

Coblentz
Patch Duffy
& Bass LLP

One Montgomery Street, Suite 3000
San Francisco, CA 94104-5500

T 415 391 4800
coblenzlaw.com

Frank Petrilli
D (415) 268-0503
fpetrilli@coblenzlaw.com

May 11, 2021

VIA E-MAIL

Gloria Sciara
Development Review Officer
City of Santa Clara
Planning Division

Re: 2354 Calle Del Mundo Project – Supplemental Correspondence

Dear Ms. Sciara:

The purpose of this letter is to respond a supplemental response to the additional contentions recently raised by Mr. Ron Patrick and his counsel, as well as to provide a factual clarification related to Mr. Patrick's parking easement.

As you're aware, Mr. Patrick submitted a letter on May 6th to the City arguing that various CC&Rs would preclude the proposed project at 2354 Calle Del Mundo and threatening litigation against our client, Ensemble Investments. We are unclear as to why Mr. Patrick and his counsel did not direct their correspondence to us, but in any event the issues raised in Mr. Patrick's letter have no bearing on the pending entitlement process for the project. Those issues are private matters between adjacent property owners. In our view, Mr. Patrick's latest demands do not therefore warrant a response from the City. Even if the concerns raised by Mr. Patrick had any merit – and they do not – the City would not have the authority to impose the requested conditions on the Project under the Housing Accountability Act.

Separately, we would like to take the opportunity to correct and clarify a statement in our prior letter, also dated May 6th, relating to Mr. Patrick's parking easement. We now understand that the concrete wall between the respective properties which abuts the border of the parking easement appears to straddle the property line (i.e., it does not appear to be located exclusively on Mr. Patrick's property which we previously believed to be the case).

Thank you again for your consideration of the project, and please do not hesitate to contact me if you have any questions.

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Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized 'F' followed by a horizontal line that curves upwards at the end.

Frank Petrilli

FRP

cc: Alexander Abbe
Steve Atkinson