

From: [REDACTED] [Bright](#)
To: [MTC-ABAG Info](#)
Cc: [REDACTED] [Bright](#)
Subject: City of Cupertino Housing Element Documents - Transparency and accuracy concerns
Date: Friday, July 1, 2022 4:16:56 PM
Attachments: [20220629_161447.jpg](#)
[20220629_161431.jpg](#)
[20220629_161417.jpg](#)
[20220629_161318.jpg](#)
[20220629_161404.jpg](#)
[20220629_161346.jpg](#)
[20220629_161332.jpg](#)

External Email

Hello ABAG Colleagues,

My name is Catherine Bright and I live in the City of Cupertino.

My family has owned orchard and residential property in Cupertino for approximately 105 years.

We consider Cupertino our home and part of our family legacy. As such, we have no plans to sell nor redevelop our remaining [REDACTED] [REDACTED] [REDACTED] parcel containing our family home. Likewise, we do not wish to be involved in contentious City planning controversies which have plagued Cupertino.

We wanted to share with you the Cupertino City Planning Department documents which someone left on our doorstep last Wednesday, the day after a public hearing took place.

The document seems to indicate a plan to apparently "pre-re-zone" properties for high density housing redevelopment.

Our property is listed as one of the two # 9a

properties in the documents. (The second 9a property belongs to Dividend Development, a mini-storage company next to my parcel. We are not affiliated with that parcel nor company.)

No one in the City asked us about rezoning our home.

Our home is not for sale and is in trust for family members.

We understand the City of Cupertino may be in violation of RHNA and some procedural State laws.

As such, we wanted to share these City Planning Department documents with you, since our fear is that this may be an attempt by the City of Cupertino, to imply to ABAG and to the State, that sites on this map are in planned redevelopment negotiations for high density housing.

That implication is false, concerning our property, and may be equally false with other local properties indicated on the Cupertino Planning Department Housing Element map, which displays, "Pipeline", "Tier 1" and "Tier 2", slated for high density, rezoning locations.

To our knowledge, our neighbors have not requested high- density rezoning, nor do they have any plans to sell or to redevelop, their properties.

Your team may better interpret what this set of documents implies and its intended

purpose, in regard to Cupertino's recent struggles with RNHA.

We have asked the City to remove our home from this Housing Element pre-re-zoning process. We have received no response.

We are contacting you to insure there is complete transparency in Cupertino Planning staff and City Council members' RHNA processes, and to protect other residents like us, who may be unaware that their homes (or businesses) are potentially, without their knowledge or permission, being rezoned, despite not being for sale nor under any type of new development consideration.

Thank you for your continued service to Bay Area residents,

Catherine [REDACTED] Bright

[REDACTED]
Cupertino, CA 95014

Parcel: [REDACTED]

Recommended Sites Inventory

General Public Comment Received
Agenda Item 6

Joint MTC Planning Committee with the ABAG Administrative Committee
July 8, 2022
Page 5 of 15

Key Map ID	Units for each Area	Assessor Parcel Number	Site Address/Intersection	General Plan Designation (Current)	General Plan Designation (New)	Zoning Designation (Current)	Zoning Designation (New)	Parcel Size (Gross Acres)	Current Maximum Density (du/ac)	New Minimum Density (du/ac)	Existing Units	Total New Units
4	5	Homestead Villa										
4a		32602063	10860 Maxine Ave	Res ML 5-10	na	R2-4.25i	na	0.71	10	10	2	5
5	0	Inspiration Heights: There are no sites within this area that are currently recommended										
6	44	Jollyman										
6a	Tier 2	35920030	20860 McClellan Rd	Res Low 1-5	Res Medium 10-20	R1-10	R1-7.5	1.27	4.35	5	0	-
6b		35905133	21050 McClellan Rd	Com/Off/Res	Res Medium 10-20	P	P(R-3)	0.78	15	30	0	23
6c	Tier 2	35919043	7540 McClellan Rd	Low Den (1-5 DU/Ac.)	Res Medium 10-20	R1-6	R1-C	0.33	5	10	1	-
6d		35920028	20920 McClellan Rd	Quasi-Public	Res H 30>	BQ	P(Res)	0.71	0	30	0	21
7	45	Monta Vista North										
7a		35606001	10857 Linda Vista Dr	Res Low 1-5	Med/High (20-35 DU/Ac)	R1-7.5	P(R-3)	0.73	5	20	1	13
		35606002	10867 Linda Vista Dr	Res Low 1-5	Med/High (20-35 DU/Ac)	R1-7.5	P(R-3)	0.69	5	20	1	12
		35606003	10877 Linda Vista Dr	Res Low 1-5	Med/High (20-35 DU/Ac)	R1-7.5	P(R-3)	0.25	5	20	1	4
		35606004	10887 Linda Vista Dr	Res Low 1-5	Med/High (20-35 DU/Ac)	R1-7.5	P(R-3)	0.87	5	20	1	16
7b	Tier 2	35705010	22381 McClellan Rd	Res Low 1-5	Res Medium 10-21	R1-10	R-1C	0.44	5	5	1	-
8	22	Monta Vista South										
8a		36231001	20666 Cleo Ave	Res Medium 10-20	Med/High (20-35 DU/Ac)	P(R3)	P(Res)	0.25	20	30	1	6
8b		36231030	[no address]	Res Medium 10-20	Med/High (20-35 DU/Ac)	P(R3)	P(Res)	0.23	20	30	0	6
8c		35623057	21710 Regnard Rd	Res Very Low	Res Low 1-5	RHS	R1-5	1.46		5	1	7
		35623001	21710 Regnard Rd	None	Res Low 1-5	RHS	R1-5	0.15		5	0	1
		36638021	21530 Rainbow Dr	Res Very Low		RHS	R1-7.5	0.43		3.4	1	2
8d												
9	61	North Blaney										
9a		31643009	10730 N Blaney Ave	Ind	Res H 30>	P(R2, Mini-Steel)	P(Res)	1.76	0	30	1	51
		31643008	10710 N Blaney Ave	Res Low Med 5-10	Res H 30>	R-2	P(Res)	0.37	10	30	1	10

SPECIAL MEETING

ROLL CALL

APPROVAL OF MINUTES

1. Subject: Approve the June 14 Planning Commission Minutes
Recommended Action: Approve the June 14 Planning Commission Minutes
A - Draft Minutes

POSTPONEMENTS

ORAL COMMUNICATIONS

This portion of the meeting is reserved for persons wishing to address the Commission on any matter within the jurisdiction of the Commission and not on the agenda. Speakers are limited to three (3) minutes. In most cases, State law will prohibit the Commission from making any decisions with respect to a matter not on the agenda.

WRITTEN COMMUNICATIONS

CONSENT CALENDAR

Unless there are separate discussions and/or actions requested by council, staff or a member of the public, it is requested that items under the Consent Calendar be acted on simultaneously.

PUBLIC HEARINGS

2. Subject: The fifth meeting on the Housing Element update focusing on the establishment of a housing sites selection inventory. The previous four meetings were solely with the Planning Commission.
Recommended Action: That the Planning Commission and Housing Commission receive the report and presentation, provide input on the proposed housing inventory sites, and make a recommendation stating which sites on the Sites Inventory Table (Attachment A) be included on the housing sites inventory.

https://cityofcupertino.zoom.us/webinar/register/WN_0SG48Nh6T3SQ0k0CbCdcmg

Phone

Dial: (669) 900 6833 and enter Webinar ID: 980 8849 7047 (Type *9 to raise hand to speak)

Unregistered participants will be called on by the last four digits of their phone number.

Or an H.323/SIP room system:

H.323:

162.255.37.11 (US West)

162.255.36.11 (US East)

Meeting ID: 980 8849 7047

SIP: 98088497047@zoomcrc.com

After registering, you will receive a confirmation email containing information about joining the webinar.

Please read the following instructions carefully:

1. You can directly download the teleconference software or connect to the meeting in your internet browser. If you are using your browser, make sure you are using a current and up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers, including Internet Explorer.
2. You will be asked to enter an email address and a name, followed by an email with instructions on how to connect to the meeting. Your email address will not be disclosed to the public. If you wish to make an oral public comment but do not wish to provide your name, you may enter "Cupertino Resident" or similar designation.
3. When the Chair calls for the item on which you wish to speak, click on "raise hand." Speakers will be notified shortly before they are called to speak.
4. When called, please limit your remarks to the time allotted and the specific agenda topic.

**NOTICE AND CALL FOR A JOINT SPECIAL MEETING OF THE CUPERTINO
PLANNING COMMISSION AND CUPERTINO HOUSING COMMISSION**

NOTICE IS HEREBY GIVEN that a special joint meeting of the Cupertino Planning Commission and Cupertino Housing Commission is hereby called for Tuesday, June 28,

Tuesday, June 28, 2022
6:45 PM

Special Joint Planning and Housing Commission Meeting

TELECONFERENCE / PUBLIC PARTICIPATION INFORMATION TO HELP STOP THE SPREAD OF COVID-19

In accordance with Government Code 54953(e), this will be a teleconference meeting without a physical location to help stop the spread of COVID-19.

Members of the public wishing comment on an item on the agenda may do so in the following ways:

- 1) E-mail comments by 5:00 p.m. on Tuesday, June 28 to the Commission at planningcommission@cupertino.org. These e-mail comments will be received by the Commission members before the meeting and posted to the City's website after the meeting.
- 2) E-mail comments during the times for public comment during the meeting to the Commission at planningcommission@cupertino.org. The staff liaison will read the emails into the record, and display any attachments on the screen, for up to 3 minutes (subject to the Chair's discretion to shorten time for public comments). Members of the public that wish to share a document must email planningcommission@cupertino.org prior to speaking.

3) Teleconferencing Instructions

Members of the public may observe the teleconference meeting or provide oral public comments as follows:

Oral public comments will be accepted during the teleconference meeting. Comments may be made during "oral communications" for matters not on the agenda, and during the public comment period for each agenda item.

To address the Commission, click on the link below to register in advance and access the

OLD BUSINESS

NEW BUSINESS

STAFF AND COMMISSION REPORTS

FUTURE AGENDA SETTING

ADJOURNMENT

If you challenge the action of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the City of Cupertino at, or prior to, the public hearing. In the event an action taken by the Planning Commission is deemed objectionable, the matter may be officially appealed to the City Council in writing within fourteen (14) days of the date of the Commission's decision. Said appeal is filed with the City Clerk (Ordinance 632).

In compliance with the Americans with Disabilities Act (ADA), anyone who is planning to attend this meeting who is visually or hearing impaired or has any disability that needs special assistance should call the City Clerk's Office at 408-777-3223, at least 48 hours in advance of the meeting to arrange for assistance. In addition, upon request, in advance, by a person with a disability, meeting agendas and writings distributed for the meeting that are public records will be made available in the appropriate alternative format.

Any writings or documents provided to a majority of the Planning Commission after publication of the packet will be made available for public inspection in the Community Development Department located at City Hall, 10300 Torre Avenue, Cupertino, California 95014, during normal business hours; and in Planning packet archives linked from the agenda/minutes page on the Cupertino web site.

IMPORTANT NOTICE: *Please be advised that pursuant to Cupertino Municipal Code section 2.08.100 written communications sent to the Cupertino City Council, Commissioners or City staff concerning a matter on the agenda are included as supplemental material to the agenda item. These written communications are accessible to the public through the City's website and kept in packet archives. Do not include any personal or private information in written communications to the City that you do not wish to make public, as written communications are considered public.*

Peggy Griffin

To: Piu Ghosh (PiuG@cupertino.org); lukec@cupertino.org
Cc: PlanningCommission@cupertino.org; HousingCommission@cupertino.org

Planning Commission meeting on 6-28-2022 at 6:45 pm
<https://cupertino.legistar.com/MeetingDetail.aspx?ID=917551&GUID=DB8D06F7-1A66-4F76-9A11-FBF32C5985F0&G=74359C04-A5F0-4CB2-A97A-0032996BB90E&Options=&Search=>

Next meeting Tuesday July 5 at 5:30pm on Zoom

From: [REDACTED] [Bright](#)
To: [MTC-ABAG Info](#)
Cc: [REDACTED] [Bright](#)
Subject: Re: City of Cupertino Housing Element Documents - Transparency and accuracy concerns
Date: Friday, July 1, 2022 4:33:33 PM

External Email

I forgot to mention that our home was zoned R-2, so an elderly relative could build a second home on the parcel for her daughter, as a means of longterm, aging home care for the mother. That home was never built.

Our parcel has one home, two sheds and one workshop, none with running water, no hygiene facilities nor any kitchen nor sleeping areas. They are all bare sheds. The parcel has been exactly the same, for many decades.

Two local families park their motor homes in our side yard, since motor homes aren't allowed on the residential streets where they live. They give us \$100 a month to help with yard maintenance.

Just wanted to explain our R-2 zoning, since I forgot to do so previously.

Best,
Catherine Bright

On Fri, Jul 1, 2022, 4:16 PM Cat & Cass Bright <[REDACTED]> wrote:

Hello ABAG Colleagues,

My name is Catherine Bright and I live in the City of Cupertino.

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Thank you for your continued service to Bay Area residents,

Catherine [REDACTED] Bright

[REDACTED]
Cupertino, CA 95014

Parcel: [REDACTED]

Please do not ban middle-class housing in areas served by light rail and bus rapid transit!!!

I was shocked when I heard two weeks ago that MTC and ABAG were considering a policy encouraging localities to require minimum densities of 50 units per acre near all fixed guideway transit, including light rail and bus rapid transit. **The commission and the association seem to be doing this without any outreach to representatives of the people who will be hurt – those who cannot afford the cost of housing built at 50-per-acre-plus densities.**

We now have at least a decade of experience with mandating high densities. As I understand it, we have had 55-unit-per-acre minimums under the San Jose General Plan since 2011. Anyone can go on Zillow or Redfin and see the result: Developers are unable to build projects where even small units cost less than \$800,000 or so. Such developments require a substantial concrete-and-steel podium and indoor parking. And such features and technologies drive up the cost. No middle-class family that does not already own property can afford \$800,000 for a small apartment. Because so few can afford housing at such densities, most possible sites remain vacant.

The graph below shows how the 2011 Plan affected permits issued in San Jose. From the 1960s to the 2007-2009 recession, San Jose provided about 20% of all new housing in the Bay area. In the first years after adoption of the 55 unit-per-acre minimum, construction resumed with permits issued on projects that entered the development pipeline before 2011. But from 2018, permitting has been very low despite extremely strong demand. Developers know few buyers can afford \$800,000 for a small apartment, so they don't build many.

On the other hand, **experience in many states has shown that housing can be built at prices the middle class can afford.** To meet middle class budgets, however, it's usually necessary to use straightforward wood frame construction and have outdoor parking. **Massachusetts has shown that it's possible to achieve good "smart growth" densities with wood frame construction – up to 30-40 units per acre.** I'm told that at these densities, construction costs are not too different from those of 2 or 3-story frame houses. But as far as I know, no one can achieve 50 units per acre without dramatically higher costs.

Requiring high densities may make sense around major transportation hubs. But light rail and bus rapid transit were designed to serve the middle class. **It makes no sense to set minimum densities around light rail and bus rapid transit that preclude lower cost wood frame construction. Doing so would be radically anti-middle class.**

Robert Chapman WOOD
Professor of Strategic Management
San Jose State University
robert.wood@sjsu.edu

This statement is made as an individual. Although I am a union committee chair, the union did not learn about this proposal in time to take a position.

