

SHUTE MIHALY
& WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

ROBERT "PERL" PERLMUTTER
Attorney
Perlmutter@smwlaw.com

October 21, 2019

Via Electronic Mail

President of the Board Simitian and Members
of the Board of Supervisors
Santa Clara County
70 West Hedding Street
7th Floor East Wing
San Jose, California 95110

Re: Stanford University General Use Permit Application; Protections for
Stanford University's San Juan Residential District

Dear Board President Simitian and Members of the Board:

We submit these comments on behalf of the Stanford Homeowners, a coalition of hundreds of Stanford faculty and staff members and spouses who own homes on the Stanford campus and have been actively involved in the County's consideration of Stanford's application for a General Use Permit and related amendments to the Stanford Community Plan and County Zoning Map (collectively, "GUP").

Stanford Homeowners has also participated extensively in the County's separate and independent efforts to address its concerns regarding historic resource issues and the need to revisit appropriate zoning and development standards in the San Juan Residential District. They appreciate the efforts that the Board's Housing, Land Use, Environment, and Transportation Committee ("HLUET") took to address these issues at its June 20 and September 19 meetings. Stanford Homeowners also greatly appreciates the leadership of the HLUET Committee, as well as County staff's efforts to develop a timeline and a workplan in this regard. They look forward to addressing these issues when they come before the full Board and hope the Board will support the recommendations of the HLUET Committee.

We write separately at this time to urge the Board to make two specific requests with respect to the GUP. First, Stanford Homeowners reiterates its prior requests that the County eliminate the language in the proposed conditions of approval ("COAs") for the GUP calling for additional units in the San Juan District. The COAs call for no new

housing in the San Juan District. *See* COA Table 2: Maximum Development Allocation by District at page 10. However, COA section 9, “Housing Distribution by Development District” would allow a maximum of 20 units in the San Juan District. (*See* COA at 15, “In all development districts, the amount of housing may exceed the proposed distribution in Table 2 by 20% of the maximum number of units allowed in the development district or 200 units, whichever is less. *In a district where no proposed distribution is identified, the maximum number of units allowed to be redistributed is 20.*” (emphasis added). The language allowing up to 20 units to be constructed in the San Juan District should be stricken from the COA, because it is inconsistent with the process defined by the HLUET Committee for a historic survey, new zoning for each neighborhood, and development guidelines. This process is not part of the GUP but is on a parallel track.

Second, in the event that the County and Stanford University re-engage in consideration of a potential development agreement in connection with the GUP, Stanford Homeowners requests that the County ensure that any such development agreement not restrict the County’s ability to adopt new and more restrictive zoning and development standards reflective of the current neighborhood character of the San Juan District, which includes all faculty residential neighborhoods where there is no existing clustered housing.

Stanford Homeowners believes it is imperative that the County complete the proposed historic resources study and adopt appropriate zoning amendments and development standards for the San Juan District before considering any additional development proposals for that district. Accordingly, in the event that the County enters into any development agreement with Stanford, we request that any such agreement specifically provide that the County maintains the full range of options to adopt such zoning amendments and development standards for the San Juan District.

Stanford Homeowners greatly appreciate the Board’s and County staff’s consideration of and attention to their concerns.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Robert “Perl” Perlmutter

cc: Clients