-malls-enjoy-low-vacancy-rates/>)
- Why these are boom times for some Bay Area malls, Feb. 23, 2015, San Francisco Business Times (<http://www.bizjournals.com/sanfrancisco/blog/2015/02/bay-area-malls-shopping-center-occupancy-2014.html>)
- Vallco Myth Busters, Jan. 25, 2015: <http://www.bettercupertino.org/vallco-myth-busters>
- [Retail Strategy Report](#) (March 6, 2014, prepared by the retail consultant for the GPA).

[Retail Strategy Report](#) (March 6, 2014, prepared by the retail consultant for the GPA).

Reference: Stakeholder Interviews and Discussion, Page 54 of the Retail Strategy Report.

“It was confirmed that the Vallco store does better than Macy’s at Sunnyvale Town Center, but much lower sales than Valley Fair. While no plans to do so were expressed, if choosing a store to close between Vallco and Sunnyvale, Sunnyvale would be the more obvious choice. ... Since the store makes money, the tendency is not to consider closure.”

“...[Sears] intend to maintain control over their real estate, they do not want any planning process to result in a redevelopment plan they do not like, There was little interest expressed in either relocation or a store closure.”

“While the surrounding mall environment is severely packing, the store performs well. JCPenny has reinvested in the Vallco store over the past two years including the addition of a home department and other shops in the store. ... They would be concerned about the size of a retail component as part of such a project, like many retailers wanting to be part of a critical mass large enough to be a designation attraction for customers. ... they would like to continue operating in the market and at Vallco”

Cupertino’s ghost mall, Vallco, may be best hope for a real downtown — despite vexing lawsuit, May 19, 2014, Silicon Valley Business Journal

(<http://www.bizjournals.com/sanjose/news/2014/05/19/cupertino-s-ghost-mall-vallco-may-be-best-hope-for.html>)

Excerpts:

There was no shortage of interested parties. Within weeks, the brokers had signed confidentiality agreements with nine potential buyers to look into the property offering further. The list included Apple, which already had a sizable office presence in the neighborhood; Federal Realty, the national shopping-center landlord; the Sobrato Organization, the Cupertino-based developer and landlord; Barry Swenson Builder, a longtime San Jose-based developer; and Caruso Affiliated, the high-profile Los Angeles lifestyle center developer headed by billionaire Rick Caruso.

Also signing agreements: Irvine Company, the huge privately held landlord; DDR Corp., a large operator of retail power centers; Bristol Group Inc., a San Francisco-based investment firm that specializes in distressed assets; Grosvenor, the Britain-based investor/developer; and Redwood City-based Sand Hill Property Co., headed by Pau.

"According to court records, companies that looked at buying the mall included Cupertino-based Apple Inc., national mall operators such as Federal Realty Investment Trust (owner of San Jose's Santana Row) and major real estate developers including

Caruso Affiliated (owner of the successful The Grove and Americana at Brand projects in the Los Angeles area). None of the potential buyers appear to have actually gone into contract on the property, and it's unclear just how interested they were."

Liang-Fang Chao Sent via email – Monday 3/12/2018 1:51 p.m.

Dear Vallco Planner and City Council members,

The City Council for years has promised to revitalize Vallco Shopping Mall, which every one understood it to mean return Vallco Shopping Mall to its glory so that the entire 1.2 million square feet of space is occupied by vibrant and up-to-date tenants that serve the retail needs of Cupertino area residents.

The City has never communicated to the residents the desire to REDUCE the size of the shopping mall into half the size at 600,000 sqft of retail space. (If I missed any communication from the city to this effect, please point me to any such communication.)

So, before any decision is made to reduce the retail space below 1.2 million sqft, please justify the decision based on real data collected about Cupertino area, not some sad story about a mall in the midwest where the population is declining.

The population of Cupertino is projected to increase by 1.5% annually, which amounts to an increase of 30% by 2040. That was before the slew of pro-housing bills to force rapid production of housing as a result of irresponsible rapid production of office growth in some other cities, such as San Francisco. So, the population of Cupertino is likely to increase by 50% by 2040. Should we reduce the size of our only shopping mall in half at this time?

What's the consequences on the environment since residents in Cupertino and near Cupertino will have to drive to other malls, such as Great Mall, Westridge, Stanford or Livermore to shop. A shopping destination closer to Cupertino in fact help reduce trips generated from shopping, entertainment and community gathering.

Besides at least 80% of the 1.2 million sqft of the former Vallco Shopping Mall was occupied by viable shops. Please see the analysis in the enclosed blog for more details.

<http://bettercupertino.blogspot.com/2016/04/truth-80-of-retail-space-in-vallco-was.html>

Developer Sand Hill desperately wants people to believe that Vallco is a ghost mall. However, the occupancy rate of Vallco is about 66% in Nov. 2014 even after years of neglect. The sales income of Vallco has remained steady even through 2008 recession. Vallco was not as “dead” as some people want us to believe. Let's take a look at the total square footage that's in operation in November 2014 before Sand Hill took over Vallco.

You will be surprised to find out that **at least 80% of the 1.2 million square feet of the former Vallco was occupied** with stable businesses and stable customer base. A total

of 994,377 square feet of space were occupied by active businesses in November 2014. More surprising, the retail space provided in Sand Hill's Vallco office park initiative, disguised as a revitalization plan for Vallco, is **only 63% of the occupied part of Vallco. Cupertino citizens will in fact lose 369,377 square feet of retail space previously occupied by stable businesses** who were a part of the community for 20-30 years. The "ghost" Vallco Mall has 1.59 times MORE occupied retail space than Sand Hill's Vallco.

From a 2008 appraisal report of Vallco, we found the square footage of various parts as follows:

- 508,740 sq. ft. - Interior part owned by Son Son, not including AMC
- 80,500 sq. ft. - American Multi-Cinema (AMC)
- 176,962 sq. ft. - Macy's
- 202,360 sq. ft. - JC Penney Company
- 280,185 sq. ft. - Sears, including Bay Club.

Total square footage is 508,740 sq. ft. + AMC + Macy's + JCP + Sears = 1,247,000 sq. ft.

From a Silicon Valley Business Journal report, Sand Hill admitted that the interior part of Vallco is about 50% tenanted, which refers to the number of tenants. In reality, many larger spaces in Vallco are tenanted with very stable businesses, such as

- Ice Center
- Bowlmor
- Dynasty Restaurant
- Alexander's Steakhouse
- Victoria Secret
- Magic with 2 shops
- Tatami
- TGI Friday's Restaurant
- Benihana of Tokyo
- Fresh Choice
- New Things West with 2 shops
- Famous Footwear

There are also many businesses with smaller shops that have been at Vallco for many years:

- Howard's Shoes
- American Nail
- Perfume Plus
- Capezio
- Toys Sports Cards

- SportAction
- Gymboree
- General Nutrition Center (GNC)
- Alteration Express
- Apollo & TZ
- Grain D'or
- Elite Menswear
- Site for Sore Eyes
- Maxi's Fine Jewelry
- Cinnabon
- Preztel Maker

Therefore, we would estimate that at least 50% of the square footage of the interior part of 254,370 sq. ft. was tenanted in Nov. 2014. The total occupied part in Nov. 2014 was 50% tenanted of interior part (254,370 sq. ft.) + AMC + Macy's + JCP + Sears = 994,377 sq. ft. = 80% of total square footage.
(994,377 / 1,247,000 sq. ft. = 79.7%)

How "empty" was Vallco? Only 20% empty. A total of 994,377 square feet of space was occupied by stable businesses in November 2014.

EC 9212 Report for Cupertino Citizens' Sensible Growth Initiative states that the occupancy rate of Vallco was 66% in Nov. 2014 when Sand Hill took over Vallco. Such occupancy rate counts the number of stores occupied, not the amount of square footage occupied. In Vallco, almost all of the larger spaces are occupied. Therefore, it is no surprise that at least 80% of the square footage of Vallco was occupied in Nov. 2014.

Sand Hill's Vallco office park project only offers 625,000 square feet of retail space, which is only 63% of the occupied part of Vallco in November 2014 (994,377 square feet). (625,000 s.f. / 994,377 = 62.8%)

Is Sand Hill's Vallco office park a project to revitalize a shopping mall at all, as their fliers told the citizens?

And take a look at all the businesses that we have lost in the "ghost" Vallco Mall.

From: Liang-Fang Chao [REDACTED]
Sent: Monday, March 12, 2018 1:16 AM
To: City of Cupertino Planning Dept. <planning@cupertino.org>
Subject: Fwd: Erroneous or Misleading Information Presented in Vallco Scoping Session and in the NOP

RE: Vallco Shopping District Specific Plan (NOT Vallco Special Area, which doesn't exist in the General Plan)

----- Forwarded message -----

From: Liang-Fang Chao <[REDACTED]>
Date: Mon, Mar 12, 2018 at 1:14 AM
Subject: Erroneous or Misleading Information Presented in Vallco Scoping Session and in the NOP
To: City Attorney's Office <CityAttorney@cupertino.org>
Cc: City Council <citycouncil@cupertino.org>
Dear City Attorney,

The erroneous information, intentional or not, in the EIR Scoping session for Vallco Shopping District Specific Plan has led to incorrect interpretation in an article in CupertinoToday.com claiming that Vallco calls for “up to 600,000 square feet of retail”. I am afraid that many Cupertino residents and even the Vallco consultants are misled by such confusion.

<https://cupertinotoday.com/2018/03/01/vallco-2640-homes-5-million-sq-ft-development/>

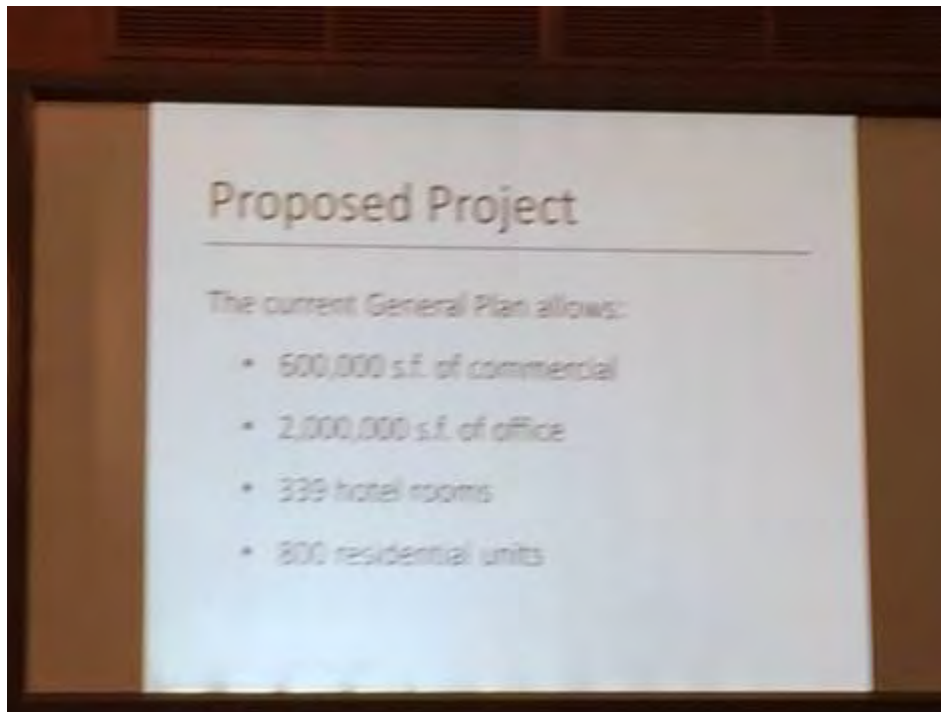
“While the City is studying the original General Plan-compliant “Hills at Vallco” application from 2015 – a project that calls for **up to a 600,000 square feet of retail**, 2,000,000 square feet of office space, 800 housing units and 339 hotel rooms – last week’s meeting also saw the introduction of various project alternatives to be studied as well in the EIR, as is required by law.”

This is because the Notice of Preparation and the slide from the EIR scoping session both mistakenly listed the **minimum allowed amount for retail**, 600,000 square feet, while the **maximum allowed amounts are used for the other land uses**: 2,000,000 square feet of office and 800 housing units (allowable only if the council approved their request to wipe out residential allocation from all other areas to put in Vallco).

The residents and public agencies won't be able to provide complete comments due to such erroneous information so that the option of 1,200,000 sqft of retail space is NOT evaluated except in the No Change option. This is troublesome.

Please evaluate the following options:

1,200,000 sqft retail space + 800 units of housing + 338 hotels + 0 office space (except small business office under CG zoning)



Mistake 1: The current General Plan did not only allow 600,00 sf of commercial, but a minimum of 600,000 sf and a maximum of 1,200,000 sf.

(In fact, there was no public notice or engagement when the amount of retail space at Vallco Shopping Mall was reduced from 1,200,000 sf to 600,000 sf back in 2014. It was sort of slipped into a giant General Plan Amendment advertised as Housing Element updates and some cleanup items.)

Mistake 2: The current General Plan does not allow 800 residential units. The 9212 report argues that 800 unit is possible ONLY if the Council allows the transfer of units from other areas. But such transfer has not been requested nor approved.)

Would such mistake render the Notice of Preparation for Vallco EIR insufficient, since the NOP did not accurately describe the land use allocations to be studied?

The NOP also, intentional or not, did not use the proper name for the area to be studied: Vallco Shopping District, to distinguish from the North Vallco Park and South Vallco Park area. The term "Vallco Special Area" was never used in the General Plan at all. However, "Vallco Special Area" is used in the title of the NOP and throughout the document, except one place.

This coupled with the fact that the maximum allowable amount of 1,200,000 sqft retail space was mistakenly listed as 600,000 sqft (intentional or not) gives the impression that the City, without any approval from the City Council, is trying to push for a smaller retail space, against the wishes of many residents.

The NOP also neglected to mention that

"Buildout totals for Office and Residential allocation within the Vallco Shopping District are contingent upon a Specific Plan being adopted for this area by May 31, 2018. If a Specific Plan is

not adopted by that date, City will consider the removal of the Office and Residential allocations for Vallco Shopping District."

"Due to the magnitude of the project, the City

has established a contingency plan to meet the RHNA if a Specific Plan is not approved within three years of Housing Element adoption. This contingency plan (called Scenario B and discussed further in General Plan Appendix B), would involve the City removing Vallco Shopping District,..."

Sincerely,

Liang Chao
Cupertino Resident

Liang-Fang Chao Sent via email – Monday 3/12/2018 2:04 p.m.

RE: Vallco Shopping District Specific Plan (NOT Vallco Special Area, which doesn't exist in the General Plan)

The impact for civic services should be based on real data, not personal communications that cannot be verified or quantified, such as done for the EIR for 2014 GPA.

Specifically, the emergency response time for ambulance and fire station should be quantified.

How the response time has changed in the past 4 years as the traffic is getting worse?

How the response time will become with increased residential or working population?

What's the response time of other cities with denser population for comparison?

What's their investment in police forces per capita? Would we get reduced police services as the population increases?

(I have heard of comments that San Jose police department doesn't have resources to come to schools to give students safety instructions as in Cupertino schools because San Jose police has to deal with a lot more incidents due to their population density.)

The 2005 General Plan used to have noise level data. Please use quantitative analysis for noise and pollution.

Please refer to the enclosed email for more details.

Thank you.

----- Forwarded message -----

From: **Liang C** [REDACTED] >

Date: Sun, Nov 15, 2015 at 9:22 AM

Subject: Comment on Vallco EIR - impact on civic services should be based on real data

To: "City of Cupertino Planning Dept." <planning@cupertino.org>

RE: Comment for Vallco EIR

Please study the impacts on civic services, such as library, police, fire station, medical emergency services based on real data.

Please study the impact on medical services, emergency and otherwise. The non-resident population would increase the demand for medical services since medical offices are open mostly only during working hours.

Even though the city doesn't provide any service for ambulances, the response time of an ambulance often means life or death even by just one second. Please study the response time of emergency vehicles to various points in Cupertino since traffic congestion could delay an emergency vehicle to reach a residence on the other side of the town.

Please study not only facility and personnel needs, but also the impact on level of service. Especially, the response time for medical, police, fire emergencies. And the response time during peak hours in average and also worse case scenarios. Any delay in response time could mean life or death for both the resident and non-resident population. Please study the realistic impact supported by real data.

Please please study the impacts of non-resident population on these civic services since the employees do spend more than 8 hours a way in Cupertino and they need the parks and recreation services, police, fire and medical services as any other resident.

Please include cumulative impact, including ongoing projects like Apple Campus 2 and Main Street, and also proposed projects, like Marina, Hamptons, Oaks.

Please provide real data and statistics to support your claim or conclusion, instead of any undocumented personal communication, as it has been done for the EIR of GPA. If any personal communication is documented through email, it should be provided in the appendix for reference.

e.g. Personal communications between Ricky Caperton (PlaceWorks) and Derek Wolfgram, Deputy County Librarian for Community Libraries, April 4, 2014.)

e.g. Personal communication between Ricky Caperton (PlaceWorks) and Cheryl Roth of the Santa Clara County Fire Department on April 24, 2014.

e.g. Personal communications between Ricky Caperton (PlaceWorks) and Captain Ken Binder, Division Commander, West Valley Patrol, April 11, 2014

Please do not make assumption that employees generated do not add any impact without providing sufficient data to back it up, such as the following:

e.g. EIR of GPA states: "Although the proposed Project would result in an increase in employees throughout Cupertino as well, only residents within Santa Clara County can

apply for a library card; therefore, the following analysis considers expected population increases, and not employment generation as a result of implementation of the proposed Project."

Most of the employees in Cupertino are probably Santa Clara County residents also. If the EIR would claim that most residents are NOT Santa Clara County residents, statistics should be given to support that claim. In fact, even non-resident of Santa Clara County can hold a library card, according to an official from Santa Clara County Library:

"All public libraries in Santa Clara County allow free reciprocal borrowing regardless of address. Currently 45,312 non-resident have a library card from our system. This is 18% of our total library cards.

In the EIR for GPA, the impact level for fire station and police are also derived without any data. With 30% increase in residence population and 50% increase in non-residence employee population, the EIR concludes that there will be no additional staffing needs for fire station or police. But the conclusions were only based on "personal communication" with no document and no data to support it.

For example, based on personal communications, the EIR concludes that there is no need to expansion for police for 30% increase in residence population and 50% increase in non-residence employee population.

e.g. "However, the West Valley Patrol Division has confirmed that future development under the General Plan would not result in the need for expansion or addition of facilities." (Personal communications between Ricky Caperton (PlaceWorks) and Captain Ken Binder, Division Commander, West Valley Patrol, April 11, 2014.)

If there is no need to expand, a written letter should be provided so that whoever makes the statement would be responsible for the claim. And attempt should be made to estimate the realistic impact of population increase and to explain using data why there will be no significant impact.

Thank you.
Liang Chao

From: Liang-Fang Chao [REDACTED]
Sent: Monday, March 12, 2018 2:25 AM
To: City of Cupertino Planning Dept. <planning@cupertino.org>; Daniel Parolek <[REDACTED]>
Subject: Fwd: Online shopping in Taiwan/China

RE: Vallco Shopping District Specific Plan (NOT Vallco Special Area, which doesn't exist in the General Plan)

Planning Commissioner Don Sun mentioned his experience in China for online shopping as an answer to imply that we won't need more retail space. The email below is what I shared with Don.

Even in US, online retail accounts to only 8% of overall retail sale. Online retailers are seeking physical stores to complement their online offerings. More retailers with physical stores are using a combination of online and offline sale strategies to improve overall sales.

The overall retail is growing strong. Some high profile department stores may be struggling because they didn't adapt well to the digital age with a better integration with online sales. At the same time, many more smaller retailers opened. The employment in retail remain strong, which means the demand for employees in retail remain strong.

It's easy to follow the narrative of others as long as they repeat it long enough. As consultants, I trust you use real numbers from real examples, instead of imaginary ones, in your analysis.

Thank you.

Liang Chao
Cupertino Resident

----- Forwarded message -----

From: Liang-Fang Chao [REDACTED] >
Date: Sun, Mar 11, 2018 at 4:54 PM
Subject: Online shopping in Taiwan/China
To: Don Sun [REDACTED] >

Thank you for attending the forum. Really appreciate your willingness to communicate regardless of our views.

One thing bugs me though ...

Regarding the shopping experience in China or Taiwan, I'm confused. Are you suggesting that retail is dying in Taiwan and China due to online shopping? I'm curious if you have any data on that?

In US, the retail sales has increased, but it only totals about 8% of overall retail sale.

I agree that footprint of retail space for individual stores might be smaller. But more variety of retail stores are also popping up, just like in Asian.

Online shopping is extremely easy in Taiwan. My sisters order heavy items like a bag of rice or other nonperishables online. Not only deliveries are free. They even come to your door to pick up returned items for free. It's an online shopping heaven.

Yet, if we go out the door, the streets around our condo are full of people shopping, eating, etc.

It's a kind of street with about 30 feet setback from the curb and then another 30 feet under the semis floor. The streets that's 60 feet wide are so full of people at night that I had to find a path closer to the traffic in order to walk fast to reach the subway station.

Some subway stations have a large underground area of shops lining from one subway station to the next, to the next, in addition to shops above the ground.

Some are next to several multiple-story department stores.

My experience of the landscape of shopping options in Taiwan/China is quite different from what you described.

From: Liang-Fang Chao [REDACTED]

Sent: Monday, March 12, 2018 1:52 AM

To: City of Cupertino Planning Dept. <planning@cupertino.org>; City Council <CityCouncil@cupertino.org>

Subject: Job-housing balance, job growth and demands on housing

RE: Vallco Shopping District Specific Plan (NOT Vallco Special Area, which doesn't exist in the General Plan)

This area has a housing shortage and very low unemployment rate.

Therefore, every 1000 jobs created will be filled by 1000 workers recruited from out of this area. These 1000 workers will displace 1000 local residents at the lower income level since the 1000 workers will drive up demands and housing prices.

As a result, Cupertino might be mandated by the state to build 1000 below-market-rate (BMR) housing for these 1000 displaced workers.

Therefore, the economic impact of an office building housing 1000 workers should include not only tax revenue generated, but also the social impact of displacing 1000 local residents and the financial impact on the city for funding & building 1000 BMR housing units. Please calculate the actual cost of creating BMR housing for one low-income local resident for each office job created, likely occupied by someone recruited from out of this area.

With the 2017 pro-housing laws which significantly increased the power of the state to hold the city accountable to meet the RHNA allocation. The RHNA allocation was already considered more aggressive; yet, SB 828 is likely to double the RHNA allocation. More office space will result in higher RHNA allocation. The possibility that projects will be streamlined become higher, even with only 10% affordable housing.

When projects got streamlined, it won't pay the sufficient amount of impact fees and the impact on overloaded infrastructure won't be evaluated. However, the fees will still come from the general city fund or additional tax from tax payers. Someone has to pay for the infrastructure expansion as projects get streamlined. Thus, the economic impact on the city would be greater.

Therefore, the EIR should evaluate the impacts on infrastructure and services, such as water, sewage, police, emergency response, library, community center, teen center, senior center, when large amounts of development projects get streamlined, resulting in an explosion of population.

Please also use realistic "office space per employee" numbers, not the out-dated 300 square feet per employee. Most newer office buildings use open floor design without cubicles. An office brochure for the Main Street site showed that the space per employee is 181 sf. Please do not under-estimate the number of office workers by using out-dated numbers.

Silicon Valley area already absorbed the majority of the tech talents from the entire U.S. Adding more jobs here would take away more tech talents from else where and deprive the other areas of a chance for better prosperity. Creating more jobs here, where the economy is already ultra strong, is simply selfish. Creating more jobs here, while the housing shortage is severe and gentrification is severe, is simply irresponsible.

Sincerely,

Liang Chao
Cupertino Resident

Liang-Fang Chao Sent via email Monday 3/12/2018 3:19 p.m.

As you estimate the trips generated for shopping, please also distinguish the trip patterns between retail in mixed use projects with token retail space and the trip patterns to a major shopping area with a critical mass of a variety of shopping, restaurants, and entertainment experiences.

For example, people tend to spend more time for a trip to a shopping mall with substantial components, you shop, dine, watch a movie, everyone in the family purchase something or browse something by visiting multiple stores.

Yet, if these shops are scattered in token retail in mixed use, a family would have to make multiple trips to individual stores in multiple locations. Thus, more trips will be generated.

If the family goes to a shopping mall 10 miles away or 20 miles away, more miles traveled.

When there is not a sufficient concentration of retail shops, families often have to make multiple trips to find the proper apparel for their family members or gifts for friends and relatives.

So, a larger shopping mall with substantial retail component to provide vibrant and worthwhile experience saves multiple trips traveled. Much better for the environment and reduce greenhouse gas emission. Especially in this area where there is literally no transit as an option.

Commuter trips can be serviced by corporate buses or car pools due to the regularity of such trips. However, family errands, trips to visit customers, trips for social and entertainment purposes are usually more individualized and cannot be serviced by commuter buses or car pools.

Therefore, for better environment, we need to place a substantial component with retail, dining, entertainment, fitness and community gathering at Vallco Shopping District to be at least 1.2 million square feet to serve the growing population of Cupertino, Sunnyvale, west San Jose, and Santa Clara areas. The reduction in miles traveled for such substantial components comes from not only the reduced distance, but also combined trips since one trip can serve multiple purposes.

Please take this into consideration in your EIR analysis.

Liang Chao
Cupertino Resident

From: Liang-Fang Chao [REDACTED]
Sent: Monday, March 12, 2018 12:08 AM
To: City of Cupertino Planning Dept. <planning@cupertino.org>
Subject: Comments from 2015 EIR Scoping

RE: Vallco Shopping District Specific Plan (NOT Vallco Special Area, which doesn't exist in the General Plan)

Since the NOP and the proposed project from Fall 2015 are literally the same as the ones sent out this time, I am enclosing the comments submitted in 2015 for the same proposed project so that the impacts specified there are evaluated.

From: "Liang-Fang Chao" [REDACTED] >>
To: "Piu Ghosh" <PiuG@cupertino.org<mailto:PiuG@cupertino.org>>
Cc: "Peggy Griffin" <griffin@compuserve.com<mailto:griffin@compuserve.com>>
Subject: Alternatives to evaluate in Vallco EIR

Dear Piu,

One of the slides in the EIR Scoping Session mentions three Alternative the EIR "may include". See the photo below.

I have some questions on them,

Who will decide which alternatives will be studied in the EIR. When will such decision be made?
How would the public know what exactly are the alternatives studied by the EIR?

The second option in the slide is "General Plan Buildout with Maximum Residential Density (2/3 residential, 1/3 non-residential use).

What exactly is that option? What's "General Plan Buildout with Maximum Residential Density"?

The third option in the slide is "Retail and Residential (no office)". How much retail space or residential units will be included in this option?

It seems none of the alternatives would include 2 million sqft office space, which seems reasonable since it makes no sense to waste time to evaluate an option that won't be acceptable by most. Please confirm if that's the case.

Thanks much.

Liang

[Inline image 1]

From: [Lauren Sapudar](#)
To: [Beth Ebben](#); [Piu Ghosh](#); [Catarina Kidd](#)
Subject: FW: Job-Housing Balance in Cupertino is Better Than Santa Clara County Average and Most Surrounding Cities
Date: Thursday, February 15, 2018 9:09:28 AM

From: Liang-Fang Chao [REDACTED]
Sent: Thursday, February 15, 2018 9:02 AM
To: City Council <CityCouncil@cupertino.org>
Subject: Fwd: Job-Housing Balance in Cupertino is Better Than Santa Clara County Average and Most Surrounding Cities

Dear Mayor Paul and City Council Members,

This blog article draws data from the LAFCO Cities Services Report, based on 2014 census data. It shows that the job-housing balance is much better than Santa Clara County and most of surrounding cities.

I hope the City can prepare a similar report to set the record straight since some recent media articles referencing Apple Park and Cupertino appear to be ignorant such differences in job-housing ratios.

I would like to thank you for listening to the community in December 2014 so that the proposed 3.5 million square feet increase in office space was postponed. However, you have approved 2 million square feet for Vallco at the time, pending the approval of Vallco Specific Plan by May 2018. Since then, no one in their right mind ever supported such massive allocation of office space.

Sand Hill already got 260,000 square feet of office space at Main Street plus 35,000 square feet as incubator space. Way more than 100,000 sqft in the initial approval. They should be satisfied with what they have now.

No group in the Feb. 5 kickoff meeting mentioned office. It's time to remove the massive office allocation now so that the expectation is clear in the Vallco Specific Plan process. The city council should be in control in the negotiation table, not the developer.

Cupertino has been a good citizen in the County by maintaining a good job-housing balance. Let's maintain our good record. Remove the 2 million sqft office allocation from Vallco Specific Plan now.

Regards,

Liang

----- Forwarded message -----

From: Liang-Fang Chao <[REDACTED]>
Date: Thu, Feb 15, 2018 at 2:45 AM
Subject: Job-Housing Balance in Cupertino is Better Than Santa Clara County Average and Most Surrounding Cities

Finally finished the article to support Darcy's statement.

Job-Housing Balance in Cupertino is Better Than Santa Clara County Average and Most Surrounding Cities

<http://bettercupertino.blogspot.com/2018/02/job-housing-balance-in-cupertino-is.html>

The root cause of the housing crisis is that there have been excessive job growth, while the housing growth has not been able to keep pace with the rate of job growth. This imbalance is especially significant at some cities where there are 2 or 3 jobs for each employed resident.

Cupertino has maintained pretty good balance between jobs and housing, more balanced than Santa Clara County average.

The job-housing ratio in Cupertino is in fact pretty balanced according to this LAFCO Cities Services report derived from 2014 census data (http://www.santaclara.lafco.ca.gov/file/ServiceReviews/CitiesSR2015/2CSRR_ExecSumm.pdf). The LAFCO Cities Services is a "state-mandated comprehensive studies of services within a designated geographic area."

In Santa Clara County as a whole, the job-to-employed resident ratio is 1.18. For every employed resident, there is 1.18 jobs. The ratio of Cupertino is 1.08, below the County average.

Here are the job-to-employed resident ratios for Cupertino and surrounding cities, in ascending order. The ratio in Cupertino is much better than other surrounding cities.

Sunnyvale: 1.07

Cupertino 1.08

Santa Clara County Overall: 1.18

Campbell 1.35

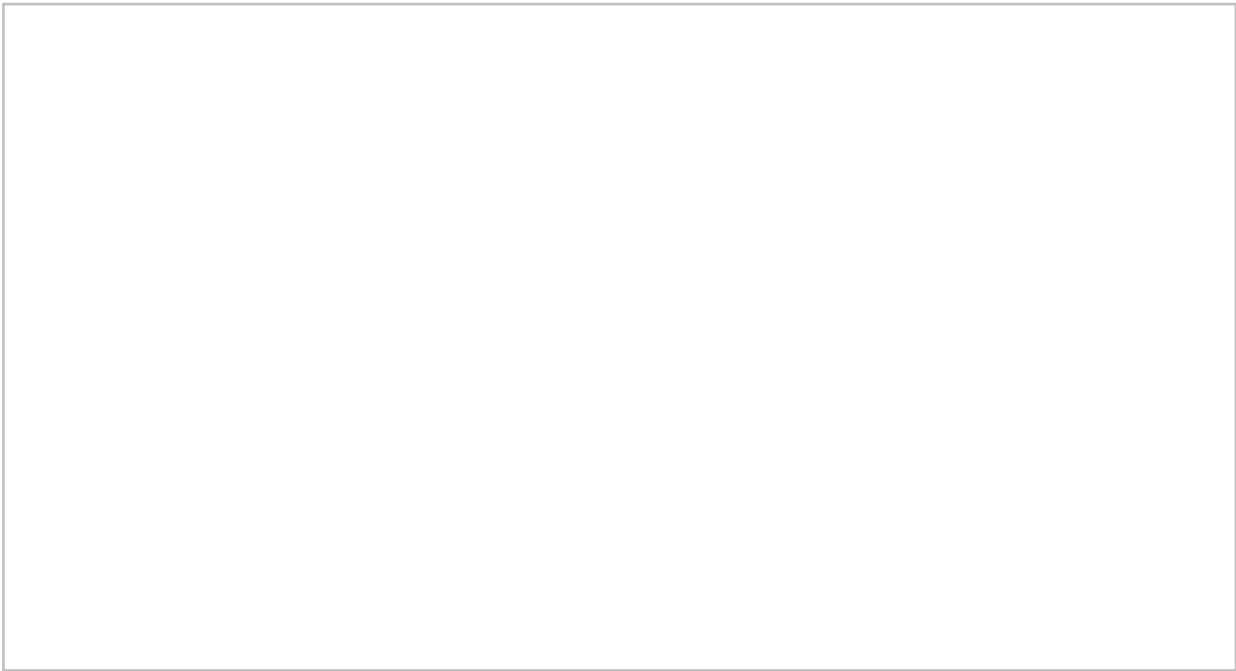
Milpitas 1.50

Mountain View: 1.79

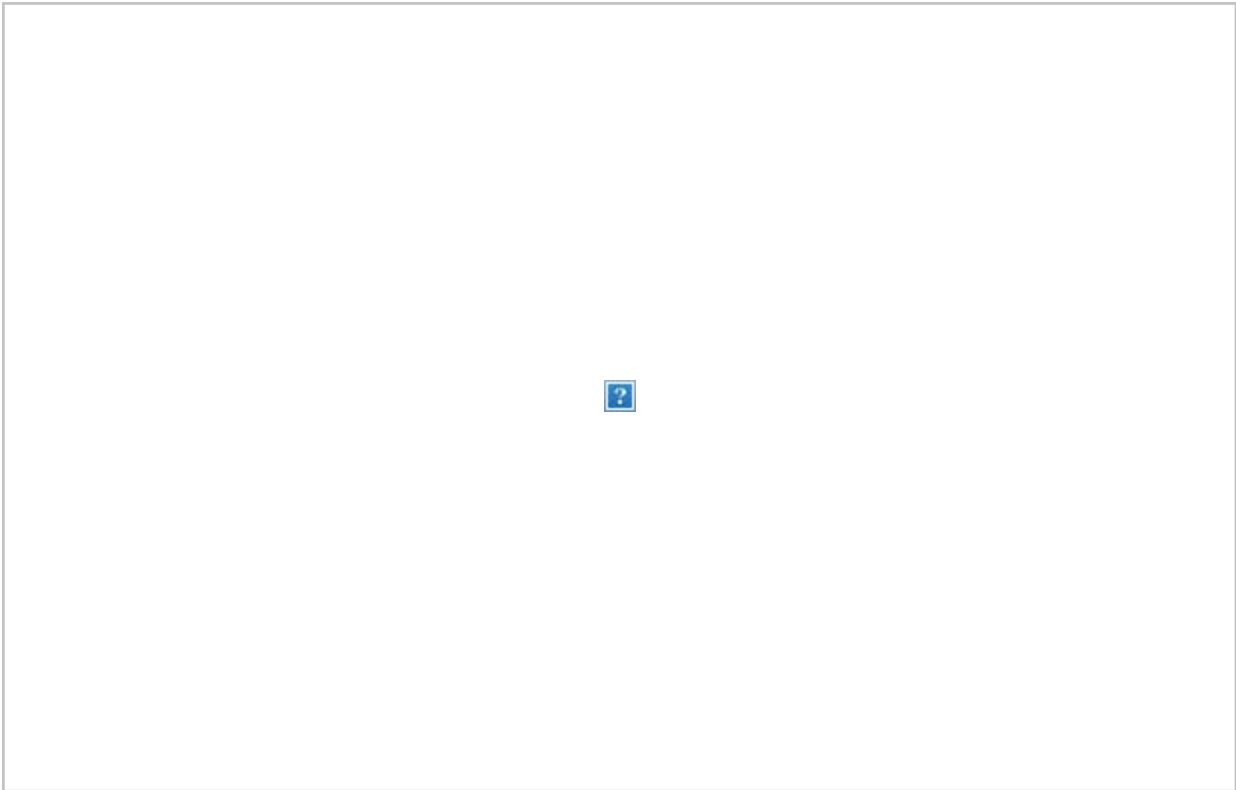
Los Gato 1.83

Santa Clara: 2.08

Palo Alto: 3.02



"The jobs/employed-residents ratio measures the balance between where people work and where people live. A balance closer to parity (i.e., 1.0) suggests there is sufficient housing in the community relative to the number of people who work in the community. This does not necessarily mean that the people who live in a city work there, but aggregated for several cities, the jobs/employed-resident ratio begins to paint a picture of where imbalances exist. It shows which communities "export" workers to other places (a ratio below 1.0) and which communities must import workers from other places (more than 1.0)." (From LAFCO Cities Services report)



Another data set provided by the LAFCO report is the job-to-housing ratio. There are 27,950 jobs in Cupertino and 20,494 housing units. The job-housing ratio is 1.36. There are 1.36 jobs per housing unit. It is pretty balanced since the ABAG guideline is 1.5 jobs per housing unit. The job-housing ratio of the entire Santa Clara County is 1.63. So, the job-house ratio of Cupertino is much more balanced then Santa Clara County average.

Here are job-to-housing ratio for Cupertino and surrounding cities, in asending order. The ratio in Cupertino is much better than other surrounding cities.

Cupertino 1.36

Sunnyvale: 1.43

Santa Clara County Overall: 1.63

Campbell 1.77

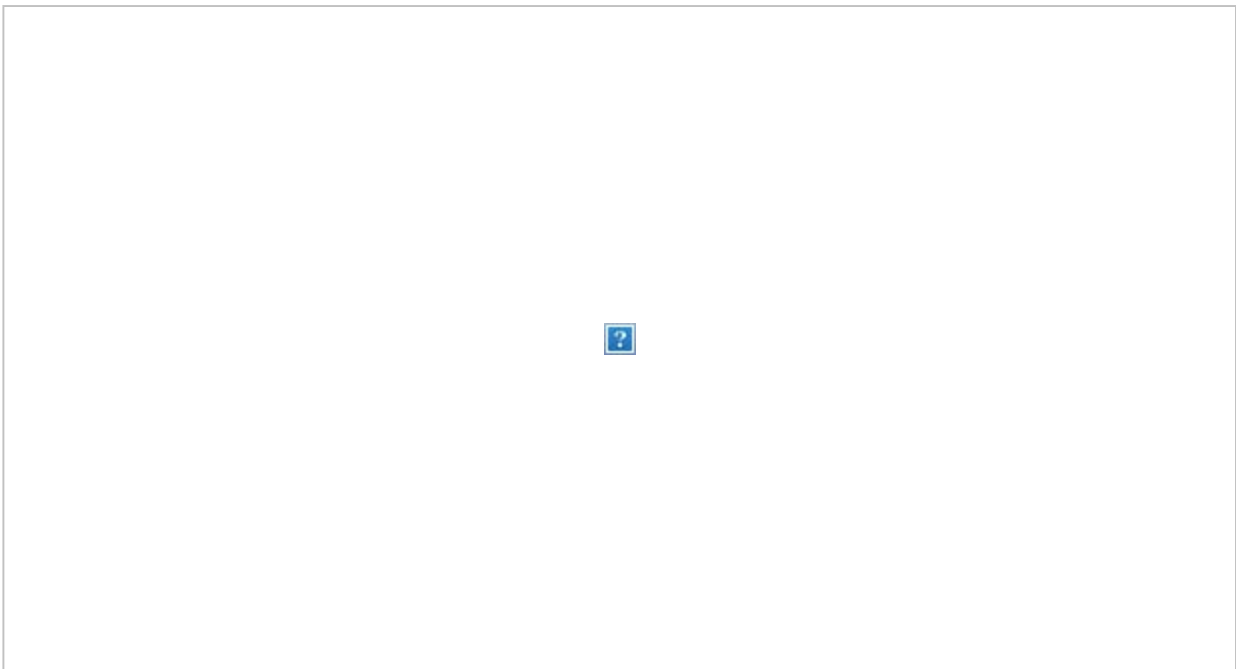
Los Gatos 1.91

Milpitas 2,35

Mountain View: 2.37

Santa Clara: 2.73

Palo Alto: 3.49



"A similar measure is the ratio of jobs to housing available within a community. Used for years as a key urban planning tool, the jobs/housing balance measures the jobs available based on the number of homes in a community." (LAFCO Report)
ABAG considers 1.5 jobs/housing unit as a balanced ratio.



Cupertino has maintained a good job-housing balance in the past. Apple Park is built on a previous HP site with only 750,000 extra square feet of office space. Not millions of square feet of brand new office space as seen in other cities, like Mountain View or Santa Clara, With Apple Park, it is projected to "add" 2500 jobs (from the 750,000 extra sf added).

Cupertino's General Plan has included 4421 new housing units to be built by 2040. The General Plan includes residential zoning for both sides of Stevens Creek and the west side of De Anza. These 4421 units are expected to be spread out among different sites in the City and built over 25 years. Each 8-year of Housing Element cycle could build 1000-1500 units.

As Mayor Darcy Paul pointed out in his State of the City Address, there is no "dire need" in Cupertino to build thousands of units. Cupertino has a pretty good job-housing balance today. Although Apple Park will add some more jobs, Cupertino has plans to build more over time in order to maintain the balance.

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March 12, 2018

VIA MAIL AND E-MAIL

City of Cupertino, Community Development Department
Attention: Piu Ghosh, Principal Planner
10300 Torre Avenue
Cupertino, CA 95014
piug@cupertino.org

RE: City of San José's Comment Letter relating to the Notice of Preparation for the Vallco Special Area Specific Plan (File EA-2017-05).

Dear Piu Ghosh,

On behalf of the City of San José (City), we would like to express our appreciation for the opportunity to review and comment on the Notice of Preparation (NOP) for the Vallco Special Area Specific Plan. The City's comments are outlined below.

PROJECT UNDERSTANDING

The City understands the project to be a Specific Plan for future redevelopment of the Vallco site, which would facilitate the development of up to 600,000 square feet of commercial uses, 2.0 million square feet of office uses, 339 hotel rooms, and 800 residential units, all consistent with the City of Cupertino's adopted General Plan. The proposed project includes the transfer of residential allocation from other Planning Areas in Cupertino to accommodate the increase in residential allocation for the Vallco Shopping District from 389 to 800 residential units.

CITY NOTICE OF PREPARATION COMMENTS

The City supports infill development on an underused site in close proximity to major employment centers, residential neighborhoods, and retail. The concept is similar to the Envision San José 2040 General Plan strategy for Urban Villages to accommodate future growth while preserving existing single-family neighborhoods and minimizing greenfield development. The City is encouraged that the proposal could add housing at the Vallco site, which will help reduce regional vehicle-miles traveled (VMT) by increasing opportunities for area employees to live in Cupertino and walk or bike to their jobs, schools, and entertainment.

However, the City of San José is concerned that the proposed increase in residential dwelling units is not sufficient to offset the environmental effects of 2.0 million square feet of office uses. If completed, this amount of office space will amplify market pressure for more housing in the

Notice of Preparation for the Vallco Special Area Specific Plan

City of San José

March 12, 2018

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region, particularly in San José. The result would be increased peak hour traffic on Interstate 280 (I-280) and State Route 85 (SR-85), and would also likely result in increased traffic on Stevens Creek Boulevard and other surface streets. The market pressure for more housing in San José will also further erode San José's jobs-to-employed resident ratio, leading to the potential for continued fiscal challenges that could reduce City services to San José residents. Because many employees who work in Cupertino live in San José, any reduction in City of San José services will affect these residents' quality of life and could result in challenges for regional employers, including Cupertino employers, to attract and retain employees. These concerns and how they can be addressed in the EIR are more fully described in the comments below.

1. Project Description

The Specific Plan proposes to increase housing capacity on the site from the 389 residential dwelling units anticipated in the Community Vision 2015 – 2040 General Plan to 800 dwelling units. The additional 411 dwelling units will be transferred from other Planning Areas in order to maintain the overall housing capacity provided in Cupertino's General Plan. The project description should identify the specific Planning Areas from which the additional 411 dwelling units will be transferred.

2. Traffic and Circulation

Traffic Operations within the City of San José

On February 27, 2018 the City of San José adopted City Council Policy 5-1: Transportation Analysis Policy. This Policy changes the City of San José standard for determining traffic impacts under CEQA from Level of Service (LOS) to Vehicle Miles Traveled (VMT) and is scheduled to become effective on March 29, 2018. At this time, the City requests that the traffic report for the Vallco project include an LOS analysis and intersection operations analysis for City of San José intersections near the project, including affected intersections along Stevens Creek Boulevard, Wolfe Road/Miller Road, Blaney Avenue, De Anza Boulevard, Moorpark Avenue, and any other intersection based on the Congestion Management Program guidelines for intersection selection.

The City also requests the traffic consultant use a Travel Demand Model to determine trip distribution on surface streets, including traffic diverted to surface streets during the peak hours due to congestion on I-280 and SR-85.

Cumulative Traffic Analysis

The following proposed projects are located within the City of San José and are either located within two miles of the Vallco site or are large projects. We request these projects be included in the cumulative traffic analysis:

- 4300 Stevens Creek Boulevard Mixed Use Project (Fortbay): Proposal for up to 300,000 sq. ft. of office, 22,000 sq. ft. of retail, and 582 residential dwelling units
- Hotel at 5696 Stevens Creek Blvd (AC Hotel): Proposal for a hotel with up to 132 hotel rooms

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- North San José Phase II
- San José Downtown Strategy 2040

Background Traffic Analysis

The following projects in the City of San José are either approved and unbuilt or are currently under construction. We request these projects also be included in the background traffic analysis:

- Santana Row Expansion/Santana West
- Volar
- North San José Phase I
- Downtown Strategy 2000 Phase I
- Valley Fair Mall Expansion

Please contact the City of San José's Traffic Manager, Karen Mack for project information. Karen can be reached at karen.mack@sanjoseca.gov.

Pedestrian and Bicycle Improvements

Please include a description of pedestrian and bicycle infrastructure improvements to support the project. Connections to the new Apple Campus 2, Main Street Cupertino, transit lines (including potential future Bus Rapid Transit) along Stevens Creek Boulevard, and future development in the City of San José's Stevens Creek Urban Village west of the site will be crucial to giving people transportation alternatives to driving.

3. Biological Resources – Santa Clara Valley Habitat Conservation Plan

The project site is located outside of the Santa Clara Valley Habitat Conservation Plan (SCVHCP) area. However, the SCVHCP is the best regional biological science available, particularly for nitrogen deposition impacts to the Bay Checkerspot Butterfly. Cumulative impacts to the Bay Checkerspot Butterfly resulting from nitrogen deposition due to project-generated vehicle trips should be evaluated as part of the EIR. Even though Cupertino is not a part of the SCVHP, the EIR can use the SCVHP framework for analytical information, disclosure and mitigation for cumulative nitrogen deposition impacts to the Bay Checkerspot Butterfly resulting from project trips.

4. Alternatives

The Specific Plan proposes up to 2.0 million square feet of office uses and 600,000 square feet of commercial uses on site. This translates to approximately 8,700 employees (up to 6,700 for the office development and 2,000 for the commercial uses) based on an estimate of 300 square feet per employee. Given the trend toward open floor plans, future office development could accommodate significantly more employees. Adding these employees on the site will increase demand for housing beyond the maximum 800 dwelling units proposed by the Specific Plan, resulting in increased demand for housing in neighboring jurisdictions, including the City of San José. Construction of housing to meet this demand in San José will exacerbate San José's low

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jobs-to-employed resident ratio (contributing to existing fiscal imbalances), contribute to peak hour traffic congestion, and increase regional vehicle-miles traveled (thereby increasing regional criteria air pollutants and greenhouse gas emissions). San José strongly supports a more balanced Specific Plan that either reduces the size of the proposed office development or increases the number of housing units on the site to help ameliorate these effects.

The City requests the EIR consider the following project alternatives to provide additional housing on the site.

- a) A reduced office space alternative: Consider an alternative which reduces office space to one million square feet or less while retaining or increasing the proposed project's 800 dwelling units. Such an alternative should result in less demand for housing in neighboring jurisdiction, and could improve regional vehicle-miles traveled and traffic congestion on I-280 and SR-85 compared to the proposed project.
- b) A balanced housing and employment alternative: The City requests the EIR evaluate an alternative that balances the proposed increase in jobs on the site with a proportionate number of residential units. For example, if the Specific Plan continues to propose 2.0 million square feet of office, this alternative would include approximately 4,000 to 5,000 dwelling units. Such an alternative could require a General Plan Amendment to increase the overall housing supply in the City of Cupertino and depending on the size of the office development could require increases in density beyond those anticipated in Cupertino's Community Vision 2015 – 2040 General Plan.

CONCLUSION

We thank you for the opportunity to comment on the Vallco Special Area Specific Plan Notice of Preparation. The City of San José looks forward to continued collaboration, communication, and implementation of the project. If you should have any questions, please feel free to contact David Keyon, Supervising Environmental Planner at david.keyon@sanjoseca.gov or (408) 535-7898.

Sincerely,



Ned Thomas, Division Manager
Planning, Building and Code Enforcement
City of San José

CC: Department of Public Works

From: Swim5am (Connie Cunningham) [REDACTED]
Sent: Tuesday, March 06, 2018 3:31 PM
To: City of Cupertino Planning Dept. <planning@cupertino.org>
Subject: Comment: EIR Scoping Plan, Vallco Specific Plan Process

Dear City Planners:

I have read the article in the Cupertino Today, headlined, "Vallco could bring up to 2,640 homes and 5 million square feet of total development." ... "According to Cupertino Senior Planner Piu Ghosh, "the General Plan currently allows residential development at the site of up to 35 dwelling units per acre." According to City calculations revealed at the scoping session, the "General Plan build-out" (alternative 2) will have approximately 2,600 or 2,640 housing units. However, using the formulas that include the state density bonus, the City's ballpark estimate of residential will likely increase to upwards of 2,800 residential units."

As a proponent of Open Space in our City, I think it is important for you to clarify how much open space remains:

Calculate what acreage or square footage will be left for Open Space options after setting aside 5 million square feet of development. This calculation should be separate from the roads and parking that are necessary to support the 2,640 homes/ 5 million square feet of total development.

How do those numbers compare with the 58 acres available for the Vallco Specific Plan? It is hard to tell if the 5 million square feet is calculated by including several floors of housing/retail/etc. therefore, not increasing the actual footprint of the new development versus the existing one. I have seen the number 1,200,000 square feet used for the current Vallco Mall and assume that it includes all floors of the existing mall.

Thank you,
Connie L. Cunningham
Cupertino Resident.

RE: Comments for a Specific Plan for the Vallco Shopping District Site
 Notice of Preparation, Environmental Impact Report (EIR)
 File Number EA-2017-05

Dear City Council and City of Cupertino, Community Development Department:

Regarding the Notice of Preparation for the EIR for a specific plan for the Vallco Shopping District site, I am confused by the inclusion of 2.0 MILLION square feet office allocation and 800 dwelling units onsite in what appears to be a misrepresentation of the stated intent of RESOLUTIONS 14-211 and 14-212 and corresponding requirements published in the General Plan.

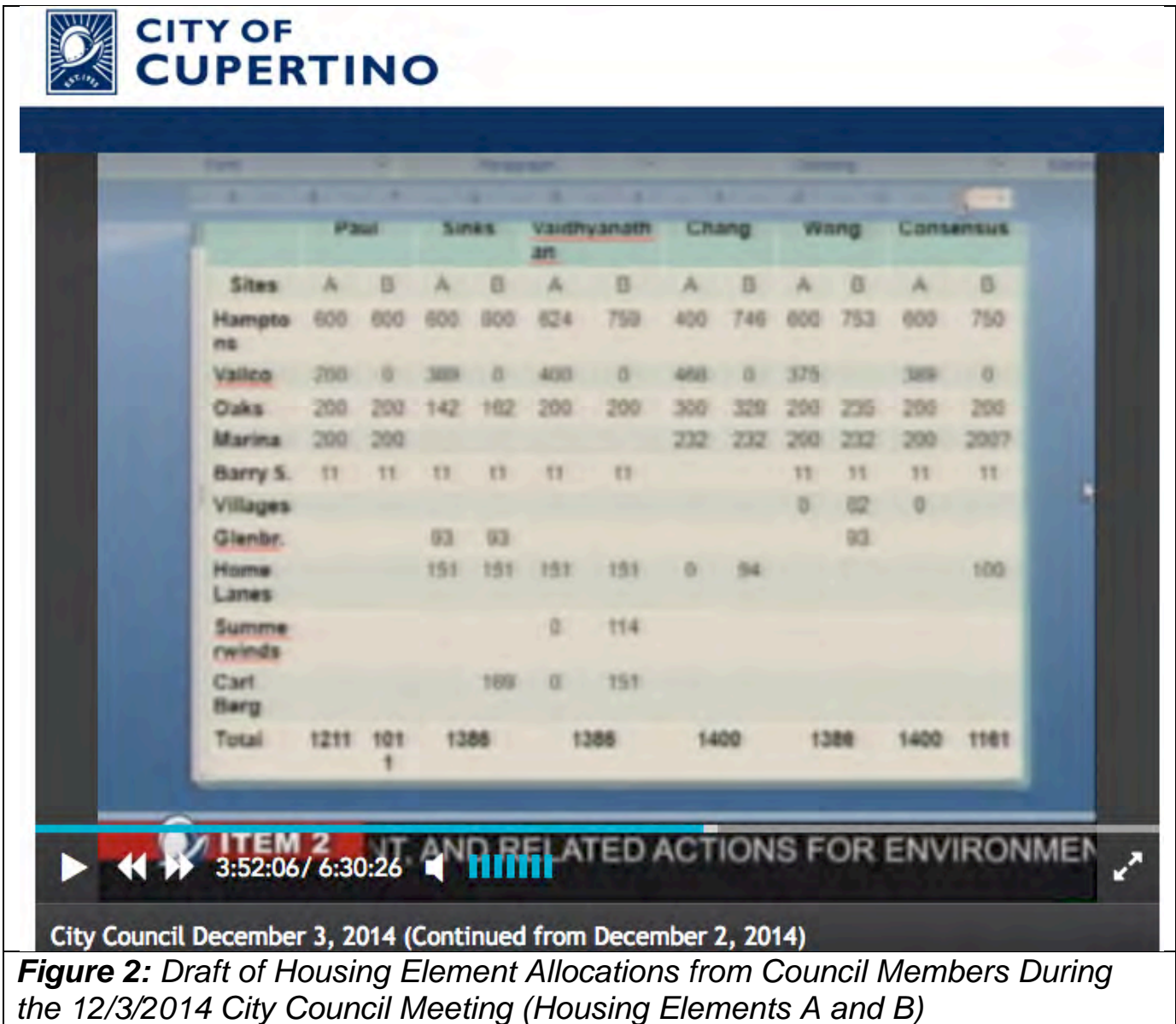
Table LU-1, approved in RESOLUTION 14-211, identifies that build out totals for the Vallco Shopping District site are contingent upon the adoption of a specific plan by May 31, 2018. Deliberation during the December 3-4, 2014 City Council meeting made clear the City Council’s intent to remove the office allocations from the General Plan in the event that a specific plan for the Vallco Shopping District site is not adopted by the May 31, 2018 date. (Refer to the video recording of the December 3-4, 2014 City Council meeting, time: 5:27:00 to 5:37.)

Table LU-1: Citywide Development Allocation Between 2014-2040												
	commercial (s.f.)			office (s.f.)			hotel (rooms)			residential (units)		
	current built (Oct 7,2014)	buildout	available	current built (Oct 7,2014)	buildout	available	current built (Oct 7,2014)	buildout	available	current built (Oct 7,2014)	buildout	available
Heart of the City	1,351,730	214,5000	793,270	2,447,500	2,464,613	17,113	404	526	122	1,336	1,805	469
Vallco Shopping District**	1,207,774	120,7774	-	-	2,000,000	2,000,000	148	339	191	-	389	389
Homestead	291,408	291,408	-	69,550	69,550	-	126	126	-	600	750	150
N. De Anza	56,708	56,708	-	2,081,021	2,081,021	-	126	126	-	49	146	97
N. Vallco	133,147	133,147	-	3,069,676	3,069,676	-	123	123	-	554	1154	600
S. De Anza	352,283	352,283	-	130,708	130,708	-	315	315	-	6	6	-
Bubb	-	-	-	444,753	444,753	-	-	-	-	-	-	-
Monta Vista Village	94,051	99,698	5,647	443,140	456,735	13,595	-	-	-	828	878	50
Other	144,964	144,964	-	119,896	119,896	-	-	-	-	18,039	18,166	127
Major Employers	-	-	-	109,935	633,053	523,118	-	-	-	-	-	-
Citywide	3,632,065	4,430,982	798,917	8,916,179	11,470,005	2,553,826	1116	1429	313	21,412	23,294	1,882

** Buildout totals for Office and Residential allocation within the Vallco Shopping District are contingent upon a Specific Plan being adopted for this area by May 31, 2018. If a Specific Plan is not adopted by that date, City will consider the removal of the Office and Residential allocations for Vallco Shopping District. See the Housing Element (Chapter 4) for additional information and requirements within the Vallco Shopping District.

Figure 1: Table LU-1: Citywide Development Allocation Between 2014-2040, Approved in RESOLUTION 14-211 and as Presented in the General Plan

On December 3-4, 2014 the City Council deliberated extensively to define Housing Element Scenarios A and B as demonstrated by this chart that was shared during the meeting. From the chart, we can see that none of the Council Members supported housing units in excess of 468 units at the Vallco Shopping District site and two Council Members supported housing unit numbers that are fewer than 389 units.



It is curious that RESOLUTION 14-212 identifies 389 housing units granted to the Vallco Shopping District site do exist should a specific plan for the Vallco Shopping District site be approved the City Council by May 31, 2018. And, in the

case that the specific plan is not approved by the City Council by May 31, 2018 the 389 housing units set aside for development at the Vallco Shopping District site would be divided and distributed to other housing element sites: Hamptons, Oaks, Glenbrooks, and Homestead Lanes.

NOW, THEREFORE, BE IT RESOLVED:

After careful consideration of the, maps, facts, exhibits, testimony and other evidence submitted in this matter, the City Council authorizes:

1. Submittal of the draft housing element and technical appendix to the State Department of Housing and Community Development for review (Application No. GPA-2013-01) as shown in Exhibit HE-1, with the amendments and necessary conforming changes related to the recommended Priority Housing Sites shown below:

Column A of the table is a list of the Priority Sites should a Specific Plan for the Vallco Shopping District be approved by the City Council by May 31, 2018 and column B of the table is a list of the Priority Sites in case a Specific Plan is not adopted by May 31, 2018.

Sites	Site Size	Realistic Capacity (units at 85% of maximum density)		Existing Density	Density @ 100%	
		A	B		A	B
Hamptons	12.4	600	750	25	85	99
Vallco	N/A	389	0	35	35	35
Oaks	7.9	200	235	25	30	35
Marina	6.86	200	200	25	35	35
Barry Swenson	0.55	11	11	25	25	25
Glenbrooks	31.3	0	58	20	20	20
Homestead Lanes	5.1	0	132	35	35	35
Total		1400	1386			

Minimum density for any residential development on these sites shall be at 20 du/acre.

2. Remove Exhibit HE-2

Figure 3: Excerpt from RESOLUTION 14-22, A Resolution of the City Council of the City of Cupertino Recommending that City Council Authorize Submittal of the Draft Housing Element to the State Department of Housing and Community Development (HCD) for Review and Use of the Prioritized List of Potential Housing Element Sites, if Needed

The May 31, 2018 deadline for the approval of a specific plan for the Vallco Shopping District site is approximately 10 weeks away. According to the timeline published on the Web site that supports the specific plan process, envisionvallco.org, the earliest the City Council would vote on a specific plan for the Vallco Shopping District site is Fall 2018. Without an approved specific plan on May 31, 2018, then would not the 389 housing units become entitlements at the four (4) other named Housing Element sites under Scenario B?

Under what authority is the property owner of the Vallco Shopping District site granted entitlements for office (2 MILLION square feet) and housing units (800 units) that are counter to direction the Council gave staff in RESOLUTIONS 14-211 and 14-212 and published in the General Plan (Table LU-1 Citywide Development Allocation Between 2014-2040)?

Under what authority is the property owner, in cooperation with City staff and contract consultants, preparing an EIR that includes entitlements for office and housing allocations that are not supported in the General Plan?

If there's no authority to grant entitlements (which are deeply unpopular with residents), then it appears the preparations for the EIR must be put on hold until the project scope can be reworked to align with the actual allocations that are afforded to the Vallco Shopping District site in the General Plan.

Sincerely,

Liana Crabtree
Cupertino resident

From: [City of Cupertino Planning Dept.](#)
To: [Catarina Kidd](#); [Piu Ghosh](#); [Kristy Weis](#)
Subject: FW: Vallco - Comments towards NOP
Date: Monday, March 12, 2018 5:05:54 PM

From the Planning Department's general mailbox:

From: Chris Jew [mailto:jew_chris@cusdk8.org]
Sent: Monday, March 12, 2018 4:08 PM
To: City of Cupertino Planning Dept. <planning@cupertino.org>
Cc: jew_chris@cusdk8.org
Subject: Vallco - Comments towards NOP

City of Cupertino, Community Development Department
Attn: Piu Ghosh, Principal Planner
10300 Torre Avenue
Cupertino, Ca. 95014

RE: Vallco – Comments for NOP

The Cupertino Union School District would like to provide the following comments related to the Vallco Development.

Although the school district is not opposed to the possible development of the site, the district has some concerns and questions regarding pedestrian safety. As there is bound to be increased vehicle traffic in the immediate location and also in the nearby areas, student safety is our number one priority. As the need for students to cross over major thoroughfares like Wolfe Road or Stevens Creek Blvd, the need for crossing guards becomes evident. The school district believes this to be a vital public safety component. Will the City fund and provide for as many crossing guards needed due to this development?

CUSD also has some concerns regarding the numbers of students that potentially could be generated from both the residential and the office spaces. The district feels that this growth in students enrollment may necessitate expansion or construction on its current facilities. The district desires to enter into mitigation agreements with the developer to further mitigate these impacts.

Open public spaces is the district's last concern. As the City of Cupertino is currently utilizing turf and play areas on most of CUSD's campuses, the Vallco Development will further impact the demand on these locations. Maintaining these fields is currently the responsibility of the City of Cupertino. CUSD desires the Vallco Development to provide a sufficient amount of playfield spaces to offset any additional demands placed upon the district and the City.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Chris Jew
Chief Business Officer
Cupertino Union School District
Office: (408) 252-3000 ext. 61424
Fax: (408) 749-1034

From: Danessa Techmanski [REDACTED]
Sent: Sunday, March 11, 2018 11:24 PM
To: City of Cupertino Planning Dept. <planning@cupertino.org>
Cc: City Clerk <CityClerk@cupertino.org>; City Attorney's Office <CityAttorney@cupertino.org>; City Council <CityCouncil@cupertino.org>
Subject: Comments For Vallco NOP

Dear Cupertino Planning Department,

I have several comments regarding the NOP for the Vallco Special Area Specific Plan, File Number EQ-2017-05

- 1) A detailed water supply study should be done to assess any associated environmental impacts for the life-time of the project with special attention given to likely future drought situations. Also, I do not believe that the Donald Sommer's Plant will be enough to supply the project as other developments tap into the purple pipe earlier up the road. If the green roof is built it is going to need its own water supply.
- 2) There is currently a 12" sanitary sewer line servicing Vallco. Will that be enough to handle such an increase in density to the site when combined with storm water and surrounding developments?
- 3) How will groundwater filtration be affected by all of the cement, building and paved areas at Vallco.
- 4) Environmental impacts from the Apple 2 Campus and the Steven's Creek Urban Village (approved) must also be taken into account (at full planned capacity).
- 5) Careful consideration should be taken in removing soil where the old Sears Automotive or any other potentially contaminated sites are located.
- 6) I was quite surprised to find a completely different description of the Vallco Plan in alternative number two at the scoping session as was printed in Cupertino Today:

"According to Cupertino Senior Planner Piu Ghosh, "the General Plan currently allows residential development at the site of up to 35 dwelling units per acre." According to City calculations revealed at the scoping session, the "General Plan build-out" (alternative 2) will have approximately 2,600 or 2,640 housing units. However, using the formulas that include the state density bonus, the City's ballpark estimate of residential will likely increase to upwards of 2,800 residential units."

<https://cupertinotoday.com/2018/03/01/vallco-2640-homes-5-million-sq-ft-development/>

Where on earth did that come from? As far as residents knew we were looking at roughly 380-800 housing units. This sounds like an entirely different project altogether!

7) The proposed project seems totally inconsistent with the General Plan:

a) The Proposed project is not a “destination for shopping, dining, and entertainment at only 16% retail.

b) The Proposed project does not match the Housing Element in our General Plan. It would create almost 7,000 new jobs, but only 800 residential units digging us much deeper into the housing deficit hole.

8) There should be a fair and realistic assessment of how the residential will impact the local schools, especially in light of the new Steven’ Creek Urban Villages.

9) Traffic numbers or VMT’s should include everything related to Vallco, including customers, combined with the potential impacts of the Steven’s Creek Urban Villages since those are already approved, plus impacts from Apple 2 at full occupancy. Special consideration should be taken near 280 and at clogged off and onramps where idling cars will produce high rates of prolonged exhaust.

10) Parking is already a serious problem in the area according to this article:

<https://www.mercurynews.com/2017/12/22/parking-restrictions-proposed-for-front-of-cupertino-condo-complex/>

11) The Steven’s Creek Urban Villages again must be taken into consideration because I believe they are planning on only .63 parking spaces per unit. Inadequate parking at Vallco will kill any businesses that locate there or those existing at Main Street and people WILL park in the surrounding neighborhoods and businesses if parking space is insufficient.

12) Careful precautions must be taken to protect the surrounding neighborhoods during demolition and construction from traveling debris in the wind that could contain harmful chemicals and substances.

13) Building housing next to the freeway should consider the potential detrimental impacts of being located adjacent to a traffic clogged freeway. This area should not be used for low income housing as those people are much less likely to have good access to healthcare or legal representation. Please take the following from USC (one of many

similar studies) into consideration. People suffering from exhaust related illnesses are a growing astronomical cost to insurance and therefore to the general public.

<http://envhealthcenters.usc.edu/infographics/infographic-living-near-busy-roads-or-traffic-pollution/references-living-near-busy-roads-or-traffic-pollution>

14) As for the green roof, I would like to see an entire special task force to determine it's impacts and possible negative consequences. We are potentially talking about people's lives here if it were to collapse. Also, any green roof should not be considered to suffice as a public green space or park space from my understanding of city documents.

Thank you sincerely for your time and attention to these matters.

Sincerely,
Danessa Techmanski

I. According to **Government Code 15082. Notice of Preparation and Determination of Scope of EIR:**

*(1) The notice of preparation shall provide the responsible and trustee agencies and the Office of Planning and Research with **sufficient information** describing the project and the potential environmental effects*

The provisional allocation for Vallo Shopping Mall Site will be expired on May 31, 2018 as stipulated by **City Council Resolution 14-210** passed in December 2014. It is clear what your plan to move forward the EIR is in direct conflict with various actions that might be taken by the Council on or before the said date of May 31, 2018.

In other words, the EIR might likely be required to be conducted based on a set of totally different criteria and allocations of office, retails, hotel and housing space and ratio.

Why is the city proceeding with the EIR process at this point? Isn't it putting the car in front of the horse, so to speak?

II. It is well-known to most of Bay Area residents that all interstate, state and county highways are already being used in full capacity during extended rush hours from 7:00am to 10:00am and 3:30pm to 7:00pm, including Interstate-280 and Highway 85.

The traffic jams are no longer only clustered on I-280 or neighborhood streets near the Vallco site. North-bound traffic starts to spill into local streets as early as the Saratoga Avenue and Lawrence Expressway exits and south-bound traffic starts to exit at Foothill Expressway or earlier. Consequently, intersections along Stevens Creek Blvd. are jammed with north-bound cars while the intersections on Homestead Road between Foothill Expressway and Hollenbeck as well as those on Stevens Creek Blvd between South Foothill Blvd and Stelling Road are flooded by cars coming off I-280.

The EIR traffic study of only those near Vallco will no longer sufficient to assess the further negative impact by the new and **unknown (therefore undefined)** developments at the Vallco site.

III. The **Apple Park** constructions and moving-in of more employees is yet to be completed. The expansion of **Cupertino Village** on the other side of I-280 is done, but the landscaping is not. The traffic and various expanded operating, such as water, electricity and sewage, **impacts of this particular two office and shopping complex will be unknown for quite some time** into the future.

Factoring these unknown environmental impacts, the city should not move forward with the Vallco EIR or the EIR would be obsolete as soon as it is completed.

Resident Ignatius Y. Ding
10397 Avenida Ln, Cupertino, CA



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Factoring these unknown environmental impacts, the city should not move forward with the Vallco EIR or the EIR would be obsolete as soon as it is completed.

Resident Ignatius Y. Ding
Cupertino, CA



From: Doron Dru [REDACTED]
Sent: Tuesday, February 27, 2018 6:57 AM
To: City of Cupertino Planning Dept. <planning@cupertino.org>
Subject: RE: Vallco Shopping District Specific Plan EIR

RE: Vallco Shopping District Specific Plan EIR

This project will add traffic, school-district costs, and other indirect costs that the existing population will be paying for for money that could otherwise be used for the benefits of the residents, such as off-street bike trails, more parks, and more help for senior citizens.

From: Ruby Elbogen [REDACTED]
Sent: Tuesday, February 27, 2018 7:40 PM
To: City of Cupertino Planning Dept. <planning@cupertino.org>
Subject: Comments for Vallco EIR

As an adjacent neighbor of the Vallco Mall, I would like it to stay a Shopping Mall, with possible entertainment venue's added, like Movie and Performing Arts Theaters, Hopefully at least one Department Store, and other stores selling shoes, fabrics, clothing, sweat shirts, designer jeans, quality tennis shoes, children's clothing, a few food stores selling gourmet products, ice cream places, at least one bakery, an appliance store, a large salad bar restaurant (like SoupPlantation) a pie store like Marie Callender or Gizdich, a Beer Garden and game place for high school kids to hang out. Some FOR SALE not rental apartments from one room (with tiny eat-in kitchens) would be welcome, especially for young employees, and returning college and post college young adults so they can get a start in the for purchase housing market in their own home town. As far as Apple Housing, the City should not worry about that, just like facebook and Google do. Apple should take on that burden for their own employees. We need a super market on the Eastside of Cupertino.

Ruby Elbogen
CupertinoOnlinenews.com
[REDACTED]

From: Eric Schaefer [REDACTED]
Sent: Monday, March 05, 2018 10:44 AM
To: Aarti Shrivastava <AartiS@cupertino.org>
Cc: Darcy Paul <DPaul@cupertino.org>
Subject: 2014-2022 RHNA: Action required by May 31 2018?

Dear Asst. City Manager,

I understand that the Housing Element contains a Scenario B for the contingency that a Vallco specific plan is not approved by May 31, 2018. Given the current schedule of design with Opticos and CDI, it appears that a specific plan will not be approved before 2H2018.

The General Plan contains this information about Vallco's place in the Housing Element:

One particular site will involve substantial coordination for redevelopment (Vallco Shopping District, Site A2). Due to the magnitude of the project, the City has established a contingency plan to meet the RHNA if a Specific Plan is not approved within three years of Housing Element adoption. This contingency plan (called Scenario B and discussed further in General Plan Appendix B), would involve the City removing Vallco Shopping District, adding more priority sites to the inventory, and also increasing the density/allowable units on other priority sites.

The last sentence suggests that Vallco is not automatically removed from the Housing Element, but that some City action is necessary to make the Scenario B sites compliant. Does the action require the approval of the City Council, or did the Council give approval for the action in 14-211?

What are the potential consequences if the City does not take action by May 31 2018?

Thank you.

--

Eric Schaefer

“Cities have the capability of providing something for everybody, only because, and only when, they are created by everybody.”

— Jane Jacobs, *The Death and Life of Great American Cities*

From: farshid iravani [REDACTED]
Sent: Monday, March 12, 2018 11:31 AM
To: City of Cupertino Planning Dept. <planning@cupertino.org>
Cc: [REDACTED]
Subject: Vallco Future

Cupertino Planning Department
Attn: Piu Gosh

Dear Piu;

Vallco future planning is in full swing again. I am 24 year resident of Cupertino, living on Hyde Avenue within 1 mile of the site.
I list a few of my concerns some of which I learned from Apple Campus 2 development:
1. Traffic and Accidents:

I used to drive my children to Silicon Valley Academy right off Tantau/Quail and Dunford in Santa Clara. I will drive on Tantau as it becomes Quail and make a right turn on Dunford. This used to be a very pleasant drive, not many cars on this road. With the construction starting it became a very busy road, number of accidents on the corner of Stevens Creek and Tantau went up. In a period of 3 weeks, I personally saw 3 of them. We took our children out of SVA and they are attending nearby schools (Hyde Middle and Cupertino high).

Considering Vallco proposal is aiming to be about twice larger than Apple 2, what planning is being done to mitigate the construction and regular traffic. As you know many of us use Miller to get to 280 and I am afraid with construction at Vallco, that traffic will divert to the side streets (i.e. Tantau, DeAnza, Lawrence) and Stevens Creek and Bollinger. It will be mess.

2. Pollution

Despite continuous sweeping, the demolition and on-site re-processing of the concrete on Apple 2 campus, created a lot air-borne particles (these are cancerous stuff that reside in concrete), I believe we will be subjected to more cancer causing dust with Vallco construction. Apple prided itself in 92% re-use of the old material (sand and concrete) but they never mentioned that amount of dust and cancer producing dust they

generated. Please have SHP provide an estimate on hazardous material as a result of demolition and on-site processing of the waste (if that is going to be their plan).

3. Additional Residential Units

With figures running from 800 to 4000 new apartments in addition to multiple million square feet of office space, I like to know developer's plan to deal with increase in student population, parent's traffic in taking their kids to schools and overall capacity of the city's water and sewer system to handle the additional population

4. privacy

Few years ago, there was plan to raise the heights on some of the buildings at Vallco (I think it was the parking lot), this even caused a lot of grief among the homeowners behind the mall. With plans to raise the building heights to more than 140 feet (and may be more), is there any concern about the privacy of the residents behind Vallco? Has the developer even considered this matter in their planning?

5. HWY 280 Traffic

I was hoping there will be a dedicated exit to Apple2 Campus from HWY 280, much like the dedicate exist lane to Agilent (old HP) from Lawerence Expressway. My wish never came true! Please have the developers plan and construct and implement their traffic plans before beginning construction. Wolfe Road exist construction was only recently opened and construction of 280 to Lawerence is only just starting!!

I look forward to hearing from you and planning department as Vallco future plans are being reviewed.

Thanks
Farshid Iravani

March 11, 2018

City of Cupertino, Community Development Department
Attention: Piu Ghosh, Principal Planner
10300 Torre Avenue
Cupertino, CA 95014

Via e-mail / planning@cupertino.org

Thank you for the opportunity to comment on the Notice of Preparation for the Vallco Special Area Specific Plan, File Number EA-2017-05.

My name is David Fung and I'm a 32-year resident of Cupertino. I currently serve on the Cupertino Planning Commission, however I am providing my comments as an individual citizen.

As a long time citizen observer of Cupertino's land use policymaking, I believe the 2014 General Plan provides insufficient guidance in a number of areas that directly impact this Vallco Specific Plan effort. In particular, the adopted GP was deficient in identifying housing needs over its 25-year lifespan does not clearly address mixed-use development. These issues are highlighted in my comments.

- **Maximum residential units for EIR consideration** – The approved GP does not speak clearly to the potential number of housing units that can be built in the Vallco planning zone. There is an explicit provisional allocation of 389 units expiring on 5/31/2018, but this reflects a process that apportioned 2014-2022 RHNA targets, rather than reflecting the GP's time range through 2040.

At the 12/02/2014 City Council meeting where the GP was adopted, the Staff Report (attached):

<https://cupertino.legistar.com/View.ashx?M=A&ID=395499&GUID=8C8FD15F-BB26-4EF8-9701-83CC2B07DBAC>, p. 9)

recommended a citywide residential allocation of +4,421 units, which included 1,400 units for the 2014-2022 RHNA cycle, but only those 1,400 units were approved at that meeting. As the staff report points out, approving only 1,400 total units leaves insufficient allocation to cover RHNA cycles after 2022 without GP amendments.

Since the +4,421 units have been fully studied in the GP EIR, I recommend that the upper bound for consideration of residential units at the Vallco site be no higher than the unallocated proposed balance of 3,410 units ($3410 = 4421 - 1400 + 389$), which would then be subject to existing unit density for this site or

the equivalent form-based code metric (see my next point, below).

A fully redeveloped Vallco site would likely still be under construction when the next Housing Element is taken up in 2021 which justifies consideration of this project hosting some of the next RHNA allocation.

- **Mixed-use Housing Density** - The GP is ambiguous around the meaning of housing density in mixed-use developments. Even in a residential-only multi-family project, density alone does not give a good sense of the mass of the construction, and it is particularly vague in a mixed-use environment where major portions of the site may not include homes. For instance, if only 10% of a site housed its entire residential component, but the allowable density was applied to the whole site area, this would seem to allow or require a very tall residential building.

Because this affects the ultimate number of units being considered, I think it is important for the City to clarify the interpretation of density before setting the maximum number of units under study. Possibilities would be to apply an (adjusted) density ratio only to the portion of the site that has residential structures, or to set a maximum floor-area-ratio for residential structures.

- **Max Residential Build-Out alternative** – In the EIR scoping hearing, one slide of the DJ Powers & Associates presentation, one of the slides reflected a “General Plan Buildout with Maximum Residential Density (2/3 residential, 1/3 non-residential mix). I’m not sure of the genesis of this ratio, other than it being mentioned as the criteria for a project that could seek streamlining under the new SB35 legislation. Potential SB35 action is not a justification for setting the land use ratio of a mixed-use project, and believe that this should be dropped as a design criteria for the EIR scenarios.

Our adopted GP does a poor job addressing mixed-use development. In Palo Alto, a mixed-used building has non-residential uses subject to a specific FAR and residential space above that subject to a different, higher FAR. A three-story building could easily have this (2/3R, 1/3NR), but taller buildings would much higher residential ratio.

It’s everybody’s expectation that the outcome of the Specific Plan process will address these weaknesses in defining mixed-use projects, but the EIR may be less effective if this doesn’t have greater clarity at the start.

- **Commercial vs. Office Space** - When developing Specific Plan EIR alternative scenarios, I strongly recommend that the scenarios study SEPARATE and INDEPENDENT allocations for Commercial vs Office space, which have been grouped together historically, but qualitatively differ in their effects on the community impacts. These classifications differ in their target market – commercial uses provide services to the adjacent community where office uses

direct their output beyond the immediate locality. They also generate different levels of impact in the EIR, particularly in daily trips generated.

I would recommend using the land use codes in the ITE Trip Generation Manual, 10th Edition with the suggestion that Office encompass ITE codes 700-799[Office], and Commercial include ITE codes (800-999[Retail, Services], 400-499[Recreational], and 600-699[Medical]).

Finally, I want to express my concern regarding no mention of current Vallco Specific Plan process in NOP letter. While recognizing that the NOP must have been vetted prior to distribution and complies with CEQA requirements, I feel that the lack of discussion of the Specific Plan process running in parallel has negative impact on the ability of the public and external agencies to comprehend the true scope of the project, especially alternatives that differ significantly from the original Hills at Vallco proposal submitted in 2015.

There have been sentiments expressed by city staff, the City Council, the applicant, and the public that this Specific Plan process will look at a mix of land-use that shifts the emphasis from office to residential use. This would be hard to recognize based on the NOP document alone. Given the prevailing rates of turnover among agency staff, the ability to get quality responses to the NOP may be reduced.

I raised the issue of the Specific Plan process and EIR report being executed in parallel rather than serially during public comment at the first consultant's presentation to the Council on 12/19/2017. Although I understand it the goal is for the EIR to study a greater sphere of impact than the project proposal, if that envelope is MUCH greater than the actual project, the findings are less useful and compromise our decision-making ability.

Although the Draft EIR will reflect the full scope of alternatives for final agency comment, I would encourage the City to draft an addendum to the NOP that reflects the wider scope being considered in the Specific Plan process to reduce surprises later.

David Fung
Cupertino, CA

Community Ideas and Best Practices

1. **Community Benefit** – The idea was first discussed by a community member and the Council was interested in exploring the possibility. The concept includes allowing additional specified heights in certain location if community benefits are provided as part of a project. The concept is discussed later in this report.
2. **Walking and biking to schools, parks and shopping** – This idea was discussed by several community members in public workshops and is consistent with SB 375, AB 32 and Complete Streets and best practices.
3. **Design of mixed-use projects** – A “mixed-use village” concept is recommended for mixed-use projects that include residential development. The concept was developed from Council, Planning Commission and public input and best practices regarding mixed-use projects. These include provision of viable retail, gathering places, pedestrian-oriented architecture and streetscape improvements, improving connectivity and neighborhood buffers. A similar but limited discussion is provided for “neighborhood center” redevelopment.
4. **Vallco Shopping District** –Public input from workshops regarding the transformation of the Vallco Shopping District into an active community gathering place and regional destination have been included. A detailed discussion is provided later in this report.
5. **Calculation of residential density** – The City Council and a member of the public requested changing calculation from density of the gross lot area (which includes portions of adjacent streets) to density of the net lot area (which does not include adjacent streets, driveway and drainage easements, etc.). This change has been made to the Zoning Ordinance. The density and residential yield of Housing Element sites reflects this change.

Balanced Plan and Planning Commission Recommendations

Development Allocation

Community Vision 2040 is a 25-year plan for the City’s future that considers community goals for active gathering places, health, sustainability, economic development and fiscal reliance, as well as regional requirements and mandates, while balancing residents’ need for minimizing traffic, air quality, and other environmental impacts.

As noted earlier, the Planning Commission had recommendations that were different from the Balanced Plan. Maps to reflect the development allocations, heights and densities in the Balanced Plan and the Planning Commission recommendation have been attached as Attachments N & O. The Commission’s recommendations in each category are provided in the discussion below.

- **Economic and Fiscal** – the City’s goal for the next 25 years is to ensure that companies and businesses thrive and new businesses are attracted to the City and that property owners have incentives to maintain and enhance property. The City Council recognized this when they authorized the increase in development allocation as part of the General Plan process. Maintaining an adequate allocation for development will help revenues grow so that the City can continue to provide excellent community services. A Market Study was conducted to see the realistic economic demand for various uses through 2035 (Attachment P). It notes that existing

commercial space in the City's General Plan Allocation pool is adequate to meet the high end of demand through 2035 and indicates market support for an additional 3.6 million net square feet for office space, 985 net hotel rooms and 4,420 residential units for the same period (close to Alternative C).

- **Office** – Since the 2005 General Plan was adopted, the City has drawn down about 525,000 square feet through Apple and Main Street and other office development in the City, and currently only has a balance of 17,113 square feet remaining in city-wide office allocation. To account for redevelopment at the Vallco Shopping District and new office development for the next 25 years, an increase of 2,000,000 square feet is proposed (consistent with Alternative B). In the Balanced Plan, office allocation is balanced with other land uses to reduce environmental impacts while recognizing the City's economic and fiscal goals.

Request from a potential applicant and consultant response – On October 13, 2014, the City received a letter from a potential developer of the Vallco Shopping District generally stating that the costs of assembling the site, providing a minimum of 600,000 square feet of retail in a high quality mixed-use "Town Center" envisioned for the area, community benefits and off-site infrastructure costs, would require at least 2,000,000 square feet, or 1,000,000 square feet more than was recommended in the Balanced Plan (see Attachment CC). The City's retail consultant reviewed the request and noted that given the high cost of site assembly and construction, an office allocation of up to 2,000,000 could potentially be necessary to make the project economically viable. However, it could not be verified without a proforma review.

Planning Commission Recommendation – The Planning Commission felt that the regional growth in jobs and lack of housing had exacerbated traffic conditions. In addition, by approving the Apple Campus 2, the City had added to this growth. Therefore, the City should only add 500,000 square feet of additional office growth above the 2005 General Plan for the next 25 year horizon. They also recommended moving the office allocation in the "Major Company" category (about 523,000 square feet) into the city-wide allocation pool.

- **Hotel** – Since the 2005 General Plan was adopted, the City has drawn down 303 hotel rooms from the allocation leaving 339 rooms at time of project initiation. Hotels bring in considerable revenue, which will help realize community goals of economic and fiscal stability. Consistent with the Market Study, the recommendation is to add 1,000 more hotel rooms to the allocation. This is also consistent with Alternative C.

Planning Commission Recommendation – The Planning Commission felt that hotel rooms generated revenue, and were beneficial to nearby businesses and necessary to serve existing and planned office in the City. The Commission, therefore, recommended adding 1,000 hotel rooms consistent with the Balanced Plan and Alternative C.

- **Residential** – The State-mandated RHNA requirement is 1,064 units with about 1,400 recommended by the Housing consultant after consulting with the HCD. Subtracting 1,400 units from the remaining allocation of 1,895 units leaves 495 units through 2040, which will not be enough to meet RHNA targets for the two additional housing element cycles through 2040 per Plan Bay Area. Alternative A, which is consistent with the 2005 General Plan, and

Alternative B, which only meets 75% of the Plan Bay Area targets, do not achieve the regional target. However Alternative C meets 100% of the targets set by Plan Bay Area. To ensure that the City is consistent with these regional targets, the recommendation is to increase the residential development allocation by 2,526 units (to 4,461 units which includes the 1,400 required for 2014-2022 cycle). The residential development allocation is a City legislative policy aimed at promoting the public welfare which tracks growth by monitoring permits. It cannot restrict growth in such a way as to conflict with State housing element requirements or regional needs. However, the Balanced Plan recommends strategies for managing the amount and form of housing growth as follows:

- Selecting Housing Element sites for up to 1,400 units to meet the demand for the 2014-2022 RHNA period.
- Revising the General Plan so that on sites with a mixed-use residential designation, residential is a permitted use only on Housing Element sites. Conditional use permits will be required on mixed-use Housing Element sites that propose units above the allocation in the Housing Element, and on Non-Housing Element mixed-use sites. Related changes will have to be made to the Municipal Code, Specific Plans and Conceptual Plans.
- Form - The General Plan includes a “mixed-use village” strategy so that mixed-use residential sites provide substantial and viable retail, and also create a livable environment for residents, shoppers and workers on and around the site.

Planning Commission Recommendation – The Commission discussed the relevance of residential allocations, when densities were already noted in the General Plan and Zoning Ordinances. There was additional discussion about whether the number could be perceived as a growth control measure and whether a number, if any, should be generally consistent with Plan Bay Area (the region’s Sustainable Communities Strategy and Regional Transportation Plan). Ultimately, the Commission decided that the residential allocation number should be removed and that the Housing Element, lot densities and policies were sufficient to guide residential development in the City.

Comments - While the City is not required by State Law to have a residential allocation in the General Plan, the City’s environmental consultants recommend retaining the allocation system for environmental review purposes. Removing the allocation would require additional CEQA analysis on the maximum capacity of residential development in the City, which would require additional time and budget. An allocation of 4,421 units is recommended to be consistent with Plan Bay Area estimates for the 25-year horizon through 2040 and to prevent an impression of growth restriction.

Table 1 below is a comparison of the Planning Commission recommendation, the Balanced Plan and alternatives studied in the EIR. The numbers in the General Plan differ from the numbers reflected in Table 1 because there have been minor changes to the allocation balances since project initiation. These changes include allocation granted to projects approved and allocation returned to the pool due to projects expiring.

From: [City of Cupertino Planning Dept.](#)
To: [Catarina Kidd](#); [Piu Ghosh](#); [Kristy Weis](#)
Subject: FW: EIR input for Vallco
Date: Tuesday, March 13, 2018 12:53:11 PM

From the Planning Department's general mailbox:

From: Frank Geefay [REDACTED]
Sent: Tuesday, March 13, 2018 11:58 AM
To: City of Cupertino Planning Dept. <planning@cupertino.org>
Subject: EIR input for Vallco

Dear Sir/Madam,

I feel it important that Vallco have many more affordable housing units to accommodate and compensate for the lack of housing provided for Apple employees as well as other employees working in Cupertino. Cupertino has a long standing avoidance for housing development by citizens who feel they threaten schools by overcrowding. This has created a housing vacuum and pricing escalation.

When the new 14,000 employees Apply campus was built no thought was given to housing for employees such as Google and Facebook are doing. There has also been little consideration given for how to provide low cost BMR housing. I would like to see as much as 30% BMR housing at Vallco.

I believe that the door must be left open for as many as 8,000 housing units at the Vallco site in the EIR to accommodate as many working people as possible. This can be made possible by using ultra high density tiny apartments ranging from 150-400 sf. This can be done by removing and making smaller housing component such eliminating living rooms, family rooms, dining rooms, and shrinking down the size of the kitchen, bathroom, and bedroom with an optional loft for small children. The apartments will be primarily used for sleeping and freshening up. The mall will become the living room with all the amenities needed by tenants.

This housing is primarily intended for young adults, millennials, and their families. It is also meant for people who qualify for BMR. It is low cost to build thus more affordable to rent. Most of all it takes thousands of cars off the freeways and streets.

Some calculations:

Established Apple Campus II employees = 14,000

Others employees working in Cupertino = 26,184

Total number of people working in Cupertino = 40,184

People working but not living in Cupertino = 90% X 40,184 = 36,165

This is the number of people needing housing to balance out jobs and reduce traffic. A disproportionate number of employees wanting such housing will be single. Since there are some spouses that do not work in Cupertino that will affect the actual optimum amount of housing needed to reduce traffic.

Sincerely,
Frank Geefay

[REDACTED]

Long time resident

[Sent from Yahoo Mail for iPhone](#)

From: Frank Geefay [REDACTED]
Sent: Sunday, February 25, 2018 4:01 PM
To: City of Cupertino Planning Dept. <planning@cupertino.org>
Cc: Barry Chang <councilbarry@gmail.com>; Savita Vaidhyanathan <svaidhyanathan@cupertino.org>; Rod Sinks <RSinks@cupertino.org>; Darcy Paul <DPaul@cupertino.org>
Subject: Vallco Tiny Apartment Village

Dear Sir/Mam,

I am a long time retired residents of Cupertino. The following is my unique Vission for the Vallco site:-

I want to address thee major related issues with a single integrated solution:

- 1) Reduces overall traffic on Hwy 280 & 85 and going by Cupertino and on Wolf Road and along Steven Creek Blvd. crossing Wolf Rd. created primarily by the new Apple Campus;
- 2) Provide a combination of small family and tiny singles, more affordable housing units for employeed young millennials work at Apple, Google, and elsewhere around Cupertino as well as De Anza College;
- 3) Help solve the State and regional housing crisis by providing thousands of such housing accommodations with 30% of them BMR for various income levels.

This concept will require changes in the General Plan to accommodate a large number of very high density and tiny apartment units.

The idea is to make cheaper housing units demanding lower rents than normal apartment by building comfortable stripped down sleeping and changing studio unit with beds, bathroom, and a small kitchenette. A shopping, eating, and entertainment downstairs common area would contain all the amenities a young millennial would want for socializing with friends and coworkers in a huge living area.

The tiny apartments would vary in size from 150-200 sf. Micro single private occupancy units to 400-500 sf. Mini couples & small family units with a upper level bed for two small children. This allows the construction of thousands of these tiny housing until at much lower cost and low rents. These tiny apartment are not intended for long term tenancy. Turnover is expected to be every two to six years before they outgrow these units or change Jobs . I would like to see 5,000 units of such high density housing at Vallco.

Tenants are expected to spend most of their waking hours downstairs in the huge living area. There would also be bars and a nightclub. A sports-fitness center would also be available. The large living area should be an enjoyable place to do all kinds of fun activities with friends or just hang out.

There would also be amenities for children such as a playground, branch of the library, daycare, preschool, hobby and technology room adults can also use, tutorials, etc. This huge living area could by 1M sf. with enough residential support.

These tiny housing unit tenants will have no parking because it would be understood that this walkable community would be self contained with almost all their need. This saves the cost of underground parking for thousands of tenants and the savings to the developer would allow them to build 30% similar BMR housing units for various income levels so young teachers,

firefighters, first responders, Vallco employees, and other employees working around Cupertino can live with the same amenities. This will reduce gentrification.

There would be a convenient bus terminal busses on Stevens Creek and Wolf Rd. that could take tenants to Caltrain in Mountain View or BART in San Jose or a city shuttle to work and shopping elsewhere. Car rental and Uber/Lyft would be readily be available. Class 4 Protected bicycle lanes along Stevens Creek and a Junipero Serra Trail going by Vallco along the soundwall would be easy reach for tenants to jog or bicycle. Bicycle lockers will be located in the public parking area.

This would be a perfect place for an Apple employee straight out of college to live without a car, an Urban Village at Vallco destination with just about everything a young person might need or want. And all at affordable rents.

Other bonus luxury apartment and a modest amount of offices might also be available to pay for the BMR rents. But I am only focused in the tiny apartment unit element.

This could be very well tried at The Oaks on a smaller scale.

This is only a framework upon which to build. It would reduce by up to 5,000 car from hitting peak traffic by eliminating Vehicle Miles Traveled. That is a sizable amount of car. It will reduce air pollution by the same amount and car accidents. It would save hours of driving daily for tenants. And it will provide housing to a group of people at affordable rents who badly need housing near where they work, millennials. This proposal lives up to the spirit of the new State housing laws. And everyone comes out a winner.

Best Regards,
Frank Geefay.



Cupertino

Geoffrey Paulsen Sent via email Monday 3/12/2018 3:48 p.m.

Hi, Piu.

In reviewing the video of the scoping meeting, I have a few more thoughts:

- AIR QUALITY: Can Oak trees, specifically *Quercus regosa*, be used to mitigate freeway soot? I'm on the board of Canopy, a tree-planting organization that worked with Dave Muffly (Apple's tree person) to plant these trees along the sound wall in East Palo Alto, and when I worked with Dave to prune these trees, we were covered with soot. Perhaps we can study the soot-catching capabilities of these oaks, and if they really make a significant reduction in pollution. Also, I favor (to establish a baseline) pollution monitoring stations that measure gases and microparticles, not just the aforementioned soot (which I suspect is mostly benign carbon black from tires).

- TRANSPORTATION: Can a dedicated high-speed bus trackway (protected by a guard rail) be used to replace the carpool lane? How effective would this be if buses were frequent, free, and fast? Is this feasible? When I was President of the Bay Area Section of the Mercedes Benz Club of America, I met with some Daimler-Benz executives from Stuttgart, and they told me that yes, this is feasible, and they have implemented such systems worldwide. Could we study this in detail for 280 and 85 with regard to Vallco?

- RECREATION: Could tall buildings provide for more recreation opportunities? Google "vertical Forest" to see playing fields adjacent to tall buildings. Can the EIR study how tall buildings could increase our recreational opportunities at Vallco?

- HYDROLOGY: Is it feasible to design the entire Vallco complex for zero stormwater runoff? Can condensation drainage from air conditioning systems be used to water landscaping? (I've noticed that the drainage channel downstream from Apple Campus I will flow with such runoff during heat spells...)

- WATER USE: Can the landscaping at Vallco be designed to be water independent once plants are mature? Our local open space preserves are - why not the built environment?

- SEWAGE CAPACITY: Can we buy back the \$5M worth of sanitary sewer capacity that the Cupertino Sanitary District recently sold to San Jose? Will we need to do so?

Thanks, Geoff.

Geoffrey Paulsen
Private Citizen
Board member, Canopy.org



From: Barak Gila [REDACTED]
Sent: Tuesday, February 27, 2018 6:55 PM
To: City of Cupertino Planning Dept. <planning@cupertino.org>
Subject: RE Vallco Shopping District Specific Plan EIR

Sorry, one more thing specifically related to the EIR: please consider the beneficial effects of the housing on reducing commuting impact. If we build 1000 units at Vallco and 500 Apple employees that would otherwise drive miles to work can walk or bike, it will greatly reduce emissions from those automobiles.

On Tue, Feb 27, 2018 at 6:51 PM, Barak Gila [REDACTED] > wrote:
Hi Cupertino planners,

I'm Barak, I grew up in Cupertino (Regnart through Monta Vista '13) and my family still lives here. I'm writing to you in advance of Better Cupertino's Forum on City Planning this March 10 to share my thoughts, as I am unable to attend in person.

Please approve the Hills of Vallco project and others in the pipeline with as many housing units included as possible.

I want to call attention to the fact that there are many Cupertino residents, and children, siblings, and other people affiliated with Cupertino residents, who may be unable to attend community forums due to work, other obligations, or not being in the city of Cupertino due to having been priced out of it due to the incredibly high cost of housing, whose voice nonetheless should be considered in making planning decisions.

With the new Apple campus, the city of Cupertino has created tens of thousands of new jobs, and it should be creating commensurate housing for the families of that workforce. Cupertino should join San Jose and Mountain View in adding thousands of denser housing units, which will help Cupertino be livable for myself and others, not just existing homeowners.

Thank you so much for your time.
-- Barak

From: Glenn Cabral [REDACTED]

Sent: Saturday, March 03, 2018 10:10 AM

To: Darcy Paul <DPaul@cupertino.org>

Subject: City Problems

We have been residents of Cupertino for over 50 years and have not seen the likes of what is going on regarding who is managing the city. It seems the group www.BetterCupertino.org have an ax to grind, but ignoring the opposing views that go against their wants. You have the Vallco and Oaks sites that are not going any where because of the political inside arguing as to what is best for whom. Progress is here and it is not going to go away. The key is what is best for Cupertino over all.

How many plans are going to be rejected until the group Better Cupertino are pleased with. If the present environment goes on look for the present owners throw in the towel and sell off parcels of Vallco then you will have more problems.

We would appreciate some response to these comments. Thanks

Glenn & Ann Cabral



Holder Law Group

339 15th Street, Suite 202
Oakland, CA 94612

holderecolaw.com

(510) 338-3759
jason@holderecolaw.com

November 12, 2015

Via U.S. Mail and Email

City of Cupertino, Community Development Department
Attention: Piu Ghosh, Senior Planner
10300 Torre Avenue
Cupertino, CA 95014
Email: planning@cupertino.org

Subject: Notice of Preparation – DEIR for Vallco Shopping District Specific Plan and The Hills at Vallco Project

Dear Ms. Ghosh:

On behalf of Better Cupertino, an unincorporated association of concerned residents of the City of Cupertino (“City”), this letter provides preliminary comments on the City’s Notice of Preparation (“NOP”) of a draft program environmental impact report (“DEIR”) for the Vallco Shopping District Specific Plan and The Hills at Vallco (collectively, the “Project”).¹

The proposed Project is located the intersections of N. Wolfe Road and Stevens Creek Boulevard and North Wolfe Road and Vallco Parkway. The Project would encompass approximately 58-acres. The Vallco Shopping Mall currently occupies the Project site.

The Project includes two components: the proposed Vallco Shopping District Specific Plan and The Hills at Vallco project. The NOP indicates that the Specific Plan may include the maximum amount of development authorized in the current General Plan. This level of development includes “a maximum of 1.2 million square feet of commercial uses (minimum 600,000 square feet of retail uses with a maximum of 30% of entertainment uses), 2.0 million square feet of office uses, 339 hotel rooms, and 389 residential dwelling units.” While the NOP states that The Hills at Vallco project would implement the Specific Plan, it proposes 800 residential units (i.e., 411 more units than currently allowed under the General Plan). The Hills at Vallco project, as proposed, also includes “a 30-acre green roof with public and private open space and recreational areas, two town squares, ancillary uses/amenities for the proposed residential and office uses, a transit center, a central plant, and parking facilities (including underground,

¹ These comments are based upon the limited information concerning the proposed Project provided in the NOP. Better Cupertino representatives may supplement these comments orally at scoping meetings and in follow-up written comments when additional information concerning the proposed Project becomes available.

structured, and surface parking).” The Hills at Vallco project may also include certain off-site improvements.

According to the NOP, the Project has the potential to cause a number of significant short-term, long-term and cumulative environmental impacts. The City has determined that an EIR is required.

1. The DEIR must adequately analyze the Project’s potentially significant impacts to City transportation, recreation, and school facilities, consider secondary impacts, and analyze a reasonable range of Project alternatives.

The Draft Program EIR must include thorough analysis of the following potentially significant environmental impacts that could affect the City and its residents:

- 1) Impacts of conversion of non-residential development intensity to residential uses;²
- 2) Impacts to water supplies caused by the Project directly, as well as cumulative impacts to water supplies caused by this Project together with other past, present, and probable future projects;
- 3) Weekday and peak traffic impacts on all surrounding roads and intersections;³
- 4) Weekend and off-peak traffic impacts on Stevens Creek Boulevard and North Wolfe Road and impacts on recreation facilities including City parks as a result of additional residential, commercial, and retail uses;
- 5) Secondary impacts caused by increased traffic, including air quality impacts and increased greenhouse gas (GHG) emissions;
- 6) Impacts to schools and other public services caused by the influx of new residents, including but not limited to:
 - The direct impacts on school facilities that this Project will cause,⁴

² Because the Project proposes more residential units than authorized in the General Plan, the DEIR must analyze the impacts of this additional intensity. Residential uses have different impacts than nonresidential uses. For example, the traffic intensity and patterns differ with residential uses and residential uses increase demand for schools and recreational facilities.

³ Please note: because the Governor’s Office of Planning and Research has not finalized its updated CEQA Guidelines implementing SB 743, the weekend and weekday traffic impact analyses must analyze Project-related traffic impacts using both the standard Level of Service and the modern Vehicle Miles Travelled methodologies.

⁴ For example, because Collins Elementary School and Cupertino High School are within ¼ mile of the Project site, CEQA § 21151.4 applies and the DEIR must analyze the effects Project-related air emissions may have on students at those schools. (See also CEQA Guidelines, § 15186.)

- The potential to open the wall separating the Project site from the neighboring community (at (Merritt Drive, Amhurst Drive, or Wheaton Drive) to provide a “safe route to school,” and
 - Cumulative impacts to schools caused by this Project in combination with other projects in the Sunnyvale, Santa Clara, San Jose area, including traffic impacts caused by assignment to overflow schools;⁵
- 7) Construction-period and operational impacts to the large double row of Ash trees along Stevens Creek Blvd. and along Wolfe Road and any other protected trees;⁶
 - 8) Public service impacts to neighboring residents, including any reduced police, fire, or ambulance services or increased response times;⁷
 - 9) Seismic-related hazards associated with the proposed 30-acre green roof;
 - 10) Aesthetic and visual impacts to neighboring communities, including but not limited to:
 - Obstructed views and increased shadows caused by the Project’s tall buildings, and
 - Nighttime light pollution;
 - 11) Loss of solar access to areas beneath green roof and the alternative of using Project roofs for solar energy generation;
 - 12) The Project’s direct and indirect secondary effects associated with the increase in traffic and recreation impacts to the City including but not limited to increased demand for limited parking, increased demand for police, fire and other City services, and the related strains on the City’s limited facilities and resources;
 - 13) Impacts stemming from additional office development and displaced retail uses, including, but not limited to:
 - Growth-inducing impacts,

⁵ The City must consult with Cupertino schools (CUSD and FUHSD) when developing the analysis of school impacts. (See PRC, §§ 21083.9(b), 21153; *see also* CEQA Guidelines, 14 CCR §§ 15041(b), 15082(c), 15086(c)-(d), 15096.)

⁶ Please include analysis of the disturbance to tree roots during construction, as well as the loss of sunlight and any reductions in percolating water after the Project is built.

⁷ For example, the Project may increase emergency response times by creating a barrier between residents of west Cupertino and the Kaiser Hospital facility at Lawrence Expressway and Homestead Road.

- Displacement of lower income residents (and increased traffic caused by such displacement and the associated increase in commuting),
 - Increased travel to other more distant retail locations,
 - Increased traffic to freeways and local streets caused by large buses ferrying employees to new office developments,
 - and potential inconsistencies with the goals of SB 375;
- 14) Cumulative weekday and weekend traffic impacts and cumulative direct and secondary impacts to parking, police, fire and other City services as a result of past, proposed, and approved uses within the City; and
- 15) Consideration of a reasonable range of Project alternatives, including:
- A revitalized mall that includes minimal or no physical changes to the existing Vallco Shopping Mall but includes incentives and other strategies to maximize tenant occupancy,
 - a reduced development alternative that includes reduced office and residential use development,
 - a balanced growth alternative that would attempt to match the proposed new residential development in both amount and housing cost (i.e., market rate, moderate income, low income, very low income) to the expected amount and demographics of the additional employment that would be associated with the new commercial development, and
 - A conventional layout alternative that would comply with existing City standards for development and open space and would use rooftop areas for solar energy generation.

Please include all technical support for the above analyses in appendices to the DEIR.

2. Better Cupertino Requests Notice of All Future City Actions Concerning the Proposed Project.

Pursuant to Public Resources Code, section 21092.2, we also request notice of all stages of environmental review for the Project and any and all actions that the City proposes to take on this Project. Please send any and all notices via email to the following persons:

- a) The undersigned, at jason@holderecolaw.com;
- b) Co-counsel Stu Flashman at stu@stuflash.com;

- c) Client representative Liang-Fang Chao and lfchao@gmail.com; and
- d) Client representative Peggy Griffin at griffin@compuserve.com.

Additionally, please send paper copies of notice documents solely to the undersigned.

* * *

If you have any questions concerning these comments, you can reach me at the phone number and email address provided in the above letterhead.

Sincerely,

A handwritten signature in black ink, appearing to read 'JW Holder', with a long horizontal stroke extending to the right.

Jason W. Holder

cc: (via email only)
Stu Flashman (stu@stufash.com)
Liang-Fang Chao (lfchao@gmail.com)
Peggy Griffin (griffin@compuserve.com)

From: Albert Hwang [REDACTED]
Sent: Sunday, February 25, 2018 10:33 PM
To: Darcy Paul <DPaul@cupertino.org>
Subject: Suggestions for Vallco Development

February 25, 2018

Mayor Darcy Paul

Cupertino City Hall
10300 Torre Avenue
Cupertino, CA 95014-3202

Dear Mayor Darcy Paul:

I would like to extend my feedback as a member of the community for the upcoming development proposal for the vacant mall Vallco owned by Sand Hill Property. As the city poll suggests, 80% of the residence would like to see a form of vitalization for the space the mall currently holds. The two highest votes share roughly 72.8% for more housing and keeping it an area that could feel like town center or a place with some entertainment value. The rest of the poll mostly agrees that the space could use more housing with 2.6% disagreeing.

While retaining elements of the proposed draft, such a space could utilize a scaled down version of the park while minimizing office spaces allocated and increasing number of housing units. Different areas could be utilized for hosting various events acting as a private or public venue while providing activity, retail and dining that could suit the range of the community preserving a town center feel. Setting up a transportation hub near Apple could also see to a reduction in traffic towards the campus similar to Amazon or Google.

Going forward, I see a future where Vallco will live to see success like it has in the past while providing more housing for residents. Such a development can allow for more community engagement and influence an increase in social engagement for individuals as well as providing more entertainment value. The solution can help alleviate pressure of the housing crisis that has worsened with the new Apple headquarter development.

I understand that there are upcoming future meetings and processes that this development has to go through and appreciate the work put in by the property owner and the council is putting in making this vital for the Cupertino community while promoting diversity and equality. I hope I am able to add my voice as a general member of the community to see towards the success of this project.

Sincerely,

Albert Hwang

From: Joseph Fruen [REDACTED]
Sent: Monday, March 12, 2018 1:05 PM
To: City of Cupertino Planning Dept. <planning@cupertino.org>
Cc: Grace Schmidt <graces@cupertino.org>; City Clerk <CityClerk@cupertino.org>
Subject: For public comment re: EIR scope and the 2/22/2018 EIR scoping meeting

To: Planning Staff:

At the February 22, 2018 EIR scoping meeting and in subsequent public discussion, a number of individuals have raised the question of whether an EIR project alternative may legally go beyond what the Cupertino General Plan permits. Please accept this comment in part as a response to these concerns.

As a preliminary matter, even cursory recourse to the CEQA Guidelines reveals that there is "no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason." Cal. Code Regs., tit. 14, § 15126.6(a). While the precise effect of CEQA Guidelines remains unclear, our courts, at a minimum, have historically accorded them great weight. Laurel Heights Improvement Ass'n v. Regents of the Univ. of California, 47 Cal.3d 376, 391 n.2 (1988). Furthermore, in interpreting EIR scoping requirements, our Supreme Court has directly answered the question of whether an EIR may consider a project alternative outside the bounds of a municipality's general plan: "an EIR may properly consider an inconsistent land-use designation in the general plan . . . in assessing the feasibility of a project alternative" and "in some circumstances, an EIR may consider alternatives requiring a site-specific amendment of the general plan." Citizens of Goleta Valley v. Bd. of Supervisors of Santa Barbara County, 52 Cal.3d 553, 573 (1990) (emphasis in original). Simply put, public claims that EIR plan alternatives for the Vallco Specific Plan that breach the bounds of Cupertino's General Plan are not, for that reason alone, illegal or cause for invalidation of the EIR. In accordance with Citizens of Goleta Valley, Cupertino may study plan alternatives outside the bounds of the city's current General Plan as part of the Vallco Specific Plan EIR--the EIR plan alternatives need only satisfy Guideline 15126.6(a)'s rule of reason. Citizens of Goleta Valley, 52 Cal.3d at 576.

Conversely, Laurel Heights, *supra*, may actually require that the city study a maximum housing buildout plan alternative consistent with a potential project application under SB 35 and AB 1515 at the Vallco site as one of the EIR plan alternatives in order for the EIR to be considered substantial evidence. At a minimum, any agency action on an EIR must rely on substantial evidence. In order for an EIR and evidence of mitigation to be substantial, a project EIR must consider the cumulative effects of a project. Cal. Code Regs., tit. 14, § 15130; Laurel Heights, 47 Cal.3d at 394. A project's "cumulative effects"

include past, present and probable future projects, even if those projects would be outside the agency's jurisdictional control. Cal. Code Regs., tit. 14, § 15130; Laurel Heights, 47 Cal.3d at 394. As of January 31, 2018, Cupertino is subject to certain streamlining provisions of SB 35 because of the city's failure to permit and build sufficient quantities of affordable housing to satisfy its Regional Housing Need Allocation (RHNA) requirements. That status will remain in place for a number of years until the next RHNA assessment. As such, it would be reasonable to foresee a probable future project under SB 35 being proposed for the Vallco site. Inclusion of a maximum housing buildout at Vallco consistent with the requirements of SB 35 and AB 1515 as one of the plan alternatives in the Vallco Specific Plan EIR would therefore satisfy analysis of cumulative effects of the project under consideration and help ensure that any EIR ultimately certified constitutes substantial evidence under the Guidelines.

In summary, public comments to the effect that study of EIR plan alternatives outside the bounds of Cupertino's General Plan would be illegal are an incorrect statement of law. In addition, the city should study as one of the EIR plan alternatives a maximum housing buildout consistent with a probable application under SB 35 and AB 1515 at the Vallco site in order to insulate the city's EIR process against legal attack.

Many thanks for your consideration,

--

J.R. Fruen, Esq.



From: [City of Cupertino Planning Dept.](#)
To: [Catarina Kidd](#); [Piu Ghosh](#); "kweis@davidjpowers.com"
Subject: FW: Vallco Shopping District Comments for EIR
Date: Monday, March 12, 2018 8:52:58 AM
Attachments: [Comments for Vallco Shopping District Specific Plan EIR.pdf](#)

From the Planning Department's general mailbox:

From: Kitty Moore [REDACTED]
Sent: Friday, March 09, 2018 4:36 PM
To: City of Cupertino Planning Dept. <planning@cupertino.org>; City Council <CityCouncil@cupertino.org>; Darcy Paul <DPaul@cupertino.org>
Cc: Randolph Hom <RandolphH@cupertino.org>
Subject: Vallco Shopping District Comments for EIR

Dear Cupertino Planning Department, Mayor Paul, and council members,

Attached please find my preliminary Comments for the EIR for the Vallco Shopping District. Please take the steps necessary to find a viable "Proposed Project" under CEQA which would have a potential of being passed by City Council. The CEQA EIR process for this project currently, is irregular.

Here is a brief summary:

Conclusions:

1. The "Proposed Project" does not appear to be consistent with the General Plan because it is an office park with over 84% non-retail use when the project is detailed as the "Vallco Shopping District."
2. The "Proposed Project" frustrates the General Plan goal to balance employment with housing by providing a gross excess of jobs to housing.
3. Cupertino Ballot Measure D, a similar proposal to "Proposed Project", was placed before voters and was rejected 55%. This project, with the high office square footage has scant support and would likely be rejected by City Council.
4. "No Project" would be a fourth alternative, Occupied/Re-tenanted mall is not the same as "No Project"
5. Alternative B, with conflicting 2,600-4,000 residential units, is inconstant with the

General Plan.

6. Alternative C is too insufficiently described to determine if is consistent with the General Plan. Portions of the mixed uses were eliminated, which seems inconsistent.

7. For the above reasons, the EIR process must be halted for a replacement “Proposed Project” which is consistent with the General Plan.

Thank you!

Cupertino Resident living one mile from Vallco and a founding Bay Club (Vallco) member

Total Control Panel

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To: planning@cupertino.org [Remove](#) this sender from my allow list

From: [REDACTED]

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VALLCO SHOPPING DISTRICT SPECIFIC PLAN AND THE HILLS AT VALLCO PROJECT

November 10, 2015
Cupertino Community Hall

PUBLIC COMMENT CARD

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By Mail: City of Cupertino, Community Development Department
10300 Torre Avenue, Cupertino, CA 95014-3202

By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)

Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: Hui-Ching Hsieh Email: 

Address:  Phone: _____

COMMENTS:

We need more retail shops, restaurants
not more office buildings

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By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)

Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: Cathy Wang Email: 

Address: Cupertino Phone: 

COMMENTS:

#1 concern traffic

#2 livability — lost small town feel.

#3 Sustainable?

#4 I want to stay here, retire (even after my two

kids gone to college). Please do not ruin the city that

we love.

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By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)

Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: ROBERT BENSON Email: 

Address:  Phone: _____

COMMENTS:

Regarding planned use vs needs & Housing concerns
comments re Developer plans

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By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)

Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: Anne Pflager Email: AP
Address: [REDACTED] Phone: [REDACTED]

COMMENTS:

The developers are calling this "the world's largest green roof." This appears to be an extremely water intensive project. We are experiencing increasingly severe multi-year droughts. How can you even consider such a project? This is insanity! We need to conserve our water supply & not waste it on roofs of shopping centers. Consider native landscaping & drought tolerant landscapes.

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By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)

Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: STUART CHESSEN Email: 

Address:  Phone: 

COMMENTS:

What is shadow pattern & how will
affect existing solar systems.
Will recycle water be used? ^{Extra} water ~~bar~~
rain water collection. Electric car stations
for 10% parking. Should have 50%
renewable energy source. What ~~pests~~
pesticides will be used? native plants?
Impact of Traffic to nearby schools
Bike Trails to/From site

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By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)

Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: JOHN BUENZ Email: [REDACTED]
Address: [REDACTED] Phone: [REDACTED]

COMMENTS: [REDACTED]

- STRONG OPPOSITION TO HILL PROJECT BECAUSE FOLLOWING REASONS:
1. PROJECT OF "VIRTUAL NATURE" OVER KILLS OUR DIGITAL CULTURE (APPLE JUST DOWN THE STREET)
 2. COSTLY PROJECT TO COMPETE WITH SATANA ROW (SATANA ROW / WESTGATE / MAIN STREET)
 3. INCREASED USE WATER IN FACE OF PROJECT DEVELOPMENT
 4. ADDS TO FOCUSED TRAFFIC CONGESTION (APPLE / MAIN STREET)
 5. OUT OF CHARACTER FOR CITY HISTORY / CHARACTER

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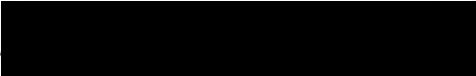
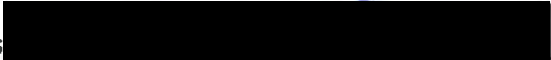
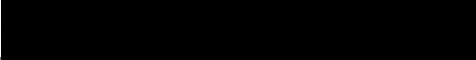
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By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)

Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: Xiaowen Wang Email: 
Address:  Phone: 

COMMENTS:

1. The impact of massive office building on the next RSNA cycle. The increased employment will be factored in the ABAG's formula for ~~not~~ the RHNA calculation. How ~~to~~ such office allocation would result in the RHNA requirement?
2. The total enrollment of school due to the project should be calculated based on both ~~employe~~ housing and office on site.
3. The traffic study should ~~to~~ also include the surrounding secondary road, such as, Blaney, Portal, Fantau, Estate, Finch.

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By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)

Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: Jennifer Griffin Email: 

Address: _____ Phone: _____

COMMENTS:

I thought the Specific Plan was going to be worked on by the public. This does not seem to be the case. The Specific Plan should be a plan worked on by the public.

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Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: _____ Email: _____

Address: _____ Phone: _____

COMMENTS:

Public not involved in the
specific planning process.

Current city process hasn't
allowed public input.

The more I learn of
the process of Hills Project,
the more questions and
concerns I have!!!

Some citizens have even
suggested that the citizens of Cupertino
vote to determine the viability

of this ambitious building project.

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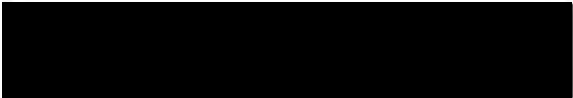

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By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)

Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: Hongwei Duan Email: 
Address:  Phone: _____

COMMENTS:

We are against the idea of
sub redevelopment of the Mall to
have more population.
It's a disaster for the residents
It's bad traffic, bad over-population

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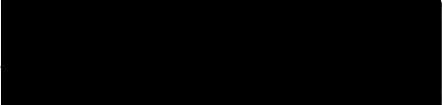
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By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)

Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: Ruiwei Wang Email: _____

Address:  Phone: _____

COMMENTS:

We say NO to the re-building plan of Vallco mall.

We worried about traffic, environment etc. We don't like to live in a over-populated place.

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By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)

Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: Ray Martin Email: _____

Address: [REDACTED] Phone: [REDACTED]

COMMENTS:

I would like a "Notice of Availability of the
Draft EIR" when available

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You are allowing the bag - which is trying general plan office + having for NEXT 20 years in 1 project allotment

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Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: _____ Email: _____

Address: _____ Phone: _____

COMMENTS:

We deserve Retail!! Toilets for retail vs housing/office
Shadowing to neighbors houses - NO SUN
Infrastructure Water, electric, sewer, etc
Air pollution - cars, etc
Noise levels for neighbors
Impact on trees - already Compromising trees -
Killed trees at Main St on purpose
not taking care of them
Quality of life
Impact on neighborhood & city infrastructure
lithium is water, electric go to come from

Butter
trees are
suffering

Because of this project a new school on a very small site - had to build to another school - Build at Vallco instead. Let them build school -
Retail
Vallco
Impact on our neighborhood on cal level
NO way
One neighborhood
Talk about impact
NO way
NO way
NO way

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By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)

Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: Jennifer Griffin Email: _____

Address: _____ Phone: _____

COMMENTS:

Double row of ash trees on ~~both~~ east and west sides of Wolfe Road from Stevens Creek Blvd. to Homestead Road need to be protected as part of city infrastructure. Double row of ash trees along Vallco frontage on Stevens Creek Blvd. need to be protected as city infrastructure. Public expectations that the double row of ash trees will remain during any building will survive any building and be present for next 100 years or more as Cupertino Greenbelt / Public Infrastructure.

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By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)

Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: Heather Dean Email: [Redacted]
Address: [Redacted] Phone: [Redacted]

COMMENTS:

FIRST Impression "Sounds to good to be true";
Observation that project starts one
way and change dramatically during
construction, what we hear tonight -
how firm is it and ^{how is it} going to
change away, from what is good
for Cupertino Community. As in
everything in this area how will
we move around because of
traffic, traffic traffic!

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By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)

Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: Charles Capera Email: 
Address:  Phone: 

COMMENTS: / QUESTIONS:
* What will be done to alleviate traffic?
* If drought conditions persist, would there be an alternate plan to replace the massive landscaping proposal?
* When is the next public meeting/forum?
* What will the make-up of the retail space be (i.e. restaurants, stores, "cultural stores")

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By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)
Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: Longching Yeh Email: [Redacted]
Address: [Redacted] Phone: [Redacted]

COMMENTS:

I am concerned two things

①. The size of & scale of the development of vallco center is very large & aggressive enough that might impact the Cupertino community current situations, i.e. peaceful, rich of culture & safety of living. Suitable but already worsen. Traffic situation

② Luther site can be a choice of new elementary school, not the Collins sites. Currently, in the

morning traffic in Portal Ave is heavy, I am concerned and Nan-allen

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By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)

Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: Huang Email: _____

Address:  Phone: _____

COMMENTS:

We really are concerned for Environment
that new or rebuilding will affect us.

Please stop damage our
air, our place to live

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By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)

Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: Martin Won Email: 

Address: _____ Phone: _____

COMMENTS:

- 1) Is there a safety barrier at the edge of the "green roof"?
- 2) What safety precautions are in place to prevent accidents and suicides that the height of the roof will attract?
- 3) How will the traffic change (wait times, average and/or worst-case travel times) in all surrounding streets, intersections, and all streets passing and feeding the Vallco development (taking Apple into account) including Stevens Creek Blvd, Homestead, Wolfe, 280 onramps and offramps, etc.

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By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)

Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: dianne stauffer Email: 

Address:  Phone: 

COMMENTS:

What is the time line for this project?

Are the residences for ownership or rental?

Is the developer of the Hills the same one

involved in the shopping center? That project

is at a stand still. Any guarantee the

developers will not go bankrupt?

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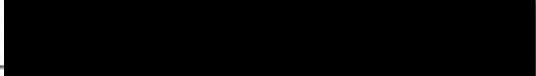
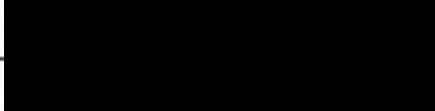

PUBLIC COMMENT CARD

The City of Cupertino, as Lead Agency under the California Environmental Quality Act (CEQA), will prepare an Environmental Impact Report (EIR) for the above-referenced project. Written comments on the scope of the EIR analysis will be accepted until **November 16, 2015**. Please send comments to Piu Ghosh, Senior Planner.

By Mail: City of Cupertino, Community Development Department
10300 Torre Avenue, Cupertino, CA 95014-3202

By Email: PiuG@cupertino.org (please include "Vallco" in the subject line)

Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: Qin Pan Email: 
Address:  Phone: 

COMMENTS:

Today I tried to drop my kids at dance class at Happy Donut plaza, it take me 7 minutes get into the plaza, as the plaza is filled with Business related to kids activity.

This make me worried when Apple new campus and Hills at Valco ready, ^{they are so close to each other} How long it going to take me from my house to 280? or from 280 to my house after work? How Hills in Valco enforce people using bike and walk?




VALLCO SHOPPING DISTRICT SPECIFIC PLAN AND THE HILLS AT VALLCO PROJECT

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Name: HARRIS Au Email: 
Address:  Phone: 

COMMENTS:

800 ADDITIONAL RESIDENTIAL UNIT ARE WAY
TOO EXCESSIVE. TRAFFIC AT PRESENT IS
CONGESTED
ALREADY VERY CONGESTED. WE DON'T WANT
THIS PROJECT TO TURN CUPERTINO INTO A
BIG PARKING LOT. THE MAXIMUM NO. OF
ADDITIONAL RESIDENCE IS ~~BETWEEN~~ 100 UNITS.
~~100~~ ~~200~~
~~300~~ TO ~~400~~ UNITS.

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Online: www.cupertino.org/access (please select "The Hills at Vallco" topic)

Name: Carrie O'Leary Email: [REDACTED]

Address: [REDACTED] Phone: [REDACTED]

COMMENTS:

Please review these:

1. Parking spaces - are there enough for all the office workers AND all the shoppers at all times of the day?

2. What amount of time will the additional traffic add to Stevens Creek, Wolfe, 280^{N+S} between Magdalena & Winchester?

3. How many cars will be added?

4. Why is Sandhill able to build Senior Housing now after claiming no expertise for Main St.

5. Why did the City Manager recommend the City add 2 million sq ft of office space RFP? with Sandhill?