



# MILPITAS PLANNING COMMISSION AGENDA REPORT

PUBLIC HEARING

Meeting Date: August 12, 2009

**APPLICATION:** **SITE DEVELOPMENT PERMIT AMENDMENT NO. SA09-0012,  
CHRIST COMMUNITY CHURCH**

**APPLICATION SUMMARY:** A request to change roof material from previously approved concrete tiles to dimensional asphalt roof shingles and minor building modifications for the Christ Community Church Building.

**LOCATION:** 1000 S. Park Victoria Drive (APN 88-37-076)  
**APPLICANT:** BCA Architects, 210 Hammond Ave., Fremont, CA 94539  
**OWNER:** The Presbytery of San Jose, 1000 S. Park Victoria Dr., Milpitas, CA 95035

**RECOMMENDATION:** **Staff recommends that the Planning Commission:**  
**1. Close the public hearing; and**  
**2. Adopt Resolution No. 09-037 approving the project subject to conditions of approval.**

**PROJECT DATA:**  
General Plan/  
Zoning Designation: Multi-Family Residential, High Density (MFH)/ Multi-Family Residential, High Density (R3)  
Overlay District: Site and Architectural Overlay  
Specific Plan: N/A

Site Area: 3.97 acres

CEQA Determination: Categorically exempt from further environmental review pursuant to Class 1, Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA).

PLANNER: Cindy Hom

PJ: N/A

ATTACHMENTS: A. Resolution No. 09-037  
B. Project Plans  
C. Project Description Letter

# LOCATION MAP



No scale

## **BACKGROUND**

In 2005, the Planning Commission approved a Use Permit Amendment No. UA2004-10, "S" Zone Approval Amendment No. SA2004-100 and Environmental Assessment No. EA2005-2 to demolish four existing religious facility ancillary buildings (approximately 21,150 square feet) and phased construction of two new ancillary buildings (approximately 49,500 square feet). Phase 1 was completed early this summer and entailed construction of a 17,389 square foot attached building addition that provides space for a social hall, hospitality hall with kitchen, and administrative offices. The project would commence Phase 2 within five year. The scope of work in Phase 2 entails demolition of existing ancillary buildings totaling 21,150 square feet and construction of a two-story, 32,113\_square foot building with daycare, classrooms, and a gymnasium.

On June 24, 2009, Gary Moyer of BCA Architects submitted an application to change the previously approved flat concrete roof material to dimensional asphalt composition roof shingles and to allow for removal of second story window on the south elevation. The requested roof material change is to allow future installation of solar panels that are proposed in Phase 2. During construction and program development of the interior space for Phase 1, the applicant decided to replace the second story window with an interior wall to accommodation new communication devices. The application is submitted pursuant to Milpitas Municipal Code XI-10-57.04 (I) (2) (Modifications Requested by the Applicant).

## **PROJECT DESCRIPTION**

The project site is a 3.97-acre parcel on the northeast corner of South Park Victoria Drive and Clear Lake Avenue, east of I-680, in a Multi-Family High Density (R3) zoning district. Access to the site is on both S. Park Victoria Dr. and Clear Lake Ave.

The site is developed with a 25,200 square foot sanctuary building with administrative offices and a 9,300 square foot building with daycare and classroom uses. During the past year, construction began on an addition to the sanctuary building.

Adjacent land uses include Single Family (R1-6) residential to the north and east, and Multi-Family (R3-Park Avenue Condominiums) residential to the south of the project site. Commercial Office (CO) uses are located to the west and across the street from the project site. A vicinity map of the subject site location is included on the previous page.

### ***Development Standards***

The project proposes no changes to the existing setbacks, height, Floor Area Coverage, or parking and therefore, remains consistent with the development standards.

### ***Architecture***

The architectural style of the building resembles Eclectic Neo-Mediterranean architecture with rounded elements, stone veneer wainscoting, and stucco walls. The applicant requests two architectural modifications.

### **Roof**

The first modification is a change in roof material. The original project was approved with flat concrete roof tiles to match the existing concrete tiles on the main sanctuary building. The applicant is

requesting to change the approved roof material from concrete tiles to dimensional composition roof shingles to allow for the future installation of solar panels that are planned in Phase 2. The concrete tiles are not as durable as the composition shingles when walking on the roof. Although the asphalt composition is already installed on the Phase 1 portion, the applicant is requesting to defer the re-roof on the main sanctuary building to Phase 2 to allow for additional fundraising. Due to the duration of the deferment (approximately five years), *staff recommends* as a condition of approval that within five years or prior to building permit issuance for Phase 2 whichever is sooner, the applicant shall either obtain a building permit to reroof the existing flat concrete tiles on the main sanctuary building to match the dimensional composition roofing material on the Phase 1 addition or include the main sanctuary reroof in the scope of work for the Phase 2 construction.

### Window

The second modification is the removal of a second story window located on the south elevation. During the program development of the interior space, the applicant decided to utilize the location for communication devices. In working with the applicant to maintain the original design symmetry, the applicant proposes a faux window in the same location. The proposed sans window consists of opaque glazed glass and foam trim. From the exterior, the elevation would appear to have a window where otherwise there is not one and therefore matching the design of Phase 2. *Staff recommends* as a condition of approval, that the faux window shall include window mullions to match adjacent windows to provide design symmetry.

### Photo 1 Existing Sanctuary Building and Phase 1 Build Out



## **ADOPTED PLANS AND ORDINANCES CONSISTENCY**

### *General Plan*

The table below outlines the project's consistency with applicable General Plan Guiding Principles and Implementing Policies:

**Table 1**  
**General Plan Consistency**

<b>Policy</b>	<b>Consistency Finding</b>
<i>2.a-I-10 Foster community pride and growth through beautification of existing and future development</i>	<b>Consistent.</b> As conditioned, the project provides for an aesthetic and harmonious development and enables the use of solar technology.

***Zoning Ordinance***

The proposed architectural modifications are consistent with Milpitas Zoning Ordinance in terms of development standards for land use, height, and setbacks in the Multi-Family Residential, High Density Zoning District. The proposed materials and design are in keeping with the architectural style of the building.

**ENVIRONMENTAL REVIEW**

The Planning Division conducted an initial environmental assessment of the project in accordance with the California Environmental Quality Act (CEQA). Staff determined that the project is categorically exempt from further environmental review pursuant to Class 1, Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA). The project includes minor architectural changes to an existing church building.

**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**

The project will allow future installation of solar panels and design consistency for the entire development. The proposed materials and styles are compatible to the surrounding area and provides for an aesthetic and harmonious development.

**RECOMMENDATION**

**STAFF RECOMMENDS THAT** the Planning Commission adopt Resolution No. 09-037 approving Site Development Permit Amendment No. SA09-0012, subject to the attached Conditions of Approval.

*Attachments:*

- A. Resolution No. 09-037
- B. Project Plans
- C. Project Description Letter



**RESOLUTION NO. 09-037**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT AMENDMENT NO. SA09-0012, CHRIST COMMUNITY CHURCH, TO ALLOW FOR ARCHITECTURAL MODIFICATIONS TO AN EXISTING CHURCH FACILITY LOCATED AT 1000 S. PARK VICTORIA DRIVE**

**WHEREAS**, on June 24, 2009, an application was submitted by Gary Moyer of BCA Architects, 210 Hammond Ave., Fremont, CA 94539, to allow for a roof material change from flat concrete tiles to dimensional composition shingles and for the elimination of a second story window to a existing church building. The property is located within the Multi-Family Residential, High Density Zoning District (APN: 88-37-076); and

**WHEREAS**, the Planning Division completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA), and recommends that the Planning Commission determine this project to categorically exempt from further environmental review pursuant to Class 1, Section 15301 (Existing Facilities) of the California Environmental Quality Act. The project entails a change in roof material and elimination of a second story window for an existing church building, which are minor exterior and interior alterations having no impact on the environment.

**WHEREAS**, on August 12, 2009, 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 to categorically exempt from further environmental review pursuant to Class 1, Section 15301 (Existing Facilities) of the California Environmental Quality Act in that the scope of work involves a change in roof material and elimination of second story window on an existing church building, which are minor exterior and interior alterations having no impact on the environment.

**Section 3:** The project is consistent with the Milpitas General Plan in that it fosters community pride and beautification of existing and future development by providing design consistency and utilizing materials that are compatible with surrounding buildings, while maintaining functionality for the users of the building.

**Section 4:** The project conforms to the Milpitas Zoning Ordinance in terms of land use and development standards. The proposed colors, materials and design are in keeping with the architectural style of the building and provides for an aesthetic and harmonious development.

The faux window will maintain the appearance of uniform fenestration, while allowing flexibility for the users of the building for the interior space. The dimensional composition tiles allow for more effective upkeep and allows the installation of solar power equipment.

**Section 5:** The Planning Commission of the City of Milpitas hereby approves Site Development Amendment No. SA09-0012, Christ Community Church, subject to the above Findings, and Conditions of Approval attached hereto as Exhibit 1.

**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the City of Milpitas on August 12, 2009.

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Chair

**TO WIT:**

**I HEREBY CERTIFY** that the following resolution was duly adopted at a regular meeting of the Planning Commission of the City of Milpitas on August 12, 2009, and carried by the following roll call vote:

<b>COMMISSIONER</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Cliff Williams				
Aslam Ali				
Lawrence Ciardella				
Alexander Galang				
Sudhir Mandal				
Gurdev Sandhu				
Noella Tabladillo				
Mark Tiernan				

**EXHIBIT 1**

**CONDITIONS OF APPROVAL  
SITE DEVELOPMENT PERMIT AMENDMENT NO. SA09-00012,  
CHRIST COMMUNITY CHURCH**

**Planning Division**

1. The owner or designee shall develop the approved project in conformance with the approved plans and color and materials sample boards approved by the Planning Commission on August 12, 2009, in accordance with these Conditions of Approval.

Any deviation from the approved site plan, floor plans, elevations, materials, colors, landscape plan, or other approved submittal shall require that, prior to the issuance of building permits, the owner or designee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the Planning Director or Designee. If the Planning Director or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain approval of the Planning Commission, in accordance with the Zoning Ordinance.

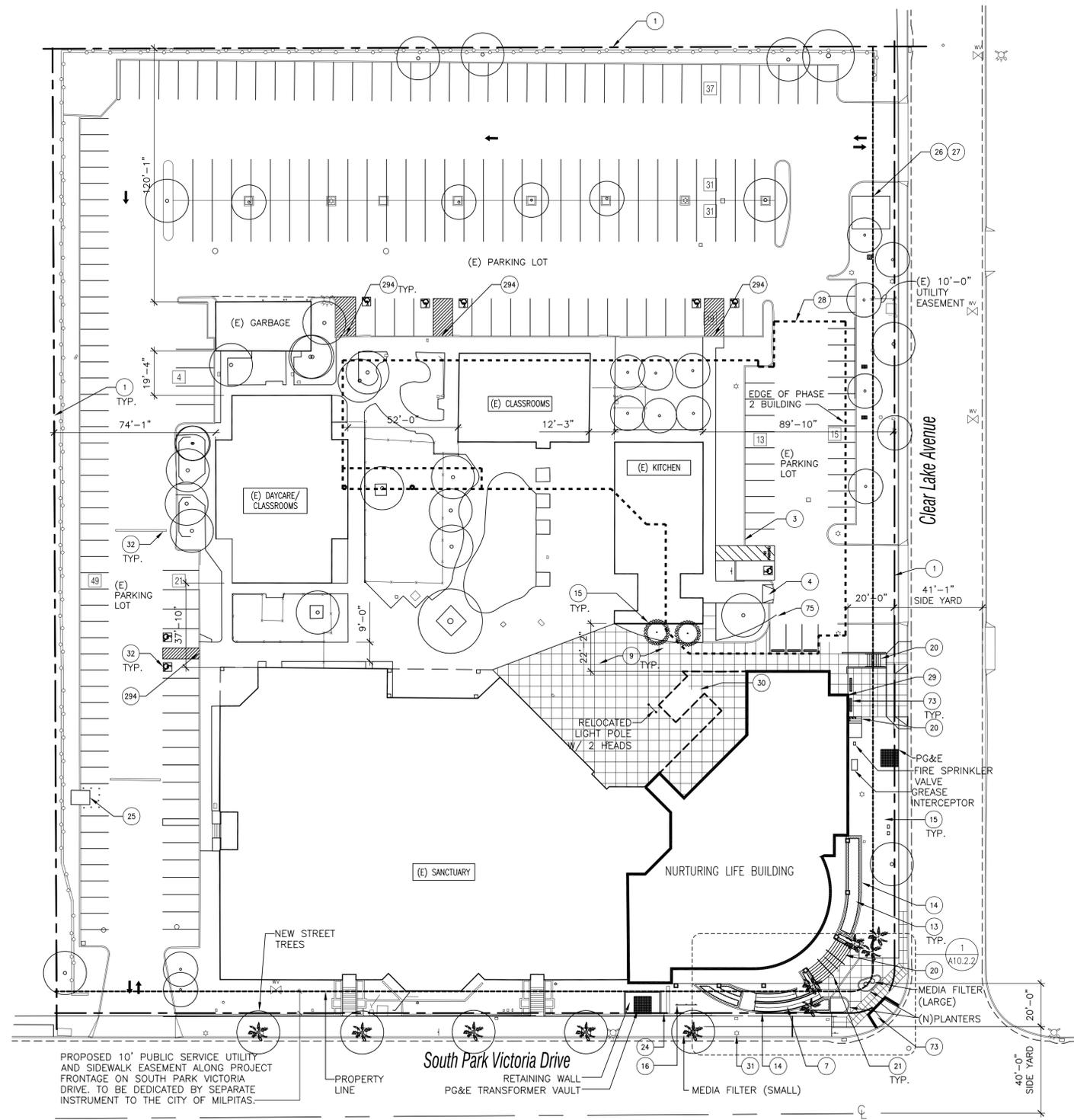
- a. All other previous conditions of approval for the project site remain the same except as amended here.
2. Site Development Permit Amendment No. SA09-0012 shall become null and void if the project is not commenced within 18 months from the date of approval. Pursuant to Section 64.06(2) of the Zoning Ordinance of the City of Milpitas. If the project requires the issuance of a building permit, the project shall be deemed to have commenced when the date of the building permit is issued and/or a foundation is completed, if a foundation is a part of the project.

Pursuant to Section 64.06(1), the owner or designee shall have the right to request an extension of SA09-0012 if said request is made, filed and approved by the Planning Commission prior to expiration dates set forth herein.

3. Within five years or prior to building permit issuance for Phase 2 whichever is sooner, the applicant shall either obtain a building permit to reroof the existing flat concrete tiles on the main sanctuary building to match the dimensional composition roofing material on the Phase 1 addition or include the main sanctuary reroof in the scope of work for the Phase 2 construction.
4. To provide design symmetry, the faux window shall include window mullions to match the future adjacent second story window located to the immediate east on the Phase 2 building portion.

DESCRIPTION	AREA (SQ. FT)	PERCENTAGE
PROJECT SITE SIZE	178,596	100%
EXISTING IMPERVIOUS SURFACE AREA	143,759	80.5%
EXISTING LANDSCAPE	34,800	19.5%
PROPOSED IMPERVIOUS SURFACE AREA (PHASE 1)	17,070	9.6%
PROPOSED LANDSCAPE (PHASE 1)	6,914	3.9%

TOTAL REQUIRED PARKING (PHASE 1)	234
TOTAL PROVIDED PARKING	220
TOTAL REQUIRED ADA PARKING (PHASE 1)	7
TOTAL PROVIDED ADA PARKING	6
VAN ACCESSIBLE PARKING	1



SCALE 1" = 30'

SITE PLAN

1

**SHEET NOTES**

- 1 PROPERTY LINE (SEE CIVIL DRAWINGS)
- 3 EXISTING CONCRETE CURB
- 4 EXISTING CONCRETE RAMP
- 7 ADA RAMP & RAILING (SEE DET. 6/A10.2.1)
- 8 (E) FENCING TO REMAIN
- 9 CONCRETE WALK
- 13 PLANTER
- 14 CONC. RETAINING WALL W/ STONE VENEER TO MATCH (E)
- 15 TURF, SEE LANDSCAPE DRAWINGS
- 16 TEMPORARY CONSTRUCTION SIGN, SEE DETAIL 12/A10.2.1
- 20 CONCRETE STAIR RISER AND TREAD W/ 2" WIDE CONTRASTING COLOR NOSING STRIP AT EVERY TREAD (SEE DETS. 5/A10.2.1)
- 21 METAL HANDRAIL, SEE DETAIL 5/A10.2.1
- 23 BOLLARDS/PLANTER
- 24 RELOCATED (E) SIGN
- 25 (E) TRANSFORMER
- 26 TRANSFORMER
- 27 TRASH ENCLOSURE
- 28 FOOTPRINT OF FUTURE BUILDING
- 29 PAINT CURB YELLOW
- 30 DRINKING FOUNTAIN
- 31 (E) BUS STOP
- 32 (E) ACCESSIBLE PARKING
- 73 RAMP, SEE DETAIL 2/A10.2.1
- 74 CONCRETE WHEEL STOP, SEE DETAIL 7/A10.2.1
- 75 CONCRETE CURB
- 76 EXISTING SPEED BUMP
- 294 (E) FLUSH CONDITION

**GENERAL NOTES**

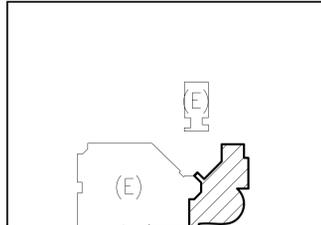
- A. SEE LANDSCAPE DRAWINGS FOR ADDITIONAL INFORMATION ON LANDSCAPING AND SPECIALTY PAVING.
- B. SEE CIVIL ENGINEERING DRAWINGS FOR ADDITIONAL ONSITE AND OFFSITE INFORMATION ON UNDERGROUND UTILITIES, SITE FEATURES, GRADING AND PAVING
- C. SEE TRAFFIC PLANS FOR ADDITIONAL INFORMATION ON TRAFFIC SIGNALS, ROAD SIGNAGE AND STRIPING.
- D. SEE 9/55.2 FOR TYP. RETAINING WALL DETAILS.
- E. SEE SHTS. A10.2.1 FOR SITE DETAILS.
- F. NO SITE UTILITIES ARE TO CROSS UNDER FUTURE BUILDINGS SHOWN AS PHASE 2 WORK. THESE BUILDING OUTLINES ARE SHOWN FOR COORDINATION OF SITE UTILITIES ONLY.
- G. ACCESSIBLE PATH OF TRAVEL AS INDICATED ON PLANS IS A BARRIER FREE ACCESS POT WITHOUT ANY ABRUPT LEVEL CHANGES EXCEEDING 1/2" BEVELED AT 1:2 MAX SLOPE, OR VERTICAL LEVEL CHANGES NOT EXCEEDING 1/4" MAX. AND AT LEAST 48" WIDE. SURFACE IS SLIP RESISTANT, STABLE, FIRM AND SMOOTH. CROSS SLOPE DOES NOT EXCEED 2% AND SLOPE IN THE DIRECTION OF TRAVEL IS LESS THAN 5% UNLESS OTHERWISE INDICATED.
- H. ACCESSIBLE ROUTE TO THE ALTERED AREAS PER CBC SECTION 1023.4: ABRUPT CHANGES IN LEVEL ALONG ANY ACCESSIBLE ROUTE SHALL NOT EXCEED 1/2". WHEN CHANGES DO OCCUR, THEY SHALL BE BEVELED WITH A SLOPE NO GREATER THAN 1:2, EXCEPT THAT LEVEL CHANGES NOT EXCEEDING 1/4" MAY BE VERTICAL. WHEN CHANGES IN LEVELS GREATER THAN 1/2" ARE NECESSARY, THEY SHALL COMPLY WITH THE REQUIREMENTS FOR CURB RAMPS.
- J. ALL SIDEWALKS ALONG THE ACCESSIBLE ROUTE TO BE A MINIMUM OF 4'-0" WIDE, AND THERE SHALL BE NO DROP-OFFS OVER 4" AT EDGE OF WALK OR LANDING. WHERE A 4" DROP-OFF DOES OCCUR, PROVIDING A WARNING CURB OR 12" WIDE LEVEL GRADE NEXT TO SIDEWALK. (SEE CBC SECTION 1133B8.1)
- K. ACCESSIBLE PATH OF TRAVEL AS INDICATED ON PLAN IS A BARRIER FREE ACCESS. PATH SHALL BE SLIP-RESISTANT WITH A MAXIMUM CROSS SLOPE OF 2%.
- L. FOR GRATINGS LOCATED IN THE SURFACE OF ANY PEDESTRIAN IN THE PATH OF TRAVEL, GRID/OPENINGS IN GRATINGS SHALL BE LIMITED TO 1/2" MAXIMUM IN THE DIRECTION OF TRAFFIC FLOW.

**LEGEND**

- 38 NUMBER OF PARKING SPACES PER ROW
- ▲ ACCESSIBLE ENTRY TO BUILDING
- ACCESSIBLE PATH OF TRAVEL

ARCHITECT	ENGINEER

REVISION HISTORY	REMARKS	DATE
▲	PLAN CHECK COMMENTS #1	12/20/07
▲	PLAN CHECK COMMENTS #2	02/07/08
▲	PLAN CHECK COMMENTS #3	03/25/08



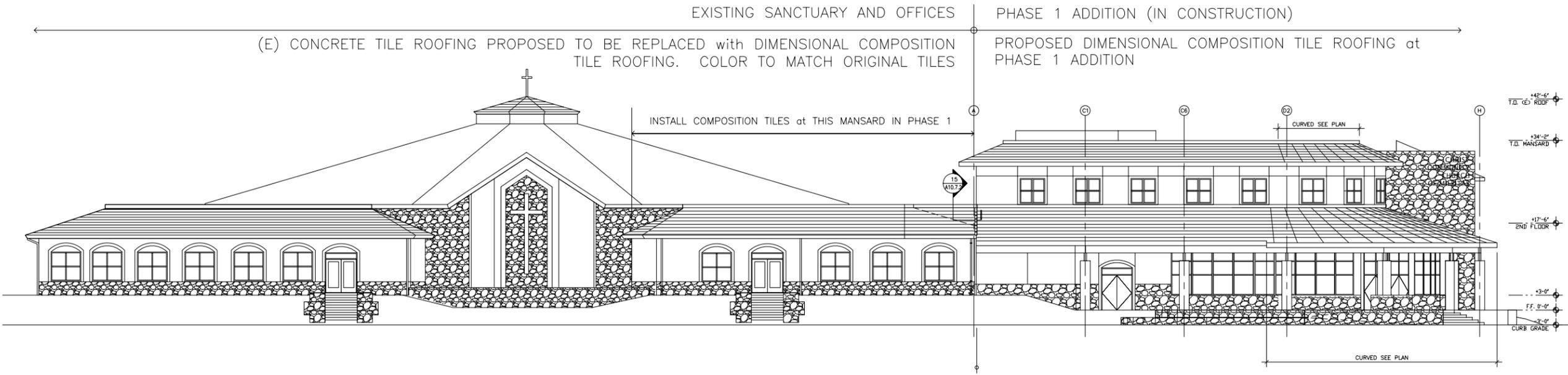
Key Plan

Building Additions to  
**CHRIST COMMUNITY CHURCH**  
1000 South Park Victoria Dr.  
Milpitas, CA

PROPOSED SITE PLAN

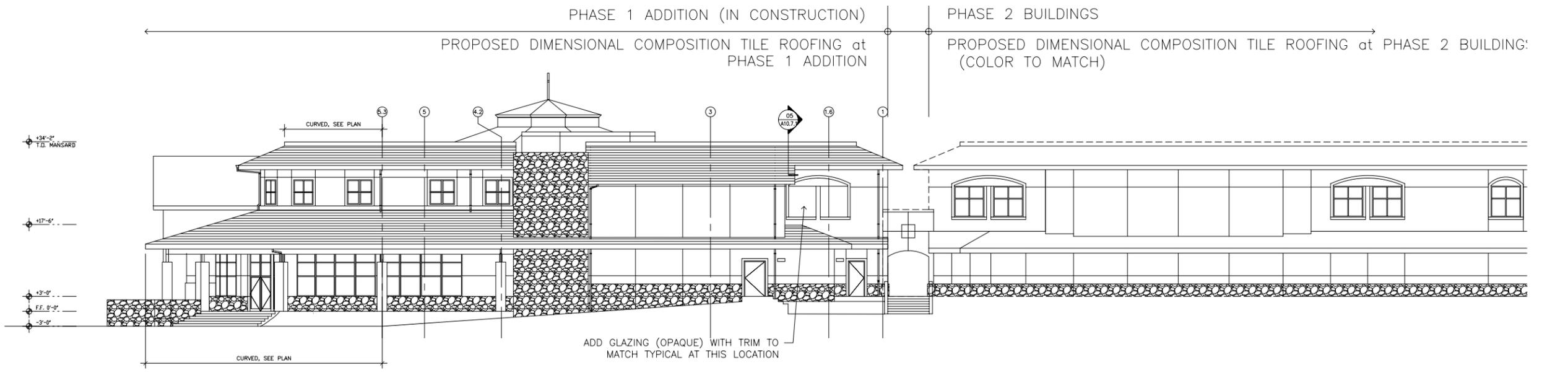
Date: March 25, 2008  
Drawing Number: AS NOTED  
Scale: A1.1  
Project Number: 04008

Bunton Clifford Associates, Inc.  
 210 Hammond Ave.  
 Fremont, California 94539  
 [ T ] 510.445.1000  
 [ F ] 510.445.1005  
 www.BCAincOnline.com



**SOUTH PARK VICTORIA DRIVE (WEST) ELEVATION**  
**SHOWING PROPOSED ROOF MATERIAL CHANGES** 1

SCALE 1/8" = 1'-0"

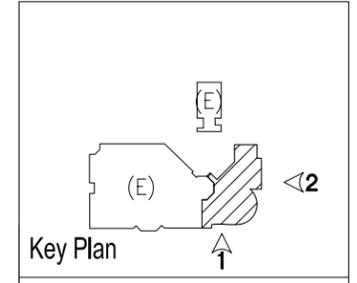


**CLEAR LAKE AVENUE (SOUTH) ELEVATION**  
**SHOWING PROPOSED ROOF MATERIAL CHANGES** 2

SCALE 1/8" = 1'-0"

ARCHITECT	ENGINEER

REVISION HISTORY	REMARKS	DATE
△	PLAN CHECK COMMENTS #1	12/20/07
△	PLAN CHECK COMMENTS #2	02/07/08
△	PLAN CHECK COMMENTS #3	03/25/08
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Building Additions to  
**CHRIST  
 COMMUNITY  
 CHURCH**  
 1000 South Park Victoria Dr.  
 Milpitas, CA

EXTERIOR ELEVATIONS



architecture  
planning  
interiors

June 24, 2009

VIA E-MAIL  
[chom2@ci.milpitas.ca.gov](mailto:chom2@ci.milpitas.ca.gov)

Ms Cindy Hom  
Planning Department  
Mr. Gerardo Amador  
Milpitas City Hall  
455 East Calaveras Blvd.  
Milpitas, CA 95035

**Re: Christ Community Church of Milpitas (Plan Check No. B-BP07-0421)**  
**1000 South Park Victoria**  
**BCA Project Number 04008**

Dear Ms. Hom,

As a follow up to our meeting on May 22, 2009, please find below clarification to the items identified in your inspection report:

**Roofing Material Change Request**

Changes in finish roofing material from concrete tile shakes to dimensional composition shingles are requested for to the following reasons:

1. The Future phase 2 buildings are planned for solar photovoltaic panels and concrete tile shake roofing is not a preferred product for a photovoltaic installation. The preferred roofing product for photovoltaic on an sloped roof is compositional Shingles
2. The Existing Sanctuary Building Mansard roofs are under constant repairs due to leaks and to completely replace these roofs would be the best solution. This type of repair was not in the original project scope, but a fully coordinated replacement of this roof with the future phase 2 building roof is desired.

The church is committed to complete or include the re-roofing of the existing Sanctuary building with the work of the future phase 2 building. The future phase 2 building project is projected to begin within the next 5-years.

**Exterior Building Window removed from street elevation**

Changes in the exterior elevation of the building are requested due to the elimination of 1 window upstairs. This window was removed due to program development of the interior space. This interior wall was better suited for location of communication devices due to the length of the room.

The Church proposes to add the window trim on the exterior wall at the same location (sans window) in an effort to break up the exterior wall plane and provide the design symmetry that was portrayed in the original approved elevations.

Cindy Horn  
Roofing Material Change  
June 24, 2009

If there are any questions or concerns, please feel free to contact me directly at 510-353-4111.

Sincerely,  
BCA Architects.



Gary R. Moyer  
Project Manager

c.c. Dave Kupitz, CCCM  
Mark Simmons, CCCM  
Mark Hallock, BCA  
BCA File No. 04008