

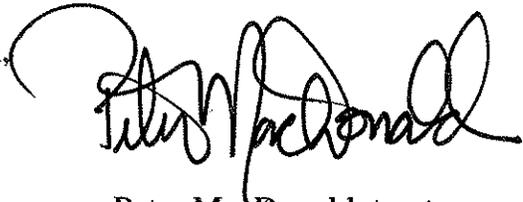
May 23, 2008

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

REGULAR

NUMBER: 38.778

TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILPITAS, CALIFORNIA, CHANGING THE ZONING OF A 1.17 ACRE PARCEL LOCATED AT THE END OF HANSON COURT

HISTORY: This Ordinance was introduced (first reading) by the City Council at its meeting of _____, 2008, upon motion by Councilmember _____ and was adopted (second reading) by the City Council at its meeting of _____, 2008 upon motion by Councilmember _____. The Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney

ORDAINING CLAUSE:

THE CITY COUNCIL OF THE CITY OF MILPITAS DOES ORDAIN AS FOLLOWS:

SECTION 1. RECITALS AND FINDINGS

WHEREAS, the property owner has initiated a rezoning of their property from Agricultural to Industrial Park; and

WHEREAS, the Planning Commission held a duly noticed public hearing on June 11, 2008 and heard evidence prepared by staff and comments by the public and recommends approval of the amendments; and

WHEREAS, the City Council finds that the amendment is consistent with the General Plan in that the Industrial Park Zoning is consistent with the underlying Industrial Park General Plan land use designation; and

WHEREAS, the City Council finds that proposed amendment will not adversely affect the public health, safety and welfare in that the project contemplates a vision that includes the harmonious development of new housing, retail, infrastructure and ensures compatibility with existing uses that may not transition to the new vision in the immediate future; and

WHEREAS, the City Council finds that with the inclusion of this zoning map amendment the Zoning Ordinance remains internally consistent.

SECTION 1. The Zoning Map of the City of Milpitas, which was adopted as part of Ordinance No. 38, enacted as Chapter XI-10 (Zoning, Planning and Annexation) of the Milpitas Municipal Code of said City, is hereby amended by adding a new Section District No. 571, a copy of which is attached hereto and incorporated herein.

SECTION 2. The exterior boundaries of the Zoning Map of the City of Milpitas as shown on the map entitled "Index Map to Section District Maps, Zoning Map of the City of Milpitas," which Index Map was adopted as a part of Ordinance No. 38 of the City of Milpitas, and which is referred to in Section 3.03 of Ordinance No. 38, are hereby amended by adding Sectional District No. 571, referred to in Section 1 of this Ordinance.

SECTION 3. SEVERABILITY

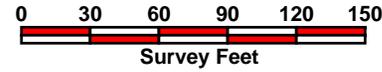
In the event any section or portion of this ordinance shall be determined invalid or unconstitutional, such section or portion shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

SECTION 4. PUBLICATION AND EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after adoption, and thereafter the same shall be in full force and effect. Prior to the expiration of 15 days from the passage thereof, this Ordinance shall be published at least once in a newspaper of general circulation, published and circulated in the City of Milpitas, County of Santa Clara. At the election of the City, this Ordinance may be published in summary form if prior to adoption the complete text is posted in the City Clerk's Office pursuant to Government Code Section 36933(c).



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



Legend

 Industrial Park

