



Milpitas Unified School District

1331 E. Calaveras Blvd., Milpitas, CA 95035

Web site: www.musd.org

Cary Matsuoka

Superintendent

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City Manager

DEC 20 2012

RECEIVED

December 18, 2012

Mr. Thomas C. Williams
Milpitas City Manager
455 East Calaveras Boulevard
Milpitas, CA 95035

Dear Mr. Williams:

Milpitas Unified School District was informed that "*Preston Property Residential Project*" prepared an Environmental Impact Report for the City of Milpitas. The proposed report is to provide new residential dwellings, as many as 220 units on the project site.

In November 2011, the District conducted an enrollment projection study. This study forecasted a rise of more than 600 students in the next five years. The growth will have a tremendous impact on facilities and District school capacity has reached its limit to provide space.

In addition, the potential residential units are too far from our existing elementary schools, therefore, are not feasibly located where students can walk or cycle to school without other types of transportation. This will place additional hardship to the students, parents and District.

After review of the report, Milpitas Unified School District is strongly against "*Preston Property Residential Project*" proposal.

Sincerely,

A handwritten signature in black ink that reads "Cary Matsuoka". The signature is written in a cursive style.

Cary Matsuoka
Superintendent

In care of Mr Singh

Well first of all, we don't ^{need} any more people around here. We have enough people out of work in the valley.

Are the builders going to bring their own water & electricity for their project. In a dry year like this one, we have had blackouts and water rationing. The weather people say we only have about 56% of the rain that we generally get in a year. In a wet year that piece of property would flood and ducks would land there. Right across the street from the Torres home to the railroad track.

Are the builders going to build on & off ramps at the freeway. The traffic is bad now, just imagine what it would be with 220 Condos and 2 to 3 cars per unit.

Mr Singh told me they wanted to use Botello Street and paint bike lanes on it and use it for cars & trucks. We don't want any of their traffic on our right of way. We the people donated 25 ft. for the road and the property that Mr. Mike Preston bought, the previous owner did not donate any property for the road. Therefor he doesn't have the right of way for his project. Close it off where his property meets the Torres property.

(over)

Mr Preston wants to put an exit right next to the railroad, we don't want any of his traffic on our road! All his traffic must go to Calaveras road if you let him build.

If you issue the permits to build 220 high density units, the people living in the area are going to have a lot of problems. So before there are any problems, solve them now. Don't issue any permits!

Nery Santos
174 Lester Ln
Los Gatos Ca
95032

P.S.

I was born in Milpitas 51 years ago. Our family moved there in the early teens. My aunt Josephine Gurrero worked for the Post office for thirty years. She got the ball rolling to build the first library there in Milpitas, so were no strangers in the town.

UNION PACIFIC RAILROAD
1400 Douglas Street, Stop 1580
Omaha, Nebraska 68179

Patrick R. McGill/UPC Senior Counsel-Real Estate, Law Dept.

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May 8, 2013

VIA EMAIL ONLY sahsing@ci.milpitas.ca.gov

City of Milpitas
Planning Department
Attn. Sheldon Ah Sing
455 East Calaveras Boulevard
Milpitas, CA 95035

Re: Comments to Request for General Plan Amendment, Specific Plan Amendment, Zoning Amendment, Planned Unit Development, Site Development Permit and Conditional Use Permit at 133, 225, 227-261 Bothelo Lane
Case Nos: GP12-0002, ST12-0002, ZA12-0003, PD12-0002, MT12-0002, SD12-0001, UP12-0010 ("Project")

Dear Mr. Ah Sing:

Union Pacific Railroad Company, a Delaware corporation ("UP"), is delivering this letter in opposition of each of the requested items included in the above-referenced Project. The Project location is next to UP's main line rail corridor and its Milpitas Rail Yard. Accordingly, UP wishes to raise the following issues.

UP believes that maintaining industrial use areas along existing rail corridors reflects good land use planning. Locating residential uses next to the rail corridor, particularly in the Project location which is nearly surrounded by railroad uses, would result in increased pedestrian and vehicular traffic near and over the railroad tracks and at nearby, at-grade rail crossings. Increased likelihood of trespassing and vandalism on the railroad right-of-way and in the rail yard should be expected as well. Due to these issues and other safety concerns, UP strongly opposes the Project and asks that you examine the safety risks associated with the Project.



City of Milpitas
May 8, 2013

Refusing to grant the applicant's request would require the development to be located in another, perhaps safer location. If the Project is approved, we ask that the City require the future developers to mitigate the safety risks and the impacts of the railroad's 24-hour operations on the proposed residences. In particular, the City should require the future developers to install barrier walls or block fences, and/or "no trespassing" signs designed to prevent local residents from being too near or trespassing onto the railroad tracks and rail yard. Buffers and setbacks should also be required adjacent to the right-of-way.

Any future residential development near operating right-of-way can negatively impact freight rail service and create unintended consequences that are in neither the railroad's nor the public's best interests, including land use conflicts due to the nature of rail operations that may cause mechanical odor, noise and vibration. Additionally, any increase in vehicle or pedestrian activity may result in interference with train operations and trains may be forced to proceed more slowly through the City, and/or make more frequent emergency stops, which would make rail service less effective and efficient. In the event of train slowdowns or stoppages, train cars may be forced to block at-grade roadway intersections, causing traffic disruptions.

UP appreciates the City giving due consideration to the above concerns, as this proposed Project may result in significant impacts to land use and public safety.

Please give notice to UP of all future hearings and other matters with respect to the Project as follows:

Austin Fearnow
Assistant Manager, Real Estate
Union Pacific Railroad Company
1400 Douglas Street - STOP 1690
Omaha, NE 68179

Please do not hesitate to contact the undersigned if you have any questions or concerns.

Sincerely,



Patrick R. McGill
Senior Counsel – Real Estate
Union Pacific Railroad Company

cc: Austin Fearnow
Andy Perez
James H. Smith