



## MILPITAS PLANNING COMMISSION AGENDA REPORT

**PUBLIC HEARING**

Meeting Date: May 13, 2009

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**APPLICATION:** **SITE DEVELOPMENT PERMIT TIME EXTENSION NO. TE09-0001, VAVAROUTSOS RESIDENCE.**

**APPLICATION SUMMARY:**

A request for a one time eighteen month time extension for a previously approved 4,140 square hillside residence and related site improvements on a vacant lot located with the Calaveras Ridge Estate Planned Unit Subdivision.

**LOCATION:** 826 Calaveras Ridge Drive (APN 029-06-031)

**APPLICANT:** Peter Vavaroutsos, 3441 Cedardale Drive, San Jose, CA 95148

**OWNER:** Same as above.

**RECOMMENDATION:** **Staff recommends that the Planning Commission:**

- 1. Close the public hearing; and**
- 2. Adopt Resolution No. 09-021 providing an eighteen month extension of time for the project subject to conditions of approval.**

**PROJECT DATA:**

General Plan/

Zoning Designation: Hillside Medium Density (HMD)/Single Family Residential with Hillside Combining District (R1-H)

Overlay District: Site and Architectural Overlay (-S)

Specific Plan: N/A

CEQA Determination: Categorically exempt pursuant to Section 15303 (Class 3 Section (a)) of the California Environmental Quality Act (CEQA).

**PLANNER:** Cindy Hom, Assistant Planner

**ATTACHMENTS:**

- Resolution No. 09-021
- Planning Commission Staff Report dated 11-14-07
- Planning Commission Meeting Minutes
- Project Plans
- Colored Rendering
- Time Extension Request

# LOCATION MAP



No scale

**BACKGROUND**

On November 14, 2007, the Planning Commission approved a new 4,140 square foot hillside residence on an undeveloped lot within the Calaveras Country Estates Planned Unit Development (PUD 23.5). The approval granted construction of a one-story single-family residence with a 3,236 square foot basement, an attached 1,501 square foot garage, and various site improvements including associated grading of the site, the installation of retaining walls and landscaping. The 2007 Planning Commission staff report and meeting minutes are included as an attachment for further background information on the project.

On March 16, 2009, Peter Vavaroutsos submitted an application for one time eighteen-month time extension pursuant to Milpitas Municipal Code (MMC) XI-10-64.06 of the Zoning Ordinance. According to the applicant, additional time is needed to complete the construction drawings.

**PROJECT DESCRIPTION**

The project proposal is a time extension request for a previously approved hillside home that entails a one-story, 4,140 square foot residence with an attached 5-car garage and various site improvements. The project site is located on an approximate one acre parcel that is located within the Calaveras Ridge Planned Unit Development. The project site is zoned Single Family Residential with the Hillside Combining and Site and Architectural District (R1-H-S) and is surrounded by hillside homes to the south, undeveloped lots to the east and north, and an open space easement to the east. The site is currently undeveloped and located within the Alquist Priolo Study Zone. A vicinity map of the subject site location is included on the previous page.

**PROJECT CONFORMANCE**

The project conformance and detailed analysis of the previously approved project is provided in the November 14, 2007 Planning Commission staff report. No changes by the applicant are requested with this application. Staff proposes no new conditions of approval with this request.

**CONCLUSION**

With the approval of the time extension, it will allow the applicant an additional eighteen months to obtain building permits to enable construction of the project.

**RECOMMENDATION**

**STAFF RECOMMENDS THAT** the Planning Commission adopt Resolution No. 09-021 approving Time Extension No. TE09-0001, providing an eighteen-month time extension of Site Development Permit No. SZ2007-3 subject to the previously approved special conditions.

*Attachments:*

- A. Resolution No. 09-021
- B. Planning Commission Staff Report dated April 25, 2007
- C. Planning Commission Meeting Minutes
- D. Project Plans

**RESOLUTION NO. 09-021****A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT TIME EXTENSION NO. TE09-0001, VAVAROUTSOS RESIDENCE, TO ALLOW A ONE-TIME EIGHTEEN MONTH TIME EXTENSION FOR A PREVIOUSLY APPROVED HILLSIDE HOME AND RELATED SITE IMPROVEMENTS LOCATED AT 826 CALAVERAS RIDGE DRIVE.**

**WHEREAS**, On March 16, 2009 Pete Vavaroutsos submitted a time extension application for a previously Site Development Permit (SZ2007-3) that granted construction of a 4,140 square foot hillside residence on an undeveloped lot within the Calaveras Country Estates Planned Unit Development (PUD 23.5). The approval also granted construction of a 3,236 square foot basement, an attached 1,501 square foot garage, and various site improvements including associated grading of the site, the installation of retaining walls and landscaping; and

**WHEREAS**, the Planning Division completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA), and that the Planning Commission determined this project is categorically exempt pursuant to Section 15303 [Class 3 Section (a)] of the California Environmental Quality Act (CEQA). The project entails granting of a time extension for a previously approved single-family residence; and

**WHEREAS**, on November 14, 2007, the Planning Commission held a duly noticed public hearing and considered evidence presented by City staff, the applicant, and other interested parties and approved Site Development Permit No. SZ2007-3; and

**WHEREAS**, on May 13, 2009, the Planning Commission considered evidence presented by City staff.

**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 as previously approved is consistent with General Plan in that it provides a variety of housing types and contributes to the regional housing goals.

**Section 3:** The project conforms to the Zoning Ordinance in terms of land use and hillside development standards.

**Section 4:** The site layout, design of the proposed building, and landscaping would be compatible and aesthetically harmonious with adjacent and surrounding development.

**Section 5:** The project also conforms to the PUD development standards in terms of setbacks, height, and garage size.

**Section 6:** The project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) in that it meets the standards for new construction and location of limited numbers of new, small facilities or structures under of Section 15303 [Class 3 (a) (One single-family residence)].

**Section 7:** This approval will extend the expiration date of Site Development Permit No. SZ2007-3 to December 13, 2010.

**Section 8:** The Planning Commission of the City of Milpitas hereby approves Time Extension No. TE09-0001, Vavaroutsos Residence, 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 May 13, 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 November 12, 2008, 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  
TIME EXTENSION NO. TE09-0001**

A request for a one time eighteen month time extension for a previously approved 4,140 square hillside residence and related site improvements on a vacant lot located with the Calaveras Ridge Estate Planned Unit Subdivision.  
826 Calaveras Ridge Drive (APN 029-06-031)

**General Conditions**

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 May 13, 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.
2. Time Extension No. TE09-0003 shall become null and void if the project is not commenced within 18 months from the date of approval. Pursuant to Section 64.04-2 of the Zoning Ordinance of the City of Milpitas, since the project requires the issuance of a building permit, the project shall not be deemed to have commenced until the date of the building permit is issued and a foundation is completed.
3. The issuance of building permits to implement this land use development will be suspended if necessary to stay within (1) available water supplies, or (2) the safe or allocated capacity at the San Jose/Santa Clara Water Pollution Control Plant, and will remain suspended until water and sewage capacity are available. No vested right to the issuance of a Building Permit is acquired by the approval of this land development. The foregoing provisions are a material (demand/supply) condition to this approval.
4. At the time of building permit plan check submittal the developer shall submit a grading plan and a drainage study prepared by a registered Civil Engineer. The drainage study shall analyze the existing and ultimate conditions and facilities. The study shall be reviewed and approved by the City Engineer and the developer shall satisfy the conclusions and recommendations of the approved drainage study prior to building permit issuance.
5. Prior to building permit issuance developer shall satisfy the conclusions and recommendations of the *Soils Engineering and Geologic and Seismic Hazards Evaluation Reports* by Earth Systems Consultants dated 1981-1982, and *Geotechnical investigation* by Wayne Ting & Associates dated 3/11/1999.

6. Prior to building permit issuance, developer must pay all applicable development fees, including but not limited to, connection fees (water, sewer and storm), treatment plant fee, plan check and inspection deposit, and 2.5% building permit automation fee.
7. All existing on-site public utilities shall be protected in place and if necessary relocated as approved by the City Engineer. No permanent structure is permitted within City easements and no trees or deep-rooted shrub are permitted within City utility easements, where the easement is located within landscape areas.
8. The developer shall not obstruct the noted sight distance areas as indicated on the City standard drawing #405. Overall cumulative height of the grading, landscaping & signs as determined by sight distance shall not exceed 2 feet when measured from street elevation.
9. The U.S. Environmental Protection Agency (EPA) has empowered the San Francisco Bay Regional Water Quality Control Board (RWQCB) to administer the National Pollution Elimination Discharge System (NPDES) permit. The NPDES permit requires all dischargers to eliminate as much as possible pollutants entering our receiving waters. This project must comply with those requirements. Contact the RWQCB for questions regarding your specific requirements at (800) 794-2482. For general information, contact the City of Milpitas at (408) 586-3329.
10. The design of this project shall include adequate Best Management Practices (BMPs) to eliminate pollutant from entering the offsite drainage systems.
11. The developer shall submit the following items with the building permit application and pay the related fees prior to building permit issuance:
  - a. Storm water connection fee of \$3594, water connection fee of \$1910, sewer connection fee of \$1908 and wastewater treatment plant fee of \$880.
  - b. Water Service Agreement(s) for water meter(s) and detector check(s).
  - c. Sewer Needs Questionnaire and/or Industrial Waste Questionnaire.
  - d. Contact the Land Development Section of the Engineering Division at (408) 586-3329 to obtain the form(s).
12. If the existing services (water, sewer and storm) are not adequately sized to serve this development, plans showing new services must be submitted and approved prior to building permit issuance.
13. Prior to any work within public right of way or City easement, the developer shall obtain an encroachment permit from City of Milpitas Engineering Division.
14. Apply applicable Guidelines for New Developments and Hillside Landscaping Water Conservation Policy (Resolution # 6066).
15. Per Milpitas Municipal Code Chapter 2, Title X (Ord. No. 201), developer may be required to obtain a permit for removal of any existing tree(s). Contact the Street Landscaping Section at (408) 586-2601 to obtain the requirements and forms.

16. The developer shall call Underground Service Alert (U.S.A.) at (800) 642-2444, 48 hrs prior to construction for location of utilities.
17. At the time of building plan check submittal, the developer shall incorporate the changes shown on Engineering Services Exhibit "S"(dated 8/6/2007) in the design plans.
18. It is the responsibility of the developer to obtain any necessary encroachment permits or approvals from affected agencies and private parties. Copies of these approvals or permits must be submitted to the City of Milpitas Engineering Division.

Planning Commission Date: November 14, 2007

Item No. 2

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**MILPITAS PLANNING COMMISSION AGENDA REPORT**


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Category: Public Hearing

Report Prepared by: Judie Gilli

Public Hearing: Yes:  X  No: \_\_\_\_\_

Notices Mailed On:

Published On:

Posted On:

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**TITLE:** "S" ZONE NO. (SZ2007-3)

**Proposal:** **A request for approval of a new one-story (4,140 s.f.) hillside home**

Location: 826 Calaveras Ridge Drive

APN: 029-06-031

RECOMMENDATION: Approve with conditions.

Applicant: Pete Vararoutsos, 3441 Cedardale Dr., San Jose, CA 95748

Property Owner(s): Pete Vararoutsos

Previous Action(s): Planned Unit Development, Tentative Map

Environmental Info: Categorically exempt from CEQA pursuant to Section 15303

General Plan Designation: Hillside – Very Low Density

Zoning: PUD 23.5

Existing Land Use: Unimproved

Agenda Sent To: Applicant and Owners (as noted above)

Attachments: Project Plans

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**BACKGROUND**

On August 21, 1979, The City Council approved an Environmental Impact Assessment (No. 239) for a hillside subdivision, located on 35 acres east of Evans Road and south of Country Club Drive (Tract 7328). On September 1, 1981, the City Council approved a Tentative Map and Planned Unit Development (No.23.5) for the 18-lot Calaveras Ridge Estates subdivision. Subsequently, on January 5, 1988, the City Council approved an amended Tentative Map the removal of the previously approved building footprints.

**SITE DESCRIPTION**

The project site is located in the north east end of the Calaveras Country Estates subdivision, PUD 23.5. The vacant lot is 44,298 square feet and is the second to the last parcel to be developed within PUD 23.5, an eighteen parcel planned unit development. The rectangular shaped lot is located on the north side of Calaveras Ridge and is bounded by common open space

to the north, hillside home to the south and west and a vacant lot to the east. The project site sits below the crest line to the east and has a view of the City of Milpitas and the South Bay area.

## **THE APPLICATION**

The application is submitted pursuant to Title XI, Section 45 (Hillside Combining District) of the Milpitas Zoning Ordinance. The applicant is requesting approval to construct a new single family residence with an attached garage, landscaping and grading quantities greater than 1,500 cubic yards, located in the Hillside zoning district.

## **PROJECT DESCRIPTION**

The applicant is seeking approval for a 4,140 square foot (one-story) house with a basement (3,236 s.f.) and attached garage (1,501 s.f.). The height of the home is 17 feet in height. The main floor plan includes three bedrooms, one master bedroom, a library, dining room, kitchen and a great room. The basement has an office, storage rooms and utility rooms. Vehicular access is achieved through the new driveway from Calaveras Ridge Drive. Proposed driveway materials consist of permeable concrete, which is a pervious surface material. Additional site improvements include landscaping and grading necessary to locate the proposed home.

## **SITE DESIGN AND ARCHITECTURE**

The proposed footprint is “U” shaped and located in the middle of the parcel. The building footprint is 40’ set back from the front and side property lines. The rear setback is approximately 70 feet set back. The proposed design of the house is eclectic and is compatible with the surrounding homes. Building elements include stucco finish with stone quoins with wood trim and a slate roof. The main entry of the home and the garage entry is located on the east side of the home, not visible from the street. The French doors and windows of the great room and the rounded elements of the breakfast nook and master bedroom can be seen from the street view.

## **LANDSCAPING**

The landscape plan includes Pindo Palm, Blue Puya, Indian Hawthorn, Pink Princess Escallonia, Japanese Mock Orange, L.J Bobbink Azalea, Gobbler Sawtooth Oak and Bermuda Grass. The proposed plants are in conformance with the Hillside Landscaping Policy. The intent of the Hillside Ordinance, in regards to landscaping, is that coverage be selected and designed to be compatible with surrounding vegetation.

## **IMPERVIOUS COVERAGE**

According to the Hillside Ordinance, the maximum impervious surface coverage allowed on less than three acres is 10% of the total lot area or 8,000 square feet, which ever is greater. The proposed impervious coverage is 6,367 square feet which includes building footprint, retaining

walls and all other impervious landscaped areas. The driveway is constructed of permeable concrete. Section 45.17-2 of the Hillside Ordinance defines impervious surfaces as “...surfaces that will not allow or greatly reduce the penetration of water into the ground...” such as concrete asphalt, bricks, swimming pools, turf stones and plastic sheeting. The adopted storm water C.3 guidebook includes pervious concrete pavers as acceptable permeable pavement materials. Therefore, the driveway is not included in the calculation of permeable area.

**SITE AND ARCHITECTURE GUIDELINES**

Section 45.09-7 of the City’s Hillside Ordinance sets forth guidelines for the Commission and Council to consider in their review of Hillside homes. These guidelines are summarized below long with the how the project conforms to each guideline.

GUIDELINE	PROJECT CONFORMANCE
(a) Avoid Unreasonable Interference with Views and Privacy. The height, elevations and placement on the site of the proposed main or accessory structure, when considered with reference to the nature and location of residential structures on adjacent lots, will avoid unreasonable interference with views and privacy.	Complies with the 17’ height limit Complies with all set back requirements Proposing one story rather than two
(b) Preserve Natural Landscape. The natural landscape will be preserved insofar as practicable by designing structures to follow the natural contours of the site and minimizing tree and soil removal.	As proposed, the home is designed to blend with the existing contours. No trees are proposed to be removed.
(c) Minimize Perception of Excessive Bulk. The design of the proposed main and/or accessory structure(s) in relation to the immediate neighborhood should minimize the perception of excessive bulk.	The proposed one story home has a low profile. The basement square footage is “hidden” square footage.
(d) Impairment of Light and Air. The proposed main or accessory structure(s) shall not unreasonably impair the light and air of adjacent properties nor unreasonably impair the ability of adjacent properties to utilize solar energy.	Since the proposed project meets all setbacks, the home will be at least 80 feet away from any other home.

(e) Grading. All grading shall be kept to an absolute minimum and shall comply with the grading ordinance criteria.	Much of the cutting is a result of the volume in the basement.
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**GENERAL PLAN CONFORMANCE**

The project conforms with the City’s General Plan in terms of land use and is consistent with the Guiding Principle 2.a-g-3, which encourages a variety of housing types and densities that meet the needs of individuals and families. The proposed development does not conflict with any General Plan Principles and Policies and the proposed project is also consistent with the following implementing Policy:

2.a-1-18 Retains the natural character of the hillside by utilizing designs, colors and materials that blends with the environment and terrain.

**CONFORMANCE WITH THE ZONING ORDINANCE**

The project was reviewed for compliance with the Single Family (R1-H) Zoning Ordinance development standards and is described below:

Required	Proposed	Complies?
Building Height – 17’	17’	YES
Setbacks – Front: 40’ Sides: 40’ Rear: 40’	40’ 40’ 70’	YES
Max. S.F. of Main Residence – 6,000 s.f.	4,140 s.f.	YES
Impervious Coverage – 8,000 s.f.	6,367 s.f.	YES
Crestline Zone of Protection (CZP) – No structure shall visually intrude into the CZP	Structure does not intrude on the CZP	YES

In addition, development standards for the Calaveras Ridge Estates Planned Unit Development (PUD 23.5) require a 40’ front, side and rear setbacks, as well as a three car garage, with all other development standards in conformance with the Hillside Ordinance. As proposed, the project is in conformance with PUD 23.5 development standards.

## **VISUAL IMPACTS**

The proposed project is not within a major visual gateway or corridor as shown on the Scenic Resources and Routes General Plan Map (Figure 4-6). However, as part of this application, the applicant has demonstrated the visual impact from the Valley Floor. Cross sections from two designated viewpoints (VP): Viewpoint 1-Jacklin Road and Hillview and Viewpoint 2-Escuela Parkway and Thomas demonstrate that the proposed structure will not visually intrude into the crest line zone of protection or impact the natural quality of the crest line and the slope immediately below.

## **CONFORMANCE WITH CEQA**

Staff conducted an environmental assessment of the project in accordance with the California Environmental Quality Act (CEQA) and determined that this Project is categorically exempt from further environmental review pursuant to Class 1, Section 15303 (“One single-family residence.....in a residential zone”).

## **RECOMMENDATION**

1. Close the Public Hearing.
2. Recommend approval of “S” ZONE NO. (SZ2007-3) to the City Council, a request for approval of a new one-story (4,140 s.f.) hillside home, subject to the Findings and Special Conditions below.

## **FINDINGS FOR “S” ZONE**

- A.** The layout of the site and design of the proposed buildings, structures and landscaping are compatible and aesthetically harmonious with adjacent and surrounding development in that it meets design guidelines per the Zoning Ordinance.
- B.** The proposed use is consistent with the Milpitas Zoning Ordinance in that the proposed home meets the development standards set forth for PUD 23.5 and the Zoning Ordinance.
- C.** The proposed use is consistent with the Milpitas General Plan in that it meets General Plan Policy 2.a-1-18.

## **SPECIAL CONDITIONS**

1. Subject to Project Plans (Attachment A).
2. 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 November 14, 2007, in accordance with these Conditions of Approval. (P)
3. 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. (P)

4. S-Zone SZ2007-3 shall become null and void if the project is not commenced within 18 months from the date of approval. Pursuant to Section 64.04-2 of the Zoning Ordinance of the City of Milpitas, since the project requires the issuance of a building permit, the project shall not be deemed to have commenced until the date of the building permit is issued. (P)
5. Pursuant to Section 64.04-1, the owner or designee shall have the right to request an extension of S-Zone SZ2007-3 if said request is made, filed and approved by the Planning Commission prior to expiration dates set forth herein. (P)
6. The issuance of building permits to implement this land use development will be suspended if necessary to stay within (1) available water supplies, or (2) the safe or allocated capacity at the San Jose/Santa Clara Water Pollution Control Plant, and will remain suspended until water and sewage capacity are available. No vested right to the issuance of a Building Permit is acquired by the approval of this land development. The foregoing provisions are a material (demand/supply) condition to this approval. (E)
7. At the time of building permit plan check submittal the developer shall submit a grading plan and a drainage study prepared by a registered Civil Engineer. The drainage study shall analyze the existing and ultimate conditions and facilities. The study shall be reviewed and approved by the City Engineer and the developer shall satisfy the conclusions and recommendations of the approved drainage study prior to building permit issuance. (E)
8. Prior to building permit issuance developer shall satisfy the conclusions and recommendations of the *Soils Engineering and Geologic and Seismic Hazards Evaluation Reports* by Earth Systems Consultants dated 1981-1982, and *Geotechnical investigation* by Wayne Ting & Associates dated 3/11/1999. (E)
9. Prior to building permit issuance, developer must pay all applicable development fees, including but not limited to, connection fees (water, sewer and storm), treatment plant fee, plan check and inspection deposit, and 2.5% building permit automation fee. (E)
10. All existing on-site public utilities shall be protected in place and if necessary relocated as approved by the City Engineer. No permanent structure is permitted within City easements and no trees or deep-rooted shrub are permitted within City utility easements, where the easement is located within landscape areas. (E)
11. The developer shall not obstruct the noted sight distance areas as indicated on the City standard drawing #405. Overall cumulative height of the grading, landscaping & signs as determined by sight distance shall not exceed 2 feet when measured from street elevation. (E)

12. The U.S. Environmental Protection Agency (EPA) has empowered the San Francisco Bay Regional Water Quality Control Board (RWQCB) to administer the National Pollution Elimination Discharge System (NPDES) permit. The NPDES permit requires all dischargers to eliminate as much as possible pollutants entering our receiving waters. Contact the RWQCB for questions regarding your specific requirements at (800) 794-2482. For general information, contact the City of Milpitas at (408) 586-3329. (E)
13. The design of this project shall include adequate Best Management Practices (BMPs) to eliminate pollutant from entering the offsite drainage systems. (E)
14. The developer shall submit the following items with the building permit application and pay the related fees prior to building permit issuance:
  - A. Storm water connection fee of **\$3594**, water connection fee of **\$1910**, sewer connection fee of **\$1908** and wastewater treatment plant fee of **\$880**.
  - B. Water Service Agreement(s) for water meter(s) and detector check(s).
  - C. Sewer Needs Questionnaire and/or Industrial Waste Questionnaire. wContact the Land Development Section of the Engineering Division at (408) 586-3329 to obtain the form(s). (E)
15. If the existing services (water, sewer and storm) are not adequately sized to serve this development, plans showing new services must be submitted and approved prior to building permit issuance. (E)
16. Prior to any work within public right of way or City easement, the developer shall obtain an encroachment permit from City of Milpitas Engineering Division. (E)
17. Apply applicable Guidelines for New Developments and Hillside Landscaping Water Conservation Policy (Resolution # 6066). (E)
18. Per Milpitas Municipal Code Chapter 2, Title X (Ord. No. 201), developer may be required to obtain a permit for removal of any existing tree(s). Contact the Street Landscaping Section at (408) 586-2601 to obtain the requirements and forms. (E)
19. The developer shall call Underground Service Alert (U.S.A.) at (800) 642-2444, 48 hrs prior to construction for location of utilities. (E)
20. At the time of building plan check submittal, the developer shall incorporate the changes shown on Engineering Services Exhibit "S"(dated 8/6/2007) in the design plans. (E)
21. It is the responsibility of the developer to obtain any necessary encroachment permits or approvals from affected agencies and private parties. Copies of these approvals or permits must be submitted to the City of Milpitas Engineering Division. (E)
22. The Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Program shows this site to be in Flood Zone "D". (E)

**APPROVED**

**PLANNING COMMISSION SUBCOMMITTEE MINUTES**

**November 14, 2007**

**I.  
ROLL CALL**

Present: Mandal and Williams  
Absent: Azevedo and Tabladillo  
Staff: Ah Sing, Bejines, and Lindsay

**1. "S" ZONE  
AMENDMENT (SA07-  
0001)**

Sheldon Ah Sing, Senior Planner, presented a request to allow the replacement of existing signs with new signs, including new lighting elements along the existing canopy at a service station located at 367 Cypress Drive. Mr. Ah Sing recommended approval subject to findings and conditions of approval.

Chair Williams asked if the applicant would have electronic billboards.

**Jim Southward, RHL Design Group**, said no.

Mr. Ah Sing pointed out that the applicant originally proposed silver cladding material over the existing columns of the canopy. However, staff cannot support the request, because the color of the columns does not complement the design and colors of the building. In addition, the silver cladding does not complement the red clay tile used on the canopy and the building.

Mr. Southward said that the silver cladding material is part of the company's image and is consistent with the other stations.

Chair Williams asked Mr. Southward if the cladding were to get damage, could it be easily replaced and Mr. Southward said yes.

Chair Williams said he does not see a problem with the silver cladding and asked staff to remove the proposed condition.

**Motion** to approve "S" Zone Amendment (SA07-0001) with the approval of the silver cladding material.

M/S: Williams/Mandal

AYES: 2

NOES: 0

**II.  
ADJOURNMENT**

This meeting was adjourned at 6:45 p.m.

## PLANNING COMMISSION MINUTES

November 14, 2007

**I.**  
**PLEDGE OF ALLEGIANCE**

Chair Williams called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

**II.**  
**ROLL CALL**

Present: Ali-Santosa, Ciardella, Mandal, Sandhu and Williams  
Absent: Azevedo and Tabladillo  
Staff: Ah Sing, Bejines, Gilli, Kunsman, Lindsay and Ogaz

**III.**  
**PUBLIC FORUM**

Chair Williams invited members of the audience to address the Commission on any topic not on the agenda, noting that no response is required from the staff or Commission, but that the Commission may choose to agendize the matter for a future meeting.

There were no speakers from the audience.

**IV.**  
**APPROVAL OF MINUTES**

Chair Williams called for approval of the minutes of the Planning Commission meeting of October 24, 2007

There were no changes to the minutes

**Motion** to approve the minutes of October 24, 2007.

M/S: Sandhu/Mandal

AYES: 5

NOES: 0

**V.**  
**ANNOUNCEMENTS**

Chair Williams introduced James Lindsay, the new Planning & Neighborhood Services Director and Mike Ogaz, the new City Attorney.

Commissioner Sandhu congratulated the whole world and the Sikh community on the 539<sup>th</sup> birthday of Guru Nanak Dev Ji, founder of Sikh Religion, which birthday falls on November 25<sup>th</sup>.

APPROVED  
Planning Commission Minutes  
November 14, 2007

**VI.  
CONFLICT  
OF INTEREST**

City Attorney Mike Ogaz asked if any member of the Commission has any personal or financial conflict of interest on tonight's agenda.

Commissioner Sandhu said he has conflict of interest on Agenda Item No. 3 (Conditional Use Permit No. UP2007-23, "S" Zone Amendment No. SA2007-52, and Environmental Assessment No. EA2007-9) because he is the founding President of the Sikh Foundation of Milpitas.

City Attorney Ogaz asked if Commissioner Sandhu would be excusing himself during the discussion? Commissioner Sandhu said yes however he requests to sit in the audience.

City Attorney Ogaz said that it is part of procedures that Commissioner Sandhu would have to leave the Council Chambers for that item only and Commissioner Sandhu agreed.

Chair Williams said he has attended functions of the Sikh Foundation however he is not a member and felt he could vote on the item objectively.

Vice Chair Mandal said he has attended Sikh prayer breakfasts however he does not have a conflict of interest.

**VII.  
APPROVAL OF  
AGENDA**

Chair Williams called for approval of the agenda.

There were no changes to the agenda.

**Motion** to approve the Agenda.

M/S: Sandhu/Ciardella

AYES: 5

NOES: 0

**VIII.  
CONSENT CALENDAR**

Chair Williams asked whether staff, the Commission, or anyone in the audience wished to remove or add any items to the consent calendar.

There were no changes to the consent calendar.

**Motion** to approve the consent calendar.

M/S: Mandal/Sandhu

AYES: 5

NOES: 0

Chair Williams opened the public hearing on Consent Item Nos. 4, 5, 6, and 7.

There were no speakers from the audience.

**Motion** to close the public hearing on Consent Item Nos. 4, 5, 6 and 7.

M/S: Mandal/Sandhu

AYES: 5

NOES: 0

**Motion** to approve Consent Item Nos. 4, 5, 6 and 7.

M/S: Ciardella/Mandal

AYES: 5

NOES: 0

**\*4 "S" ZONE NO. (SZ2007-19), "S" ZONE AMENDMENT NO's. (SA2007-62) AND (SA2007-63) AND CONDITIONAL USE PERMIT NO's. (UP2007-22), (UP2007-31) AND (UP2007-32):** A request for approval of a sign program for Cisco (office use) on three separate adjacent properties located at 725 Alder Drive, 800 Barber Lane and 707 Tasman Drive. *(Recommendation: Approval Subject to Findings and Conditions of Approval)*

**\*5 "S" ZONE AMENDMENT NO. (SA2007-66):** A request for approval of a sign program for an existing office building located at 1221 California Circle. *(Recommendation: Approval Subject to Findings and Conditions of Approval)*

**\*6 CONDITIONAL USE PERMIT AMENDMENT NO. UA2007-16 AND "S" ZONE AMENDMENT NO. SA2007-65:** A request to modify the Conditions of Approval for Conditional Use Permit No. UP2006-5 and Site and Architecture Review No. SZ2006-4 for the construction of two buildings containing a total of 464 multi-family residential units located at the Corner of Great Mall Parkway, Main, and Abel Streets. *(Recommendation: Approval Subject to Findings and Conditions of Approval)*

**\*7 CONDITIONAL USE PERMIT AMENDMENT NO. UA2007-14:** A request to amend a previously approved Conditional Use Permit to allow for the relocation of the Paragon Sales Office from the existing sales trailer to the garage area of the 3-unit model home building. The application also includes the installation of a temporary freestanding sign and flag signs. *(Recommendation: Approval Subject to Findings and Conditions of Approval)*

## **IX. PUBLIC HEARING**

### **1. PERMIT REVIEW (PR2007-3) (Continued from October 24, 2007)**

Sheldon Ah Sing, Senior Planner, presented a nine-month review of Conditional Use Permit (UP2006-18) that allows for a 2400 sq. ft. KTV Musicland karaoke establishment without food or alcohol service located at 788 Barber Lane. Mr. Ah Sing recommends approve the modifications subject to the findings and conditions of approval and also pointed out that the project will come back again in February.

Commissioner Ciardella asked if it is normal to conduct surprise inspections and Mr. Ah Sing said yes.

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**Planning Commission Minutes**  
November 14, 2007

Commissioner Ciardella asked if it is common for an applicant not to follow the conditions of approval? Mr. Ah Sing said that this applicant has three outstanding issues and he cannot speak for previous reviews. The three issues are:

- *SC #7: The applicant shall maintain signs stating “No loitering or consumption of alcoholic beverages” on the exterior of the building and within the establishment. (P) – Only “No Loitering” is posted on the exterior of the Building and “No Alcohol” sign is posted within the premises which does not substantial conform to the condition.*
- *SC #11: The front exterior windows shall be maintained free and clear. No tinting or blinding of the exterior windows shall be allowed. (P) – Drapes are installed in the VIP room and in the front lobby area.*
- *SC #23: All conditions applicable to patrons, particularly the stated prohibitions included in these “Conditions of Approval”, of the facility incorporated herein shall be conspicuously posted in the front lobby area in a sign at the entrance with lettering of at least two (2) inches in size. (P) – No signage was posted on the premise.*

Mr. Ah Sing explained that the applicant is not in compliance with Condition No. 2 because he has drapes in his front windows. The applicant claims that the reason for the drapes is because the computer equipment overheats during the daytime.

Commissioner Ciardella asked if there was one police incident and Mr. Ah Sing said yes.

Vice Chair Mandal is surprised that the business does not serve food and drinks and asked why? Mr. Ah Sing deferred the question to the applicant.

Commissioner Sandhu asked why is staff proposing another review in three months? Mr. Ah Sing said at this point, since they are not complying, staff is recommending that the permit be reviewed in three months so the applicant can rectify the issues.

Chair Williams said he visited the business and he saw snack foods at the reception desk and asked if they are selling food? Mr. Ah Sing deferred the question to the applicant.

Chair Williams said he also noticed that the receptionist was unclear about her duties and asked if she is informed of what to do in an emergency situation? Mr. Ah Sing deferred the question to the applicant.

Chair Williams introduced the applicant.

**Joe Zheng, 4704 Pacific Ave., Stockton,** is available to answer questions.

Chair Williams asked if employees are given a training program on what to do in case of an emergency. Mr. Zheng said that the receptionist has a list of emergency contacts and knows to dial 911 in case of an emergency.

Chair Williams asked Mr. Zheng if he is providing food snacks and Mr. Zheng said that patrons could bring food their own food inside the business to eat.

Vice Chair Mandal asked if Mr. Zheng plans on serving food or alcohol in the future? Mr. Zheng said they would normally consider serving food and alcohol however the center already has too many food facilities and they do not want to be in conflict with their neighbors.

Vice Chair Mandal asked if people having a private party could bring food? Mr. Zheng said yes and noted that customers usually bring a birthday cake.

Vice Chair Mandal asked who manages the food situation? Mr. Zheng said he has three employees to clean up.

Vice Chair Mandal asked Mr. Zheng how would he handle the alcohol situation and Mr. Zheng said they make everyone sign a paper stating that alcohol is not allowed.

Commissioner Ciardella asked what is the issue with the drapes? Mr. Zheng said that drapes on the windows are not allowed because some people think it is an illegal business however, the sun hits the windows everyday which is causing damage to the computer equipment and that is why the drapes were added. He pointed out that they do have cameras in each room.

Commissioner Ciardella asked Mr. Zheng if he complied with the other two conditions and Mr. Zheng said yes and showed proof with pictures he took from his establishment.

Commissioner Sandhu asked Mr. Zheng if he understands and agrees to all of the conditions of approval and Mr. Zheng said yes.

Chair Williams asked if the applicant is requesting to maintain the drapes and Mr. Lindsay said that the applicant is requesting to continue working with staff to address the issue and work through other solutions.

Chair Williams opened the public hearing.

There were no speakers from the audience.

**Motion** to close the public hearing.

M/S: Mandal/Sandhu

AYES: 5

NOES: 0

Chair Williams suggested that staff add the following condition of approval:

- *The operator or designee shall develop a training manual that ensures that staff is properly trained on how to effectively handle emergency situations. A copy of this procedure manual shall be submitted to the Planning Division. Adequacy of the manual shall be determined by Planning staff. Any revisions to the manual shall be submitted to the Planning Division. (P, PC)*

Chair Williams also encouraged staff to continue working with the applicant on the drapes issue.

Commissioner Ciardella asked if staff has come up with other solutions besides drapes? Mr. Ah Sing suggested permanent blinds however it would have to be worked out with the police department.

**Motion** to approve Permit Review (PR2007-3) with the modifications subject to the findings and conditions of approval, with the intention that the applicant will continue to work with staff and the added special condition:

- *The operator or designee shall develop a training manual that ensures that staff is properly trained on how to effectively handle emergency situations. A copy of this procedure manual shall be submitted to the Planning Division. Adequacy of the manual shall be determined by Planning staff. Any revisions to the manual shall be submitted to the Planning Division. (P, PC)*

M/S: Mandal/Sandhu

AYES: 5

NOES: 0

**2. “S”  
AMENDMENT  
(SA2007-3)**

**ZONE  
NO.**

Judie Gilli, Project Planner, presented a request for approval of a new one-story (4,140 s. f.) hillside home located at 826 Calaveras Ridge Drive. Ms. Gilli recommended approval subject to findings and conditions of approval.

Chair Williams asked if the applicant would be expanding their exterior amenities? Ms. Gilli deferred the question to the applicant.

Vice Chair Mandal asked how will the outside lights be mitigated? Ms. Gilli said staff would check to make sure that the lights are not too excessive when the applicant applies for permits.

Commissioner Ciardella pointed out the storage room in the basement floor plan and asked what is it going to be used for? Ms. Gilli deferred the question to the applicant.

Commissioner Ciardella said he wants to make sure that the storage room is not used as a retail office. Ms. Gilli said that retail space would not be allowed by right and if the applicant were to submit an application, it would have to come back to the Commission.

Chair Williams introduced the applicant.

**Pete Vararoutsos, 3441 Cedardale Dr., San Jose, CA**, said the storage room would be used for extra storage space and possible space for family members. He also plans on installing low glare lighting and using impervious materials wherever he can.

Chair Williams asked if Mr. Vararoutsos is aware that he is near the limits of impervious surface area? Mr. Vararoutsos said he is actually 2,000 sq. ft. under the limit and all the decking is impervious surface.

Chair Williams opened the public hearing.

There were no speakers from the audience.

**Motion** to close the public hearing.

M/S: Sandhu/Mandal

AYES: 5

NOES: 0

**Motion** to approve "S" Zone Amendment No. (SA2007-3) approval subject to findings and conditions of approval.

M/S: Ciardella/Mandal

AYES: 5

NOES: 0

Commissioner Sandhu excused himself for Item No. 3 and left the Council Chambers.

**3. CONDITIONAL USE  
PERMIT NO. UP2007-23,  
"S" ZONE  
AMENDMENT NO.  
SA2007-52, AND  
ENVIRONMENTAL  
ASSESSMENT NO.  
EA2007-9**

Sheldon Ah Sing, Senior Planner, presented a request to locate a 4,030 square foot religious facility within an existing R&D building, to install minor site modifications, and to allow a parking reduction of four parking spaces located at 1180 Cadillac Court. Mr. Ah Sing recommended approval subject to findings and conditions of approval.

Vice Chair Mandal asked if a formal parking agreement would be submitted to the City? Mr. Ah Sing said that a formal parking agreement would have to be reviewed by the City Attorney and would have to be recorded at the County.

Commissioner Ciardella asked if there are any hazardous materials generated near the proposed project since it is located in an industrial park? Mr. Ah Sing said nothing has been identified but there is a potential because they are within an industrial zoning district. By right, R&D businesses could locate there so that is why through the mitigation process the applicant could mitigate those concerns.

Commissioner Ciardella asked what are the mitigation measures? Mr. Ah Sing said the applicant is to provide an emergency plan, communication system and install a wind sock.

Commissioner Ciardella asked if there is a type of monitoring system that would be installed to detect hazardous materials? Mr. Ah Sing said he is not certain however staff could add that as a condition of approval.

Chair Williams introduced the applicant.

**Rouble Claire, 712 Mente Linda Loop, Milpitas**, said he is available to answer any questions, and introduced congregation members and Tracy Wong, Civil Engineer.

City Attorney Ogaz asked the applicant if it is his intention to continue shuttle service? Mr. Claire stated that the church will have two shuttles and they will not be parked on site, rather at the volunteer's homes and will only be picked up when required.

Chair Williams opened the public hearing.

**Brad Hall, 1161 North Abbott Avenue, Milpitas**, lives 300 feet from the project, said he has no problems with the temple however when the new building was built, he never new that he was going to be exposed to hazardous materials. He asked what kind of safety measures is in place for people that work and live in the area. He also was not aware that there were going to be changes to the building and asked what reassurances does he have that the residents will be safe.

Chair Williams asked Mr. Hall to get in touch with staff so they could answer his questions and if his questions will affect the community as a whole, then it could be agendized at a future meeting.

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Planning Commission Minutes

November 14, 2007

**Wayne Martinez, 1164 Cadillac Court, Milpitas**, said he is opposing the project for the reasons stated on the petition that was signed by ten business owners. The petition states the following:

- **Parking:** The parking facility is not adequate to accommodate the needs usually associated with religious gatherings nor is there a control system in place to effectively police the business park to ensure fair usage of the parking resources.
- **Safety:** the development was not designed to accommodate large social gatherings that may include children and other large numbers of pedestrians.
- **By definition,** the Venture Commerce Center of Milpitas was marketed and sold as a business center. Incorporating other, non-business uses may adversely impact the salability of the property as a professional place of business thereby adversely impacting the property value to current owners.

**Ms. Harmeet K. Dhaliwal, 517 Bryce Court, Milpitas**, said there are many benefits to having the temple in Milpitas such as convenience of the location because it is only five to ten minutes away from home for most seniors and people that work. She also pointed out that the temple does not attract large crowds like San Jose and Fremont, rather close knit family groups. She said the temple is expecting about 50 to 60 people so parking should not be a problem because families usually car-pool in one car. She is in support of the project.

Chair Williams asked if there would be any special events and Mr. Claire said they do not expect any large gatherings and would not cause any parking issues.

**Harsimrit Kaur Khalsa aka Nancy Tobison, wife of the head priest**, said they consider the Sikh Temple God's business, because they are dedicated to share what God teaches which is the Sikh scriptures. They believe that all people are created equal and want everyone to be healthy, happy and successful. As far as too many people coming in the future, there is always the option of buying out other areas close by or moving to another location.

**Motion** to close the public hearing.

M/S: Mandal/Ali-Santosa

AYES: 5

NOES: 0

Chair Williams proposed a double six-month review on the project to review any issues or complaints and to protect everyone's vested interest in the project.

City Attorney Ogaz said the parking study seems to be dependent to the continuation of the shuttle service and would like to add this as a condition of approval so he could include it in the parking agreement.

Commissioner Ciardella did not agree with the following special condition and asked staff to revise:

- *To maintain adequate parking, the congregation membership shall not exceed (68) members as specified on the approved plans dated November 14, 2007.*

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**Planning Commission Minutes**  
November 14, 2007

Mr. Lindsay clarified that any assembly is required to post occupancy limits to meet fire code. He also said that if the congregation grows, the applicant could come back with a use permit amendment and the condition could be modified.

Mr. Ah Sing recommended that the condition be revised to the following:

- *To maintain adequate parking, the occupancy of the building suite shall not exceed (68) persons at any one time.*

Vice Chair Mandal asked if a company locates with harmful chemicals and it has to be mitigated, does the City post notices to the surrounding areas? Mr. Ah Sing said that the Fire Department would determine the required mitigation measures.

Mr. Lindsay said the Fire Prevention Bureau reviews applications to use hazardous materials and there is no notification process that occurs for surrounding businesses when a place of assembly chooses to locate within an industrial area. Staff and the Fire Dept. do everything to ensure they are moving into this area under full knowledge that there could be future users of hazardous materials and there is a right for those businesses to use those as long as they are compliant with fire code and state law.

Chair Williams asked if a business moved in with hazardous materials, would they have a greater impact on the residents and Mr. Lindsay said the probability of a release is small and said the residents are more concerned with parking.

**Motion** to approve Conditional Use Permit No. UP2007-23, "S" Zone Amendment No. SA2007-52, and Environmental Assessment No. EA2007-9 subject to findings and conditions of approval and with the following modified conditions:

- *The project is subject to two (2) subsequent six (6) month Permit Reviews. The applicant shall be responsible to complete and file an application with the Planning Department in the same measures as a Conditional Use Permit Application. The Permit Review process will also be conducted in a manner similar to a Conditional Use Permit. (P, PC)*
- *To maintain adequate parking, the occupancy of the building suite shall not exceed (68) persons at any one time. (P, PC)*
- *The applicant or designee shall continue to utilize a shuttle service for its members to and from services (P, PC)*

M/S: Mandal/Ali-Santosa

AYES: 5

NOES: 0

Commissioner Sandhu returned to the Council Chambers.

**X.  
NEW BUSINESS**

**4. "S" ZONE  
AMENDMENT NO.  
(SA2007-60)**

Tiffany Kunsman, Project Planner, presented a request to modify the conditions of approval to remove a 144" protected California Pepper Tree located at 2016 Calaveras Blvd. Ms. Kunsman recommended Approval Subject to Findings and Conditions of Approval.

Vice Chair Mandal asked if the applicant could plant other trees on the property? Ms. Kunsman said the site is a constrained site and it would look cluttered if the applicant were to add more trees.

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November 14, 2007

Chair Williams invited the applicant to speak.

**Sylvia Leung, 968 Hanson Court, Milpitas**, said her company believes in protecting the environment. They have relocated five olive trees at their expense and felt they have cooperated fully with the City. They paid for an arborist report and were unable to save this particular tree.

**Motion** to approve "S" Zone Amendment No. (SA2007-60) subject to Findings and Conditions of Approval.

M/S: Mandal/Sandhu

AYES: 5

NOES: 0

**XI.  
ADJOURNMENT**

The meeting was adjourned at 8:35 p.m. to the next regular meeting of December 12, 2007.

Respectfully Submitted,

James Lindsay  
Planning & Neighborhood  
Services Director

The foregoing minutes were approved by the Milpitas Planning Commission as submitted on December 12, 2007.

---

Veronica Bejines  
Recording Secretary

**APPROVED**  
**Planning Commission Minutes**  
November 14, 2007

Date:

25 October 2006

Revisions	By
△ 20 July 2007	
△ 12 Sept. 2007	

RECEIVED

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**Consultants**

STRUCTURAL ENGINEER  
 BEAR DESIGNS  
 4428 California Street  
 San Francisco, CA 94118  
 GEOTECHNICAL ENGINEER  
 EARTH MECHANICS  
 CONSULTING ENGINEERS  
 360 Grand Avenue  
 Oakland, CA 94610  
 510-839-0765  
 SURVEYORS  
 MISSION ENGINEERS INC.  
 2978 Scott Blvd.  
 Santa Clara, CA  
 TITLE 24 CONSULTANT  
 MONTEREY ENERGY GROUP  
 227 Forest Ave., Suite 5  
 Pacific Grove, CA 93950  
 831.372.8328

CITY OF MILPITAS  
 PLANNING DIVISION

PUD 23.5



Project Address  
 826 Calaveras Ridge Drive  
 Milpitas, CA  
 New Residence for  
 Pete & Jamie Vavaroutsos

Drawing Title	PROJECT SUMMARY
Scale	NA
Drawn By	dii
Job No.	Vavaroutsos

Sheet # A-1.01

**GENERAL NOTES:**

- These notes apply to all drawings, and govern unless noted or specified elsewhere in the construction documents.
- All work shall conform to all applicable permits, regulations, codes and ordinances of public authorities, having jurisdiction, including but not limited to the City of Milpitas and the County of Santa Clara, CA.; the 2004 Uniform Building Code and 2004 California building Code
- Contractor shall visit site, and be fully aware of all field conditions prior to submitting bid. Any conflicts or discrepancies between the drawings and site conditions shall be immediately brought to the attention of the owner. Contractor acknowledges that he has thoroughly familiarized himself with the building site conditions, etc., with the drawings, with the delivery facilities, and all other matters and conditions which may affect the operation and completion of the work, and assumes all risk therefrom.
- Contractor shall verify all existing dimensions in the field. On drawings, only written dimensions shall be used. DO NOT SCALE THE DRAWINGS! Contractor shall verify, and be made completely responsible for all dimensions and conditions on the job. Owner must be notified of any proposed or required variations from the dimensions and conditions shown on the drawings, before any changes are made.
- By accepting and using these drawings, the Contractor agrees that he shall assume sole and complete responsibility for job site conditions during the course of construction of this project, including safety of all persons and property; that this requirement shall apply continuously and not limited to normal working hours.
- The drawings schematically indicate existing and new construction. Due to the nature of the work, adjustments will likely be required in the field to meet the design objectives. Such adjustments which could be reasonably expected, based on general experience in this type of construction, are part of the contract and shall be made by the contractor without additional cost to the owner.
- Contractor is responsible and must make every effort to minimize unnecessary soil erosion during grading and construction.
- Provide hay bales and other materials to minimize soil run-off if any excavation is done during the rainy season.
- Contractor must comply with all Planning and building requirements of the City of Milpitas.

**DIRECTORY**

- A.1.01 PROJECT SUMMARY
- A.1.02 SITE & CRESTLINE LOCATION
- A.1.03 CRESTLINE SIGHT LINE PROJECTION
- A.1.04 EXISTING TOPO
- A.1.05 SITE PLAN
- A.2.01 BASEMENT FLOOR PLAN
- A.2.02 MAIN FLOOR PLAN
- A.3.01 EXTERIOR ELEVATIONS
- A.3.02 EXTERIOR ELEVATIONS
- A.4.01 BUILDING SECTIONS
- A.5.01 LANDSCAPE PLAN
- A.6.01 STORM WATER CONTROL PLAN
- A.7.01 GRADING PLAN

**CODES**

- 2001: CBC, CPC, CMC
- 2004: CEC
- 2005: California Energy Code
- 2001: CFC
- 2002: Milpitas Municipal Code

**PROJECT CONSULTANTS**

STRUCTURAL ENGINEER:  
 Bear Designs  
 4428 California St.  
 San Francisco, CA 94118  
 GEOTECHNICAL ENGINEER:  
 Earth Mechanics Consulting Engineers  
 360 Grand Avenue  
 Oakland, CA 94610  
 510-839-0765  
 SURVEYORS:  
 Mission Engineers Inc.  
 2978 Scott Blvd.  
 Santa Clara, CA  
 TITLE 24:  
 Monterey Energy Group  
 227 Forest Ave. Suite 5  
 Pacific Grove, CA  
 831-3728328

**PROJECT DATA**

Owners: Pete and Jamie Vavaroutsos  
 Site Address: 826 Calaveras Ridge Drive  
 Milpitas, California  
 Lot #: 10  
 APN: 029-06-031  
 Zoning: R1-H Single Family  
 Hillside Combining District  
 PUD: 23.5  
 General Plan Designation: Hillside Low Density  
 Lot Area: 44,298 sq. ft.  
 Ground Floor: 4,140 sq. ft.  
 Basement Stairs: 78 sq. ft.  
 Garage: 1,501 sq. ft.  
 Total Building Area: 5,719 sq. ft.  
 Maximum S.F. Allowed: 6,000 sq. ft.  
 Retaining Walls/Other: 648 sq. ft.  
 Total Building Area: 5,719 sq. ft.  
 Total Impervious Coverage: 6,367 sq. ft.  
 Max. Impervious Coverage Allowed: 8,000 sq. ft.

**PROJECT DESCRIPTION:**

These drawings and specifications express the intent of Pete and Jamie Vavaroutsos to construct a 5,641 square foot single family hillside residence on a 44,298 square foot vacant lot within the boundaries of PUD 23.5 in the Calaveras Ridge Estates. The project also includes a five car garage building of 1,501 square foot. The project site is outside, and to the east of a major Geologic Hazard Zone running through the Calaveras Ridge Estates.

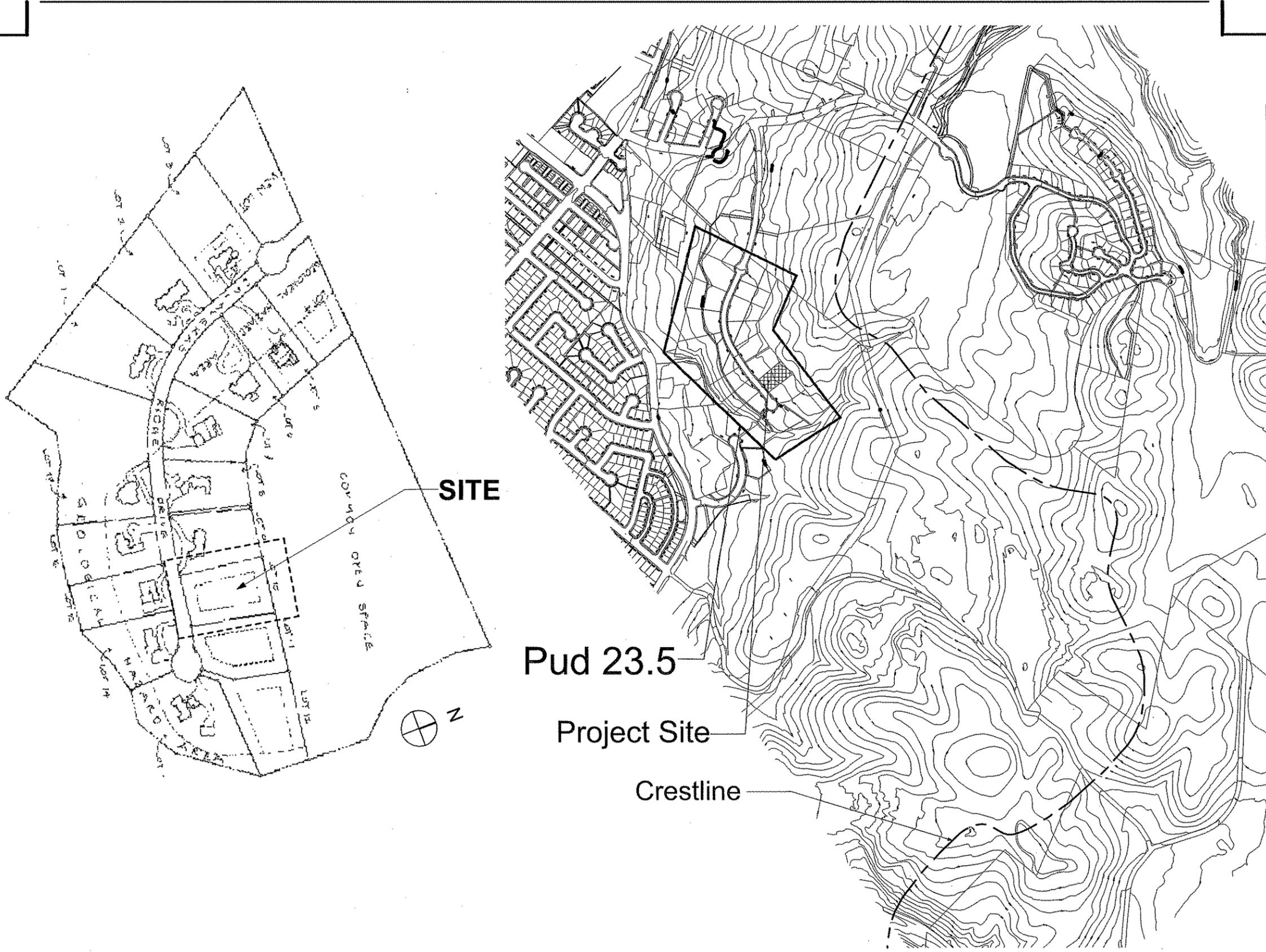
The design of the home will utilize construction materials and elements commonly used in California such as stucco, stone, concrete roof tiles and gabled and hipped roof structures. The style will be a modern mix of French Colonial and Mediterranean influences.

**AREA TABLE**

BASEMENT:  
 Mechanical Room: 156 sq. ft.  
 Electrical Room: 106 sq. ft.  
 Stairs: 78 sq. ft.  
 Storage #1: 557 sq. ft.  
 Storage #2: 730 sq. ft.  
 Storage #3: 1,609 sq. ft.  
**3,236 sq. ft.**  
 GARAGE:  
 Garage #1: 629 sq. ft.  
 Garage #2: 872 sq. ft.  
**1,501 sq. ft.**  
 MAIN FLOOR PLAN:  
 Entry: 238 sq. ft.  
 Dining: 285 sq. ft.  
 Kitchen: 410 sq. ft.  
 Library: 210 sq. ft.  
 Great Room: 790 sq. ft.  
 Master Suite: 395 sq. ft.  
 Master Bath: 135 sq. ft.  
 His/Hers Closet: 110 sq. ft.  
 Circulation #1: 544 sq. ft.  
 In-Law Suite #1: 237 sq. ft.  
 In-Law Bath: 65 sq. ft.  
 Suite #1 Closet: 24 sq. ft.  
 Closet #3: 21 sq. ft.  
 Bath #2: 61 sq. ft.  
 Laundry: 84 sq. ft.  
 Bed Room #1: 215 sq. ft.  
 Bath #1: 86 sq. ft.  
 Bed Room #2: 230 sq. ft.  
**4,140 sq. ft.**

OBSID

OBSD



2 PUD MASTER PLAN

NTS

1 CRESTLINE LOCATION

NTS

Date:  
25 October 2006

Revisions	By
1	20 July 2007
2	12 Sept. 2007

**Consultants**

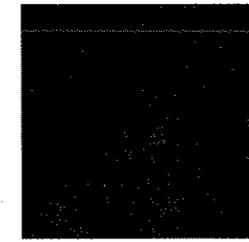
**STRUCTURAL ENGINEER**  
BEAR DESIGNS  
4428 California Street  
San Francisco, CA 94118

**GEOTECHNICAL ENGINEER**  
EARTH MECHANICS  
CONSULTING ENGINEERS  
360 Grand Avenue  
Oakland, CA 94610  
510-839-0765

**SURVEYORS**  
MISSION ENGINEERS INC.  
2978 Scott Blvd.  
Santa Clara, CA

**TITLE 24 CONSULTANT**  
MONTEREY ENERGY GROUP  
227 Forest Ave., Suite 5  
Pacific Grove, CA 93950  
831.372.8328

PUD 23.5



**OBSD**  
one  
Block  
Square  
Designs  
531 - 44th Ave., S.F., CA 94121  
Tel: (415) 225-6225, Fax: (415) 876-3502

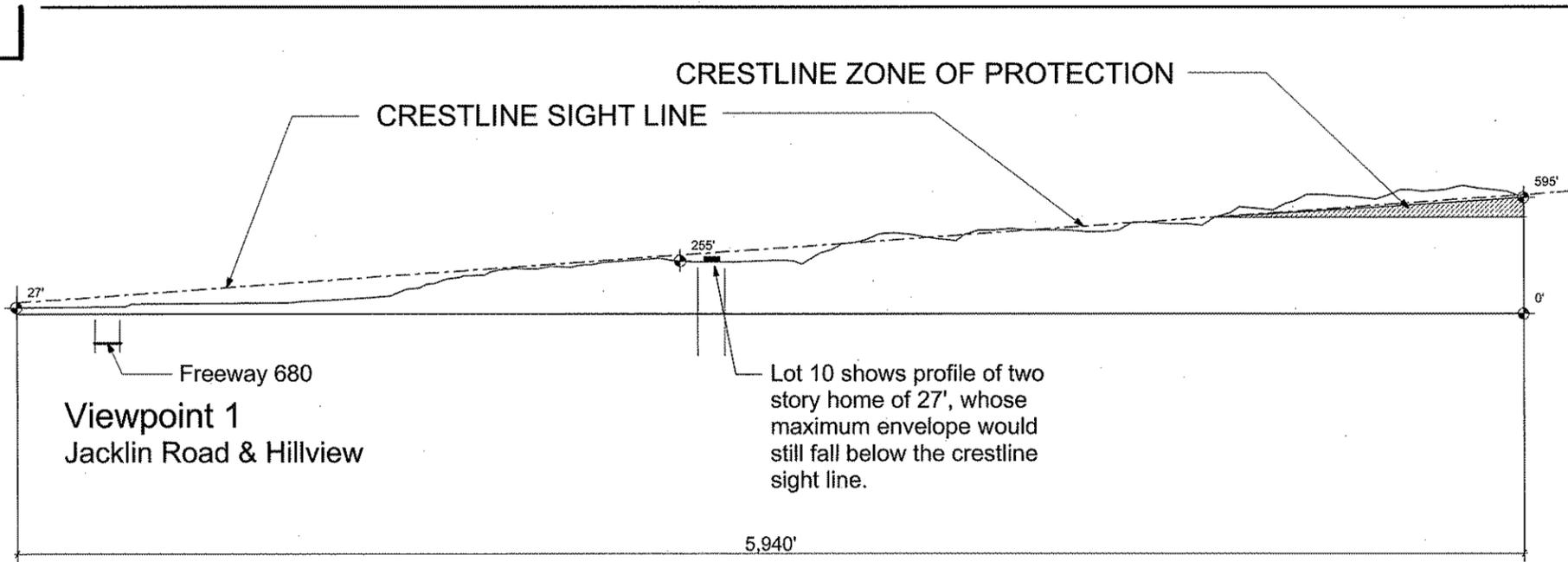
**Project Address**  
826 Calaveras Ridge Drive  
Milpitas, CA

**New Residence for**  
Pete & Jamie Vavaroutsos

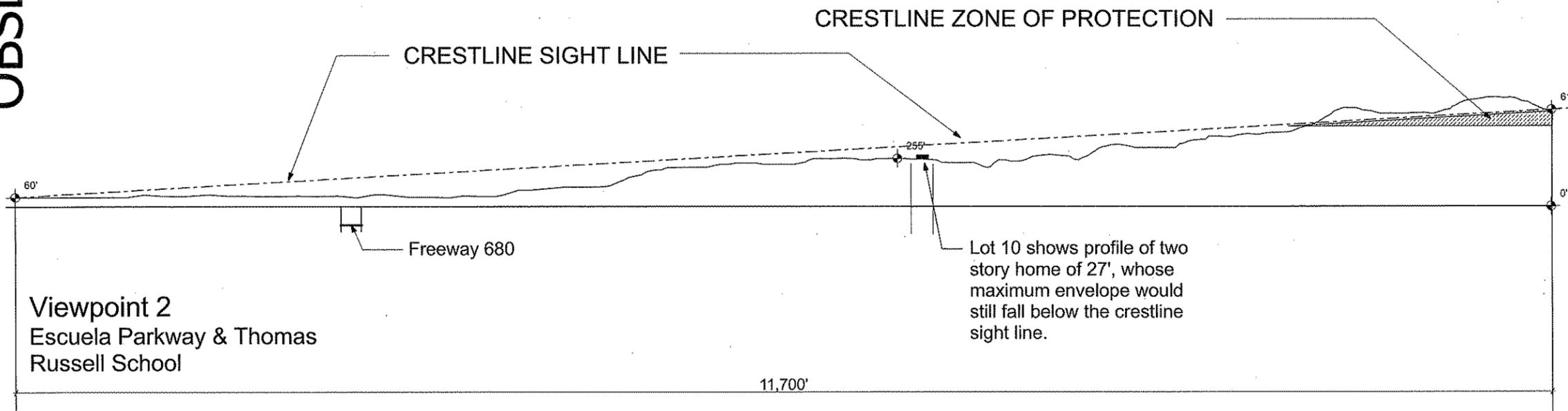
Drawing Title	SITE & CRESTLINE LOCATION
Scale	1/8" = 1'-0"
Drawn By	dij
Job No.	Vavaroutsos

Sheet # A-1.02

OBSD



2 SECTION @ VIEWPOINT 1  
N.T.S.



1 SECTION @ VIEWPOINT 2  
N.T.S.

Date:  
25 October 2006

Revisions	By
1	20 July 2007
2	12 Sept. 2007

**Consultants**

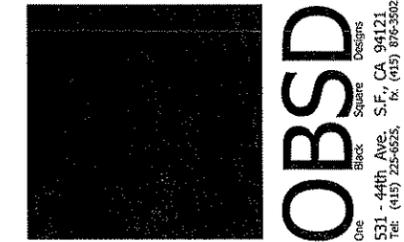
**STRUCTURAL ENGINEER**  
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4428 California Street  
San Francisco, CA 94118

**GEOTECHNICAL ENGINEER**  
EARTH MECHANICS  
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Santa Clara, CA

**TITLE 24 CONSULTANT**  
MONTEREY ENERGY GROUP  
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831.372.8328

PUD 23.5



Project Address  
826 Calaveras Ridge Drive  
Milpitas, CA

New Residence for  
Pete & Jamie Vavaroutsos

Drawing Title  
**CRESTLINE SIGHT  
LINE PROJECTION  
PLAN**

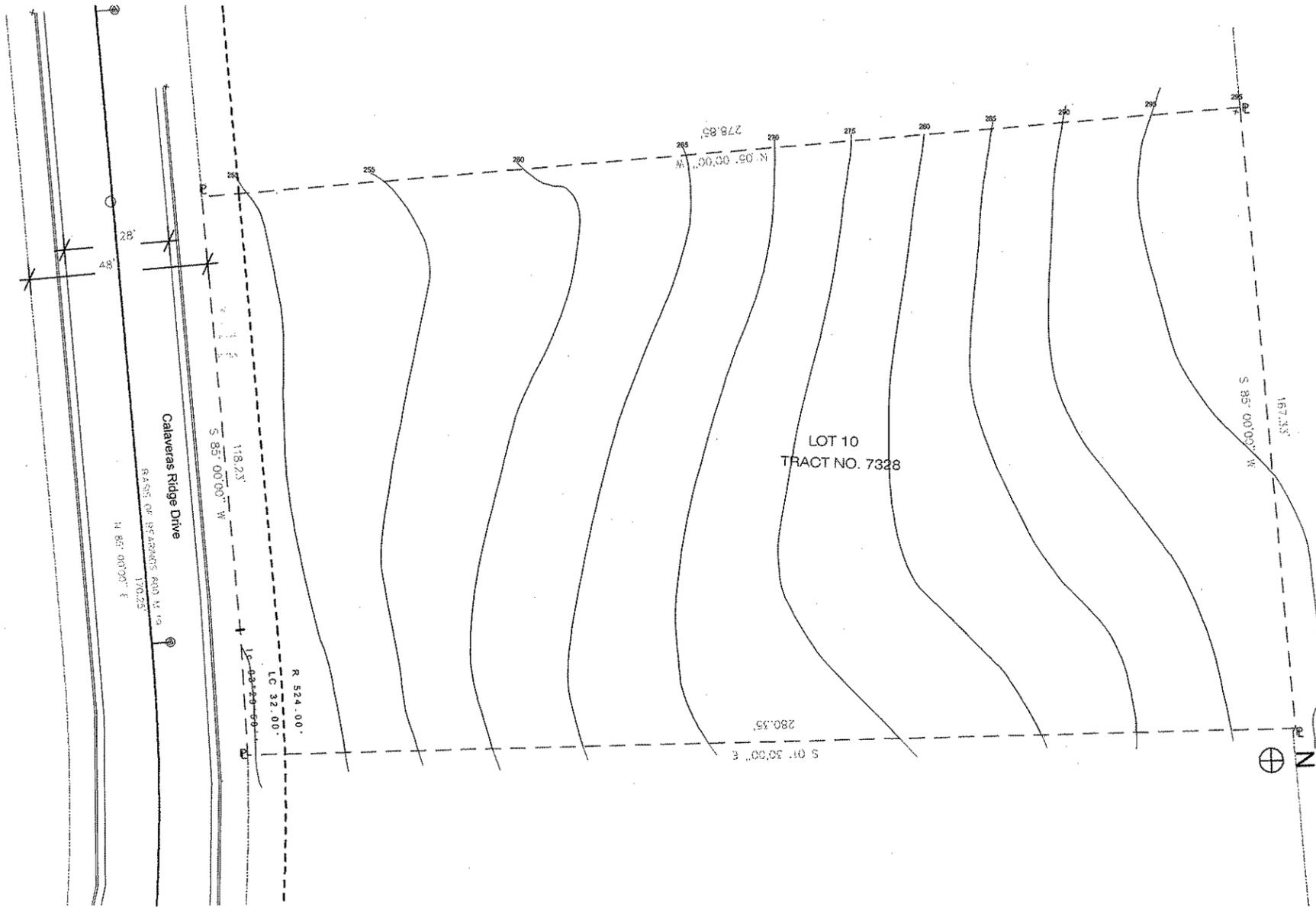
Scale  
Not to Scale

Drawn By  
dii

Job No.  
Vavaroutsos

Sheet # A-1.03

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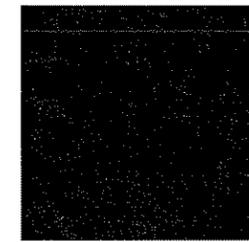
1 EXISTING TOPO  
 1/16" = 1'-0"

Date:  
 25 October 2006

Revisions	By
1 20 July 2007	
2 12 Sept. 2007	

PUD 23.5

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Project Address  
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 Milpitas, CA  
 New Residence for  
 Pete & Jamie Vavaroutsos

Drawing Title  
**EXISTING TOPO**

Scale  
 1/16" = 1'-0"

Drawn By  
 dii

Job No.  
 Vavaroutsos

Sheet # A-1.04

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1	20 July 2007
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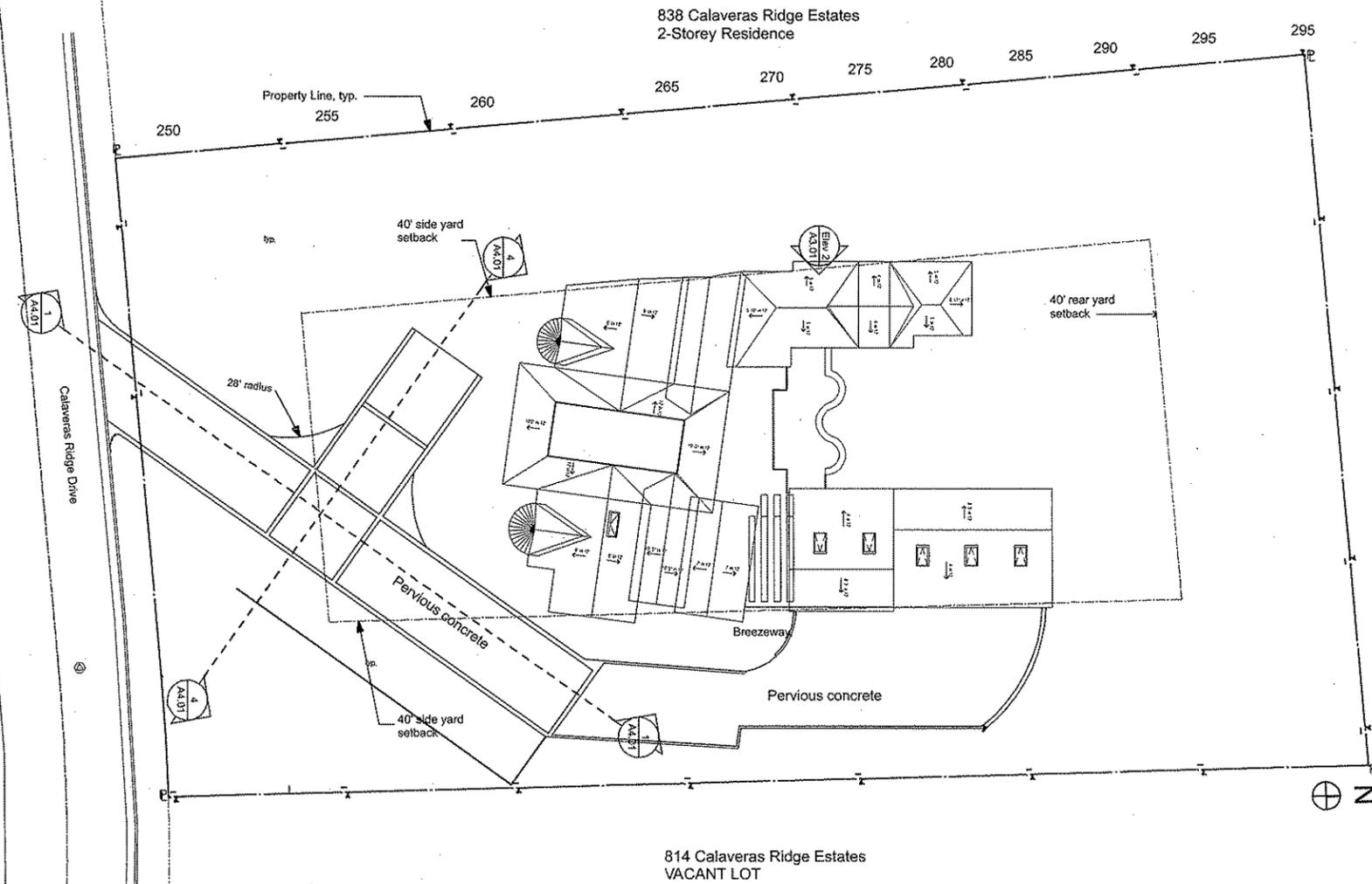
STRUCTURAL ENGINEER  
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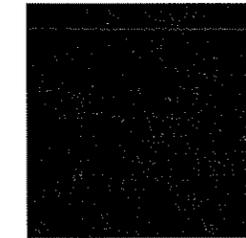
1 SITE PLAN  
 1/16" = 1'-0"

Project Address  
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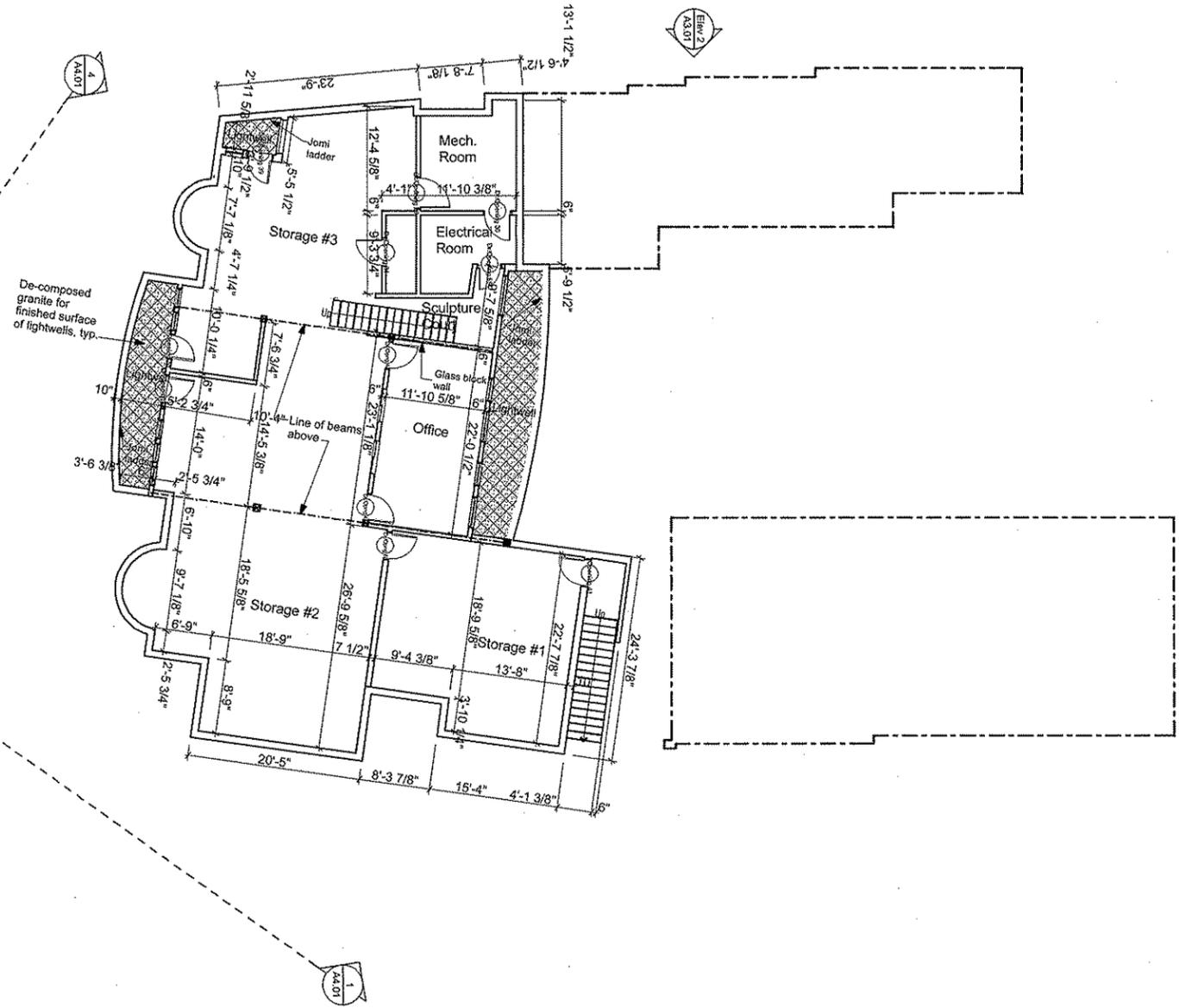
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Scale	1/16" = 1'-0"
Drawn By	dii
Job No.	Vavaroutsos

Sheet # A-1.05



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280.35  
S 01°30'00" E

1 BASEMENT FLOOR PLAN  
1/8" = 1'-0"

Date:  
25 October 2006

Revisions	By
1	20 July 2007
2	12 Sept. 2007

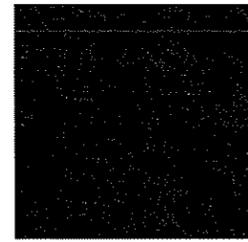
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Project Address  
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 Milpitas, CA

Drawing Title	
Scale	1/8" = 1'-0"
Drawn By	dii
Job No.	Vavaroutsos

**BASEMENT  
FLOOR PLAN**



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448  
156079

Date:

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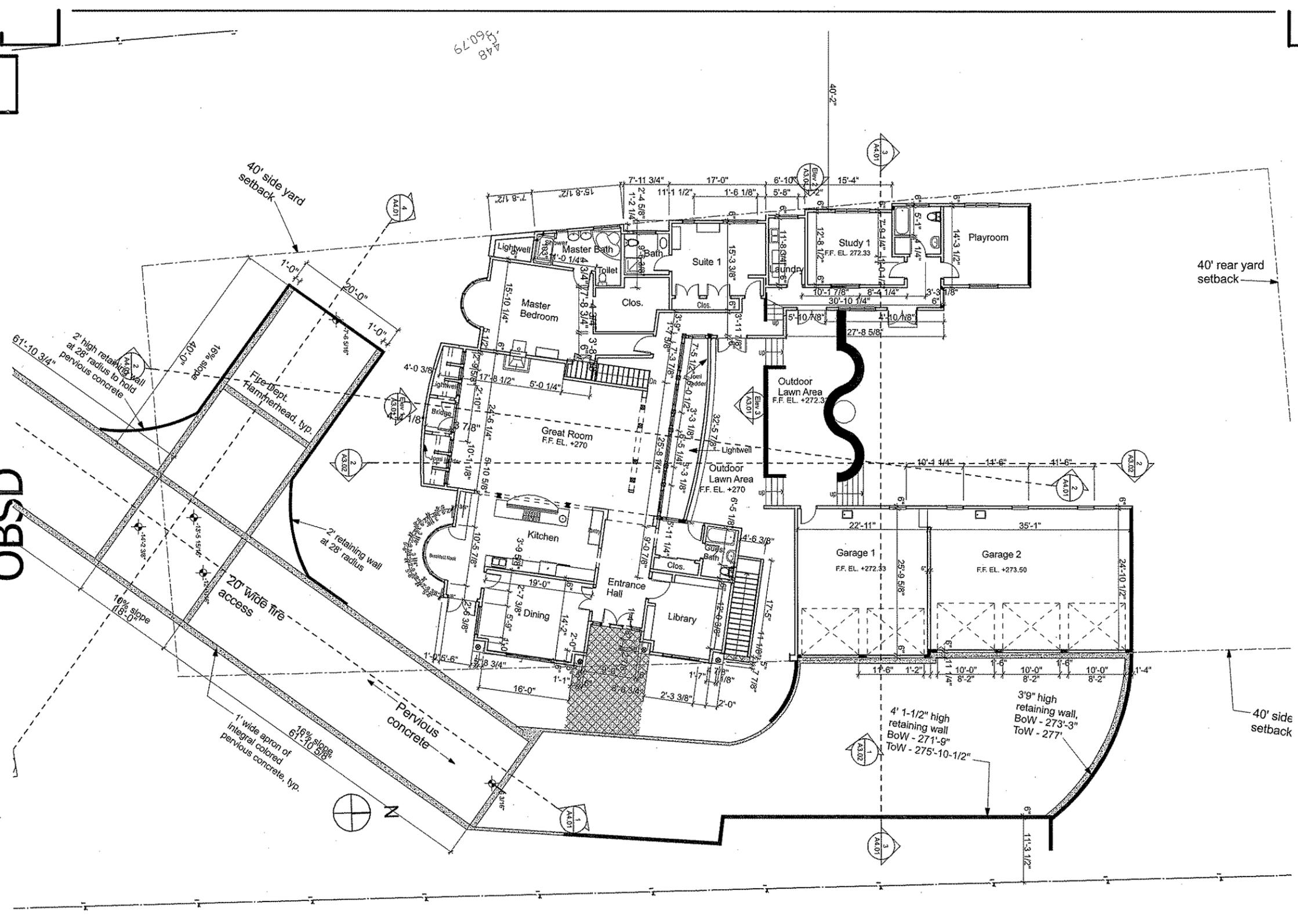
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1 MAIN GROUND FLOOR PLAN  
1/8" = 1'-0"

Project Address  
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New Residence for  
Pete & Jamie Vavaroutsos

Drawing Title	MAIN FLOOR PLAN
Scale	1/8" = 1'-0"
Drawn By	dii
Job No.	Vavaroutsos

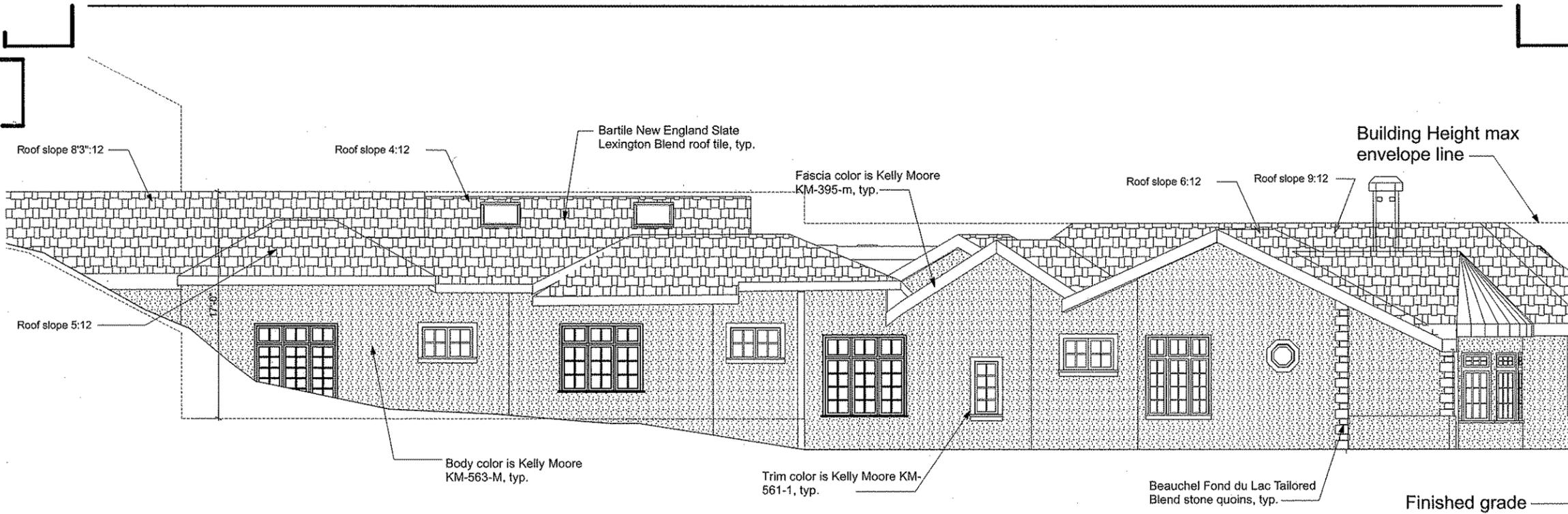
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Date:  
25 October 2006

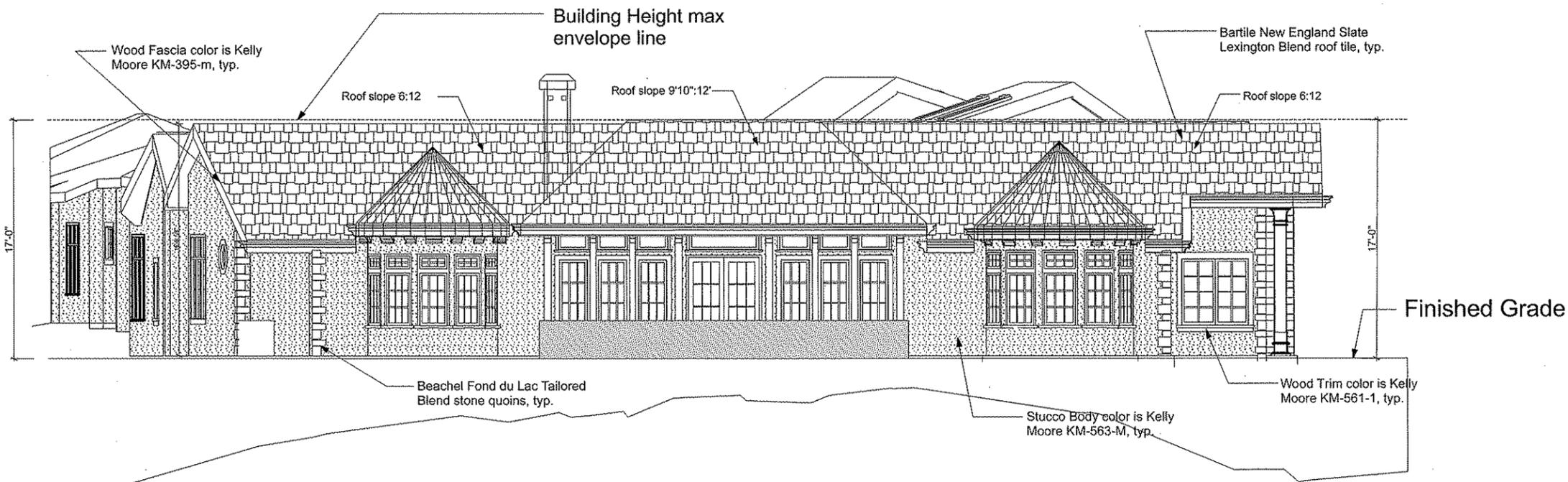
Revisions	By
▲ 20 July 2007	
▲ 12 Sept. 2007	

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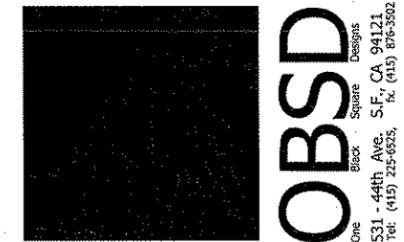
2 SIDE/ North Facing  
1/4" = 1'-0"



1 FRONT/ West Facing  
1/4" = 1'-0"

OBSD

Project Address  
 826 Calaveras Ridge Drive  
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 New Residence for  
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Drawing Title  
**EXTERIOR  
 ELEVATIONS**  
 Scale 1/8" = 1'-0"  
 Drawn By dii  
 Job No. Vavaroutsos

Sheet # A-3.01

Date:  
25 October 2006

Revisions	By
1	20 July 2007
2	12 Sept. 2007

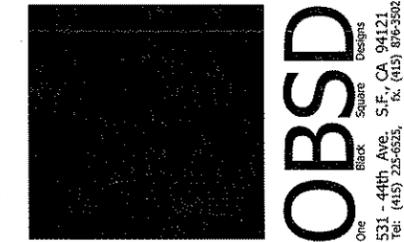
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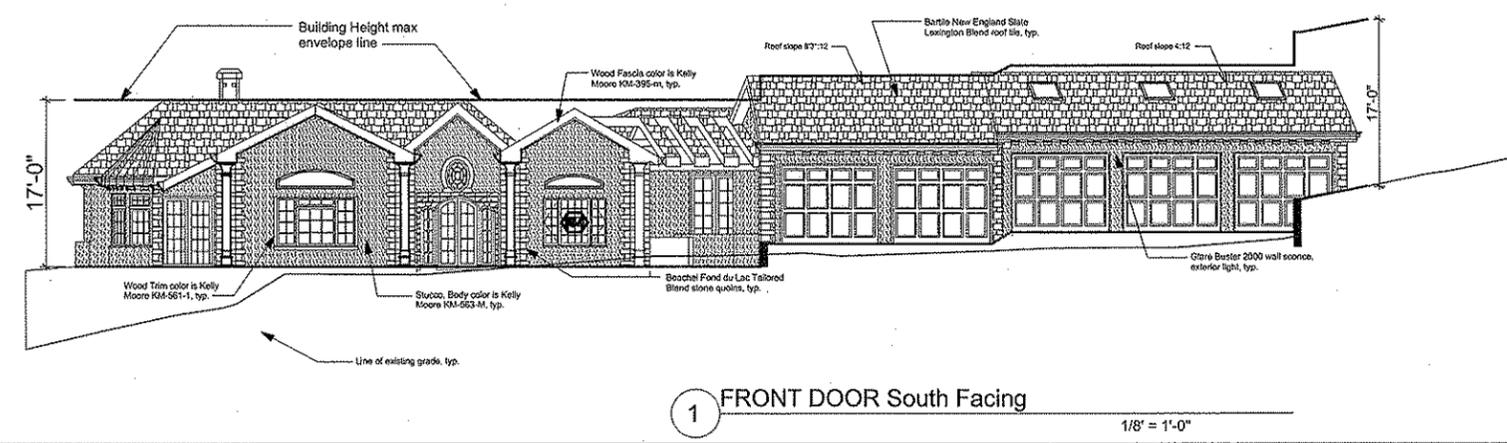
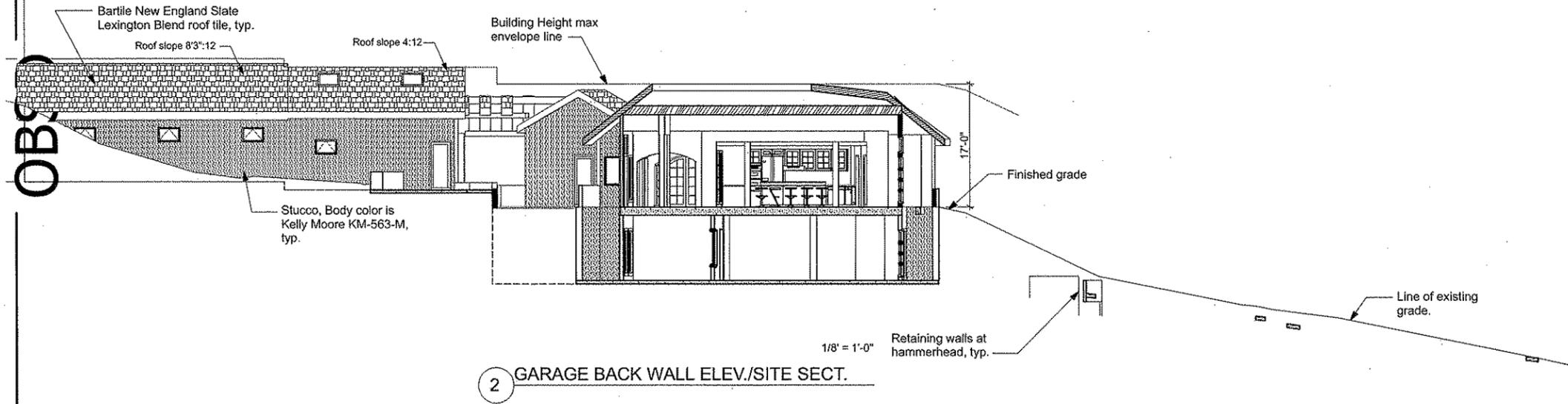
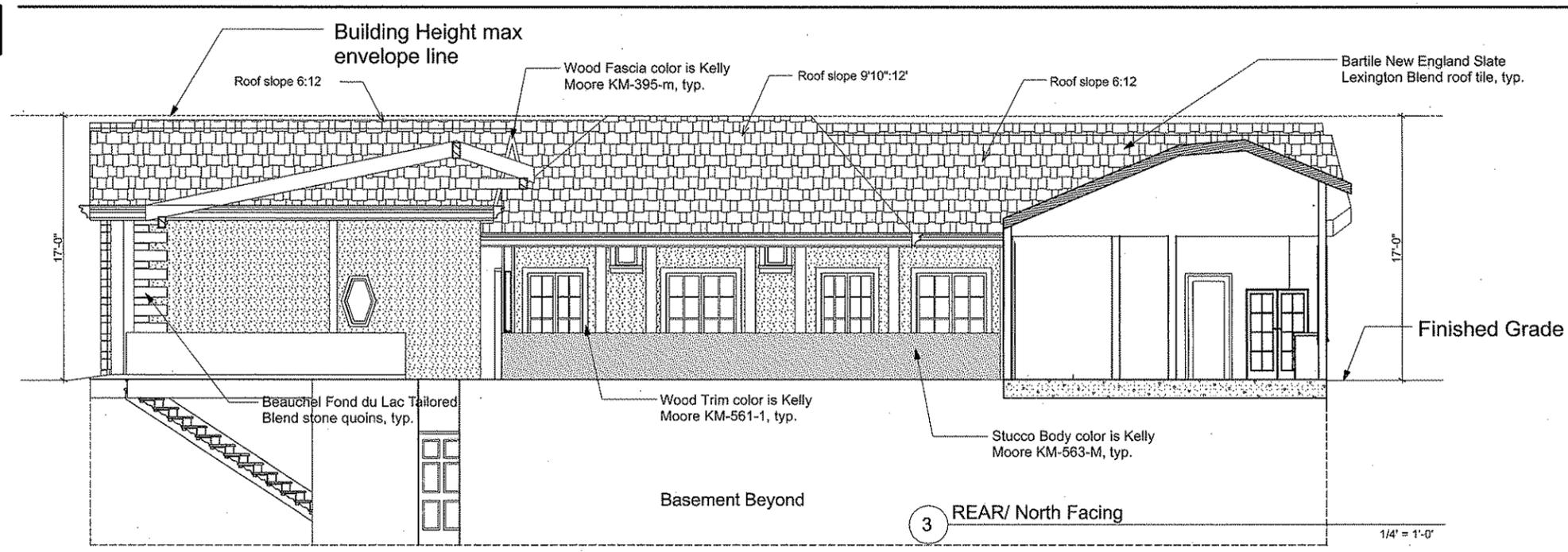
Project Address  
 New Residence for  
 Pete & Jamie Vavaroutsos  
 826 Calaveras Ridge Drive  
 Milpitas, CA

Drawing Title  
 Scale 1/8" = 1'-0"  
 Drawn By dii  
 Job No. Vavaroutsos

Sheet # A-3.02



EXTERIOR  
ELEVATIONS



OBSD

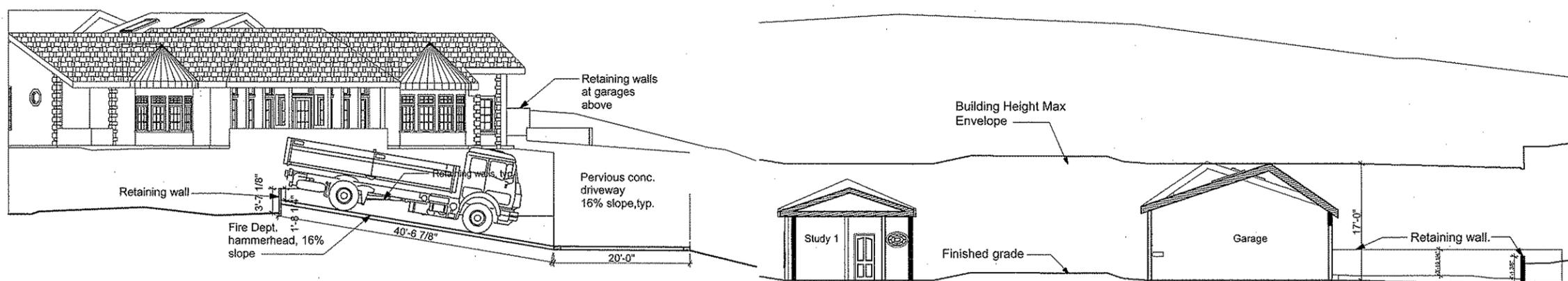
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1	20 July 2007
2	12 Sept. 2007

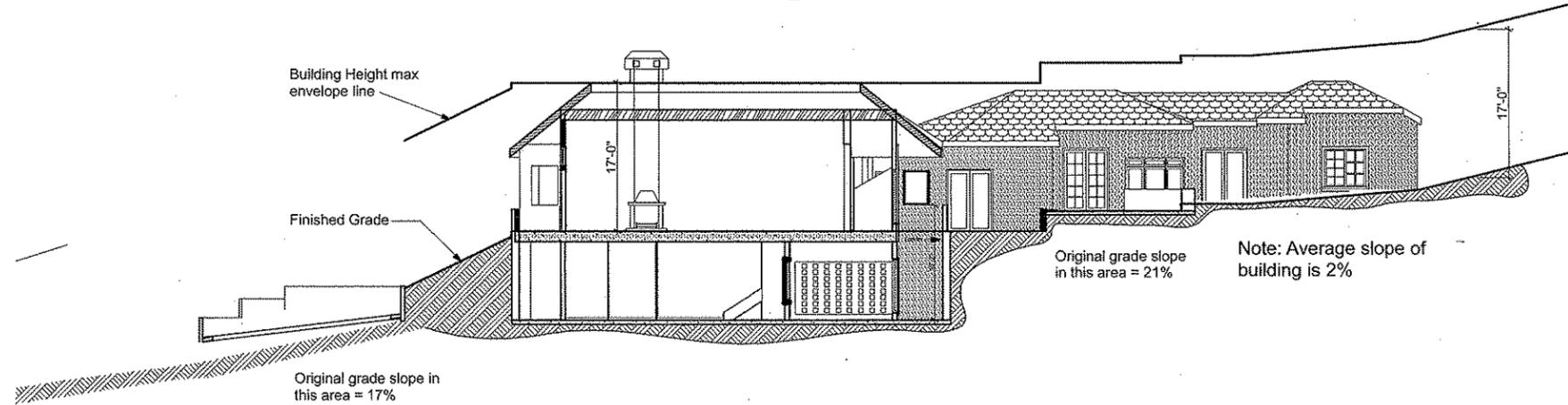
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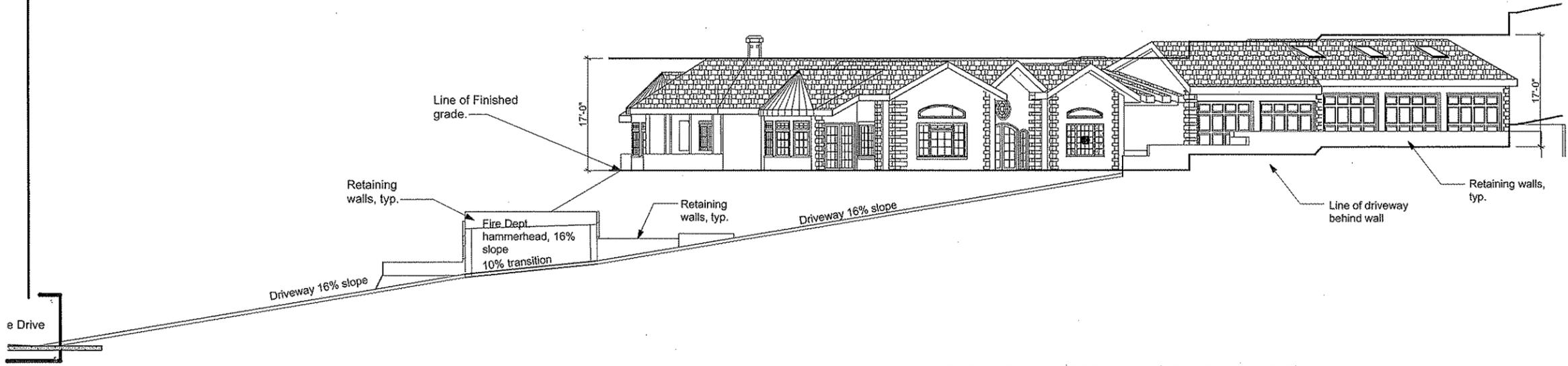


4 HAMMERHEAD SECTION -BUILDING ELEVATION  
1/8" = 1'-0"

3 SECTION THROUGH GARAGE & STUDY  
1/8" = 1'-0"



2 BUILDING SECTION/ELEVATION Looking at Study and Bedroom Wing  
1/8" = 1'-0"



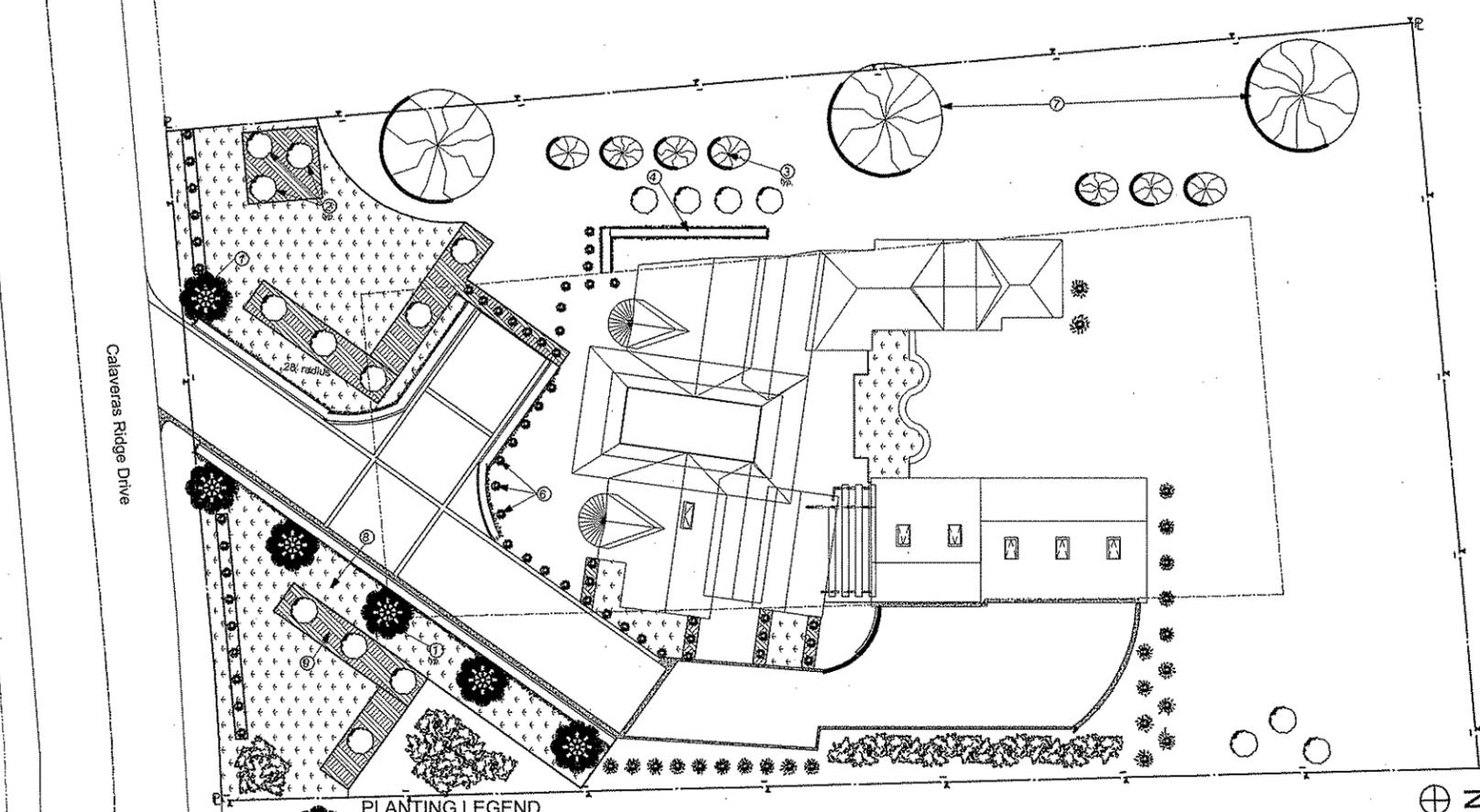
1 DRIVEWAY SECTION BUILDING ELEVATION  
1/8" = 1'-0"

Project Address  
New Residence for  
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826 Calaveras Ridge Drive  
Milpitas, CA

Drawing Title	
Scale	1/8" = 1'-0"
Drawn By	dij
Job No.	Vavaroutsos

BUILDING SECTIONS

OBSD



**PLANTING LEGEND**

<p><b>1</b> <b>Pindo Palm</b>          Category: Tropical/Tender Perennials          Palms          Height: 12-15 ft. (3.6-4.7 m)          Spacing: 8-10 ft. (2.4-3 m)          Hardiness: USDA Zone 8a: to -12.2 °C (10 °F)          USDA Zone 8b: to -9.4 °C (15 °F)          USDA Zone 9a: to -6.6 °C (20 °F)          USDA Zone 9b: to -3.8 °C (25 °F)          Sun Exposure: Full Sun          Sun to Partial Shade</p>	<p><b>2</b> <b>Blue Puya</b>          Category: Perennials          Tropicals/Tender Perennials          Cactus and Succulents          Height: 10-12 ft. (3-3.6 m)          Spacing: 4-6 ft. (1.2-1.8 m)          Hardiness: USDA Zone 9a: to -6.6 °C (20 °F)          USDA Zone 9b: to -3.8 °C (25 °F)          USDA Zone 10a: to -1.1 °C (30 °F)          USDA Zone 10b: to 1.7 °C (35 °F)          USDA Zone 11: above 4.5 °C (40 °F)          Sun Exposure: Full Sun</p>	<p><b>3</b> <b>Indian Hawthorn</b>          Category: Perennials          Shrubs          Height: 4-6 ft. (1.2-1.8 m), Spacing: 4-6 ft. (1.2-1.8 m)          Hardiness: USDA Zone 7a: to -17.7 °C (0 °F)          USDA Zone 7b: to -14.9 °C (5 °F)          USDA Zone 8a: to -12.2 °C (10 °F)          USDA Zone 8b: to -9.4 °C (15 °F)          USDA Zone 9a: to -6.6 °C (20 °F)          USDA Zone 9b: to -3.8 °C (25 °F)          USDA Zone 10a: to -1.1 °C (30 °F)          USDA Zone 10b: to 1.7 °C (35 °F)          USDA Zone 11: above 4.5 °C (40 °F)          Sun Exposure: Sun to Partial Shade</p>	<p><b>4</b> <b>Pink Princess Escalonia</b>          Category: Shrubs          Height: 6-8 ft. (1.8-2.4 m), Spacing: 18-24 in. (45-60 cm)          Hardiness: USDA Zone 8a: to -12.2 °C (10 °F)          USDA Zone 8b: to -9.4 °C (15 °F)          USDA Zone 9a: to -6.6 °C (20 °F)          USDA Zone 9b: to -3.8 °C (25 °F)          Sun Exposure: Sun to Partial Shade</p>
<p><b>5</b> <b>Japanese Mock Orange</b>          Category: Shrubs          Height: 36-48 in. (90-120 cm)          Spacing: 24-36 in. (60-90 cm)          Hardiness: USDA Zone 8a: to -12.2 °C (10 °F)          USDA Zone 8b: to -9.4 °C (15 °F)          USDA Zone 9a: to -6.6 °C (20 °F)          USDA Zone 9b: to -3.8 °C (25 °F)          USDA Zone 10a: to -1.1 °C (30 °F)          USDA Zone 10b: to 1.7 °C (35 °F)          Sun Exposure: Sun to Partial Shade</p>	<p><b>6</b> <b>"L.J. Bobbink" Azalea</b>          Category: Unknown          Height: 36-48 in. (90-120 cm)          Spacing: 36-48 in. (90-120 cm)          Hardiness: USDA Zone 8b: to -9.4 °C (15 °F)          USDA Zone 9a: to -6.6 °C (20 °F)          Sun Exposure: Partial to Full Shade</p> <p><b>7</b> <b>Mulch</b></p>	<p><b>7</b> <b>Gobbler Sawtooth Oak</b>          Category: Plant Facts          Mature Height: 30-45 feet          Mature Spread: 30-40 feet          Mature Form: Broad to round          Growth Rate: Moderate to rapid          Sun Exposure: Full Sun          Soil Moisture: Drought, heat tolerant          Soil Type: Widely adaptable          Flower Color: Golden male catkins          Foliage Color: Green          Fall Color: Yellow to golden          Zones: 5-8</p>	<p><b>8</b> <b>Bermuda Grass</b>          Category: Plant Facts          Mature Height: 3/4"-1-1/2 inch          Mature Spread: Build border to prevent unwanted groth          Mature Form: Broad to round          Growth Rate: Moderate to rapid          Sun Exposure: Full Sun          Soil Moisture: Drought, heat tolerant          Soil Type: Sandy loam          Flower Color: None          Foliage Color: Grey-Green          Fall Color: NA          Zones: 8-11</p>

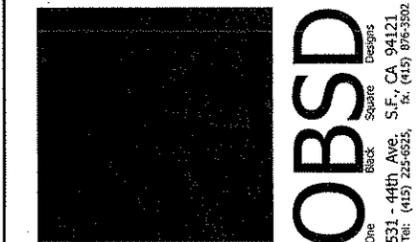
1 LANDSCAPE PLAN 1/16" = 1'-0"

Date:  
25 October 2006

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Project Address  
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Drawing Title	LANDSCAPE PLAN
Scale	1/16" = 1'-0"
Drawn By	dii
Job No.	Vavaroutsos

Sheet # A-5.01

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25 October 2006

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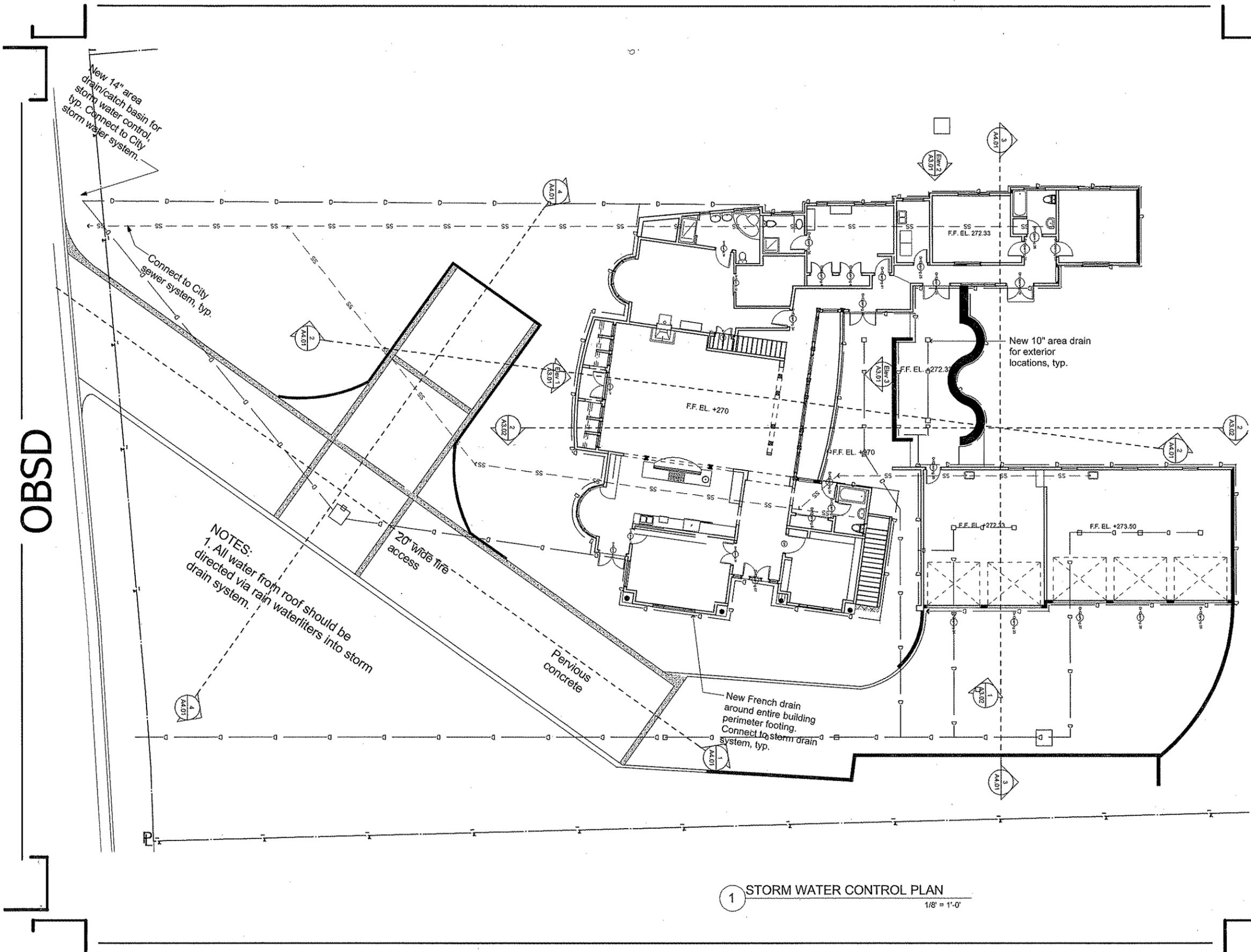
Project Address  
 826 Calaveras Ridge Drive  
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Drawing Title	STORM WATER CONTROL PLAN
Scale	1/8" = 1'-0"
Drawn By	dii
Job No.	Vavaroutsos

Sheet # A-6.01

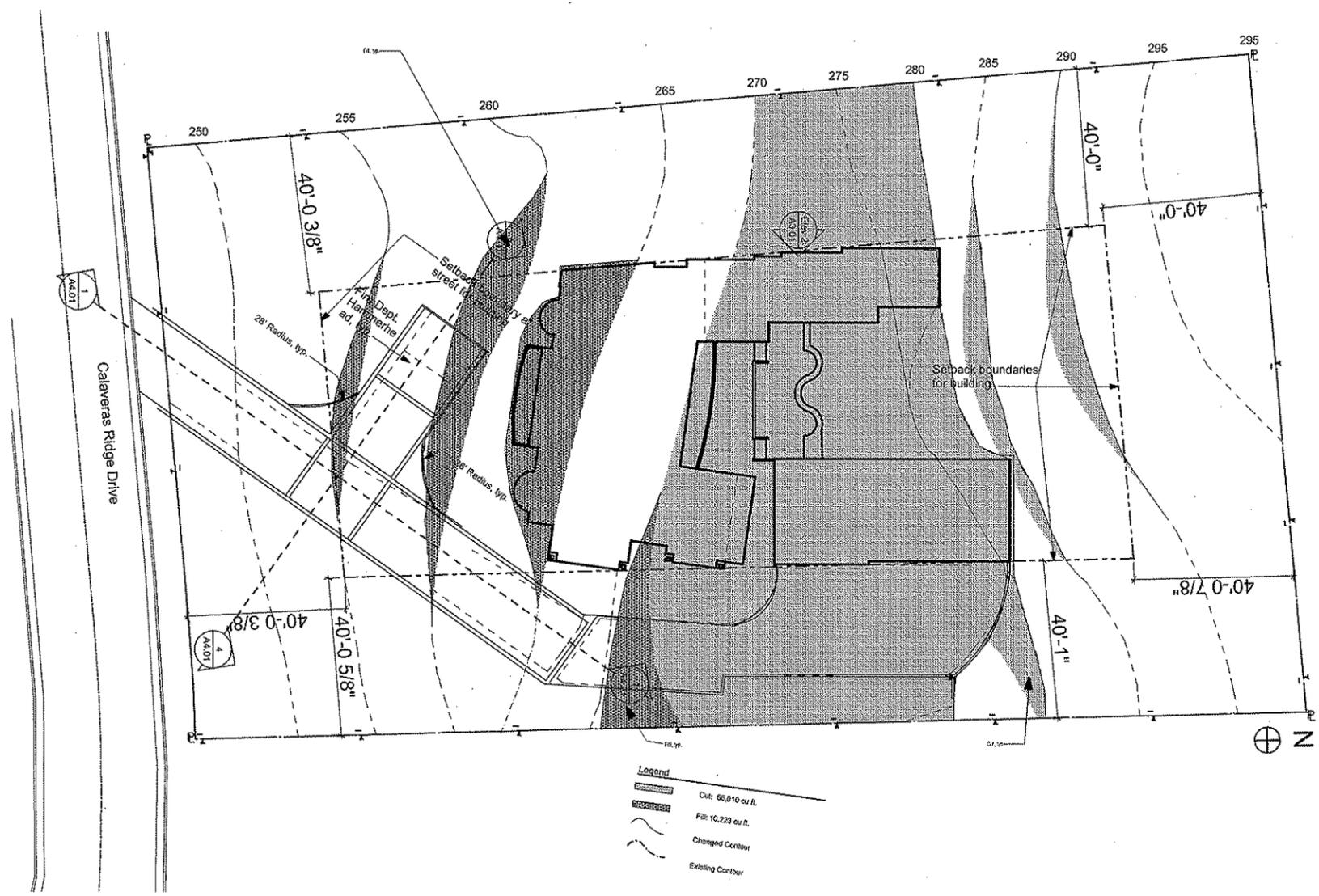
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1 STORM WATER CONTROL PLAN  
 1/8" = 1'-0"

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1 GRADING PLAN with BUILDING OUTLINE  
1/16" = 1'-0"

Date:  
25 October 2006

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Drawing Title  
**GRADING PLAN  
 with BUILDING  
 OUTLINE**  
 Scale  
 1/16" = 1'-0"  
 Drawn By  
 dii  
 Job No.  
 Vavaroutsos

Sheet # A-7.01



**Cindy Hom**

---

**From:** Peter G. Vavaroutsos [pete@vavaroutsos.com]  
**Sent:** Tuesday, April 28, 2009 8:03 PM  
**To:** Cindy Hom  
**Subject:** Planning extension

Cindy, the reason for extension is basically not getting building approval and permits on time. All of the code changes made things take longer than expected. Many of the materials didn't have the new required certifications yet, etc. and the construction for the house is not that typical of this area. Also, building came back and required a much more extensive set of plans than what was originally asked for on the submittal requirements.

Best Regards,

~petev