

Milpitas Unified School District

1331 E. Calaveras Blvd., Milpitas, CA 95035

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Cary Matsuoka
Superintendent

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October 10, 2013

Steven McHarris
Planning & Neighborhood Services Director, City of Milpitas
455 East Calaveras Blvd.
Milpitas, CA 95035

Dear Mr. McHarris,

I am writing on behalf of the Milpitas Unified School District with regards to the Trumark proposal to develop 84 single family homes at 1494 and 1600 California Circle. We are opposed to the amendment to the General Plan and rezoning of this area to single family homes for two reasons.

First, we are at capacity at nearly every campus in our district and the schools in the northern portion of the city are full. The three campuses that would be impacted are Weller Elementary, Russell Middle School, and Milpitas High School. Second, that entire area is zoned for commercial use and we believe that the city needs to maintain a healthy balance of commercial and residential land use.

We should preserve that section of the city for commercial use, which in turn supports jobs and a stronger tax base for the city of Milpitas.

Respectfully,

A handwritten signature in cursive script that reads "Cary Matsuoka".

Cary Matsuoka
Superintendent

Cc: Board of Trustees, MUSD

RECEIVED

OCT 10 2013

**CITY OF MILPITAS
PLANNING DIVISION**

MILPITAS/DIXON LANDING HOTEL DEVELOPMENT VENTURE, L.P.

400 S. EL CAMINO REAL, SUITE 200
SAN MATEO, CA 94402-1731

T: 650.347.8260
F: 650.347.8261

October 17, 2013

Ms. Cindy Hom
Planning Department
City of Milpitas
455 E. Calaveras Blvd.
Milpitas, CA 95035

Re: Trumark Homes application for a
General Plan Amendment (GP12-0003) and
Zoning Amendment (ZA12-0004)
From Industrial Park to Residential and General Commercial
(APNs: 22-37-011, 012, 019, 040, 045, 046, 047 and 049)

Dear Ms. Hom:

I write on behalf of Milpitas/Dixon Landing Hotel Development Venture, the owner of the property commonly known as the Residence Inn by Marriott located at 1501 California Circle, Milpitas (APN 022-37-047).

We object to the proposed General Plan Amendment and Zoning Amendment.

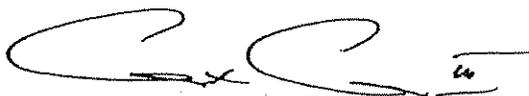
We purchased the land and built the Residence Inn by Marriott based in part on its location within the Dixon Landing Business Park. We believe that "Industrial Park" is the correct designation and use for the properties within the Dixon Landing Business Park. It would be inappropriate to convert some of the properties, particularly those at the entrance to the Business Park, to residential use. That would mix residential use with industrial/commercial uses (which could create safety concerns for children living in the residences, among other things), and it would geographically isolate the remaining industrial/commercial properties, depressing their value.

We ask that the City deny the application.

Thank you very much.

Very truly yours.

For and on behalf of
MILPITAS/DIXON LANDING HOTEL DEVELOPMENT VENTURE



Clement Chen, III

Cindy Hom

From: Helen Lim <hlyfitness@yahoo.com>
Sent: Wednesday, October 23, 2013 1:28 PM
To: Cindy Hom
Cc: Jose Esteves
Subject: A few more comments on proposed pedestrian bridge for Waterstone Project

Hello Cindy and Mayor Esteves:

Sorry for these last minute additional comments before tonight's planning commission meeting. I hope it isn't too late. Anyway, I'm still opposed to a pedestrian bridge being built for the Waterstone Project. Besides my reasons stated previously (below), Lower Penetencia Creek is a fowl habitat which I hope is preserved.

If a decision has already been made that a pedestrian bridge will be built and while this is not an endorsement, I think the best location for that bridge would be at Aspenridge for the following reasons:

- 1) It will allow any new/future residents, particularly if the Indian temple and the old Solyndra lots are re-zoned in the future for residential use too, a southern walking route to Dixon Landing park. A northern access to the park is already easily available.
- 2) Aspenridge is where the fence ends that borders my complex (California Landing Villas). So, Trumark only has to contend with one fence that is next to the levee rather than double fencing. (California Landing Villas does NOT have OPEN BORDERS, i.e., we have a fence, and people can't enter except from the north or south ends.)
- 3) The Aspenridge location also allows residents in the single family homes to access the businesses to the west of the proposed Trumark project.

One last comment: Hopefully, the City won't own or be responsible for maintaining this proposed bridge because it/we can't afford it, plus it will be a liability issue. However, if the Trumark residents will own it and maintain it, then it is private, and we who are living east of it probably won't have access, correct? Also, for crime and security issues, if the gate is privately owned, they should have locked gates on both ends for access. Otherwise, it only invites crimes to be perpetrated there. I don't really know the best solution, but the bridge WILL BE a liability issue for someone, either Trumark HOA or City of Milpitas.

Thanks for listening!

Helen

----- Forwarded cMessage -----

From: Helen Lim <hlyfitness@yahoo.com>
To: "jesteves@ci.milpitas.ca.gov" <jesteves@ci.milpitas.ca.gov>; "apolanski@ci.milpitas.ca.gov" <apolanski@ci.milpitas.ca.gov>; "dgiordano@ci.milpitas.ca.gov" <dgiordano@ci.milpitas.ca.gov>; "agomez@ci.milpitas.ca.gov" <agomez@ci.milpitas.ca.gov>; "cmontano@ci.milpitas.ca.gov" <cmontano@ci.milpitas.ca.gov>; "chom2@ci.milpitas.ca.gov" <chom2@ci.milpitas.ca.gov>;

"smcharris@ci.milpitas.ca.gov" <smcharris@ci.milpitas.ca.gov>; "sahsing@ci.milpitas.ca.gov" <sahsing@ci.milpitas.ca.gov>

Sent: Tuesday, April 16, 2013 12:01 AM

Subject: OPPOSED to proposed pedestrian bridge for Waterstone Project

Dear Mayor Esteves, Vice-Mayor Polanski, Councilmembers Giordano, Gomez, and Montano, Ms. Hom, Mr. McHarris, Mr. AhSing, and Chief Pangelinan:

I am a long-time homeowner and resident at California Landing Villas, which is east of the proposed Waterstone Residential Project to consist of 84 new homes on California Circle. Included in the proposal is a pedestrian bridge, which I strongly oppose for the following reasons:

- 1) While I understand that change happens and that the city needs revenues, a 3rd bridge which crosses Lower Penetencia Creek is not necessary since there are already 2 existing and well-constructed bridges on both ends of California Circle.
- 2) While Trumark Homes is anticipated to fund/build the bridge if the plan is accepted, the City will be responsible for its maintenance, and I do not think that it will be maintained properly or frequently. The city trail which is adjacent to the creek has been neglected since last year's lay-offs. Vegetation is overgrown, and the trail is very trashy. The area looks very slummy.
- 3) Since the trail maintenance has been significantly reduced, there is alot of trash (e.g., broken beer bottles and other glass), and I suspect trash will be left on this new bridge or tossed over it into the creek.
- 4) In addition, I suspect that adding this bridge will invite more crime (e.g., vandalism) and also provide an additional exit for lawbreakers.
- 5) This bridge will not be easily accessible to law enforcement because motorized vehicles are currently not allowed along this trail, and there are 3 waist-high posts that the city installed to prevent such traffic. (One had been vandalized and removed a couple yrs ago right after they were replaced.) These posts are near Terra Mesa Way, which is next to the east end of where the proposed bridge will be. MPD will either have to park at Aspenridge (the boundary between California Landing Villas and the single family homes south of the proposed bridge) and run to the bridge, or police will have to access the bridge on the west side (via the new homes). Neither east nor west sides of the bridge would be quickly and easily accessible and would delay response to any reported crime in progress.
- 6) The trail has no public lighting at night, and I suspect that the proposed bridge will not have lights either. This again provides advantages to lawbreakers.
- 7) The proposed bridge is supposed to be 6 feet high, which seems short. What if someone tries to commit suicide from it?
- 8) The water level at the creek seems to get higher now during periods of heavy rain. Maybe it's a result of changes made to the floor of the creek a few years ago--I don't know. But, the levees aren't that big, and it seems that the proposed bridge might affect the integrity of the levees on both sides of the creek. I'd be curious to know SCV Water District's input regarding the proposed bridge. We also saw flooding twice at the park this past December. When we flooded

here in 1998, the city pumped water out from our area to the creek, and, again, I fear the levees will be compromised with the addition of the bridge.

9) I use the trail regularly, despite it's decline in appearance and the land mines (dog poo), and I think the new homeowners should be encouraged by the city to enjoy the trail and to make healthy lifestyle choices. I.e., the new homeowners can walk to either of the 2 existing bridges if they wish to visit Dixon Landing Park. When people visit the park, they're usually active there, so why not make them walk a little further to either of 2 bridges that are already here? Plus, for the regular Starbucks drinkers, having the new bridge may make our residents lazier by taking the shortcut on the bridge and thereby crossing thru the new development.

10) My community already gets alot of foot and auto traffic because of the public park across the street. There's alot of trash that gets strewn in our complex, not to mention parking problems. We don't need more outsiders (e.g., from the new project) parking in our private parking spaces if they can't find parking where they're at. The Brander-Mill apartment residents already do that (use our parking spaces).

I apologize for my lengthy message, but this subject is of serious concern to me.

Thanks for indulging me by reading this far.

Best regards,
Helen Lim

Cindy Hom

From: Kristal C <caidoykristal@gmail.com>
Sent: Friday, October 18, 2013 7:20 PM
To: Cindy Hom
Subject: Milpitas Planning Commission

Hello Cindy Hom,

I have looked at the Planning commission agenda for Oct 23, 2013.

I support the recommendation to approve resolution No. 13-025 recommending denial of project to city council because the project does not meet Milpitas' Climate Action Plan to reduce greenhouse gas emissions. I would like to see more sustainable growth in Milpitas. For instance, I would like to see the industrial park turn into open space for people to use along Penitencia creek and healthy of the creek. I don't think putting housing close to the freeway will solve the congestion issue or quality of life in Milpitas.

Unfortunately, I won't be able to attend the meeting.

Kristal Caidoy,
Resident of Milpitas