



MILPITAS PLANNING COMMISSION AGENDA REPORT

PUBLIC HEARING

Meeting Date: October 28, 2009

APPLICATION: Site Development Permit Amendment No. SA09-0019, AIM Development

SUMMARY: A request for a Site Development Permit Amendment to allow the flexibility for constructing three residential units or office space on the 3rd floor of a mixed use building that has not been constructed.

LOCATION: 1880 N. Milpitas Boulevard (APN: 26-05-024)
APPLICANT: Marlene Mao, 40 N. Milpitas Boulevard, Milpitas, CA 95035
OWNER: Same as above

RECOMMENDATION: **No action needed. The application to the Planning Commission has been withdrawn.**

PROJECT DATA:
General Plan/
Zoning Designation: Mixed Use (MXD)/Mixed Use (MXD)
Overlay District: Site and Architectural Overlay
Specific Plan: N/A

Site Area: 16,420 square feet
No. of Stories: 3
Building Square Footage: 13,040 square feet

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

PLANNER: Cindy Hom, Assistant Planner

PJ: 3196

ATTACHMENTS: None

BACKGROUND

The applicant is requesting to table the item to consider phasing the third story and maintain the residential units as originally proposed. The proposed modification would be an interim design of a two story building that will be reviewed by the Planning Commission Subcommittee pursuant to Milpitas Municipal Code XI-10-57.03 (I) (Applications for Modifications of or Amendment). The proposed phasing will allow the applicant to obtain financing necessary to construct the project.