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62-PAGE RULING

Vallco project can proceed, judge says

Ruling ends a yearslong battle over the massive development in Cupertino

By Marisa Kendall
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CUPERTINO » Plans to turn the old Vallco Shopping Mall into a massive housing, office and retail complex can proceed full steam ahead after the developer won a decisive victory in court Wednesday.

Concluding a lengthy battle over the project — which would bring 2,402 apartments, 400,000 square feet of retail and 1.8 mil-

lion square feet of office space to Cupertino — a Santa Clara County Superior Court judge ruled city officials did not err when they approved the development and gave it fast-track status. The ruling is a major win for YIMBY and pro-development activists and a heavy blow to some other community members who have been fighting vehemently against various iterations of this project for years.

“This is a gigantic win for housing advocates specifically and a

huge win for proponents of development in general,” said J.R. Fruen, co-founder of the housing advocacy group Cupertino 4 All, which was not a party in the litigation.

Bern Steves, the attorney for Friends of Better Cupertino — the community group fighting the project — could not be reached for comment. It was not immediately known whether the group would appeal the ruling.

Cupertino approved the Vallco project in 2018 under Senate Bill 35, which requires cities to approve and expedite certain residential and mixed-use develop-

ments. Friends of Better Cupertino sued the city, claiming officials had failed to do their duty by approving a project that didn't meet the standards of SB35.

But in a 62-page ruling, Judge Helen Williams made clear the project did qualify for the special status and that the claims of Friends of Better Cupertino — which she said multiple times misinterpreted the law and made convoluted arguments — didn't have merit.

During a hearing in December, Friends of Better Cupertino had argued the Vallco project had several flaws that made it ineligible

for SB35 status. The group claimed the project was disqualified because it is located on a hazardous waste site, exceeds the city's height limits, does not have sufficient space designated to residential development and lacks a park.

But Williams dismantled those claims one by one.

A project must be two-thirds residential to qualify for special status under SB35, and Friends of Better Cupertino argued the Vallco project didn't meet that standard — in part because developer Sand Hill Property Company improperly included residential parking space

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PIZARRO

Another view on rejection of slow streets

Silicon Valley Bicycle Coalition Executive Director Shiloh Ballard is among those disappointed by San Jose's decision



Sal Pizarro
Columnist

not to join the slow streets movement — a traffic-calming strategy being tried in several Bay Area cities to reduce speeds and create more space for pedestrians and cyclists.

“We're understanding of the situation that San Jose is in, but we're disappointed to see the reversion to the default response, which is 'no' instead of looking at this as an opportunity to rethink how we do things,” Ballard said.

In a letter to the SVBC, San Jose Transportation Director John Ristow said the city wouldn't be pursuing any street closures for now after consulting with the city's Parks and Recreation Department and the San Jose Police Department. Instead, the city decided to manipulate traffic light timing and pedestrian signals to slow speeds around the city.

Contrast that to Oakland, which launched the slow streets movement by announcing a month ago that it would close 74 miles of streets to nonlocal traffic. Other communities — including San Francisco, Alameda, San Mateo, Foster City, Burlingame and Redwood City — have embraced the concept, too. And now communities are considering partially closing streets to

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SLOW GROWTH

30 Bay Area cities shrank in population last year

By Leonardo Castañeda
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Thirty Bay Area cities — from Concord to San Leandro to Los Altos — all shrank just a little bit last year, which delivered the region's slowest population growth since 2006.

California's population grew just 0.2% in 2019, continuing a trend of slowing growth that started after the Great Recession, according to estimates released by the state's Department of Finance this month. The state is still just shy of 40 million residents. The five-county Bay Area grew by 0.3%, adding 21,925 new residents for a total population of 6.5 million.

Within the state, growth has been slowest in expensive coastal areas and fastest in the Central Valley and other more affordable inland parts of the state, said Doug Kuczynski, a demographer

SHRINK » PAGE 2

COPING AT HOME

Can't get to museum? Create your own



PHOTOS BY DAI SUGANO — STAFF PHOTOGRAPHER

Replicas of world-famous artwork are on display at The Emergency Art Museum in the front yard of Johnny DePalma's home Wednesday in Campbell. DePalma says he created the pop-up gallery as a response to the lack of art resources available to kids who are stuck at home.



Lana Helms, of Campbell, helps her 4-year-old daughter, Ana, look at the items displayed at the makeshift museum.

How are you spending your time in quarantine? One South Bay man has discovered a creative way to share his love for art and pop culture with his neighbors without having to step foot off his lawn. Johnny DePalma was looking for a way to occupy his mind while social distancing and came up with the Emergency Art Museum. Presented from his front yard, the Emergency Art Museum places on display replicas of well-known pieces of art, including Banksy, “Balloon Girl” and Andy Warhol's “Campbell's Soup Can.”

CORONAVIRUS RESPONSE

Parks officials to visitors: Please stay local

To discourage crowds, people are being asked to visit only places that are close to their homes

By Martha Ross
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Many of the Bay Area's COVID-19-weary residents will be eager to get outdoors this weekend and enjoy spring temperatures that are expected to reach the 80s or even 90s through Saturday.

The good news is that a number of county, state and national parks have remained open during the pandemic for walking, running, biking and other activities so that people can stay healthy and reduce stress. San Mateo County officials also announced this week that they

had reopened 13 of the county's 23 parks, following state and county orders last week to ease shelter-in-place restrictions on outdoor activities.

But for all potential visitors to Bay Area parks this weekend, officials have a message: Think local and don't leave your county.

Officials believe that a number of people have been traveling far from their homes over the past couple weekends to crowd into some of the Bay Area's most popular parks. This has been especially true in coastal areas, prompting officials to close most beaches in Sonoma, Marin, San Francisco and San Mateo coun-

ties.

Of course, the more crowded a park gets, the harder it is for people to practice social distancing, officials say. That's why officials are asking people to visit only parks that are a few miles from their homes or, in some cases, close enough to walk or bike to.

San Mateo County Parks Director Nicholas Calderon said the 13 parks that reopened in his county are in residential areas and should be used only by people who live close enough to walk in or “travel a short distance.”

Marin County's April 29 order similarly said people should only use parks that are near their homes and “readily accessible by foot, bicycle or other non-motorized means.” Sonoma County issued a similar edict for its parks

last week.

To discourage people from traveling too far to get to a park or open space, Calderon and other officials have closed roads, staging areas and parking lots, or they have banned roadside parking. They only allow vehicles that are necessary for disabled access.

Meanwhile, most parks have instituted other restrictions to encourage social distancing: No picnics, playground use, camping, sunbathing or contact sports.

When visiting parks, people must keep at least 6 feet away from people outside their households and carry masks to slip on in case they hit a congested spot on a trail.

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