

**Handout - Agenda Item 3
October 7, 2014, Council Meeting**

Sharon Davis

From:
Sent: Tuesday, October 07, 2014 1:13 PM
To: Alan Bell
Cc: Council
Subject: Comment letter to be included in the public packet for Oct 7 Council meeting. (SR 95 application)

City Of Tracy
City Council and Mayor
333 Civic Center Plaza
Tracy, California. 95376

Dear City of Tracy Council Members and Mayor,

We are one of the applicants and paying parties of the Dobler / Filios EIR and Annexation. Which just recently completed our annexation, and re zoning, to general commercial. We have noticed that the SR 95 proposed apartment project and amendments, to our EIR, includes all three story high, proposed apartments. Prior, there were two and three story apartments submitted, during the Planning Commission hearing. This appears to have been changed, to all three story buildings, after, the Planning Commission hearing, and approval. At the Planning Commission hearing, we requested a ten foot high stone masonry fence, along our property line , for noise and public safety issues, including trespassing issues, and law enforcement issues, including avid fence jumpers, public safety and law enforcement safety issues and littering issues. We are once again, requesting at least a eight foot high masonry fence. But, since the proposed apartments are no longer two story buildings, along our commercial property line, and all three story buildings now. We truly believe, that a ten foot high stone masonry fence is warranted , along our property line, along the newly proposed apartment project. If approved. The final decision is always up to the council. So, we are respectfully requesting a ten foot high stone masonry wall, to eliminate all future trespassing issues, , public safety issues, law enforcement issues, and littering and noise issues. The 911 number would be on auto redial due to all the factors above. Please consider and act on the appropriate change request, to a higher masonry wall.

On a secondary issue. The Maibes family are not applicants and are not participating in any rezoning changes, in the SR 95 application. They were never asked , nor every approved such changes, They just recently worked along side us, with our Dobler / Filios EIR , with full co operation, to complete our mutual annexation and zoning, to general commercial , and wish to remain such. They should be removed from the re- zoning and the blatant de - valuing of their property value, without their consent, in this current process. The Maibes wish to remain commercially zoned and rightfully so !

Just recently, the US Federal government granted a 1.25 million dollar grant to improve the Grant line Road and Byron Road signaled road crossing. We highly doubt anyone would waste tax payer funds to divert that intersection, to another location. Staff also concludes that a right in and right out on the Maibes commercial parcels would be in-consistent with commercial development in Tracy. That is a false premise. There are many right in and right out ways on commercial parcels in Tracy. Simply look at Grantline road, Shell, Carl Jr, former Bogetti center, Mountain Mikes pizza center, dialyzes clinic, American tire, Speed Dee, etc., etc., etc. There are many roadway right in and right out ways, in commercial projects and is typical and is consistent with many and most commercial projects.

Thank You !

Gary Dobler

Dobler Family Trust