



MILPITAS PLANNING COMMISSION AGENDA REPORT

PUBLIC HEARING

Meeting Date: June 11, 2008

APPLICATION: **Zone Change No. ZA08-003**

APPLICATION
SUMMARY:

A request to re-zone a 1.17 acre parcel located at the end of Hanson Court from Agriculture (A) to Industrial Park (MP)

LOCATION:
APPLICANT:
OWNER:

Terminus of Hanson Court (APN: 028-17-001)
Peter MacDonald, 4118 N. Stevens Tacoma, WA 98407
Same as applicant

RECOMMENDATION: **Staff recommends that the Planning Commission:**
1. Close the public hearing; and
2. Adopt Resolution No. 08-025 recommending approval to the City Council.

PROJECT DATA:

General Plan/

Zoning Designation:

Overlay District:

Industrial Park (MP) / Agricultural (A)
Site and Architectural (-S)

Site Area:

1.17 acres

FAR:

N/A

CEQA Determination:

Exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines.

PLANNER:

James Lindsay, Planning & Neighborhood Services Director

PJ:

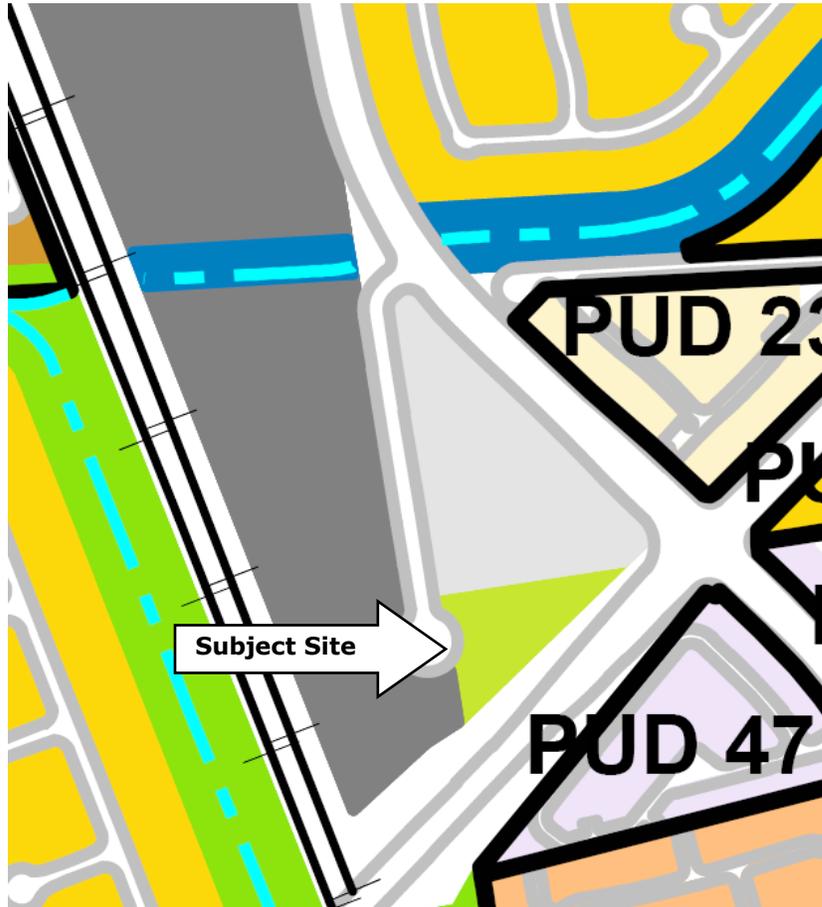
ATTACHMENTS:

- A. Resolution No. 08-025
- B. Letter from property owner
- C. Sectional District Map No. 571
- D. Assessor's Parcel Map

LOCATION MAP



ZONING DESIGNATIONS



PROJECT DESCRIPTION

On May 23, 2008, Peter McDonald, as trustee, submitted an application requesting the 1.17 acre parcel at the terminus of Hanson Court be rezoned from Agricultural to Industrial Park. All the parcels on the east side of Hanson Court (including the subject site) have an Industrial Park land use designation in the General Plan. The same parcels are within the Industrial Park (MP) zoning district except for the subject site (see Zoning Designations figure above). The project consists of only the rezoning request, no applications for developing the parcels have been submitted at this time.

ADOPTED PLANS AND ORDINANCES CONSISTENCY

General Plan

The rezoning of this parcel to Industrial Park (MP) is consistent with the parcel's underlying Industrial Park General Plan designation and therefore consistent with the General Plan.

Zoning Ordinance

The project complies and is consistent with the regulations set forth in Milpitas Municipal Code Section XI-10-3 Zoning Districts.

ENVIRONMENTAL REVIEW

The Planning Division has determined that the project is exempt from further environmental review pursuant to Section 15061(b)(3) (general rule for projects that will have no impact on the environment) of the CEQA Guidelines.

PUBLIC COMMENT/OUTREACH

Staff publicly noticed the application in accordance with City and State law. As of the time of writing this report, there have been no inquiries from the public.

CONCLUSION

This request is in essence a conforming rezoning to bring consistency between the General Plan land use designation and the underlying zoning.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission adopt Resolution No. 08-025 recommending the City Council approve ZA08-003.

RESOLUTION NO. 08-025

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE ZA08-003 TO REZONE A 1.17 ACRE PARCEL AT THE END OF HANSON COURT FROM AGRICULTURAL (A) TO INDUSTRIAL (MP)

WHEREAS, on June 11, 2008, an application was submitted by Peter MacDonald, 4118 North Stevens Tacoma, WA, to rezone a 1.17 acre parcel at the end of Hanson Court (APN 028-17-001) from Agricultural (A) to Industrial Park (MP); and

WHEREAS, the Planning Division recommends that the Planning Commission determine this project is exempt pursuant to Section 15061(b)(c) of the California Environmental Quality Act (CEQA) Guidelines because the project will not result in any environmental impacts.

WHEREAS, on June 11, 2008, the Planning Commission held a duly noticed public hearing on the subject application, and considered evidence presented by City staff, the applicant, and other interested parties.

NOW THEREFORE, the Planning Commission of the City of Milpitas hereby finds, determines and resolves as follows:

Section 1: The recitals set forth above are true and correct and incorporated herein by reference.

Section 2: The project is exempt from CEQA.

Section 3: The project is consistent with the General Plan in that the zoning designation will be the same as the existing General Plan land use designation.

Section 4: The Planning Commission of the City of Milpitas hereby recommends the City Council approve ZA08-003.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Milpitas on June 11, 2008

Chair

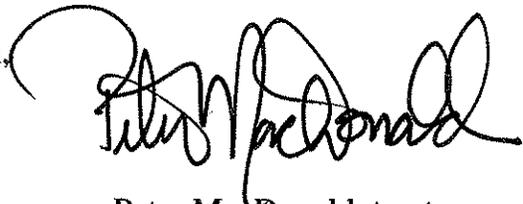
May 23, 2008

Members of the Planning Commission of the City of Milpitas,

I am writing this letter to request a change of zoning for our property at the end of Hanson Court in Milpitas. Parcel number 028-17-001 consists of a little over one acre and has been zoned agricultural since it was owned by my great-great grandfather, Joseph Weller. We are in the process of selling the property and want to change the zoning from agricultural to industrial park per the 2005 City of Milpitas General Plan. This is not a request for any sort of variance; we just want to bring the property into compliance with the general plan. All of the other properties on the east side of Hanson Court are already zoned industrial park, and somehow our property was missed along the way.

I believe that I have provided all the materials you require to make this change. If there is anything else you might need, please don't hesitate to call. I plan on being at the meeting on June 11 and will be happy to provide you anything else you might require.

Thank you very much,



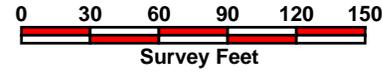
Peter MacDonald, trustee
The R.M. & M.W. MacDonald 1987 Trust
4118 North Stevens
Tacoma, Washington
98407

Rancho Higuera
P.O. Box 361255
Milpitas, California
95036

Phone numbers, in descending order:
Cell: 253-230-4880
Home: 253-759-6633
Ranch: 408-262-0564

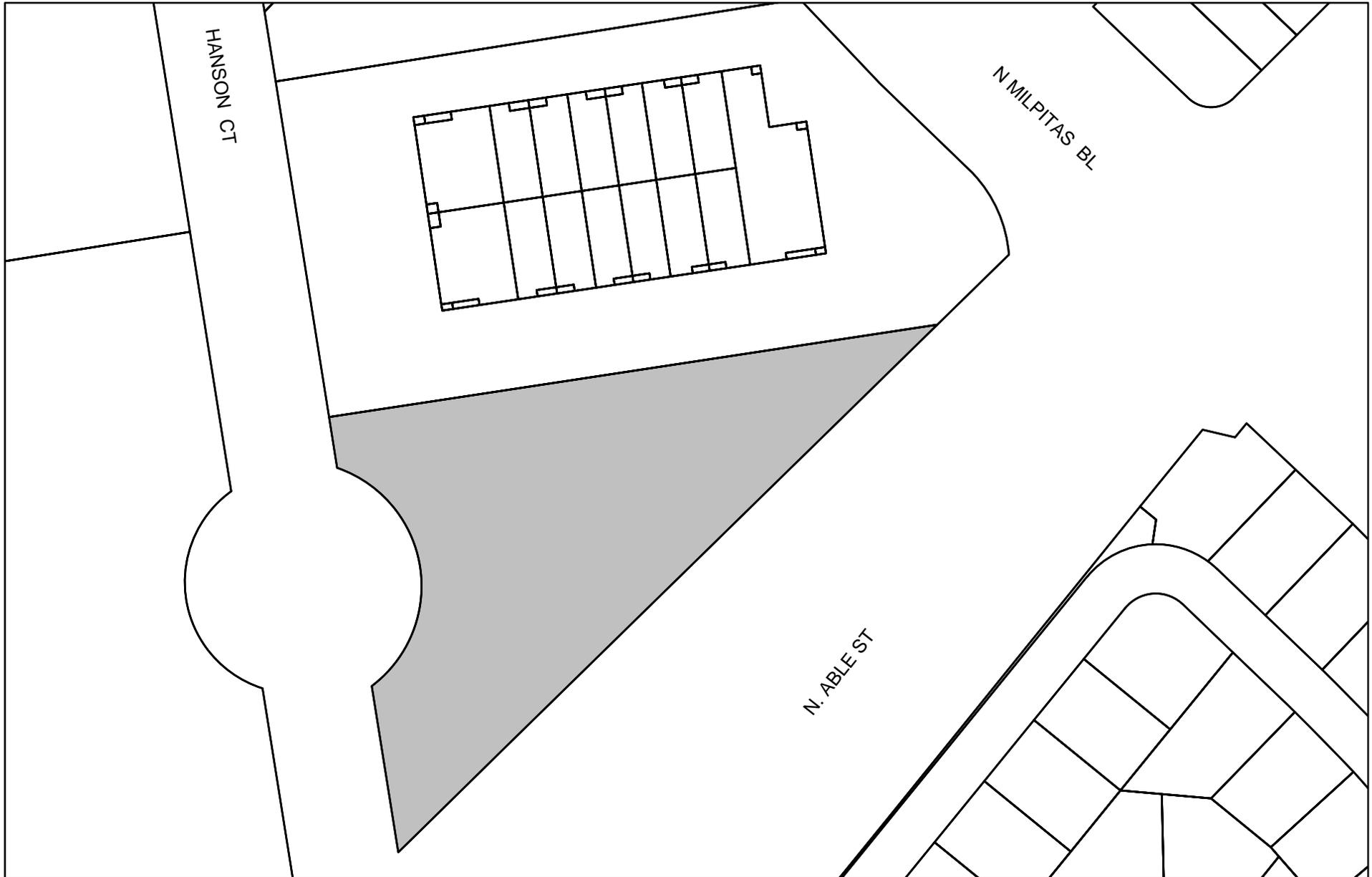


City of Milpitas
Hanson Court
New Zoning Designation
Sectional District Map No. 571
Zone Change No. ZA08-003



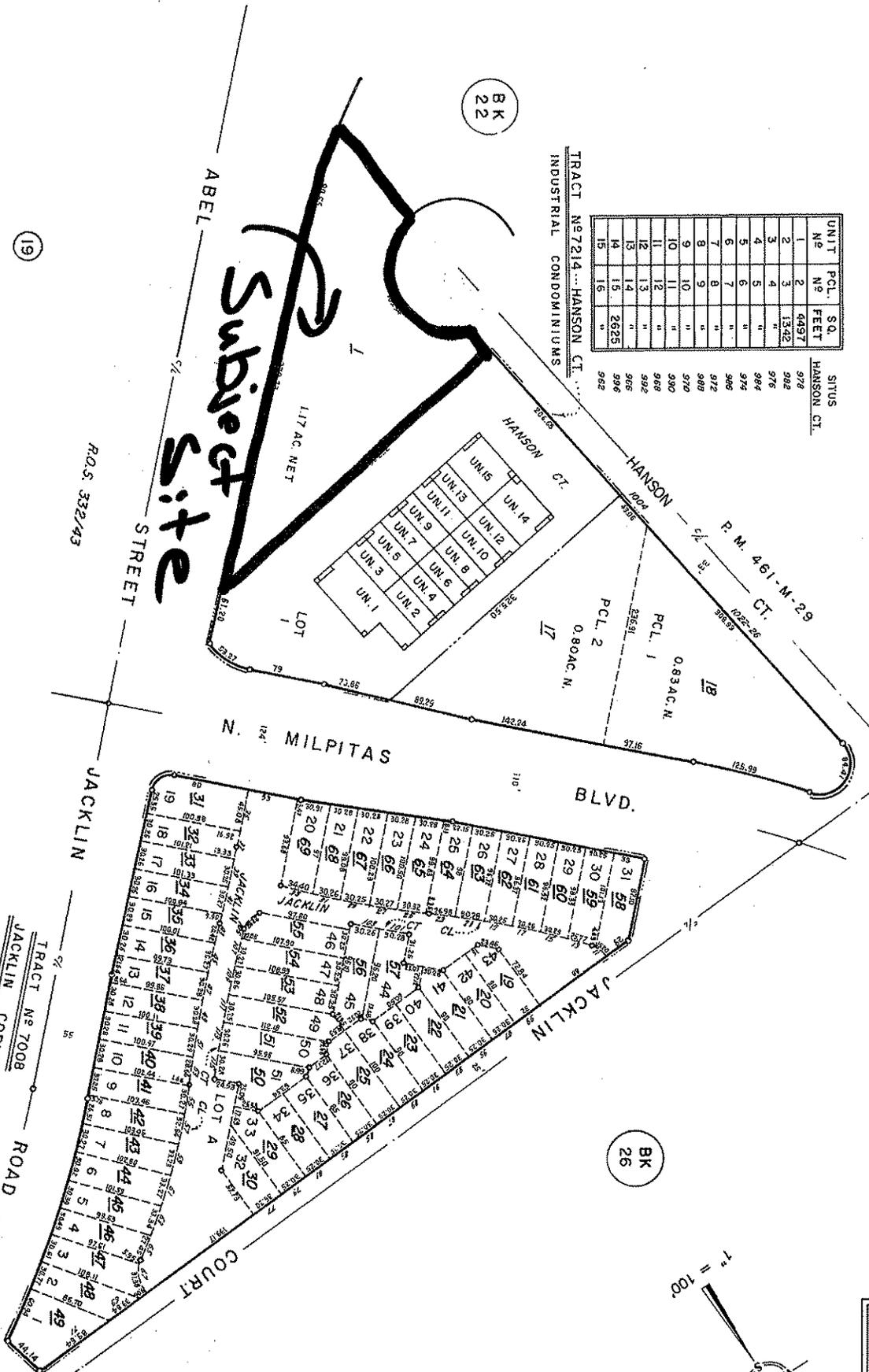
Legend

 Industrial Park



UNIT NO	PCL. NO	SQ. FEET	SITUS
1	2	4497	HANSON CT.
2	3	1342	"
3	4	"	"
4	5	"	"
5	6	"	"
6	7	"	"
7	8	"	"
8	9	"	"
9	10	"	"
10	11	"	"
11	12	"	"
12	13	"	"
13	14	"	"
14	15	2625	"
15	16	"	"

TRACT N° 7214... HANSON CT. INDUSTRIAL CONDOMINIUMS



BK 22

BK 26

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LAWRENCE E. STONE - ASSESSOR
 Certified map for assessment purposes only.
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 Effective Roll Year 2007-2008