



MILPITAS PLANNING COMMISSION AGENDA REPORT

PUBLIC HEARING

Meeting Date: June 24, 2009

- APPLICATION:** Major Tentative Map No. MT08-0002, Conditional Use Permit No. UP08-0046, and Environmental Impact Assessment No. EA08-005: McCandless Mixed Use Project
- APPLICATION SUMMARY:** A request to develop a 23 acre site with three mixed use buildings and five residential buildings, including improvements to the existing adjacent roads, the construction of a new local street, and the dedication of an urban plaza and public trail along Penetencia Creek. The project contemplates 1,573 dwelling units, which include a transit oriented density bonus (25%) increase of the maximum density allowed for the site and 75,838 square feet of retail/commercial space. The project includes a Development Agreement and Owners Participation Agreement. This project does not include any architectural review.
- LOCATION:** 1315 McCandless Dr. (APNs: 086-33-092 through -095, 086-33-098 through -099 and 086-33-101)
- APPLICANT:** Integral Communities McCandless, LLC, Glenn Brown, 160 Newport Center Drive, Suite 240, Newport Beach, CA 92625
- OWNER:** Berg & Berg, LP, 10050 Bandlely Dr., Cupertino, CA 95014
- RECOMMENDATION:** **Staff recommends that the Planning Commission:**
1. Close the public hearing and table the item.
- PROJECT DATA:**
 General Plan/
 Zoning Designation: Retail High Density Mixed Use (MXD2) and Multi-Family High Density (R3)/Retail High Density Mixed Use (MXD2) and High Density Transit Oriented Residential (R3)
- Overlay District: Site and Architectural (-S) and Transit Oriented Development (-TOD)
 Specific Plan: Transit Area Specific Plan (TASP)
- Site Area:** 23.04 acres
- CEQA Determination:** In accordance with Section 15070(b), a Mitigated Negative Declaration was prepared and circulated between November 21, 2008 and December 10, 2008.

PLANNER: Sheldon S. Ah Sing, Senior Planner

PJ: 3222

ATTACHMENTS: None

BACKGROUND

Staff and the applicant continue to discuss the terms of the Development Agreement and Owners Participation Agreement for the project. At this time, no date certain can be suggested for the consideration of the project by the Planning Commission. When the project is ready, the project will be noticed in accordance with City and State law.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission close the public hearing and table the item.