

MEMORANDUM

Planning Department



Date: December 19, 2024
To: Zoning Administrator
From: Kristina Phung, AICP, Senior Planner

Subject: **SINGLE-FAMILY RESIDENCE EXPANSION AND NEW SECOND-STORY ADDITION – 1449 STEMEL WAY – P-MS24-0190** – A Minor Site Development Permit to remodel an existing 1,296-square foot, one-story, single-family residence with a 456-square foot attached garage, including a 510-square foot ground-floor addition, and construction of a new, 982-square foot second-story addition on a 0.14-acre lot located in the R1-6 Single-family Residential Zoning District at 1449 Stemel Way. The maximum height of the two-story residence will be 25 feet and 4-inches above grade level with a total of 2,787-square feet of habitable space. The Project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures), Section 15332 (In-fill Development Projects) and, as a separate and independent basis, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

Location: 1449 Stemel Way (APN: 029-43-022)

Zoning/GP: Single-Family Residential (R1-6) / Low Density Residential (LDR)

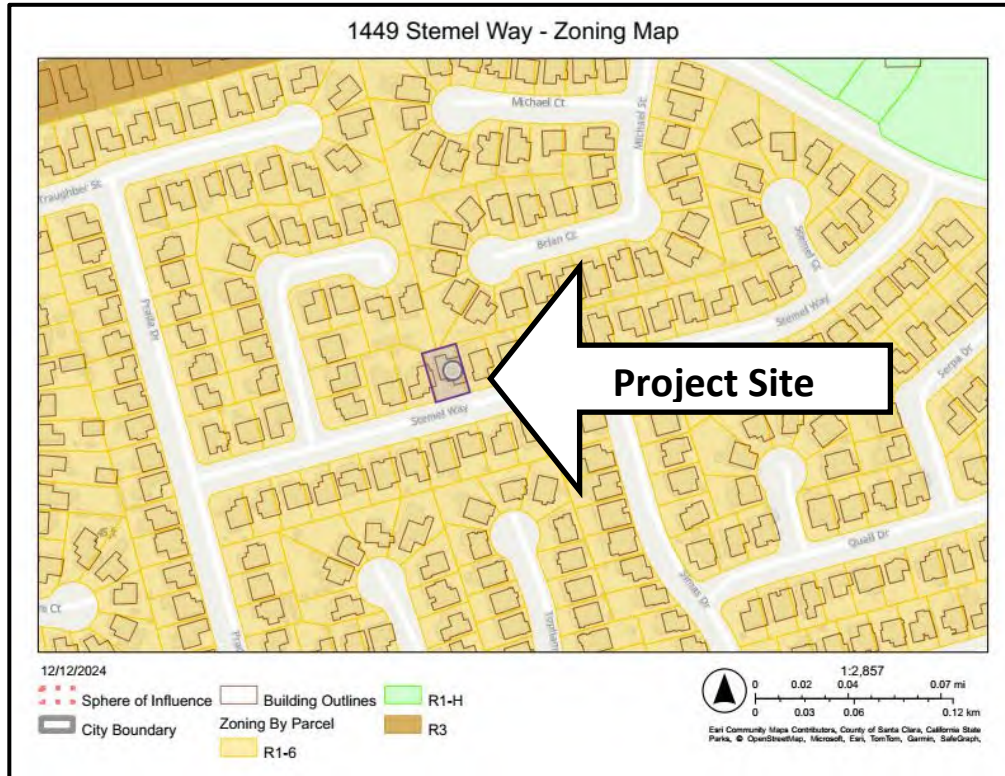
Application:

On July 24, 2024, Tuan Nguyen from Tuan Q. Engineering (Applicant), on behalf of the property owner Howard Phan, submitted a Minor Site Development (MSD) Permit to remodel an existing single-story residence into a new, two-story, 2,787-square foot, single-family residence on a 0.14-acre lot located at 1449 Stemel Way (the “Project”). A portion of the Project’s new second-story will be a 467-square foot Junior Accessory Dwelling Unit (JADU)¹. MSD Permits are required to be reviewed by the Zoning Administrator for certain additions to residential buildings that exceed the threshold for planning staff review, as stated per Milpitas Municipal Code (MMC) Section XI-10-57.03(C)(2)(a)(ii). Figures 1 and 2 demonstrate the aerial location and zoning map of the Project site.

¹ The proposed JADU meets the minimum requirements per State law and Milpitas Municipal Code (MMC) Section XI-10-13.08, Accessory Dwelling Units. Therefore, the JADU must be approved ministerially and is not subject to any discretionary review.



Map 1: Aerial Map of 1449 Stemel Way



Map 2: Zoning Map of 1449 Stemel Way



The subject property and surrounding properties are all zoned Single-Family Residential (R1). Table 1 demonstrates the surrounding zoning and land uses.

Table 1: Surrounding Zoning and Land Uses

	General Plan	Zone	Uses
Subject Site	Low Density Residential (LDR)	Single Family Residential (R1-6)	Single-Family Residence
North	Low Density Residential (LDR)	Single Family Residential (R1-6)	Single-Family Residence
South	Low Density Residential (LDR)	Single Family Residential (R1-6)	Single-Family Residence
East	Low Density Residential (LDR)	Single Family Residential (R1-6)	Single-Family Residence
West	Low Density Residential (LDR)	Single Family Residential (R1-6)	Single-Family Residence

Project Details

The existing 1,296-square foot single-story home was constructed in 1978 and is primarily comprised of three bedrooms and two bathrooms with a kitchen, living room, and an attached 456-square foot (S.F.) two-car garage with unpermitted rear and side attached patio covers.

The Applicant is requesting an MSD Permit to remodel and expand the existing residence by including a front and rear first floor addition, totaling approximately 510 S.F. and the development of a new, 982 S.F. partial second-story floor. The Project will also include a new 28 S.F. front porch, demolition of the existing unpermitted accessory structures at the rear and sides of the residence, construction of a new rear attached patio cover, and associated façade and site improvements. If the applicant receives approval of this MSD Permit request, the Applicant will be required to subsequently obtain a demolition permit to allow for the partial demolition the existing residence and unpermitted accessory structures, and a building permit to allow for the construction of the proposed Project from the City’s Building Department.

The first floor remodel includes a 341 S.F. front addition to extend the existing living room area and an 169 S.F. rear addition to expand the existing master bedroom and bath, and other tenant improvements including a kitchen remodel and converting an existing bedroom into an office. The new proposed partial second-story addition, totaling approximately 982 S.F., will be constructed above the front half of the residence and will include a den area and an additional bedroom and bathroom for the main residence, as well as a 467 S.F. JADU. Overall, the remodeled house will include a total of three bedrooms and three bathrooms, and a studio JADU with a private bathroom.

A new internal staircase will provide access between both floors, and the JADU is proposed to maintain an internal connection to the main residence and will include a new exterior staircase on the eastern elevation of the residence for separate independent access. In total, the expanded two-story residence, inclusive of the JADU, will have approximately 2,787 S.F. of habitable space with a 456 S.F. attached garage.

The proposed Project will demolish the existing unpermitted side and rear attached patio covers, and will include a new attached rear patio cover totaling approximately 247 S.F. and will be 8-feet in height. The existing 6-foot tall perimeter fencing along the side and rear property lines as well as the backyard barbeque pit will remain and will be legalized as part of this MSD Permit request. No substantial landscaping improvements are proposed and no existing onsite trees will have to be removed to allow for construction of the Project.

Other site improvements include bringing the subject property into compliance with the City's maximum front yard paving coverage regulations for single-family residential zones per MMC XI-10-4.05(B)(1)(a)². To comply, the proposed Project will remove a portion of existing front yard concrete paving, measuring approximately 4-feet wide and 15-feet in depth by the southeast corner of the front of the lot and revert this area back into a permeable area with large wood bark chips.

Figure 1 shows the Project's site plan with the proposed expanded first floor and Figure 2 shows the Project's overall site plan with the proposed second story addition.

² Per Residential Zone Special Development Standards MMC Section XI-10-4.05(B)(1)(a), the width of the area that may be paved shall not exceed the width of the garage, or fifty percent (50%) of the lot width measured at the front property line, whichever is greater.

Architecture, Colors, and Materials

The Applicant has designed the Project with a Mediterranean architectural style and will feature neutral, earth toned colors and materials, similar to the existing design of the residence. The Project will include exterior stucco walls to be painted white, with accent trims in a dark gray color. Stone accents added to the new front entryway include granite blocks in a spit faced pattern in a neutral gray color. The proposed roofing color and material will be similar to the existing residence with Decra metal tiles in a garnet color. The window and glass door frames will be metal in black with white window trims. The improved exterior façade also proposes a white wood garage door and the new exterior staircase for the JADU will be a dark gray color, matching the proposed color of the accent trims. Figure 3 shows the existing front façade of the residence and Figures 4 and 5 show the proposed Project's colored renderings of the remodeled and expanded residence, including a colors and materials board.

Figure 3: Existing Front Façade of 1449 Stemel Way



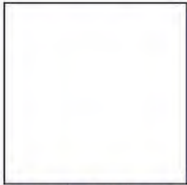
Figure 4: Proposed Front Façade (South Elevation) and Colors/Materials Board



EXTERIOR 1-2

COLORS AND MATERIALS

1 WALLS



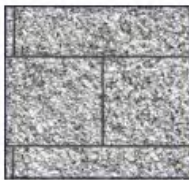
PURE WHITE PAINT OVER STUCCO

2 ACCENT TRIMS



DARK GREY PAINT OVER WOOD

3 STONE ACCENTS



GRANITE BLOCKS RUNNING BOND SPLIT FACED

4 ROOFING



GARNET DECRA METAL TILE (TO MATCH EXISTING)

5 WINDOW TRIMS



PURE WHITE PAINT OVER WOOD

6 WINDOW/GLASS DOOR FRAMES



BLACK FRAME

7 GARAGE DOOR



PURE WHITE PAINT OVER WOOD

8 EXT. STAIRCASE



DARK GREY PAINT OVER WOOD

Figure 5: Proposed Rear Façade (North Elevation)



Analysis and Zoning Conformance

The Project site is in the R1-6 Zoning District and complies with the applicable development standards as shown in Table 2, and does not require any deviations from required standards:

Table 2: R1-6 Zoning District Development Standards

Standards	Required/Maximum	Proposed	Complies
Front Setback	20 feet	20 feet	Yes
Side Yard Setback	Adjacent to garage: 6 feet Opposite side: 7 feet Total: Min. 13 feet	7 feet, 2 inches 9 feet, 7 inches	Yes
Rear Yard Setback	25 feet*	21 feet**	Yes
Rear Yard Setback Max. Coverage***	30% Max. of Required Rear Yard Area	17.8%	Yes
Building Height	30 feet	25.4 feet	Yes
Parking	4 spaces	4 spaces	Yes

Front Yard Paving Coverage, Max.****	Subject Lot = 62 feet in width; therefore, maximum 31 feet width of paving allowed	29-feet, 11 inches	Yes
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* Per MMC Sec. XI-10-55.03(8)(a) (Setbacks), “Such additions may be allowed into the required rear yard so that the remaining rear yard setback (measured perpendicular to the rear lot line at any point) is not less than the exterior height of the rear wall of said building addition and shall not encroach into a public utility easement”.

** Proposed rear yard setback to proposed new first-floor rear addition will measure 21-feet with a wall height of approximately 9 feet.

*** Per MMC XI-10-55.03(8)(d) (Setbacks), “The cumulative total of all said building additions and any accessory buildings or structures noted in MMC Sec. XI-10-54.08, Accessory Buildings and Structures, of this Chapter, shall not cover an area exceeding thirty percent (30%) of the required rear yard area specified by the regulations or PUD for the District in which this single-family or two-family dwelling is located.” The proposed Project includes portions of features that encroach into the required rear yard setback area including the backyard barbeque pit and portions of the new rear addition and attached patio cover. See Sheet A03 of the Project Plans (Attachment B) for details and calculations.

**** Width of the area that may be paved shall not exceed the width of the garage, or fifty percent (50%) of the lot width measured at the front property line, whichever is greater. See Sheet A02 of the Project Plans (Attachment B) for details and calculations.

Neighborhood Compatibility and Privacy

Figure 6 demonstrates that the proposed Project will be compatible to other homes in the immediate vicinity that either have a similar white or light neutral painted stucco façade with front facing garages and either have a red-toned tile or grayscale roof shingle color and material in a similar Mediterranean or ranch architectural style.

The Project’s scale is consistent with two-story residences in the immediate area by proposing only a partial second-story addition and incorporates varying sloped rooflines similar to surrounding properties. This design feature supports a sense of openness on single-family lots and helps preserve the low density, single-family character of the neighborhood while being able to provide space for a growing family that prefers to remain in Milpitas.

Many of the residences in the surrounding area are two-story, including both immediately adjacent residences west (1437 Stemel Way) and east (1461 Stemel Way) of the subject property and across the street to the south at 1450 Stemel Way. These three neighboring properties also include a similar Mediterranean architectural style and exterior façade colors and materials as the proposed Project, as detailed in Figure 4 above. Additionally, as shown in Figures 7 and 8, the Applicant has provided line of sight drawings on Sheet A015 of the Project Plans (Attachment B), demonstrating that the proposed Project’s windows on both floors will not directly align with the neighbors’ windows at 1437 and 1461 Stemel Way to reduce privacy concerns between the properties. Figures 9 and 10 show the west and east elevation of the proposed Project and also shows the partial scaling of the proposed second-story.

The rear yard of the subject lot to the north bisects the rear yard of three other single-family residences on two different cul-de-sacs (686 Santos Court, 1476 Brian Court, and 1482 Brian Court). Out of these three properties, only 686 Santos Court has an existing second-story residence and a similar Mediterranean style and color scheme as the proposed Project. However, these three lots are separated by perimeter fencing, existing dense landscaping, and tall trees that provide additional privacy screening between the homes shown in Figure 6 and discussed in the Applicant's Project Design Statement (Attachment C). Furthermore, these three properties and the subject lot will all maintain adequate rear setbacks and will be a minimum distance of 75-feet from the proposed Project's first floor expansion and 110-feet from the new partial second-story.

Figure 6: Aerial View of Project Site and Surrounding Neighborhood

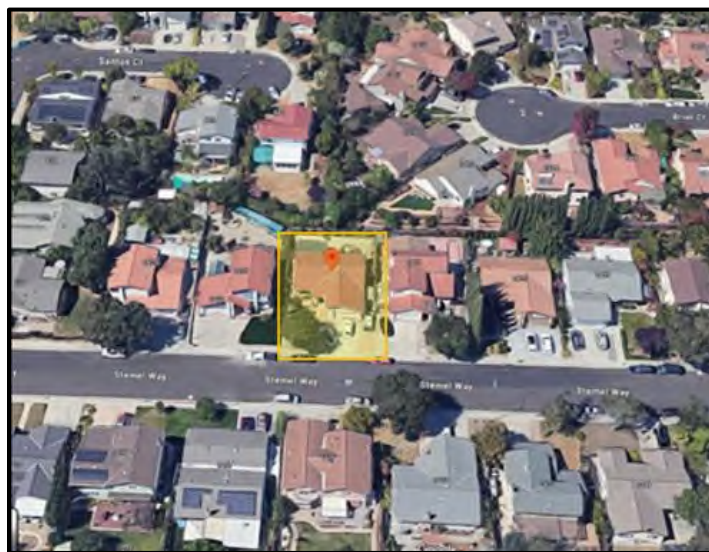


Figure 7: Project 1st Floor Line of Sight Study to Adjacent Neighbors

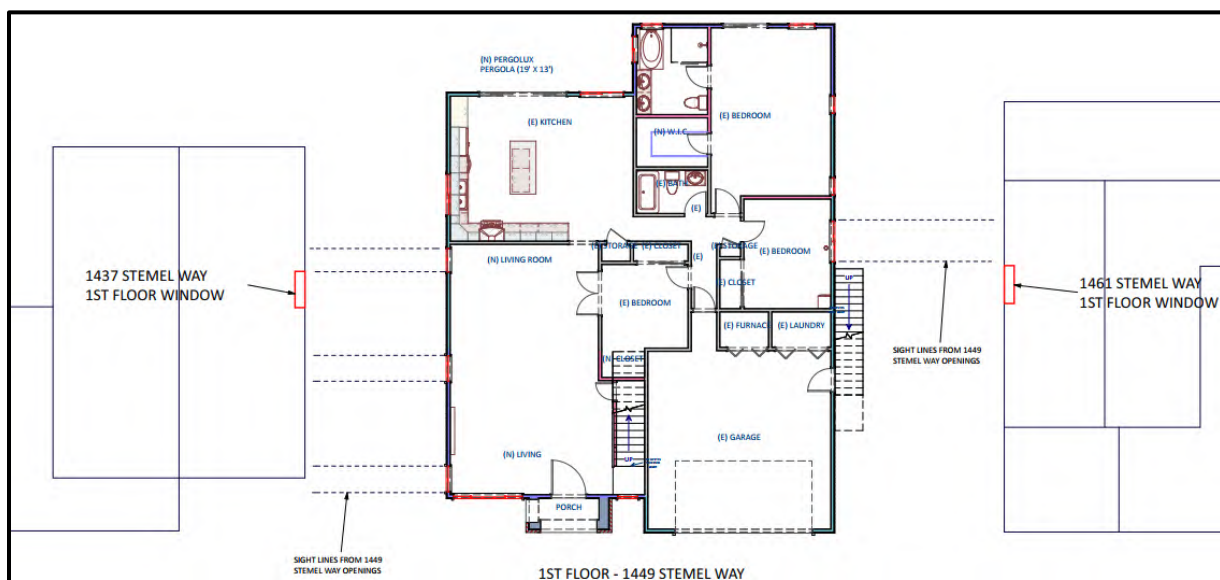


Figure 8: Project 2nd Floor Line of Sight Study to Adjacent Neighbors

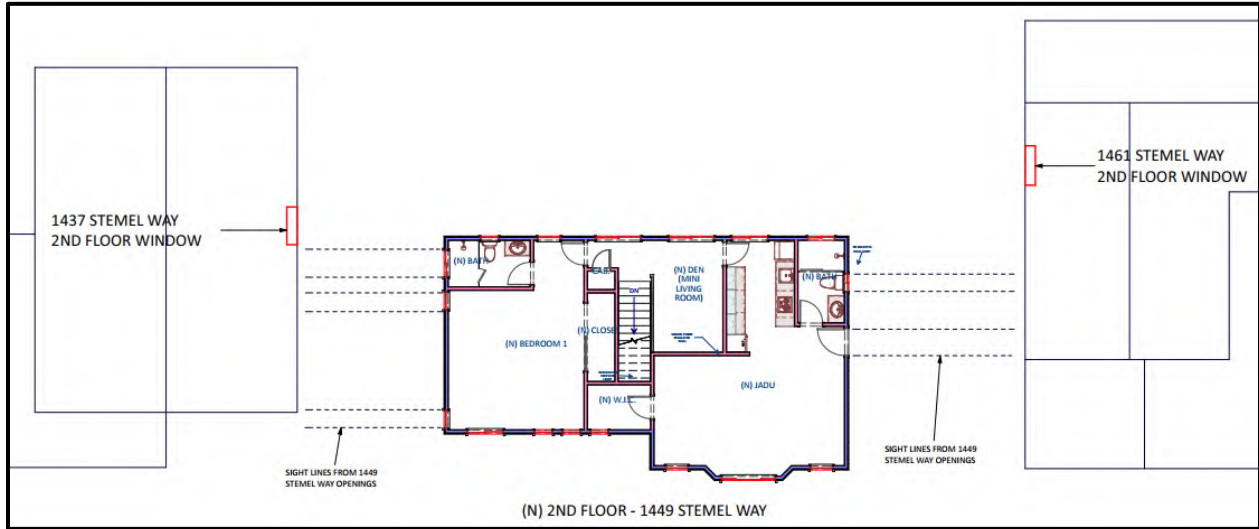


Figure 9: Project East Elevation

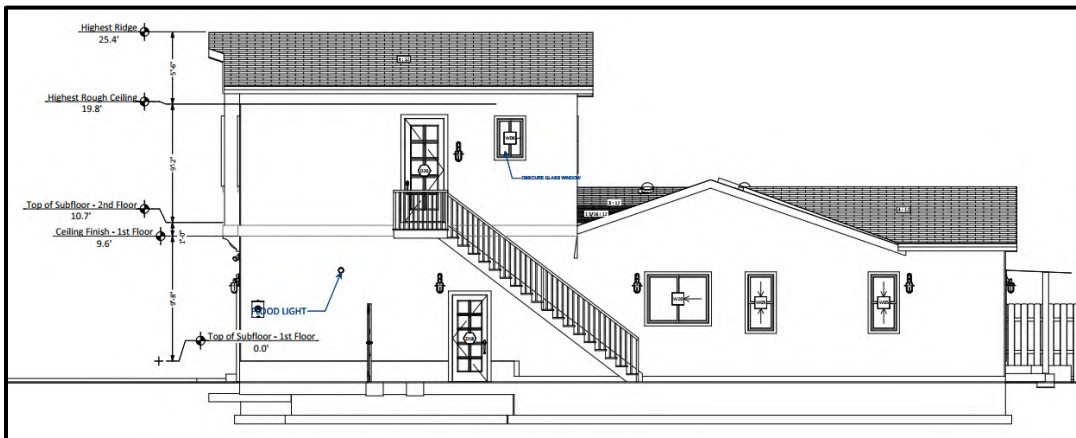
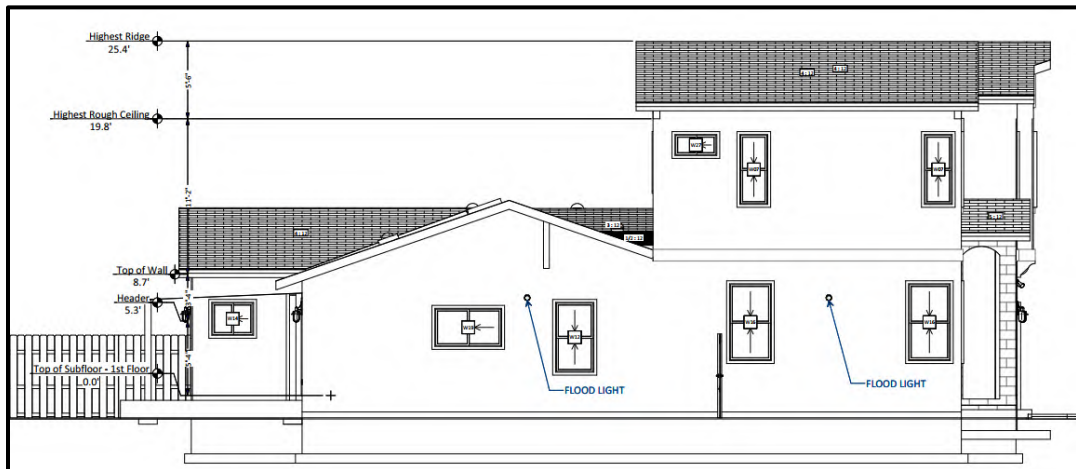


Figure 10: Project West Elevation



Furthermore, the Applicant has included additional privacy considerations for the proposed Project's new second-story and surrounding neighbors with careful window placement. Additionally, all of the second-story bathroom windows will have full frosted glass and include window shades or blinds installed on all windows and doors except for the windows installed over 5-foot floor height as detailed in the elevations of the project plans with a window and door schedule, and in the Project's Design Statement (Attachment C).

The property owners have also complied with the Planning Department staff's request to conduct their own neighborhood outreach with surrounding neighbors to discuss the proposed Project as a courtesy and address any potential concerns in advance of the scheduled Zoning Administrator hearing. The attached Design Statement summarizes the outcome of the discussions with various neighbors, and no concerns were raised.

Considering all of the above, the proposed Project will be compatible with the surrounding neighborhood and has been designed to avoid direct line of sights to the adjacent neighbors and also incorporates the aforementioned privacy design considerations.

Findings for Approval:

In accordance with Section XI-10-57.03(G) of the Milpitas Municipal Code, the Zoning Administrator may consider and approve a Minor Site Development if the required findings can be made. Findings shall identify the rationale behind the decision to take a certain action and are analyzed below:

- 1. The development recognizes and respects the nature of the neighborhood and site, development patterns, materials used, and the expectations of those who will see and use the building;*

The Project is a remodel and addition of a one-story, single-family residence into a two-story single-family residence that will meet all R1-6 zoning district development standard requirements. The site is surrounded with one- and two-story similar sized single-family homes. The contemporary design with earthtone colors and materials respects the suburban feel of the area and supports the residential characteristics of the R1-6 zoning district to promote and encourage a suitable environment for family life. The architectural style is similar to the existing residence and will be designed similarly to neighboring properties with a partial two-story Mediterranean design.

- 2. The development assures that modifications satisfy functional requirements, and are screened with appropriate compatible materials; and*

The proposed Project and the second-story addition was designed to have the majority of the square footage on the ground floor in order to maximize space and functionality. The Project will complement the character of the neighborhood as its building materials will be similar to its existing design and also incorporates a similar Mediterranean architectural style as its adjacent neighbors and has included privacy design considerations, including a line of sight study as specified in the project plans and project design statement. Furthermore, the Project would not require adding any

additional parking spaces and the subject site would still meet minimum parking requirements, and the maximum front yard paving will be modified to meet the City's requirements.

3. *The development assures that the modifications will not interfere with the privacy, quiet enjoyment or view of the surrounding properties.*

The proposed ground floor expansion and two-story addition is located within all required setbacks, and only includes a partial second-story addition to be built above the front half portion of the expanded ground floor. In addition, the Project exceeds the minimum side yard setbacks which will not interfere with the privacy of the surrounding properties. The line of sight drawings and other window privacy considerations demonstrate that the project will not interfere with the privacy, quiet enjoyment, or view of the surrounding properties. The property owner has also conducted voluntary neighborhood outreach regarding these potential concerns and has provided a summary of the efforts to Planning Department staff.

California Environmental Quality Act (CEQA):

The Project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (New construction or conversion of small structures), Section 15332 (In-Fill Development Projects) and, as a separate and independent basis, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). The Project is a remodel of an existing single-family residence to expand the ground floor and an addition of a new partial second-story that meets or exceeds all of the objective design standards of the R1-6 zoning district.

Recommendation:

Staff recommends that the Zoning Administrator approve Minor Site Development Permit P-MS24-0190 to remodel an existing 1,296-square foot, one-story single-family residence with a 456-square foot attached garage, including a 510-square foot ground floor addition and a new 982-square foot second story addition at 1449 Stemel Way, subject to the findings outlined in this report and the attached Conditions of Approval.

Attachments:

- A. Conditions of Approval
- B. Project Plans
- C. Project Design Statement

ATTACHMENT A

**MINOR SITE DEVELOPMENT PERMIT NO. P-MS24-0190
1449 STEMEL WAY (APN 029-43-022)**

The City of Milpitas Zoning Administrator approves Minor Site Development Permit No. MS24-0190 in accordance with Section XI-10-57.03 of the Milpitas Municipal Code, subject to and conditioned upon all applicable State and local laws and regulations and the Conditions of Approval outlined below. This Minor Site Development Permit entitlement is to allow the issuance of building permits to remodel an existing 1,296-square foot, one-story, single-family residence with a 456-square foot attached garage, including a 510-square foot ground-floor addition, and construction of a new, 982-square foot second-story addition (“Project”) on a 0.14-acre lot located within the R1-H Single-family Residential Zoning District at 1449 Stemel Way (APN: 029-43-022), subject to all necessary reviews, approvals, studies, and inspections for the issuance of such building permits.

APPROVED SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:

General Conditions

1. **General Compliance.** The applicant, including all successors in interest (collectively "Permittee") shall comply with each and every condition set forth in this Permit. This Minor Site Development Permit No. MS24-0190 ("Permit") shall have no force or effect and no building permit shall be issued unless and until all things required by the below-enumerated precedent conditions have been performed or caused to be performed. **(P)**
2. **Effective Date.** Unless there is a timely appeal filed in accordance with the Milpitas Zoning Code, the date of approval of this Permit is the date on which the decision-making body approved this Permit. **(P)**
3. **Acceptance of Permit.** Should Permittee fail to file a timely appeal within twelve (12) calendar days of the date of approval of this Permit, inaction by Permittee shall be deemed to constitute each of the following: **(P)**
 - i. Acceptance of this Permit by Permittee; and
 - ii. Agreement by the Permittee to be bound by, comply with, and to do all things required of or by Permittee pursuant to all the terms, obligations, and conditions of this Permit.
4. **Permit Expiration.** Pursuant to Section XI-10-64-06 of the Milpitas Zoning Code, this Permit shall become null and void if the activity permitted by this Permit is not commenced within two (2) years from the date of approval, or for a project submitted with a tentative map, within the time limits of the approved tentative map. Pursuant to Section XI-10-64.06(B) of the Milpitas Zoning Code, an activity permitted by this Permit shall be deemed to have commenced when the Project: **(P)**
 - i. Completes a foundation associated with the Project; or

- ii. Dedicates any land or easement as required from the zoning action; or
 - iii. Complies with all legal requirements necessary to commence the use, or obtains an occupancy permit, whichever is sooner.
5. Time Extension. Pursuant to Section XI-10-64.07 of the Milpitas Zoning Code, unless otherwise provided by State law, Permittee shall have the right to request a one-time extension of the Permit if the request is made in writing to the Planning Division prior to the expiration date of the approval. **(P)**
6. Notice. Pursuant to California Government Code Section 66020, any protest filed in court relating to the imposition of fees, dedication, reservations, or other exactions to be imposed on the development Project shall be filed within ninety (90) days after the date of the approval of this Permit. This provision serves as notice from the local agency to the Permittee that the ninety (90) day period in which the applicant may file a protest has begun under California Government Code Section 66020(d)(1). **(CA)**
7. Cost and Approval. Permittee shall fully complete and satisfy each and every condition set forth in this Permit and any other condition applicable to the Project to the sole satisfaction of the City. Additionally, Permittee shall be solely responsible and liable for the cost to satisfy each and every condition. Permittee shall pay all required fees and charges to the City at the rate in effect at time of building permit issuance, or, the rate in effect when the fees and charges are due and paid in full to the City. There is no vesting of any fees or charges with the approval of this Permit. **(P)**
8. Conditions. Each and every condition set forth in this Exhibit shall apply to the Project and continue to apply to the Project so long as the Permittee is operating the Project under the permits and approvals in this Permit. **(P)**
9. Compliance with Laws. The construction, use, and all related activity authorized under this Permit shall comply with all applicable local, state, and federal laws, rules, regulations, guidelines, requirements, and policies. **(CA/P)**
10. Previous Approvals. Permittee shall abide and continue to comply with all previous City approvals, permits, or requirements relating to the subject property, unless explicitly superseded or revised by this Permit. **(P)**
11. Indemnification. To the fullest extent permitted by law, Permittee shall indemnify, defend with counsel of the City's choosing, and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to (i) City's approval of the Project, including but not limited to, the approval of the discretionary permits, maps under the Subdivision Map Act, and/or the City's related determinations or actions under the California Environmental Quality Act, and (ii) Permittee's construction, operation, use, or related activity under this Permit. This

indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. Permittee shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. **(CA)**

12. Written Response to Conditions. The Permittee shall provide a written response to the Conditions of Approval indicating how each condition has been addressed with the building permit application submittal. **(ALL)**
13. Revocation, Suspension, Modification. This Permit may be suspended, revoked, or modified in accordance with Section XI-10-63.06 of the Milpitas Zoning Code. **(P)**
14. Severability. If any term, provision, or condition of this Permit is held to be illegal or unenforceable by the Court, such term, provision, or condition shall be severed and shall be inoperative, and the remainder of this Permit shall remain operative, binding, and fully enforceable. **(CA)**
15. Junior Accessory Dwelling Unit (JADU). Permittee shall return a copy of the fully executed JADU Deed Restriction recorded at the County of Santa Clara Records Office prior to issuance of the building permit and shall maintain compliance with the Milpitas Municipal Code regarding Accessory Dwelling Units and Junior Accessory Dwelling Units.
16. Permittee shall develop the approved Project in conformance with the approved plans (date stamped 12/13/24), approved by the Zoning Administrator on the date of the public hearing for the Project on December 19, 2024 in accordance with these Conditions of Approval. **(P)**

Any deviation from the approved site plan, elevations, materials, colors, landscape plan, or other approved submittal shall require that, prior to the issuance of building permits, the Permittee 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 Zoning Administrator or City Council, as applicable, in accordance with the Milpitas Zoning Code. **(P)**

FIRE DEPARTMENT CONDITIONS

The plans approved by the Planning Department process are not building plans and have not been reviewed nor approved for conformance to the California Building Code (CBC), California Fire Code (CFC) and the Milpitas Municipal Code (MMC). Do not consider this set of plans as final building plans approved by the Fire Department. Building plans must

be submitted for review and approval before construction is to commence. The following notes are a general list of the applicable code requirements (2022) and are provided to assist with the building permit process. Please note that these are not all inclusive. All applicable Building, Fire and Municipal Code requirements must be met in advance of any building permit approvals or related construction.

17. Electronic documents. The fire code official may require electronic base documents for all construction documents and operational permits. The fire code official shall designate the software base format for the electronic documents. CFC Section 106.1.1, added by MMC Section V-300-2.28, and CFC Section 106.1.1.

18. Premises identification. New and existing buildings shall have approved address numbers. Address numbers shall be illuminated and located where they are clearly visible from the street. Added by MMC Section V-300-2.55 and CFC Section 505

19. Fire Department Access

Building and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of 2022 CFC 503.1.1 and shall extend to within 150 feet of all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

19.1. Provide a site plan and show the dimension in the normal route of fire hose from fire apparatus access road to all portion of the exterior wall of the main building.

19.2. Provide in the site plan, the nearest fire hydrant and distance to the frontage of the property.

20. Required water supply (hydrants that meet the minimum City Engineering Division Design Standards). An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. CFC Section 507.1

Provide a report showing a minimum fire flow of 500 gpm at minimum 20 psi residual pressure based on the Type V-B sprinklered with a total fire area of 2,693 square feet. 2022 CFC B105.1

Fire flow can be requested at MilpitasWorks@milpitas.gov

21. The reconstruction of this home plus the addition makes this home to be considered as new (coordinate with the building department on the determination of the reconstruction as new home). Coordinate with building plan reviewer for the determination based on BLDG50 policy with link below for reference. The following fire dept. comments will be applicable.

21.1. Provide the following notes on the cover sheet: AUTOMATIC FIRE SPRINKLERS for NEW HOMES

21.1.1. An approved automatic fire sprinkler system (NFPA 13D minimum) shall be provided for the home (living space, garage, outdoor spaces attached to the home, etc.). California Fire Code Section 903.2.8

21.1.2. FIRE DEPARTMENT PERMIT – REQUIRED
The Milpitas Fire Department shall approve new installation and/or modifications to existing fire protection, alarm or monitoring system(s), public and private hydrants. A separate submittal is required to the Milpitas Fire Department, for review and approval, prior to the commencement of any work. CFC Section 901.2

21.1.3. WATER SUPPLY SERVICE TO THE HOME
The water supply service to the home may need upgrading to service the automatic fire sprinkler system. All new water services shall be done as required by the City of Milpitas Engineering Division.

22. Walkway. A paved walkway shall be provided from the front public sidewalk to the front door of the new dwelling unit. The sidewalk shall be 48 inches in width minimum. The walkway shall be maintained clear and unobstructed at all times.

23. Gate(s). If there are gates along the path of the required walkway, such gates shall be not less than 48 inches net clear when open and shall provide the means for easy opening from the exterior side of the gate(s).

24. Access Control Device. When access control devices including bars, grates, electric or magnetic locks or similar devices, which will inhibit rapid fire department emergency access to the building, are installed, such devices shall be approved by the fire code official. All access control devices shall be provided with an approved means for deactivation or unlocking by the fire department. Access control devices shall also comply with Chapter 10 egress. 2022 CFC Section 504.6 added by MMC Section V-300-2.54

BUILDING DEPARTMENT CONDITIONS

25. Compliance with California Code of Regulations. The Project shall comply with the requirements of the Building Safety and Housing Department and the California Code of Regulations Title 24 and the Milpitas Municipal Code as adopted by the City. Building permits shall be submitted to and approved by the Building Safety and Housing Department prior to start of construction. All California Code of Regulations Title 24 and Milpitas Municipal Code requirements applicable at the time of building permit application must be met in advance of any building permit approvals or related

construction. Changes to the site plan and/or building plan require review and approval by the Building Safety and Housing Department.

26. Demolition. All existing structures and improvements to the property, including any unpermitted or otherwise legally non-compliant structures and improvements, shall be demolished prior or concurrently to construction of any new development contemplated by this building permit.

ENGINEERING DEPARTMENT CONDITIONS

PRIOR TO CONSTRUCTION PLAN SUBMITTALS

*The following conditions shall be met **prior to** any detailed construction plan check submittals (Building or Engineering, except demolition and rough grade plans), unless otherwise approved by the Director of Engineering/City Engineer. City reserves the right to reject any plan check submittal if any of the following conditions are not met. (E)*

27. Modifications: The Minor Site Development Permit plans dated December 13, 2024 is subject to change during the plan check stage based upon City's previous comments and conditions stated herein.
28. Submittal Requirements: Permittee to ensure that all plan check submittals are in accordance with City's submittal check list for each permit type, including but not limited to, payment of permit fees and/or fee deposit at the time of the submittal.

PRIOR TO OFF-SITE PLAN APPROVAL/ENCROACHMENT PERMIT ISSUANCE

*The following conditions shall be addressed as part of the off-site improvement plan review and shall be met **prior to** encroachment permit issuance, unless otherwise approved by the Director of Engineering/City Engineer. (E)*

29. Public Improvement Design Standards: All public improvements shall be designed and constructed in accordance with all applicable public improvement design standards, including but not limited to:
- a. Milpitas Design Guidelines: (<https://www.milpitas.gov/317/Land-Development-Procedures-Guidelines>);
 - b. Standard details and specifications: (<https://www.milpitas.gov/317/Land-Development-Procedures-Guidelines>);
 - c. Americans with Disabilities Act (ADA) requirements, where applicable.
30. Domestic Water and Fire Service Calculations: Permittee shall submit potable water and fire service calculations to confirm adequacy of lateral size, pressure and flow, to be reviewed and approved by the Engineering Department and Fire Department. Hydraulic modeling analysis by the City and paid by the Permittee may be required as needed. Permittee shall be responsible to implement any necessary improvements if there is any identified deficiency to the existing main as a result of the Project.

31. Specific Improvements: In addition to standard public improvements required under Milpitas Municipal Code (MMC) Title XI, Chapter 1, Section 7, Permittee shall install other specific improvements listed below including incidental improvements as required by the City as part of the encroachment permit.
- a) Abandonment of the existing water service lateral at its tapping point at the City water main and installation of a new water service lateral and water meter if fire sprinkler flow calculations determine that the existing water service and meter size does not provide adequate flow capacity for the reconstructed residence's required fire sprinklers.
32. Abandonment of Existing City Utilities: Permittee shall cap, abandon or remove any unused existing public utilities based upon City's Abandonment Notes and to the City's satisfaction.
33. Water Service Agreement: Permittee shall complete a water service agreement to obtain water service.
34. Encroachment Permit: Prior to any work in the public right-of-way and/or public easement, obtain an encroachment permit with insurance requirements for all public improvements including a traffic control plan per the latest California Manual on Uniform Traffic Control Devices (MUTCD) standards to be reviewed and approved by the Engineering Department.

PRIOR TO BUILDING PERMIT ISSUANCE

*The following conditions shall be addressed during the building plan check process and shall be met **prior to** any building permit issuance (except demolition permit and rough grade permit), unless otherwise approved by the Director of Engineering/City Engineer. **(E)***

35. Easements on the Building Permit Plans: Permittee shall depict all existing easements to remain based upon current preliminary title report and depict new easements on applicable building permit plans.

DURING CONSTRUCTION

*The following conditions shall be complied with at all times **during the construction phase of the project**, unless otherwise approved by the Director of Engineering/City Engineer. **(E)***

36. Dewatering: If dewatering is needed during construction, Permittee shall obtain a Short-Term Industrial Wastewater Permit from the San Jose/Santa Clara Water Pollution Control Plant for discharging the groundwater to a sanitary sewer system.
37. Prohibition of Potable Water Usage: Permittee shall use recycled water for construction purposes, including dust control and compaction. Permittee shall comply with MMC VIII-6-5.00 and 6-6.00 where potable water usage is prohibited, unless otherwise approved by the City Council.

PRIOR TO FIRST OCCUPANCY

The following conditions shall be met **prior to building occupancy**, unless otherwise approved by the Director of Engineering/City Engineer.

38. Completion of Public Improvements: Permittee shall complete all public improvements, including but not limited to the replacement of the property’s existing water service and meter if required per fire sprinkler flow calculations, as shown on City approved plans.

- (P) = Planning
- (F) = Fire Prevention
- (B) = Building
- (LD) = Land Development
- (CA) = City Attorney

PASSED AND ADOPTED at a regular meeting of the Zoning Administrator of the City of Milpitas on December 19, 2024.

Jay Lee, AICP
Planning Director

Date: _____

NOTICE OF RIGHT TO PROTEST

The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), began on date of adoption of this resolution. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

AGREEMENT

Permittee/Property Owner

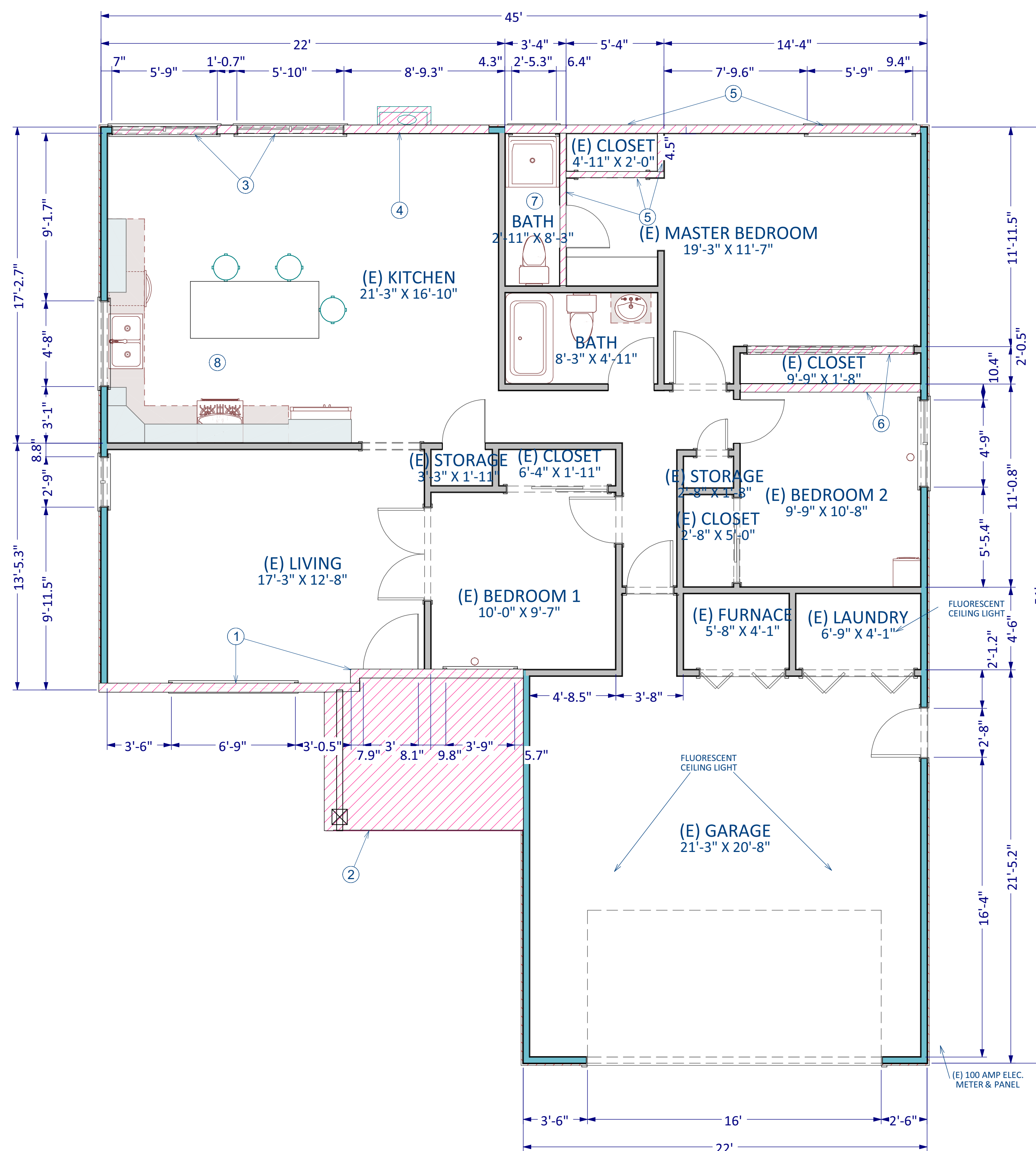
The undersigned agrees to each and every condition of approval and acknowledges the NOTICE OF RIGHT TO PROTEST and hereby agrees to use the subject property on the terms and conditions set forth in this Permit.

Dated: _____

Signature of Permittee

Tuan Nguyen

**1449 STEMEL WAY
REMODELING & ADDITION**
EXISTING/DEMO FLOOR PLAN



NO.	DESCRIPTION
1	DEMO FRONT WALL
2	DEMO COVERED PORCH AND CONCRETE LANDING
3	DEMO WALL AND RELOCATE WINDOW AND SLIDING PATIO DOOR
4	DEMO FIREPLACE AND CHIMNEY
5	DEMO WALL
6	DEMO WALL AND CLOSET DOOR
7	DEMO BATHROOM
8	DEMO KITCHEN

EXISTING/DEMO PLAN

SET ISSUE DATES

DATE	ISSUE
12/13/2024	

REVISION TABLE

LABEL	DATE	DESCRIPTION

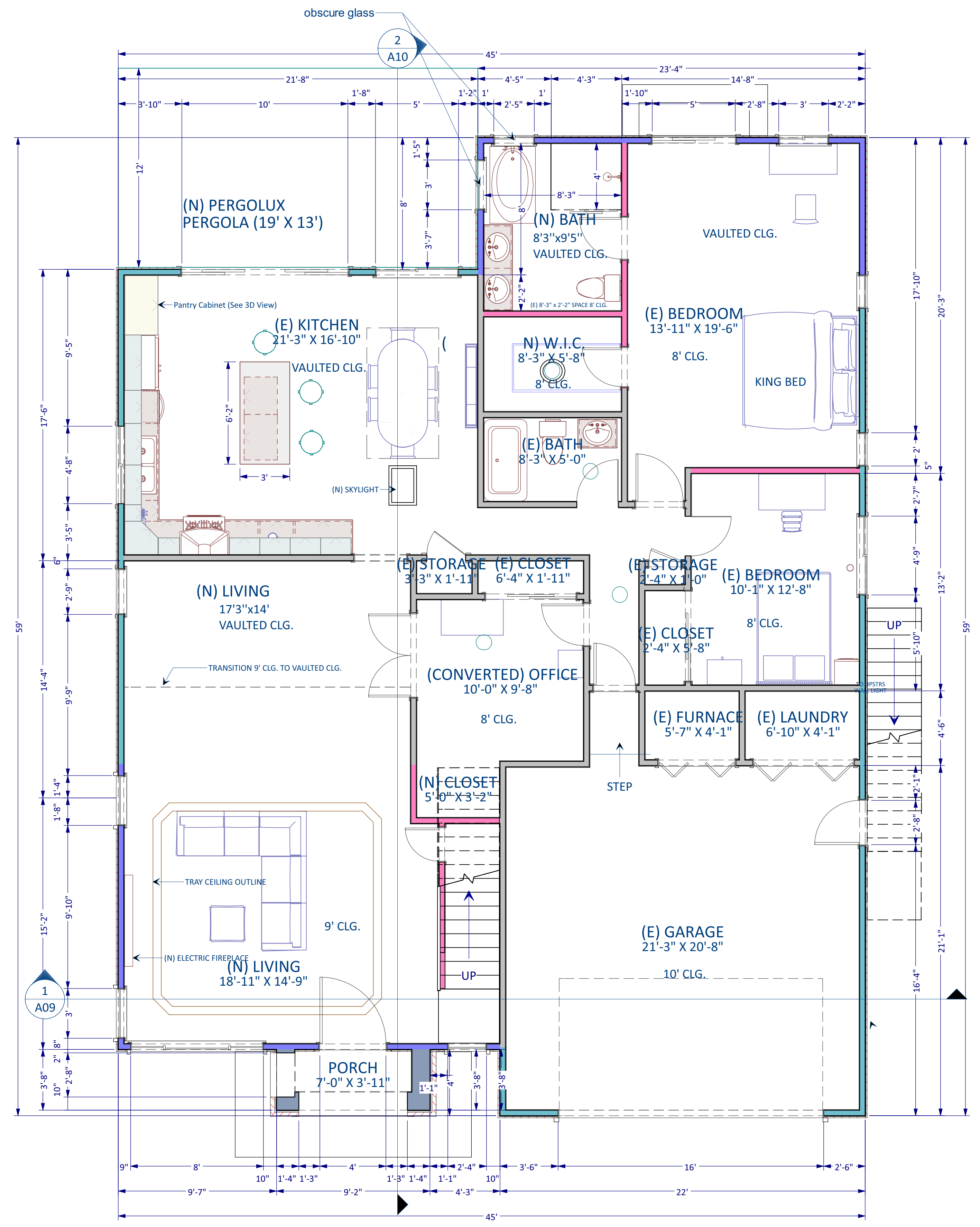
SHEET NO:

A04

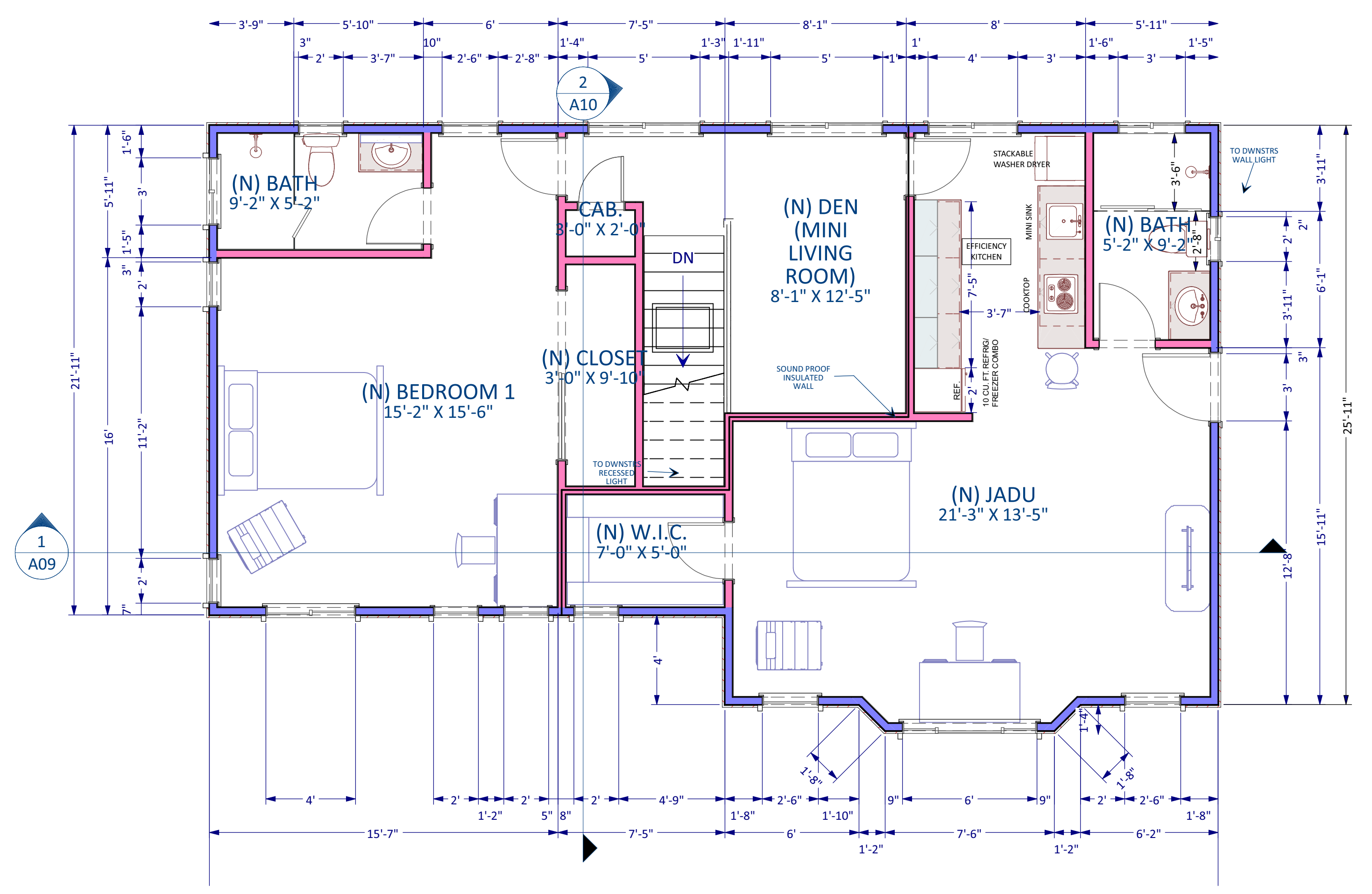
PROJECT NO:

Tuan Nguyen

**1449 STEMEL WAY
 REMODELING & ADDITION**
 PROPOSED 1st FLOOR PLAN &
 PROPOSED 2nd FLOOR PLAN



Proposed 1st Floor Plan - 1/4 in = 1 ft



Proposed 2nd Floor Plan - 1/4 in = 1 ft

SET ISSUE DATES

DATE ISSUE

12/13/2024

REVISION TABLE

LABEL	DATE	DESCRIPTION
1	10/19/24	REVISED PER PCL

SHEET NO:

A05

PROJECT NO:

**1449 STEMEL WAY
 REMODELING & ADDITION
 EXISTING & PROPOSED ROOF PLAN
 1ST & 2ND FLOORS**

SET ISSUE DATES

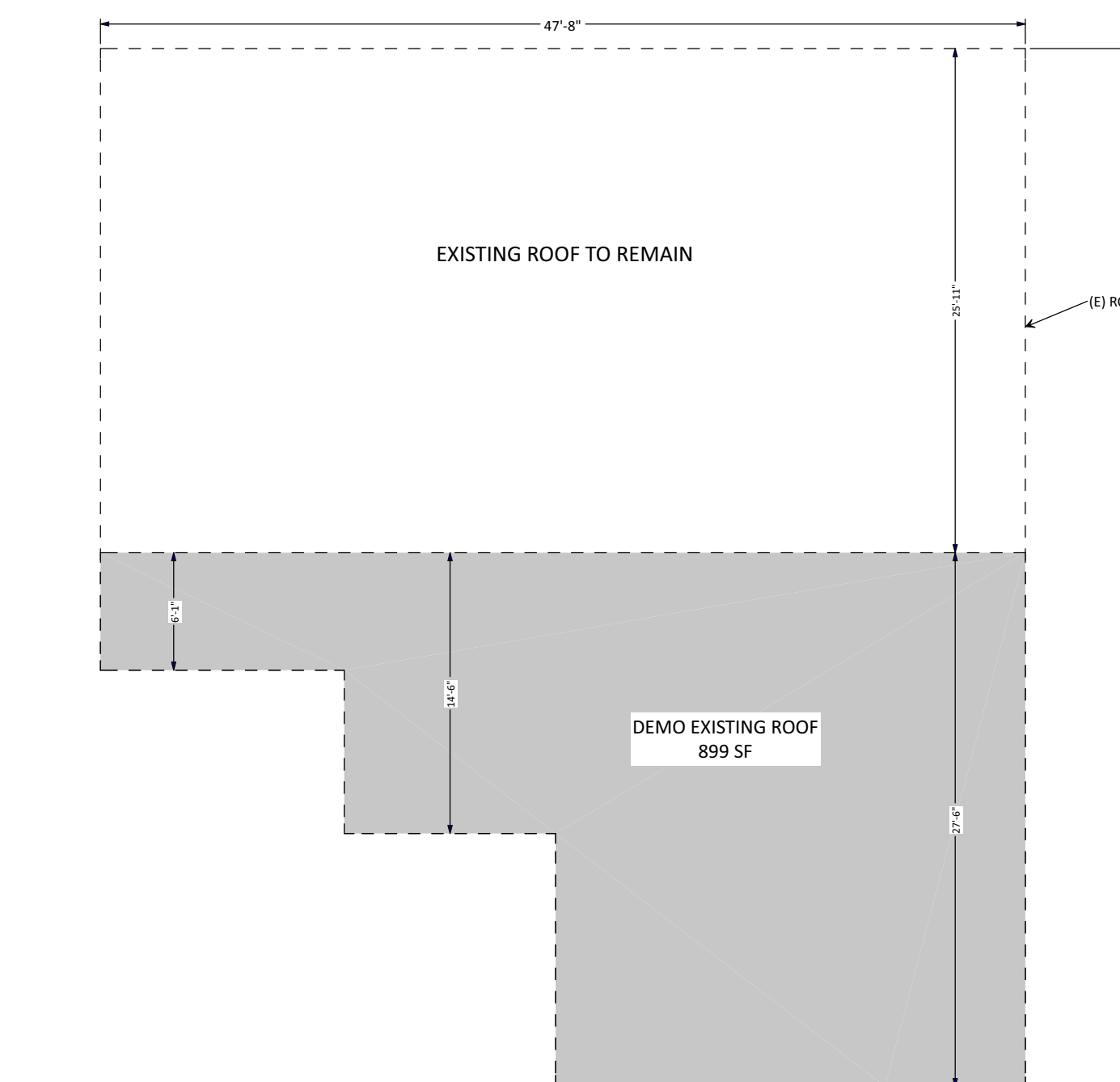
DATE	ISSUE
11/26/2024	

REVISION TABLE		
LABEL	DATE	DESCRIPTION

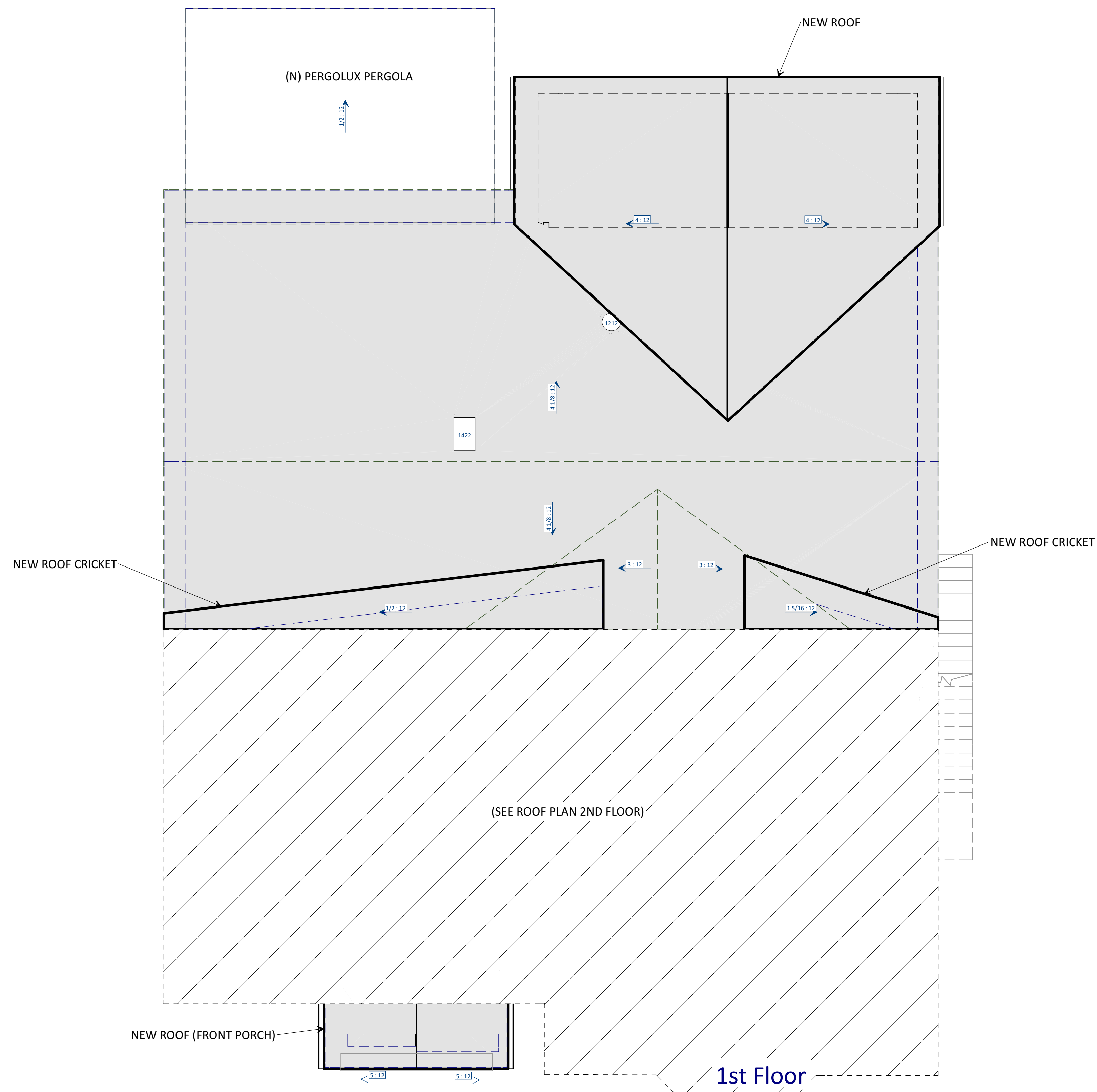
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A06

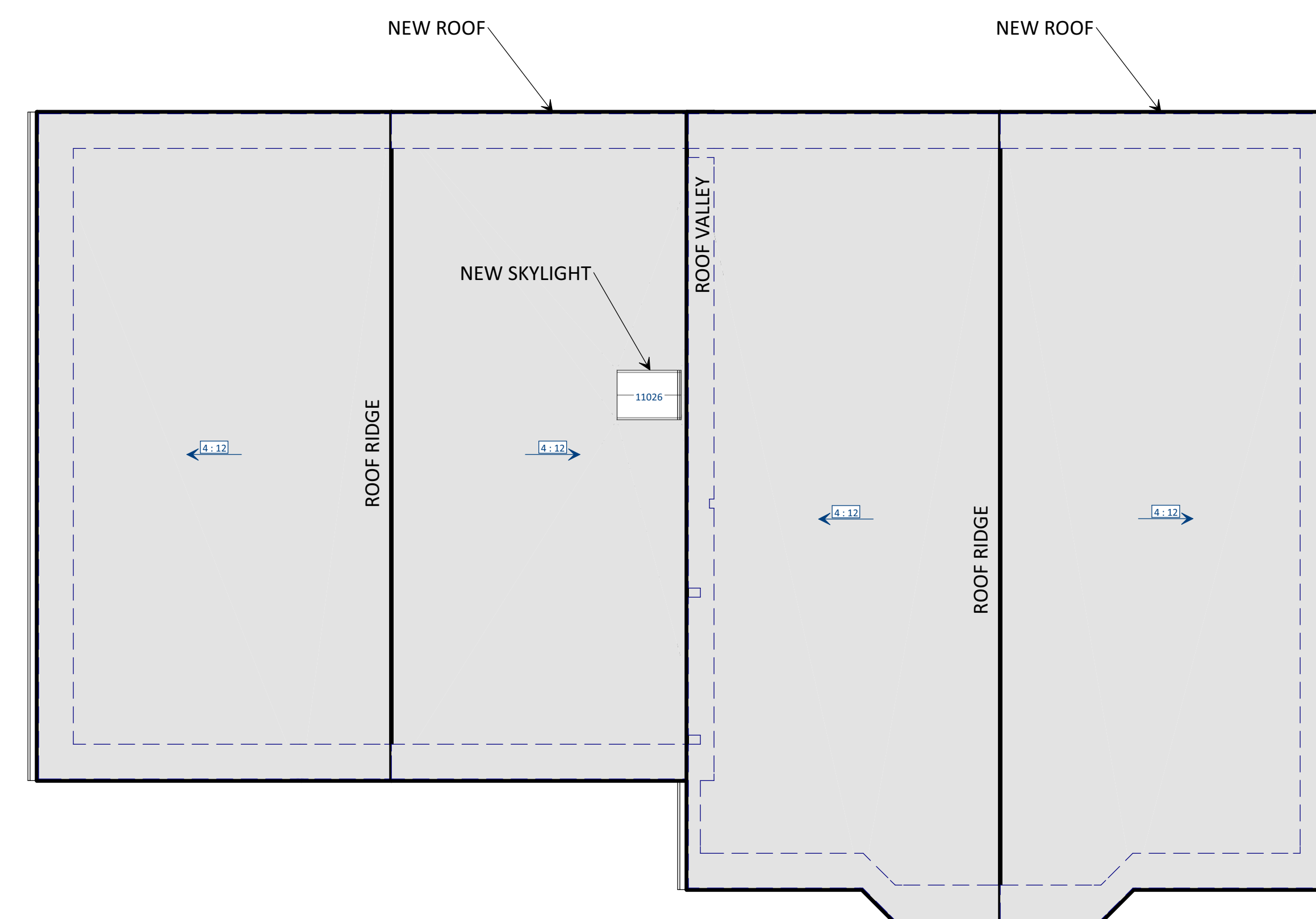
PROJECT NO:



(E) ROOF DEMO PLAN - 1/8 in = 1 ft



PROPOSED ROOF PLAN 1ST FLOOR - 1/4 in = 1 ft



PROPOSED ROOF PLAN 2ND FLOOR - 1/4 in = 1 ft



EXTERIOR 1-1



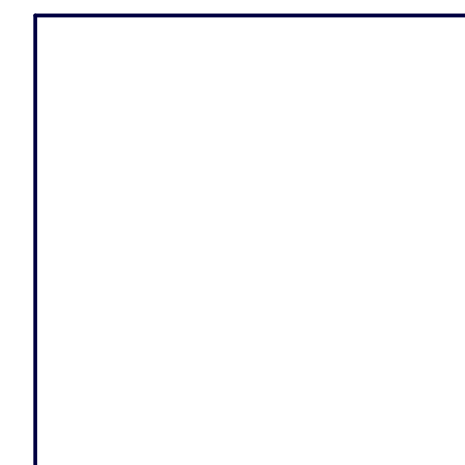
EXTERIOR 1-2



EXTERIOR 1-3

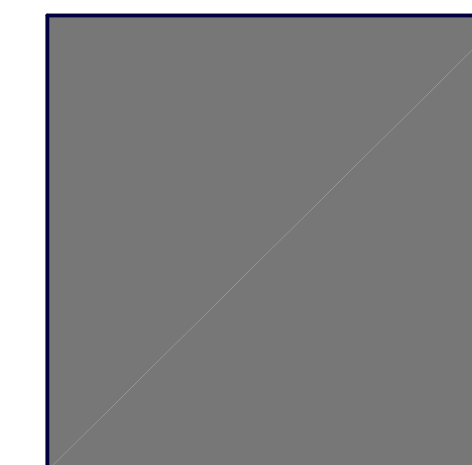
COLORS AND MATERIALS

① WALLS



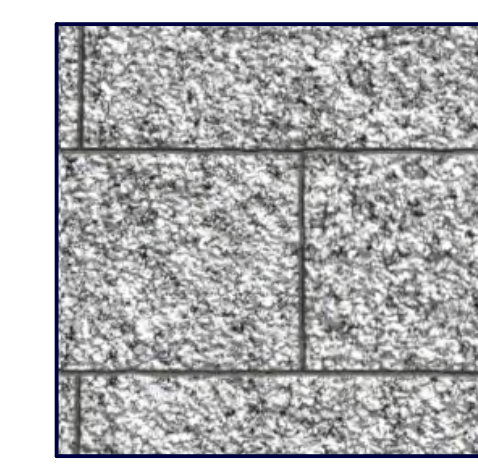
PURE WHITE PAINT OVER STUCCO

② ACCENT TRIMS



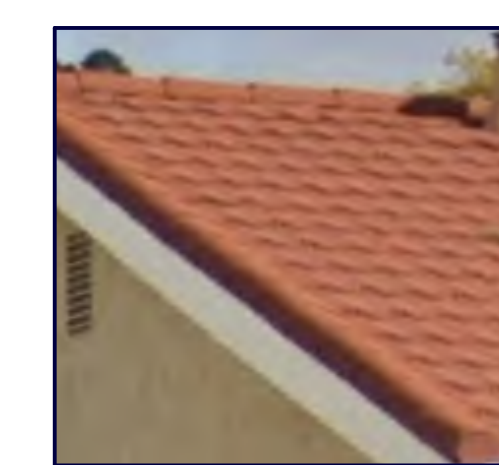
DARK GREY PAINT OVER WOOD

③ STONE ACCENTS



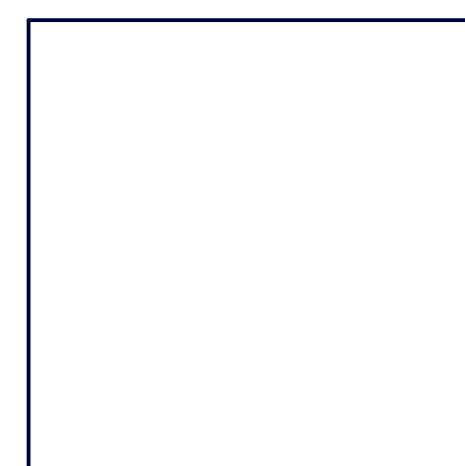
GRANITE BLOCKS RUNNING BOND SPLIT FACED

④ ROOFING



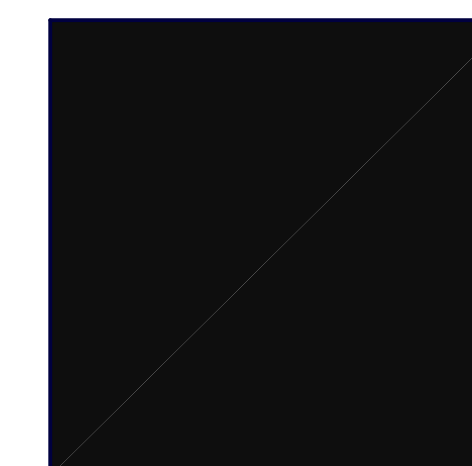
GARNET DECRA METAL TILE (TO MATCH EXISTING)

⑤ WINDOW TRIMS



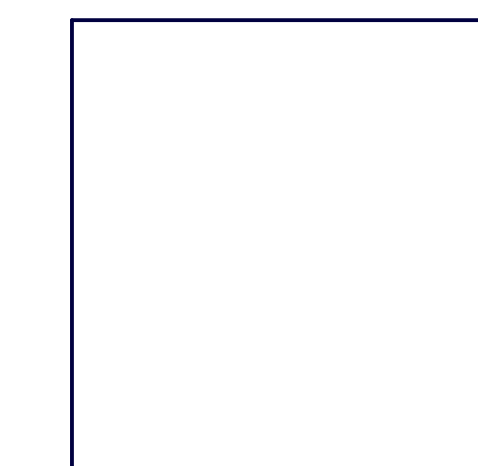
PURE WHITE PAINT OVER WOOD

⑥ WINDOW/GLASS DOOR FRAMES



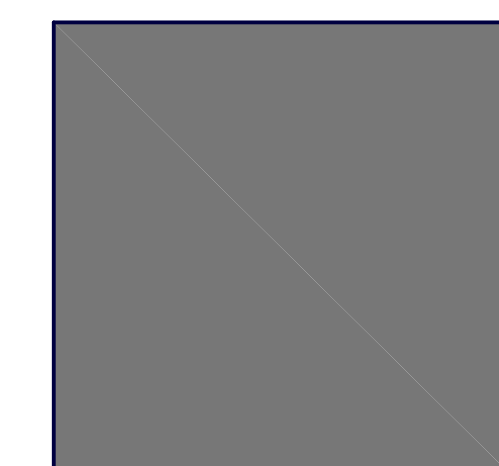
BLACK FRAME

⑦ GARAGE DOOR



PURE WHITE PAINT OVER WOOD

⑧ EXT. STAIRCASE



DARK GREY PAINT OVER WOOD

SET ISSUE DATES

DATE	ISSUE
11/26/2024	

REVISION TABLE

LABEL	DATE	DESCRIPTION

SHEET NO:
A07

PROJECT NO:



Exterior 1-5



Exterior 1-6



Exterior 1-7



EXTERIOR 1-8

**1449 STEMEL WAY
 REMODELING & ADDITION**
 PROPOSED SIDE & REAR 3D VIEWS

SET ISSUE DATES

DATE	ISSUE
11/26/2024	

REVISION TABLE

LABEL	DATE	DESCRIPTION

SHEET NO:
A08

PROJECT NO:

**1449 STEMEL WAY
REMODELING & ADDITION
PROPOSED EXTERIOR ELEVATION
FRONT**



EXTERIOR ELEVATION FRONT

WINDOW SCHEDULE											
NUMBER	LABEL	QTY	FLOOR	SIZE	WIDTH	HEIGHT	R/O	DESCRIPTION	COMMENTS	ROOM NAME	MATERIAL
W01	2020	1	3	2020	24"	24"	25°X25°	FIXED GLASS-RT			
W02	20310DH	1	2	20310DH	24"	46"	25°X47°	DOUBLE HUNG	NEW WINDOW	(N) BATH	
W04	2040SC	1	2	2040SC	24"	48"	25°X49°	SINGLE CASEMENT-HR	NEW WINDOW	(N) W.I.C.	
W05	2044DH	2	1	2044DH	24"	52"	25°X53°	DOUBLE HUNG		(E) BEDROOM	
W06	2030RS	1	2	2030RS	24"	36"	25°X37°	RIGHT SLIDING	NEW WINDOW	(N) BATH	FROSTED GLASS
W07	2050DH	2	2	2050DH	24"	60"	25°X61°	DOUBLE HUNG	NEW WINDOW	(N) BEDROOM 1	
W08	2436SC	1	1	2436SC	28"	42"	29°X43°	SINGLE CASEMENT-HR	NEW WINDOW	(N) LIVING	
W09	2524RS	1	1	2524RS	29 1/4"	28 3/8"	30 1/4°X29 3/8°	RIGHT SLIDING	NEW WINDOW	(N) BATH	FROSTED GLASS
W10	2640DH	1	2	2640DH	30"	48"	31°X49°	DOUBLE HUNG	NEW WINDOW	(N) BEDROOM 1	
W11	2650DH	2	2	2650DH	30"	60"	31°X61°	DOUBLE HUNG	NEW WINDOW	(N) JADU	
W12	2950DH	1	1	2950DH	33"	60"	34°X61°	DOUBLE HUNG		(N) LIVING ROOM	
W13	2040SC	2	2	2040SC	24"	48"	25°X49°	SINGLE CASEMENT-HR	NEW WINDOW	(N) BEDROOM 1	
W14	3024RS	1	1	3024RS	36"	28 5/16"	37°X29 5/16°	RIGHT SLIDING	NEW WINDOW	(N) BATH	FROSTED GLASS
W15	3040RS	1	1	3040RS	36"	48"	37°X49°	RIGHT SLIDING	NEW WINDOW	(E) BEDROOM	
W16	3056DH	2	1	3056DH	36"	66"	37°X67°	DOUBLE HUNG	NEW WINDOW	(N) LIVING	
W17	4040RS	1	2	4040RS	48"	48"	49°X49°	RIGHT SLIDING	NEW WINDOW	(N) JADU	
W18	4050RS	1	2	4050RS	48"	60"	49°X61°	RIGHT SLIDING	NEW WINDOW	(N) BEDROOM 1	
W19	4827RS	1	1	4827RS	56"	31 1/4"	57°X32 1/4°	RIGHT SLIDING		(E) KITCHEN	
W20	4939RS	1	1	4939RS	57"	45"	58°X46°	RIGHT SLIDING		(E) BEDROOM	
W21	5040RS	1	2	5040RS	60"	48"	61°X49°	RIGHT SLIDING	NEW WINDOW	(N) DEN (MINI LIVING ROOM)	
W22	5040RS	1	2	5040RS	60"	48"	61°X49°	RIGHT SLIDING	NEW WINDOW	DEN	
W23	5049RS	1	1	5049RS	60"	57"	61°X58°	RIGHT SLIDING	NEW WINDOW	(E) KITCHEN	
W24	6050TS	1	2	6050TS	72"	60"	73°X61°	TRIPLE SLIDING	NEW WINDOW	(N) JADU	
W25	6940TC	1	1	6940TC	81"	48"	82°X49°	TRIPLE CASEMENT-LH/L CHL/RHR		(N) LIVING/(N) LIVING	
W26	8056TS	1	1	8056TS	96"	66"	97°X67°	TRIPLE SLIDING	NEW WINDOW	(N) LIVING	
W27	8016RS	2	2	8016RS	36"	18"	37°X39°	RIGHT SLIDING	NEW WINDOW	(N) BATH	

DOOR SCHEDULE										
NUMBER	LABEL	QTY	FLOOR	SIZE	WIDTH	HEIGHT	R/O	DESCRIPTION	COMMENTS	ROOM NAME
D01	10068	1	1	10068 L/R EX	120"	80"	122°X83°	EXT. QUAD SLIDER-GLASS PANEL	NEW DOOR	(E) KITCHEN
D02	11168	1	1	11168 R IN	22 15/16"	80"	24 15/16°X82 1/2°	HINGED-DOOR P03		(E) STORAGE/(E) KITCHEN
D03	16080	1	1	16080	192"	96"	194°X99°	GARAGE-BB108 - 8 LITE SQUARE PIPERIBB	NEW DOOR	(E) GARAGE
D04	1668	1	2	1668 R	18 3/16"	80"	18 3/16°X80°	SHOWER-GLASS SLAB		(E) GARAGE
D05	2034	2	2	2034 R IN	24"	30 9/16"	26°X42 1/16°	HINGED-PANEL		CAR MEN
D06	2056	1	1	2056 R IN	24"	66"	26°X68 1/2°	HINGED-DOOR P03		(N) LIVING/(N) LIVING
D07	21068	1	1	21068 L IN	34 1/16"	80"	36 1/16°X82 1/2°	HINGED-DOOR P03		(E) BEDROOM/(E) KITCHEN
D08	2468	1	1	2468 R	28"	80"	28°X80°	SHOWER-SLAB		(E) KITCHEN/(E) STORAGE
D09	2468	1	1	2468 R IN	28"	80"	30°X82 1/2°	HINGED-DOOR P03		(N) W.I.C./ (E) BEDROOM
D10	2569	1	1	2569 L	28 5/8"	81"	28 5/8°X81°	SHOWER-PANEL		(E) BEDROOM/(E) KITCHEN
D11	2668	1	1	2668 L EX	30"	80"	32°X83°	EXT. HINGED-PANEL		(E) KITCHEN/(E) KITCHEN
D12	2668	1	1	2668 R	30"	80"	30°X80°	SHOWER-SLAB		(E) BATH/(E) KITCHEN
D13	2668	1	1	2668 R IN	30 1/16"	80"	32 1/16°X82 1/2°	HINGED-DOOR P03		(E) BEDROOM/(N) BATH
D14	2668	1	1	2668 R IN	30"	80"	32°X82 1/2°	HINGED-SLAB		(E) BEDROOM/(E) KITCHEN
D15	2680	1	2	2680 L IN	30"	96"	32°X98 1/2°	HINGED-DOOR P01		(N) JADU/(N) BEDROOM 1
D16	2680	1	2	2680 R IN	30"	96"	32°X98 1/2°	HINGED-PANEL		(N) JADU/(N) W.I.C.
D17	2680	1	2	2680 R IN	30"	96"	32°X98 1/2°	HINGED-DOOR P03		DEN/(N) BEDROOM 1
D18	2688	1	1	2688 L EX	32"	80"	34°X83°	EXT. HINGED-DOOR P03	NEW DOOR	(N) DEN (MINI LIVING ROOM)/(N) JADU
D19	2680	1	2	2680 L IN	30"	96"	32°X98 1/2°	HINGED-DOOR P03		(N) JADU
D20	3080	1	2	3080 R EX	36"	96"	36°X99°	EXT. HINGED-DOOR P03	NEW DOOR	(N) JADU
D21	3088	1	1	3088 R IN	36"	80"	42°X82 1/2°	SHOWER-GLASS SLAB		(E) LIVING/ (E) BATH
D22	4078	1	1	4078 L EX	47 3/4"	92"	49 3/4°X95°	EXT. HINGED-GLASS PANEL	NEW DOOR	(N) LIVING/ (E) BATH
D23	4768	1	1	4768 L/R EX	54 15/16"	80"	56 15/16°X82 1/2°	EXT. 4 DR. BIFOLD-PANEL	NEW DOOR	(N) LIVING/ (E) BATH
D24	4768	1	2	4768 L IN	55 7/16"	80"	57 7/16°X82 1/2°	SLIDER-GLASS SLAB		(E) FURNACE/(E) GARAGE
D25	4960	1	1	4960 R IN	56 13/16"	72"	58 13/16°X74 1/2°	HINGED-WROUGHT IRON GATE (ARCHED)		(E) LAUNDRY/(E) GARAGE
D26	50610	1	1	50610 L/R IN	60"	82"	62°X84 1/2°	DOUBLE HINGED-DOOR P03		(E) BEDROOM/(N) LIVING ROOM
D27	5068	1	1	5068 R EX	60"	80"	62°X81°	EXT. SLIDER-GLASS PANEL	NEW DOOR	(E) BEDROOM
D28	55611	1	1	55611 L IN	65"	83"	67°X85 1/2°	SLIDER-DOOR P03		(E) CLOSET/(E) BEDROOM
D29	5566	1	1	5566 R IN	64 11/16"	78"	66 11/16°X80 1/2°	SLIDER-DOOR P07		(E) BEDROOM/(E) BATH
D30	6068	1	1	6068 L/R EX	72"	80"	74°X82 1/2°	EXT. 4 DR. BIFOLD-PANEL		(E) LAUNDRY/(E) GARAGE
D31	7680	1	2	7680 R IN	90"	96"	93°X98 1/2°	SLIDER-DOOR P03		(N) CLOSET/(N) BEDROOM 1
D32	8760	1	1	8760 L/R IN	103"	72"	105°X74 1/2°	DOUBLE HINGED-WROUGHT IRON GATE (ARCHED)		(N) BATH/(N) JADU
D33	2680	1	2	2680 L IN	30"	96"	32°X98 1/2°	HINGED-DOOR P01		(N) BATH/(N) JADU

NOTE:
ALL WINDOWS AND CLEAR GLASS PANELS SHALL HAVE BLIND/ SHADE STRUCTURES UNLESS OTHERWISE NOTED AND UNLESS INSTALLED OVER 5' FLOOR HEIGHT.
SEE SHEET A05 FOR COLORS AND MATERIALS CALLOUT NUMBERS.

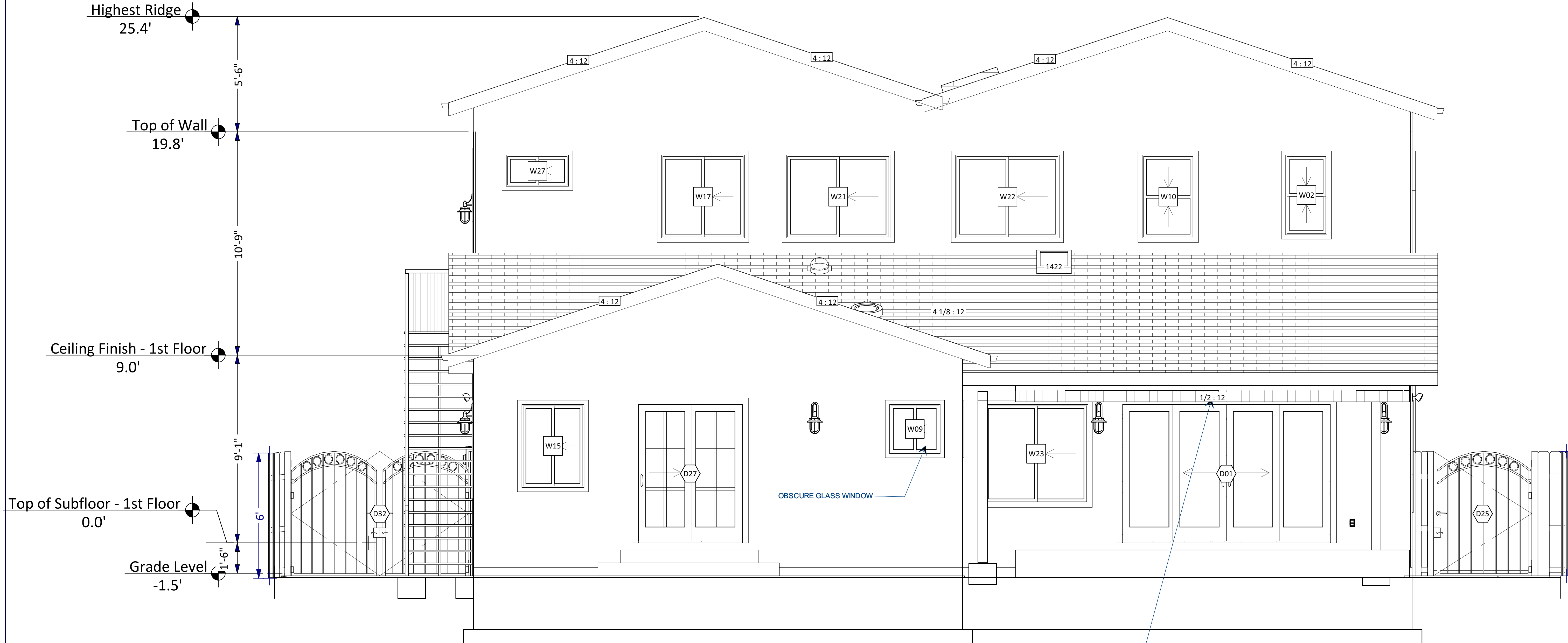
SET ISSUE DATES	
DATE	ISSUE
11/26/2024	

REVISION TABLE		
LABEL	DATE	DESCRIPTION

SHEET NO:
A09
PROJECT NO:

Tuan Nguyen

**1449 STEMEL WAY
REMODELING & ADDITION
PROPOSED EXTERIOR ELEVATION
BACK**



EXTERIOR ELEVATION BACK

**SLOPE OF PERGOLA
ROOF TOP**

NOTE:
ALL WINDOWS AND CLEAR GLASS PANELS SHALL HAVE BLIND/
SHADE STRUCTURES UNLESS OTHERWISE NOTED AND UNLESS
INSTALLED OVER 5' FLOOR HEIGHT.
SEE SHEET A05 FOR COLORS AND MATERIALS CALLOUT
NUMBERS.

NO.	QTY	DESCRIPTION	UNIT
1	1	W09	1
2	1	W10	1
3	1	W15	1
4	1	W17	1
5	1	W21	1
6	1	W22	1
7	1	W23	1
8	1	D01	1
9	1	D25	1
10	1	D27	1

NO.	QTY	DESCRIPTION	UNIT
11	1	PERGOLA	1
12	1	ROOF	1
13	1	WALL	1
14	1	FLOOR	1
15	1	CEILING	1
16	1	DOOR	1
17	1	WINDOW	1
18	1	GLASS	1
19	1	SHADE	1
20	1	BLIND	1

SET ISSUE DATES

DATE	ISSUE
11/26/2024	

11/26/2024

REVISION TABLE

LABEL	DATE	DESCRIPTION

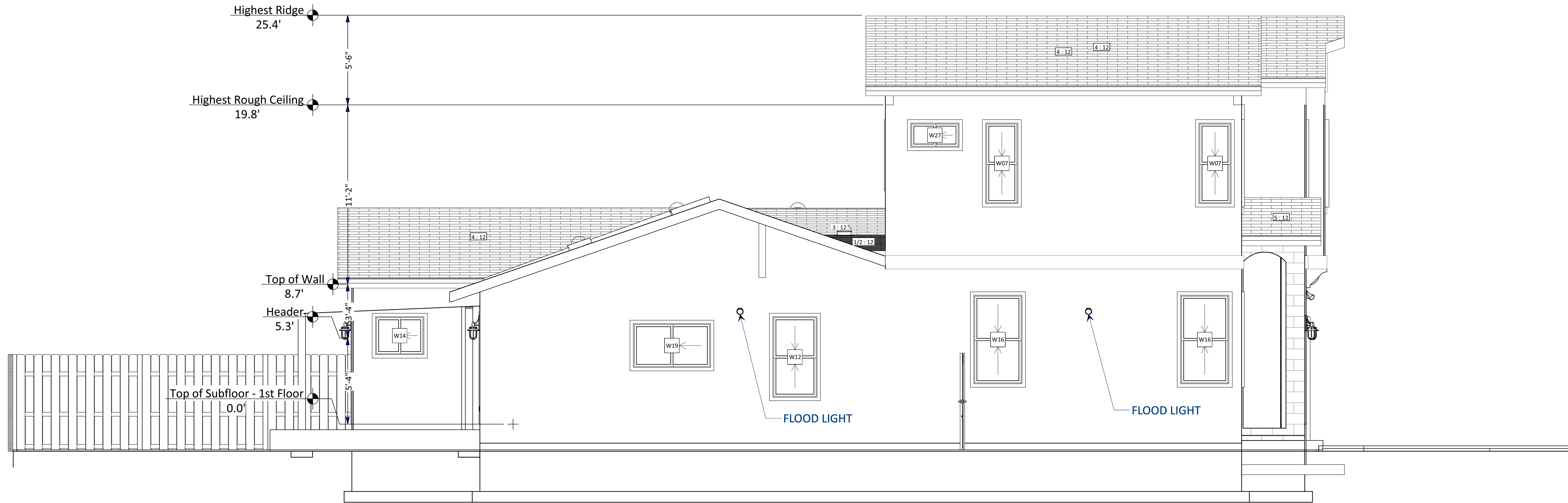
SHEET NO:

A010

PROJECT NO:

Tuan Nguyen

**1449 STEMEL WAY
REMODELING & ADDITION**
PROPOSED EXTERIOR ELEVATION LEFT



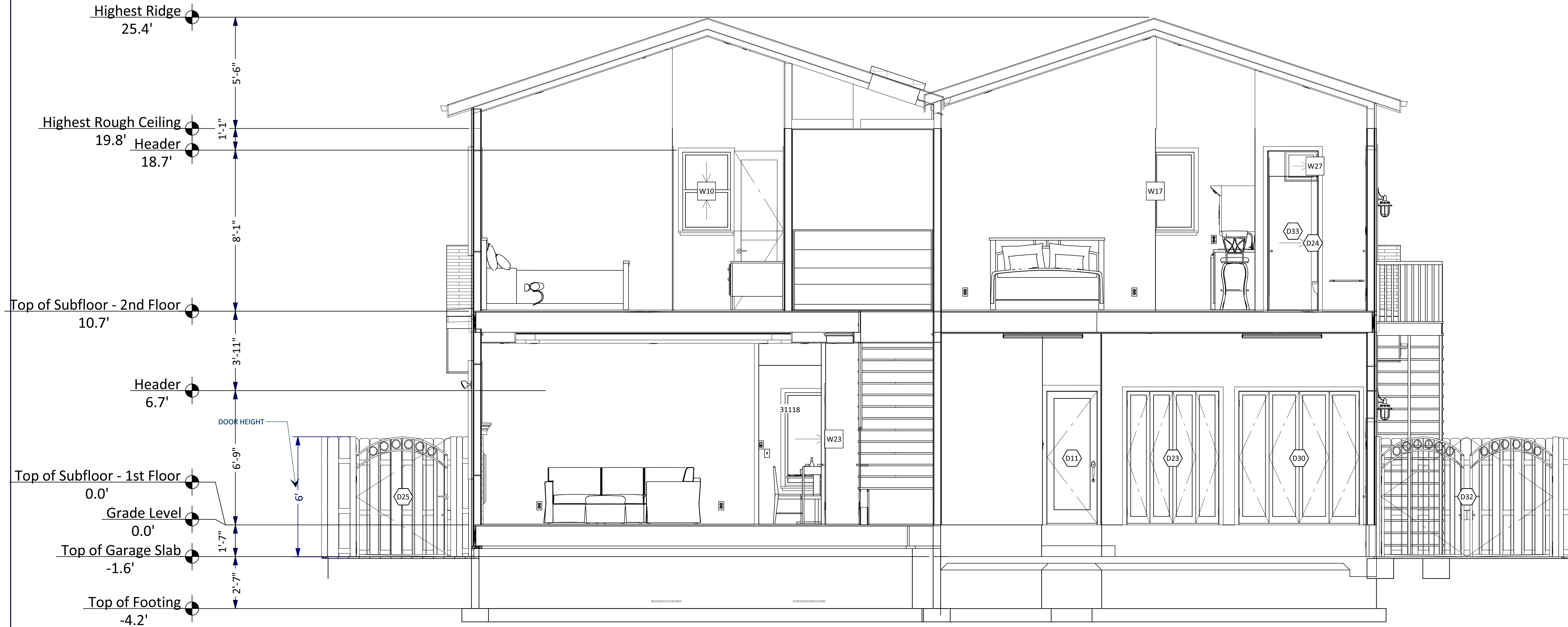
EXTERIOR ELEVATION LEFT

WINDOW SCHEDULE											
NO.	SYMBOL	TYPE	SIZE	HEIGHT	W.C.	DESCRIPTION	COMMENTS	ROOM NAME	MATERIAL	MARKING	REMARKS
W01	3000	1	3000	24"	25'00"	FIXED GLASS-INT					
W02	2010001	1	2010001	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN BATH			
W03	200000	1	200000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN BATH			
W04	204000	2	204000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN BEDROOM			
W05	204000	2	204000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN BEDROOM			
W06	203000	1	203000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN BATH	FRESH GLASS		
W07	205000	2	205000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN BEDROOM 1			
W08	203000	1	203000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN BATH			
W09	203000	1	203000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN BATH	FRESH GLASS		
W10	204000	1	204000	30"	25'00"	DOUBLE HUNG	NEW WINDOW	IN BEDROOM 1			
W11	204000	2	204000	30"	25'00"	DOUBLE HUNG	NEW WINDOW	IN LIVING ROOM			
W12	204000	1	204000	30"	25'00"	DOUBLE HUNG	NEW WINDOW	IN LIVING ROOM			
W13	204000	1	204000	30"	25'00"	DOUBLE HUNG	NEW WINDOW	IN BEDROOM			
W14	204000	1	204000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN BATH	FRESH GLASS		
W15	204000	1	204000	30"	25'00"	DOUBLE HUNG	NEW WINDOW	IN BATH	FRESH GLASS		
W16	204000	2	204000	30"	25'00"	DOUBLE HUNG	NEW WINDOW	IN LIVING ROOM			
W17	204000	1	204000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN LIVING ROOM			
W18	204000	1	204000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN LIVING ROOM			
W19	204000	1	204000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN LIVING ROOM			
W20	204000	1	204000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN LIVING ROOM			
W21	204000	1	204000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN LIVING ROOM			
W22	204000	1	204000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN LIVING ROOM			
W23	204000	1	204000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN LIVING ROOM			
W24	204000	1	204000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN LIVING ROOM			
W25	204000	1	204000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN LIVING ROOM			
W26	204000	1	204000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN LIVING ROOM			
W27	204000	2	204000	24"	25'00"	DOUBLE HUNG	NEW WINDOW	IN BATH			

DOOR SCHEDULE											
NO.	SYMBOL	TYPE	SIZE	HEIGHT	W.C.	DESCRIPTION	COMMENTS	ROOM NAME	MATERIAL	MARKING	REMARKS
D01	1000	1	1000	80"	25'00"	PRE-FAB DOOR					
D02	1100	1	1100	80"	25'00"	PRE-FAB DOOR					
D03	1200	1	1200	80"	25'00"	PRE-FAB DOOR					
D04	1300	1	1300	80"	25'00"	PRE-FAB DOOR					
D05	1400	1	1400	80"	25'00"	PRE-FAB DOOR					
D06	1500	1	1500	80"	25'00"	PRE-FAB DOOR					
D07	1600	1	1600	80"	25'00"	PRE-FAB DOOR					
D08	1700	1	1700	80"	25'00"	PRE-FAB DOOR					
D09	1800	1	1800	80"	25'00"	PRE-FAB DOOR					
D10	1900	1	1900	80"	25'00"	PRE-FAB DOOR					
D11	2000	1	2000	80"	25'00"	PRE-FAB DOOR					
D12	2100	1	2100	80"	25'00"	PRE-FAB DOOR					
D13	2200	1	2200	80"	25'00"	PRE-FAB DOOR					
D14	2300	1	2300	80"	25'00"	PRE-FAB DOOR					
D15	2400	1	2400	80"	25'00"	PRE-FAB DOOR					
D16	2500	1	2500	80"	25'00"	PRE-FAB DOOR					
D17	2600	1	2600	80"	25'00"	PRE-FAB DOOR					
D18	2700	1	2700	80"	25'00"	PRE-FAB DOOR					
D19	2800	1	2800	80"	25'00"	PRE-FAB DOOR					
D20	2900	1	2900	80"	25'00"	PRE-FAB DOOR					
D21	3000	1	3000	80"	25'00"	PRE-FAB DOOR					
D22	3100	1	3100	80"	25'00"	PRE-FAB DOOR					
D23	3200	1	3200	80"	25'00"	PRE-FAB DOOR					
D24	3300	1	3300	80"	25'00"	PRE-FAB DOOR					
D25	3400	1	3400	80"	25'00"	PRE-FAB DOOR					
D26	3500	1	3500	80"	25'00"	PRE-FAB DOOR					
D27	3600	1	3600	80"	25'00"	PRE-FAB DOOR					
D28	3700	1	3700	80"	25'00"	PRE-FAB DOOR					
D29	3800	1	3800	80"	25'00"	PRE-FAB DOOR					
D30	3900	1	3900	80"	25'00"	PRE-FAB DOOR					
D31	4000	1	4000	80"	25'00"	PRE-FAB DOOR					
D32	4100	1	4100	80"	25'00"	PRE-FAB DOOR					
D33	4200	1	4200	80"	25'00"	PRE-FAB DOOR					
D34	4300	1	4300	80"	25'00"	PRE-FAB DOOR					
D35	4400	1	4400	80"	25'00"	PRE-FAB DOOR					
D36	4500	1	4500	80"	25'00"	PRE-FAB DOOR					
D37	4600	1	4600	80"	25'00"	PRE-FAB DOOR					
D38	4700	1	4700	80"	25'00"	PRE-FAB DOOR					
D39	4800	1	4800	80"	25'00"	PRE-FAB DOOR					
D40	4900	1	4900	80"	25'00"	PRE-FAB DOOR					
D41	5000	1	5000	80"	25'00"	PRE-FAB DOOR					
D42	5100	1	5100	80"	25'00"	PRE-FAB DOOR					
D43	5200	1	5200	80"	25'00"	PRE-FAB DOOR					
D44	5300	1	5300	80"	25'00"	PRE-FAB DOOR					
D45	5400	1	5400	80"	25'00"	PRE-FAB DOOR					
D46	5500	1	5500	80"	25'00"	PRE-FAB DOOR					
D47	5600	1	5600	80"	25'00"	PRE-FAB DOOR					
D48	5700	1	5700	80"	25'00"	PRE-FAB DOOR					
D49	5800	1	5800	80"	25'00"	PRE-FAB DOOR					
D50	5900	1	5900	80"	25'00"	PRE-FAB DOOR					
D51	6000	1	6000	80"	25'00"	PRE-FAB DOOR					
D52	6100	1	6100	80"	25'00"	PRE-FAB DOOR					
D53	6200	1	6200	80"	25'00"	PRE-FAB DOOR					
D54	6300	1	6300	80"	25'00"	PRE-FAB DOOR					
D55	6400	1	6400	80"	25'00"	PRE-FAB DOOR					
D56	6500	1	6500	80"	25'00"	PRE-FAB DOOR					
D57	6600	1	6600	80"	25'00"	PRE-FAB DOOR					
D58	6700	1	6700	80"	25'00"	PRE-FAB DOOR					
D59	6800	1	6800	80"	25'00"	PRE-FAB DOOR					
D60	6900	1	6900	80"	25'00"	PRE-FAB DOOR					
D61	7000	1	7000	80"	25'00"	PRE-FAB DOOR					
D62	7100	1	7100	80"	25'00"	PRE-FAB DOOR					
D63	7200	1	7200	80"	25'00"	PRE-FAB DOOR					
D64	7300	1	7300	80"	25'00"	PRE-FAB DOOR					
D65	7400	1	7400	80"	25'00"	PRE-FAB DOOR					
D66	7500	1	7500	80"	25'00"	PRE-FAB DOOR					
D67	7600	1	7600	80"	25'00"	PRE-FAB DOOR					
D68	7700	1	7700	80"	25'00"	PRE-FAB DOOR					
D69	7800	1	7800	80"	25'00"	PRE-FAB DOOR					
D70	7900	1	7900	80"	25'00"	PRE-FAB DOOR					
D71	8000	1	8000	80"	25'00"	PRE-FAB DOOR					
D72	8100	1	8100	80"	25'00"	PRE-FAB DOOR					
D73	8200	1	8200	80"	25'00"	PRE-FAB DOOR					
D74	8300	1	8300	80"	25'00"	PRE-FAB DOOR					
D75	8400	1	8400	80"	25'00"	PRE-FAB DOOR					
D76	8500	1	8500	80"	25'00"	PRE-FAB DOOR					
D77	8600	1	8600	80"	25'00"	PRE-FAB DOOR					
D78	8700	1	8700	80"	25'00"	PRE-FAB DOOR					
D79	8800	1	8800	80"	25'00"	PRE-FAB DOOR					
D80	8900	1	8900	80"	25'00"	PRE-FAB DOOR					
D81	9000	1	9000	80"	25'00"	PRE-FAB DOOR					
D82	9100	1	9100	80"	25'00"	PRE-FAB DOOR					
D83	9200	1	9200	80"	25'00"	PRE-FAB DOOR					
D84	9300	1	9300	80"	25'00"	PRE-FAB DOOR					
D85	9400	1	9400	80"	25'00"	PRE-FAB DOOR					
D86	9500	1	9500	80"	25'00"	PRE-FAB DOOR					
D87	9600	1	9600	80"	25'00"	PRE-FAB DOOR					
D88											

Tuan Nguyen

**1449 STEMEL WAY
 REMODELING & ADDITION
 PROPOSED SECTION VIEW 1**



SECTION VIEW 1

SET ISSUE DATES

DATE	ISSUE
11/26/2024	

REVISION TABLE

LABEL	DATE	DESCRIPTION

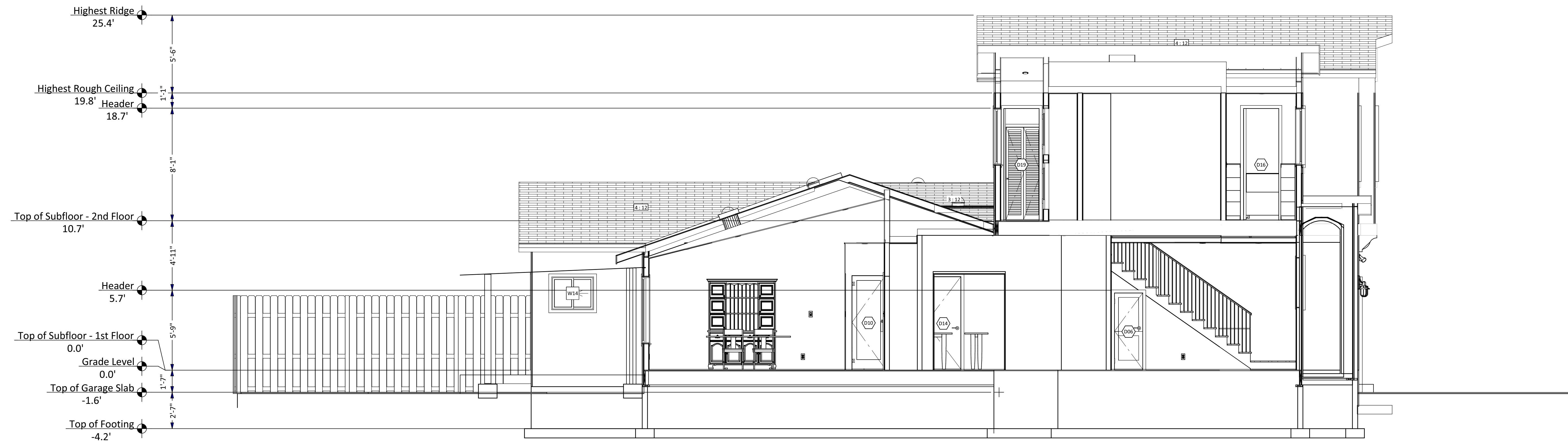
SHEET NO:

A013

PROJECT NO:

Tuan Nguyen

**1449 STEMEL WAY
 REMODELING & ADDITION**
 PROPOSED SECTION VIEW 2



SECTION VIEW 2

SET ISSUE DATES

DATE	ISSUE
11/26/2024	

REVISION TABLE		
LABEL	DATE	DESCRIPTION

SHEET NO:

A014

PROJECT NO:

Tuan Nguyen

**1449 STEMEL WAY
 REMODELING & ADDITION**
 LINE OF SIGHT DIAGRAM

SET ISSUE DATES

DATE	ISSUE
11/26/2024	

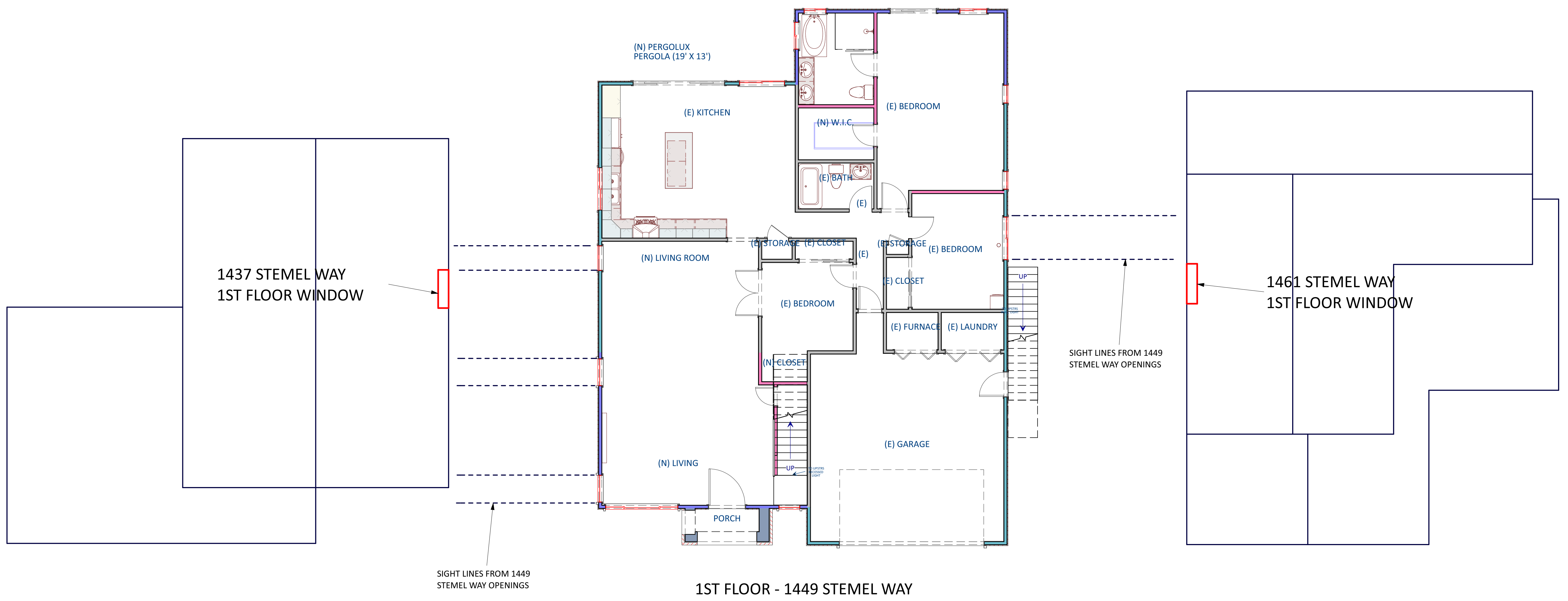
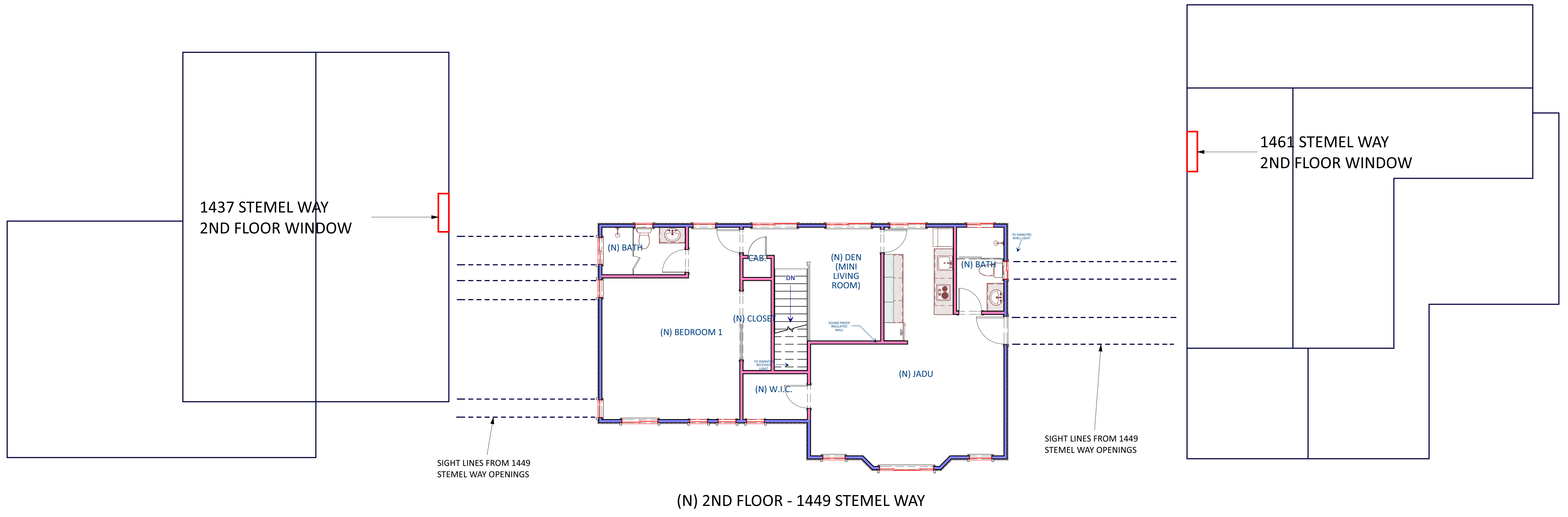
REVISION TABLE

LABEL	DATE	DESCRIPTION

SHEET NO:

A015

PROJECT NO:





Tuan Q. Nguyen Engineering and Design
Tuan Q. Nguyen, MPA, P.E.
3199 Lone Bluff Way
San Jose, CA 95111
(408) 832-0077
TQNEngineering@gmail.com
Civil P.E. Lic #: C182500

To: City of Milpitas – Planning Department

Re: MINOR SDP – PMS24-0190 – 1449 Stemel Way, Milpitas, CA 95035

Date: November 26, 2024

To City of Milpitas Staff:

This letter contains the responses to the first review comments dated September 5, 2024.

Project Architectural Design Statement

This document provides a detailed description of the existing and proposed alterations and additions to the residence, including the demolition of unpermitted accessory structures and other key project details.

1. Existing and Proposed Alterations

- **Additions:**
 - The proposed project includes a new addition to the residence.
 - A 467 SF Junior Accessory Dwelling Unit (JADU) will be incorporated on the **second floor**.
 - Minor excavation will be required to accommodate new exterior wall foundations for the **first-floor additions**, with an estimated soil cut of **less than 5 cubic yards**.
- **Demolition:**
 - All **unpermitted accessory structures** currently on the property will be removed.

2. Fencing

- **Existing Fences:**

- The existing fences on the sides of the property are 6 feet in height and made of wood. The existing fence at the rear is a combination of wood and chain-link with wood slats. The front gates are 6 feet in height and made of metal, with side posts made of wood featuring a stucco finish.
 - All **existing fences** on the property will remain unchanged.
 - Heights of the fences will remain as they are currently installed.
-

3. Meeting Owner Needs and Planning Code Compliance

- **Owner Needs:**
 - The design of the additions has been tailored to meet the needs of the property owner(s) by providing additional living space through the creation of a **Junior ADU** on the second floor.
 - The project ensures **privacy** for both the owners and adjacent neighbors through careful window placement.
 - **Planning Code Compliance:**
 - The proposed project complies with all relevant sections of the Planning Code, including regulations on **lot coverage, FAR (Floor Area Ratio), and privacy measures.**
-

4. Privacy Considerations

- **Window Placement:**
 - There will be **no direct lines of sight** from any new windows on either the **first or second floor** to neighboring properties.
 - **Privacy Enhancements:**
 - For additional privacy:
 - All second-floor bathroom windows will be completely **frosted glass.**
 - Where applicable, windows higher than **5 feet in height** will be installed on the second floor.
 - **Window shades or blinds** will be installed on all windows and doors with glass panels on the second floor for added privacy.
-

5. Flood Zone Status and Driveway Modifications

- **Flood Zone:**
 - The property is **not located within a flood zone.**
 - **Driveway Modifications:**
 - **4 feet** of the existing driveway on the **right side** will be converted to **permeable material** (such as large wood bark chips) to ensure compliance with the **allowable paved area** limits.
-

6. Proposed Colors, Materials, Architectural Style

- **Colors and Materials:**

- The proposed exterior colors and materials will be **neutral and earth-toned** to align with community aesthetics.
- A **color/materials board** has been provided on **Sheet A05** for reference and shown below.

Feature	Material/Finish	Color
Walls	Stucco with paint	Pure white
Accent trims	Wood with paint	Dark gray
Stone accents	Granite blocks (running bond split-faced pattern)	Natural granite color
Roofing	Decra metal tiles (matching existing)	Garnet
Window trims	Wood with paint	Pure white
Windows/Glass door frames	Metal	Black
Garage door	Wood with paint	Pure white
Exterior staircase	Wood with paint	Dark gray

- **Architectural Style:**

- Mediterranean

7. Neighborhood Engagement

- **Communication with Neighbors:**

- The property owner(s) have actively engaged with adjacent neighbors, either through **prior discussions or notifications**, regarding the project.
- No concerns about privacy were raised, as the project ensures **no direct sightlines** between new windows and neighboring properties.

- **Summary:**

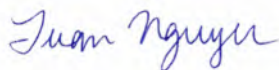
- **North Side: 1461 Stemel Way**

- Contacted and discussed with Amorфина (mother) and Larry Jr. Javier (son), who have expressed no concerns or issues.
 - **South Side: 1437 Stemel Way**
 - The property, owned by Carlos and Brenda Marifosque, has a history of strained relations with the applicant due to a dispute two years ago involving the applicant's dog. Since then, communication has broken down, with contact attempts, including text messages, being ignored by the property owners. However, as noted above regarding the proposed measures for privacy concerns, along with no direct line of sight between the windows of both buildings, the applicant will continue to attempt contact and work with the adjacent neighbor if needed.
 - **East Side (Across the Street):**
 - **1438 Stemel Way:**
 - Contacted and discussed with Mrs. Marie Hall, who expressed no concerns.
 - **1450 Stemel Way:**
 - Contacted and discussed with Mr. Xinpei Ji, who expressed no concerns.
 - **1462 Stemel Way:**
 - Contacted and discussed with Mr. Hoan Phan, who expressed no concerns.
 - **West Side (Behind Backyard):**
 - The backyard faces three houses located on different streets, situated at a significant distance from the property's fence.
 - There are tall plants and trees along the fence line that block visibility between the properties.
 - No interaction has occurred with the residents of these houses since moving in 2011.
-

This detailed summary outlines the scope of the proposed project and demonstrates the owner's commitment to compliance with planning regulations, privacy considerations, and good neighbor practices.

If you have any questions on the above, feel free to call me for additional assistance or clarification.

Sincerely,



Tuan Q. Nguyen, MPA, P.E.