

## Planning Commission Staff Report

March 25, 2015

Item. 6.a.

**SUBJECT:** P14-1186

**APPLICANT/  
PROPERTY  
OWNER:** Nagib Haddad

**PURPOSE:** Application for Design Review (DR) approval to construct an approximately 6,841-square-foot two-story custom home as well as related landscape and site improvements including approximately 23,817 square feet of grading

**GENERAL  
PLAN:** Low Density Residential (< 2.0 du/ac)

**ZONING:** PUD – LDR (Planned Unit Development – Low Density Residential) District

**LOCATION:** 8019 Golden Eagle Way

**EXHIBITS:**

- A. Draft Conditions of Approval for P14-1186
- B. Proposed Plans, dated “Received January 29, 2015” and green-point checklist
- C. Golden Eagle Estates Approval Letter dated August 19, 2014
- D. Original Letters of Opposition
- E. Excerpts from Golden Eagle Farm Architectural Design Guidelines
- F. Golden Eagle Estates Comment letter dated February 27, 2015
- G. Golden Eagle Estates Comment letter dated March 19, 2015
- H. Location and Noticing Maps

### I. BACKGROUND

#### **PUD-85-15**

In 1985, the City Council approved PUD-85-15 for properties just north of Castlewood Country Club Drive to construct 80 custom residential lots west of Foothill Road, and 15 custom homes and 189 townhome lots east of Foothill Road. The 80 custom lots west of Foothill Road became known as Golden Eagle Farms and are required to follow the Golden Eagle Farm Architectural Design Guidelines (Design Guidelines) as shown

excerpted in Exhibit E. All homeowners undertaking projects in Golden Eagle Farms are required to obtain Golden Eagle Estates Homeowners Association (HOA) Board of Directors/Development Design Review Committee approval prior to submitting an application for City approvals.

### **PDR-734**

In June 2008, the Zoning Administrator approved DR application PDR-734 to construct an approximately 6,302-square-foot two-story custom home located on the subject lot. Plans were submitted to the Building Division and building permits were issued but the building permits and Planning entitlement ultimately expired without construction commencing. In 2012, the adjacent neighbor at 8023 Golden Eagle Way, Gary Monzo, requested that he be notified of all future development applications for 8019 Golden Eagle Way.

### **Project Background**

On September 17, 2014, the applicant submitted a DR application to construct a 6,841-square-foot two-story custom home as well as related landscape and site improvements, including approximately 23,817 feet of grading, at 8019 Golden Eagle Way. The submitted application included a letter of approval from the HOA Development Design Review Committee included in Exhibit C. The original application submittal was deemed incomplete by staff and additional information was requested prior to moving forward with the application. Mr. Monzo was notified of the original submittal, although incomplete, and was offered the opportunity to review the plans. Mr. Monzo reviewed the plans and raised initial concerns regarding the interpretation of the Design Guidelines relating to the “horizontal character” of the home and the second story massing. After further submittals, review, and discussion, the application was deemed complete on January 29, 2015. After the public notices for the DR were sent to all property owners within 1,000 feet of the subject property, two additional neighbors requested to review the plans; one of these neighbors expressed concerns regarding the proposed roof and trim color. In addition, staff received three letters expressing concerns with the project: one from Milton and Roxana Pedrazzi at 2018 Valley Oak Road and one from John and Phyllis Fiscella at 7894 La Quinta Court, each stating concerns regarding the second story massing, and one from Gary Monzo, which indicated concerns regarding the lack of horizontal character, the second story massing, and the amount of grading on-site. In addition, the HOA requested clarification regarding the total grading and the review process necessary to approve such grading. After staff discussed the issues with the applicant and the neighbors, staff determined that the differences could not be resolved at the Zoning Administrator level and, thus, has referred the application directly to the Planning Commission for review. All letters of opposition submitted after the initial public noticing for the DR were distributed are included in Exhibit D.

## **II. SITE DESCRIPTION**

### **Subject Property**

The subject site is located on the west side of Golden Eagle Way and is approximately 47,200 square feet (1.08 acres) in area. It slopes gently upward from Golden Eagle

Way to the rear property line towards the west. The subject property directly abuts only one residential property to the south - Mr. Monzo's property. Common open space area surrounds the property directly to the north and west. There are also existing homes to the east, across Golden Eagle Way and on Toyon Court, which are at a substantially lower elevation than the subject property.

Figure 1, below, is the 2014 aerial photograph/location map of the site and the surrounding area.

**Figure 1: 2014 Aerial Photograph of the Neighborhood**

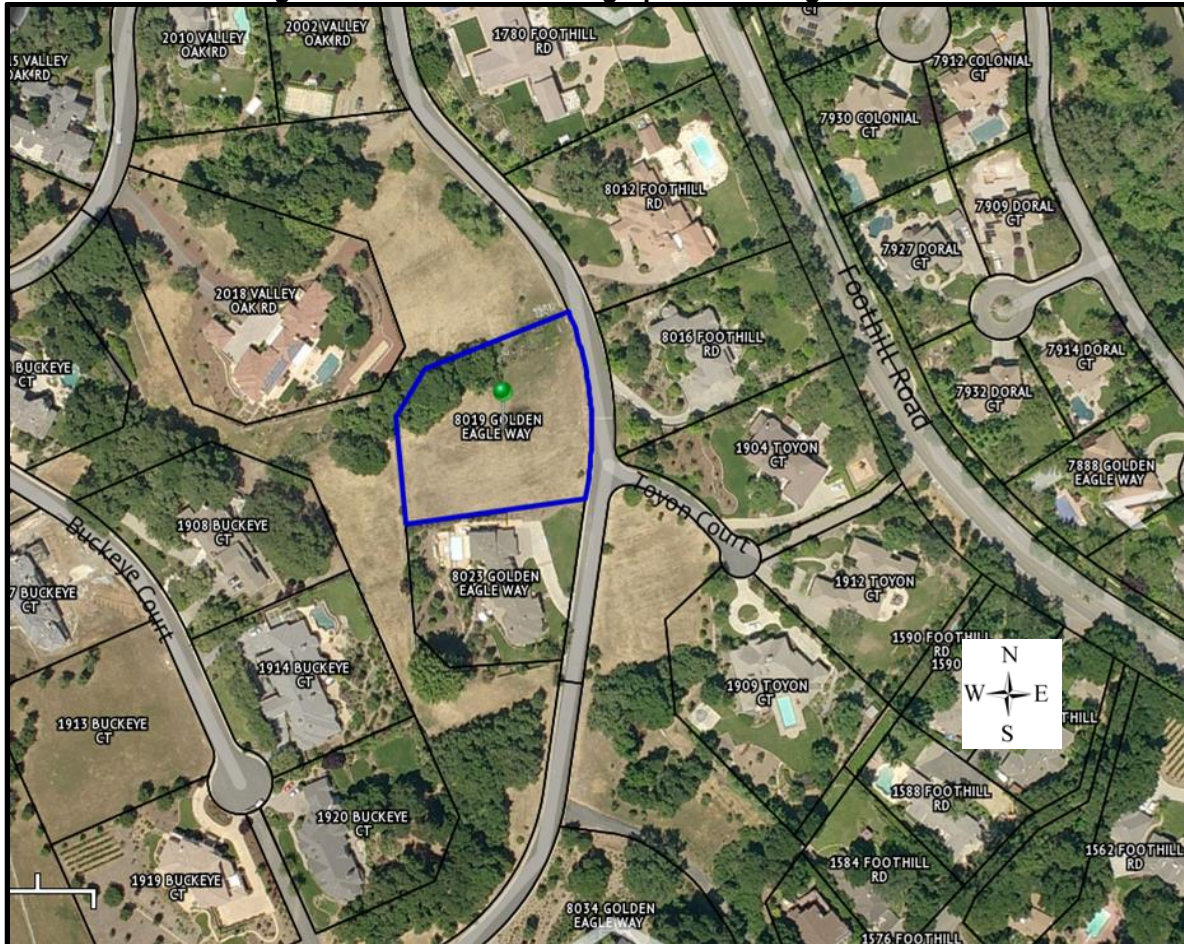


Figure 2, below, is a close-up aerial photograph of site.

**Figure 2: 2014 Aerial Photograph of the Subject Site and Adjacent Properties**



Figure 3 and Figure 4, below, are photographs of the vacant site and from the site looking east across Golden Eagle Way.

**Figure 3: Current Site Conditions**



**Figure 4: View from the Site Facing East**



### **III. PROJECT DESCRIPTION**

The proposed residence is a two-story home which includes a 4,275-square-foot first floor, a 2,566-square-foot second floor, and 1,020 square feet of total garage area designed as a single four-car garage. The proposed home will include a total of five bedrooms and seven bathrooms. Total proposed floor area for the residence is 6,841 square feet.

The proposed building height is 32 feet, 2 inches, as measured using the height definition within the Design Guidelines and consistent with the maximum building height of 35 feet allowed for this site by the Design Guidelines. The home will include decorative stone veneer along the entire first floor along all elevations as well as stucco along the second story elevations.

## IV. ANALYSIS

### Site Design

The proposed front door, entry porch, and circular driveway face the front property line, angled slightly to the north, with the garage facing south. The proposed pool, spa and cabana are all located to the rear of the home and are built into the sloping hillside.

Figure 5, below, is a copy of the proposed site plan.

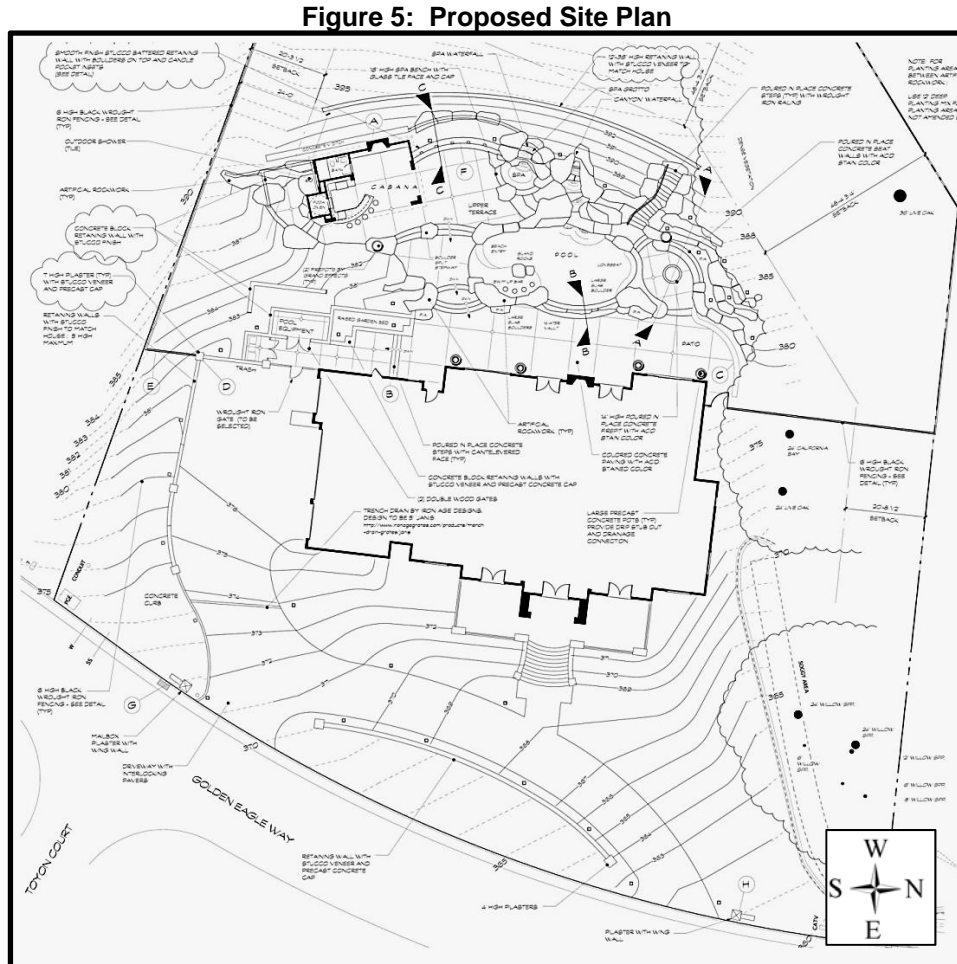


Table 1, on the next page, demonstrates the proposed project's conformance to the development standards specified within the Design Guidelines. The guidelines for grading of the site allow for grading to exceed the recommended standards if approved by the City and the HOA.

**Table 1: PUD and Design Guidelines**

	<b>Development Standards</b>	<b>Proposed Project</b>
<b>Front Yard Garage/Home Setback</b>	25/30 feet minimum	48 feet 9 inches/ 58 feet
<b>Side Yard Setbacks</b>	20 feet 3 inches minimum	Cabana: 24 feet, 6 inches to the south and 137 feet to the north Home: 44 feet, 2 inches to south and 53 feet, 11 inches to the north
<b>Rear Yard Setback</b>	48 feet 4 inches minimum	107 feet 11 inches
<b>Building Height Main Structure/ Accessory Structure</b>	35 feet/ 15 feet, as measured using the height definition within the Design Guidelines	Home: 32 feet, 2 inches Cabana: 15 feet
<b>Floor Area Ratio (FAR)</b>	25%	14.5%
<b>Grading</b>	Not to exceed 40% of the lot area (18,800 square feet), or 20,000 square feet, whichever is smaller, without approval of the city and Development Design Review Committees	23,817 square feet, or 50.45% of the lot area.

The proposed four-car garage would be accessed from a parking court located on the south side of the residence. The garage provides a 30-foot back-out space to the edge of the parking court. Staff finds the proposed back-up distance in the parking court to be acceptable for a private residence, as it exceeds the typical 25-foot back-out standard applied to public parking areas.

Guest parking spaces would be provided along the circular driveway to the front of the home adjacent to Golden Eagle Way. A total of four to five guest parking spaces will be provided within the circular driveway; in addition, cars may be parked within the parking court adjacent to the garage.

**Building Design**

The proposed building design features traditional style architecture with masonry stone veneer as well as smooth Santa Barbara stucco wall finishes with warm-toned colors. Architecture elements include precast travertine trim on the window sills, headers and decorative columns, decorative arched double entry doors, and paneled garage doors.

Wall colors include a medium beige (stucco wall) and tan trim colors to match the travertine finish, and dark brown French doors, and windows. A red colored Mission-style tile roof is shown on the color board, however, since concerns have been raised by a neighbor, the applicant is working with the HOA to provide a new mission tile roofing color that is “less red,” which shall be reviewed and approved by the City and the HOA prior to issuance of building permits.

Building heights, volumes, and wall surfaces are varied, achieving a high level of design quality. The Design Guidelines for the subject lot *encourages* massing at the back of the house away from the street. The second story, as proposed, is set back 10 feet or greater at all points from the front plane of the first story of the home and provides a variety of elevation planes along the second story. As designed, staff believes that the intent of the Design Guidelines to create architectural variation has been met, creating a home that is horizontal in nature with second-story massing away from the street. Staff considers the proposed building design, including materials, colors, and detailing, to be consistent with the requirements of the Design Guidelines for varied building forms that achieve visual interest, complement the appearance of the nearby neighborhood, and blend with the natural environs of the Golden Eagle area.

Figure 6, below, is the front (east) and left (south) side building elevations for the proposed residence.

**Figure 6: Front (East) and Left (South) Building Elevations**



The rear (west) and right (north) side building elevations will use the same materials, colors, and trim detailing.

**Landscaping, Fencing, and Existing Trees**

The proposed landscape plan includes a list of plant species that are attractive and appropriate for the site, including a mix of native and non-native plant species with low



water use requirements. All trees will be a combination of 15 gallon, 24-inch box and 36-inch box size and all shrubs will be a minimum 5-gallon size. There are numerous existing trees located along the northwest corner and north property line which will be protected as part of this project. Small groupings of shrubs on-site will be removed while all trees on-site will remain. As conditioned, the landscape and irrigation plans are required to conform to the California State Model Water Efficient Landscape Ordinance and Bay Friendly Landscapes.

As allowed by the PUD development plan, fencing along the perimeter of the property will include 6-foot tall open wire mesh view fencing starting at the rear of the home as well as a 6-foot tall wrought iron fence from the side property line to the rear corner of the home on each side. As conditioned, the final fence plan will be submitted with the building permit plans.

### **Grading, Drainage, and Utilities**

Per the Design Guidelines, in the lot design, the total grading, including drive, walks, house structure, exterior gardens, patios, and the 1:3 or more shallow grading for a cut shall not exceed 40% of the lot area, or 20,000 square feet, whichever is smaller, without approval of the City and Development Design Review Committees. Staff received a letter of approval from the HOA Board of Directors/Development Design Review Committee included within Exhibit C. Although staff initially considered requiring a PUD Modification to approve the proposed grading, staff further reviewed the Design Guideline language and determined that it explicitly allows for deviation from the guidelines with City approval. PUD Modifications are reserved for regulations which do not explicitly allow for deviations, such as setbacks. Therefore, staff is recommending approval of the grading as part of the overall Design Review application for the home. As noted above, prior to preparation of this report, the HOA approved the overall design of the project, including the grading.

Staff has reviewed the proposed grading in context of the subject site and surrounding properties and feels that as designed it is appropriate to approve grading up to 23,817 square feet or approximately 50.45% of the lot area. This includes any disturbance of the surface area of the site as grading, including the area beneath the home, driveways and walkways, and landscaping and garden areas. Staff believes that the proposed grading is appropriate and will include a limited change to topography of the site. The area along Golden Eagle Way is relatively flat and requires little grading for the proposed driveway and entry to the home. The area located beneath the home, approximately 5,344 square feet, is also included within the total grading area but is not visible. The majority of the grading will be located to the rear of the home and will not be visible from the public right-of-way. Staff feels that the rear yard improvements have been designed to be built into the hillside to disturb as little area as possible and are consistent with the intent of the guidelines. In addition, requiring a reduction in grading may require additional retaining walls throughout the site, creating a more substantial visual impact and disruption of the natural topography.

As conditioned, the roof areas will drain to the landscape areas to pre-filter the storm water runoff before it enters the existing storm drain inlets located near the northeast

corner of the site. An erosion control plan is required for review and approval prior to the issuance of a building permit.

### **Green Building Measures**

The attached Green Building checklist shows that the proposed project would achieve 50 points, consistent with the City's ordinance. As conditioned, the final Green Building measures and score will be determined with the review of the building permit application. The project will also need to conform to the State of California's Green Building Standards Code, "CALGreen."

### **Neighbor Concerns**

#### Roof Material Colors

An adjacent neighbor has expressed concern that the submitted color board roofing sample color is too red in color as well, and that as the trim color is too pink. Staff and the HOA have been working with the applicant to address this concern, and the applicant has agreed to change the roofing color, to be reviewed and approved by both the HOA as well as the City, prior to issuance of building permits. Staff believes that the submitted trim color is consistent with the Design Guidelines and has not required it to be changed.

#### Architectural Design Guidelines

Concerns have been raised regarding the interpretation of the following section of the Design Guidelines:

"Due to its high visibility, the house design should produce a home that has a horizontal character and does not accentuate vertical features. This does not necessarily preclude a second story but requires creativity in achieving the above. Medium sized house allowed. Second story massing is encouraged at the back of the house away from the street."

Staff has reviewed the submitted plans and feels that the home has been designed to be horizontal in character and does not accentuate vertical features, as described previously within the building design analysis. In addition, staff feels that the proposed second story massing is acceptable and meets the intent encouraged in the guidelines. In addition to the design of the building, concerns regarding the size of the home have also been raised, including whether the home can be considered "medium" size. In 1992, the City Council determined that the high visibility homes located on "impact lots" within Golden Eagle Farms, some of which are also limited to "medium" sized homes, be limited to 7,000 square feet. Furthermore, for these impact lots, if a garage exceeds 800 square feet, then the square footage in excess of 800 square feet would be required to count towards the 7,000 square feet. Using the City Council formula, the applicant's proposed home would be 7,061 square feet. Given that the subject lot is not a high impact lot and is not required to abide by this limitation and that it is just 61 square feet over the limit imposed on impact lots, staff feels that the house size is acceptable and that there is no conflict with the medium size guideline.

### Grading

Concerns have been raised by the adjacent neighbor regarding the proposed grading of the subject property. As previously indicated, staff initially considered requiring a PUD Modification to approve the proposed grading, but after further review concluded it was not appropriate as PUD Modifications are reserved for regulations which do not explicitly allow for deviations. The applicant has also indicated that the HOA has not approved the proposed grading. Staff received the approval letter included within Exhibit C, which indicated approval of the final plans with a small list of minimal contingencies. The grading was not included within the list of outstanding contingencies or requested items; therefore staff has accepted this letter as the HOA approval of the project, including the grading.

At the time of the original DR notice, the HOA submitted a letter requesting clarification regarding the process for approving the grading, believing that it required a PUD Modification; this letter is included within Exhibit F. Following receipt of the letter, staff contacted the HOA Manager to clarify the Design Review process and the review and recommended approval of the grading through this process. The HOA then sent a follow-up letter dated March 19, 2015, included within Exhibit G, that indicates that after further review, the Board wishes to hold by the Guideline's for consistency and would approve 20,000 square feet of grading, however, they are aware the plans the association reviewed and approved included the grading of 23,717 square feet and would be supportive of the grading as proposed if the City were to approve it.

As stated within the *Grading, Drainage, and Utilities* section of this report, staff has reviewed the proposed grading and feels that it is appropriate as designed. Allowing the grading is permissible, subject to City and HOA approval. Staff, therefore, supports the application for this reason. Staff notes that City approval for the grading does not invalidate the CC&R's. If a party believes that this project is in conflict with the CC&R's for the development, then that party may bring private legal action and obtain a determination from the Court.

### Homeowner Association Conduct

Lastly, concerns have been raised regarding the HOA evaluation of the project, both substantively and procedurally. The HOA project evaluation process occurs independent of City review and is not supervised by the City.

## **V. PUBLIC NOTICE**

Notice of this appeal was sent to surrounding property owners and tenants within a 1,000-foot radius of the site. At the time this report was published, no additional letters in opposition or support of the project were received. The location and noticing maps are included as Exhibit H.

## **VI. ENVIRONMENTAL ASSESSMENT**

This project is categorically exempt from environmental review pursuant to the California Environmental Quality Act Guidelines, Section 15303, New Construction, Class 3. Therefore, no environmental document accompanies this report.

## **VII. CONCLUSION**

Staff has reviewed the proposed project in accordance with the approved PUD and development standards outlined in the Design Guidelines and have found the proposed home to be an attractive addition to the Golden Eagle area and is designed or conditioned to conform to the PUD development plan and Design Guidelines. The proposed project is compatible in terms of site and building design with the development pattern of the Golden Eagle Farm neighborhood.


## **VIII. STAFF RECOMMENDATION**

Staff recommends the Planning Commission approve P14-1186 subject to the draft conditions of approval listed in Exhibit A.

*Staff Planner: Jennifer Wallis, (925) 931-5607, [jwallis@ci.pleasanton.ca.us](mailto:jwallis@ci.pleasanton.ca.us)*

**GOLDEN EAGLE ESTATES**

C/o Homeowner Association Services  
2266 Camino Ramon  
San Ramon, CA 94583



August 19, 2014

Via Email & U.S. Mail

Mr. & Mrs. Naji Haddad

RE: 8019 Golden Eagle Way

Dear Mr. & Mrs. Haddad,

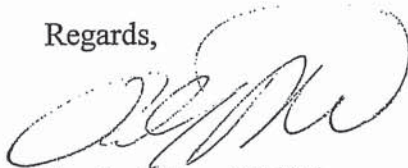
The Board of Directors (BOD) has reviewed the final plans for your new home and has approved with the following contingencies:

- 1) The fence on south side will not extend beyond the back of the driveway/retaining wall of the adjacent (Monzo) property.
- 2) Landscape plants to be confirmed by you to include only plants in the Golden Eagle Landscape Guidelines. The BOD did not make this extensive comparison but is requiring that you do so and plant only those plants on the list.
- 3) You will provide stucco (paint), stone, body, trim and roof sample materials (vs scanned pictures) for approval. We can set up time to have you drop this material off for Board review.

If you have any questions, please don't hesitate to contact me.

Thank you again,

Regards,



Randy Ritter, CCAM  
Manager

At the Direction of the Board of Directors  
Golden Eagle Estates

cc: The City of Pleasanton Planning Dept.

ALBORG MARTIN & BUDDE LLP  
ATTORNEYS AT LAW

Darrell C. Martin  
dmartin@amb-law.com

File No. 800193

February 26, 2015

**VIA E-MAIL**

City of Pleasanton – Planning Division  
Attention: Jennifer Wallis, Associate Planner  
200 Old Bernal Avenue  
Pleasanton, CA 94566

Re: Objections to Design Review Application  
8019 Golden Eagle Way  
Design Review (P14-1186)

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Dear Ms. Wallis,

This firm represents Gary and Candy Monzo (the “Monzos”), owners of that certain real property in Golden Eagle Farm (aka Golden Eagle Estates) located at 8023 Golden Eagle Way, Pleasanton, CA. We write on behalf of the Monzos in response to the City of Pleasanton Planning Department’s (“Planning Department”) February 19, 2015 Notice to Surrounding Property Owners/Residents concerning the above-referenced Design Review Application for 8019 Golden Eagle Way (the “8019 Application”). The Monzos residence is on the lot immediately adjacent to and directly south of 8019 Golden Eagle Way.

As you are likely aware, the 8019 Application (or prior iterations thereof) have been in the submission stage for many years. Indeed, the Monzos have been actively following the 8019 Application (or prior iterations thereof) and have made every attempt to address their objections to the 8019 Application directly to the property owners (the Haddads), the architect (Mark Landolf), and the Golden Eagle Farm Homeowner’s Association (“HOA”). Unfortunately, the Monzos concerns over design and other deviations from the Golden Eagle Farm Architectural Guidelines (the “Guidelines”) have been given little consideration, or in some instances, outright ignored.

The following objections are submitted on behalf of the Monzos and are intended to supplement any and all oral objections previously made by the Monzos to you and the Planning Department regarding minor design issues with the 8019 Application. By this submission, the Monzos are not waiving such previously made objections, nor does their failure to raise an objection herein constitute a waiver of any additional objections they may have.

**As per the instructions in the Notice, the Monzos are formally requesting that the Zoning Administrator schedule a hearing.**

## Design Objections

8019 Golden Eagle Way (Lot T-2) is subject to lot-specific design guidelines specifically identified on Attachment A, hereto. Those guidelines provide, in part, that any home constructed on the property has a “split-level requirement” and that

[d]ue to its high visibility the house design should produce a home that has a horizontal character and does not accentuate vertical features. This does not necessarily preclude a second story, but requires creativity in achieving the above. Medium sized house allowed. Second story massing is encouraged at the back of the house away from the street. (Emphasis added).

The Monzos have objected to the 8019 Application from inception,<sup>1</sup> contending that the home, as designed, does not meet the lot-specific guidelines for a medium<sup>2</sup> sized split level home with horizontal character, which does not accentuate vertical features, and has second story massing at the back of the house away from the street. Indeed, one of the house’s most forward sitting, second story feature (the rotunda), is set almost directly in the center of the home, a mere 11 feet from the front of the porch. However, due note that this 11 foot figure is highly misleading since the measurement is based upon the location of the porch, not the true front (front door) of the home – which if based upon those criteria would put the rotunda front a mere 3 feet from the front of the home.

Additionally, those portions of the second story which immediately flank the rotunda measure only 9 to 10 feet from the front of the primary home structure, and run entirely to the back of the home. As such, it is difficult to conclude that this house achieves (even under a liberal interpretation of the guidelines) any of the lot-specific requirements for not accentuating vertical features, showing creativity in achieving a horizontal character, and massing the second story in at the back of the house away from

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<sup>1</sup> The Monzos did not timely object to the original 8019 Application (PDR-734). However, their failure to object was due to the fact that they were out of the country during that public comment period. Once they returned to the United States, they voiced their belated objection in October 2012 – though were told by the Planning Department (Janice Stern) that PDR-734 had expired and would have to undergo a new a new submission and review process.

<sup>2</sup> With regard to the size of the home in the 8019 Application, there has been significant discussion concerning the definition of a “medium” sized home. To be sure, the 8019 Application started as a home with more than 8,000 square feet – which under most definitions would not qualify as “medium.” Of course, the square footage for those plans were rightly rejected by the HOA, but it is clear that the 8019 Application still appears to be a an exercise of trying to squeeze a large home into a building envelope that simply cannot accommodate such square footage – at least not without deviating from the primary requirements for a horizontal home without vertical accentuation. By way of comparison, the Monzos home is subject to the identical lot-specific guidelines (Attachment B) and as originally built was a mere 3,350 s.f., and with no true second story. While they have since added a structure in the rear of their home with a second story, it is decidedly set back from the front of the home structure (21 feet), and only accounts for a small percentage of the total home width. Moreover, even with their additions, the Monzos’ home is approximately 5,483 s.f.

the street. Indeed, it is questionable whether the home even meets the true spirit of a “split-level” design – since that criterion is seemingly met with a mere 3 foot rise between the foyer and family/game rooms, though with no corresponding split on the second story. Simply put, the house is a rectangular box, showing little or no creativity to meet the lot-specific requirements for construction.

Aside from the reasons set forth in the lot-specific guidelines, a cursory inspection of 8019 and 8023 Golden Eagle Way make clear that the requirements are well reasoned. When juxtaposing these requirements with the topography of the Monzos’ property and (importantly) the orientation of their home thereon, one understands that any derivation from these requirements will not only put a large two-story home in the line of sight of the Monzos’ home, but will make these two homes dissimilar to the configurations of other homes in Golden Eagle Farm.

Aerial photographs of the Monzos’ home and the home proposed in the 8019 Application (as marked from its story poles) put them in a similar facing orientation, but with the southern side and southeast corner of the proposed home directly in the Monzos’ northern view.<sup>3</sup> The pairings of photographs in Attachments C and D show the 8019 Application home’s story poles as viewed from above, as well as from the Monzos’ front yard, followed by the superimposition of the proposed structure on the photographs, as corresponding with the story poles. These attachments provide perhaps the best representation of precisely why the 8019 lot requires a home with horizontal character. By way of comparison, insofar as orientation, Golden Eagle Farm homes similarly situated on the inside of a curve in the road, either have homes with similar setbacks from the road, or orientations making them face away from each other. (See Attachment E (1901 and 1907 Buckeye Court) and Attachment F (2108 and 2116 Black Oak Court).

Here however, the orientation of the home in the 8019 Application (as designed) simply does not meet the second story setback requirements, because the second story is being accentuated with its orientation. Indeed, this very issue has repeatedly been raised by the Monzos, both at the HOA level and with the owners, though always being met with an unequivocal refusal to consider a design change. To be sure, the Monzos have suggested that many (if not all) of their design objections would be allayed by simply

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<sup>3</sup> Oddly, Mr. Monzo’s inspection of the architect renderings for left (south) elevation of the home in the 8019 Application (Page R-1 of the plans received on January 29, 2015) do not show the rotunda in the profile. Indeed, when comparing January 29, 2015 rendering with the actual “Left Elevation” plans for the property, the second story is grossly understated – so much so that it appears completely remove large portions of the second floor in both the front and rear. To be sure, when looking at the left elevation from the plans the following becomes apparent: (1) the front of the rotunda meets the right vertical edge of the fourth garage door, and (2) the rear most edge of the second story (balcony) terminates at the rear edge of the home. However, in the January 29, 2015 rendering, the front most section of the second floor appears to terminate to the left of the fourth garage door, and the back most section of the second floor terminates well before the rear edge of the home. Again, whether this was an inadvertent oversight or an intentional misrepresentation of the design of the home is unknown. However, given that the Monzos’ design objections have been primarily focused on the positioning of the second floor, to have a rendering that grossly misrepresents the Monzos’ “view” of the proposed home, is entirely misleading to the public and others viewing the 8019 Application.



pivoting the orientation of the home on its northwestern corner in a clockwise direction by approximately 15 to 20 feet. By doing so, the majority of the second story massing would then move away from the street and out of the line of sight from the Monzos' property. Such a design change could be accomplished by a modification to the building envelope, and would make the 8019 and 8023 properties orient better with each other, as well as be oriented consistently with the other homes in Golden Eagle Farm.

Unfortunately, the HOA has seemingly abandoned its own guidelines when evaluating the 8019 Application – both substantively and procedurally (See Article VIII of the Golden Eagle Estates CCR's).<sup>4</sup> Indeed, absolutely no consideration for the Monzos' views have been taken into consideration when evaluating the 8019 Application – which as designed and configured will block the Monzos' views of Mt. Diablo from their front living room. (See Attachment G). Indeed, the only way the Monzos' will be able to view Mt. Diablo from their property will be from a higher elevation on the lot – thus looking over the second story of the 8019 Application home.

### **Grading Objections**

The grading issues surrounding the 8019 Application have seemingly been a moving target, with no clear indication as to which entity (Planning Department or HOA) is enforcing this very specific guideline. As you are aware, on October 14, 2014, you sent a letter on behalf of the Planning Department to Mark Landolf, outlining the Planning Division's comments regarding, among other things, the design guidelines for grading on lots in the Golden Eagle Farm subdivision. Indeed, your letter recites verbatim Paragraph E of the Architectural Controls section in the Guidelines. That paragraph reads in its entirety as follows:

In the lot design, the total grading, including drive, walks, house structure, exterior gardens, patios, and the 1:3 or more shallow grading for a cut shall not exceed 40% of the lot area, or 20,000 square feet, whichever is smaller, without approval of the city and Development Design Review Committees. Existing vegetation is valuable to the development, and grading must preserve, as much as is reasonable, the naturalness that exists on the site.

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<sup>4</sup> The Monzos are unaware of any instance when two Architectural Committees have been convened, let alone used for evaluation of development plans in Golden Eagle Farms. Certainly, there does not appear to have been two convened in the review of the 8019 Application, nor is there any evidence of waiver by the Intercommunity Architectural Committee. Nevertheless, there has been little or no evaluation of the extensive considerations that must be made for any construction in Golden Eagle Farm – including “conformity and harmony of external design and materials with neighboring structures and properties, effect and location and use of improvements and landscaping on neighboring property, improvements, landscaping, operations and uses; relation of topography, grade and finished ground elevation of the property being improved to that of neighboring property; proper facing of main elevations with respect to nearby streets; preservation of view and aesthetic beauty.” (See Article VIII, Section 1(g) of the Golden Eagle Estates CCR's).

Following your recitation of this paragraph, you advised Mr. Landolf that this provision limited the on-site grading at 8019 Golden Eagle Way to a maximum of 18,878 square feet, and asked him to “provide a complete grading plan that verifies all areas to be graded, as defined by Golden Eagle regulations, do not exceed 18,878 square feet. Notable in your comments to Mr. Landolf, are that there are no stated exclusions as to what is not included in the “total grading” for lots in Golden Eagle Farm. Indeed, such a position is perfectly consistent with the plain language of the paragraph which provides for maintenance of the existing vegetation and naturalness of the site. A copy of your October 14, 2014 letter is attached hereto as Attachment H.

To be sure, in the hours and days following your October 14, 2014 letter to Mr. Landolf, the two of you engaged in a significant e-mail exchange (Attachment I), wherein he immediately began addressing your request for grading plans by first telling you that he hoped the Planning Department would approve the plans as is, contending that the grading restriction is “outdated and doesn’t make much sense.” To your credit, you advised him that grading in excess of the guidelines would require a PUD modification and HOA approval, and that you would also run his request “up the chain” to determine whether it would be a minor or major PUD modification. On October 16, 2014, Mr. Landolf then suggested that he would stagger submission of portions of the grading plan to make the plans compliant, or alternatively leave out landscaping for later submission so as to facially skew the numbers. Again, to your credit, you advised that he could not defer submission of portions of the plan and that any later plans would still require they would need HOA approval and a PUD modification.

While I am sure that Mr. Landolf is a fine architect, it is certainly not his place to suggest that architectural guidelines that have been in place for more than 20 years can simply be set aside because he believes they are outdated. However, what is troubling about this exchange is the fact that although you and the Planning Department were quite unequivocal in your communications to Mr. Landolf about requiring HOA approval of any grading in excess of the maximum allowed, there has never been any approval by the HOA of such grading.<sup>5</sup> More troubling is the fact that during our February 19, 2015 call, you and Mr. Weinstein advised me that the HOA had approved the grading plans as submitted by Mr. Landolf, and that it was within the Planning Department’s authority to grant a variance. At no time did you reference this extensive discussion with Mr. Landolf, or whether those “up the chain” had determined this to be a minor or major PUD – only that it was falling within the authority of the Planning Department to simply approve the non-compliant plans.

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<sup>5</sup> As a member of the HOA Board, Mr. Monzo made the HOA aware of your letter and e-mail exchange with Mr. Landolf and asked that this issue (among others) be addressed at the HOA’s October 27, 2014 meeting (Attachment J). The HOA thereafter concluded that Mr. Haddad needed to work with the Planning Department to define what was needed, and that the HOA would not comment on anything without an actual submission for whatever modification was being requested. However, it is undisputed that at no time did the HOA approve any grading plans for the 8019 Application, as such plans had never been submitted, and have to date never been addressed by the HOA.

As a preliminary matter, the Guidelines do not allow for derivation from the grading limitations without HOA approval – expressly providing that grading cannot exceed the limitations “without approval of the city and Development Design Review Committees” (emphasis added). As such, it appears that these plans should not even be at the public comment stage, because they have not been approved by the HOA. However, even if the 8019 Application is properly at the public comment stage, the Planning Department has not advised whether a minor or major PUD will be required for any derivation from the Guidelines – information which would be helpful to the HOA in evaluating whether to approve grading plans that provide for a 25% overage in the maximum allowed grading.

As a final note on grading, on February 5, 2015, Gary Monzo reviewed materials submitted to the Planning Department concerning the 8019 Application, including the grading plan from Alexander & Associates, Inc. (“Grading Plan”) (Attached hereto as Attachment K) which purportedly provides a complete grading plan and calculates the grading square footage for all areas on the property. That map identifies total grading for the house (5,344 s.f.), hardscape (6,738 s.f.), driveway (4,596 s.f.) and landscaping at a slope of 3:1 or shallower (7,139 s.f.). Consistent with the Guidelines, the total grading for the 8019 Application would thus be 23,817 – well in excess of the maximum amount allowed under the Guidelines and your October 14, 2014 letter. That same day, however, my client raised this issue with you, to which you advised him that the Planning Department changed its interpretation of the grading guidelines to provide that the term “exterior gardens” did not include landscaping, thus making the grading compliant with the Guidelines.<sup>6</sup>

Moreover, notwithstanding the interpretation issues outlined above, there appears to be a gross misrepresentation of the grading area as shown on the Grading Plan, when compared to the actual Planting Plan (undated) submitted by Martin Hoffmann (“Planting Plan”). We presume that the Planting Plan is part of the Planning Department’s records for the 8019 Application, and specifically note that when examining page L-3 of the Planting Plan, it appears that the 8019 Application anticipates landscaping on both the northeast and southeast corners of the property, as well as the easternmost border between the street and driveway. However, notwithstanding these very clear markings on the Planting Plan, none of these areas appear “shaded” in the Grading Plan, let alone in the landscaping portion thereof.

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<sup>6</sup> While I understand that you advised me during our call of February 19, 2015 that you did not make such statements to my client, I do not believe that Mr. Monzo misinterpreted the content of his discussion with you and your representations concerning grading calculations. Mr. Monzo’s contemporaneous notes about “not including landscaping,” as well as his knowledge of the issues and procedures for this development are far too extensive to support such a gross misunderstanding on his part. Be that as it may, we rely upon your and Mr. Weinstein’s later (February 19, 2015) comments that no such re-interpretation has occurred.

Jennifer Wallis  
February 26, 2015  
Page 7

Again, while this may be an oversight or miscalculation as between outdated plans and calculations, the frequency of which these issues are arising is disconcerting. Indeed, just eyeballing these "unshaded" areas in Grading Plan which appear to be landscaped per the Planting Plan, there may be another several hundred square feet wholly unaccounted for in the Grading Plan. In short, until we have a clear set of plans identifying all grading, and which are consistent with all other plans on in the 8019 Application, any decision thereon would simply be made on incomplete information.

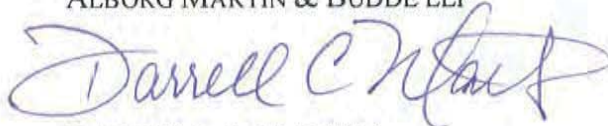
### **Proposed Resolution of Objections**

The history of the 8019 Application, both at the HOA level and now at the Planning Department, has had its fair share of disagreement. Notwithstanding this issue, and as outlined above, the Monzos remain open to a modification of the 8019 Application which will alleviate their design concerns, and which can seemingly be accomplished by adjusting the orientation of the house. As stated above, rotating the property on its northwestern corner in a clockwise direction, and putting the southeastern corner approximately 15-20 feet further back on the property, will take the bulk of the second story issues entirely out of play. Moreover, given that the Haddads are going to have to secure a PUD modification in any event for the grading overage, it seems that concurrently including a PUD modification for the building envelope would be appropriate.

Please do not hesitate to contact me if you have any questions.

Very truly yours,

ALBORG MARTIN & BUDDER LLP

A handwritten signature in blue ink that reads "Darrell C. Martin". The signature is fluid and cursive, with the first name being the most prominent.

DARRELL C. MARTIN

**LOT NUMBER: T-2**

**LOCATION OF SITE:**

Below middle bench on Golden Eagle Way.

**SITE DESCRIPTION:**

Gently uphill sloping site bound on west by a fire management zone and on the north by a fire management zone and fields. There is a shallow swale crossing the southwest corner of the site. The site has a northeastern orientation.

**VISIBILITY TO SITE:**

Moderate high visibility from Foothill Road.

**VIEWS FROM SITE:**

Panoramic views of valley.

**TREES ON SITE:**

Cluster of trees at northwest corner. See Landscape Survey.

**SLOPE OF SITE:**

15% uphill off road at front of site. 25% slope at back of site.

**SPLIT-LEVEL REQUIREMENTS:**

Terrace the exterior patios and/or landscaping. Provide a split-level house design.

**HOUSE DESIGN BULK REQUIREMENT:**

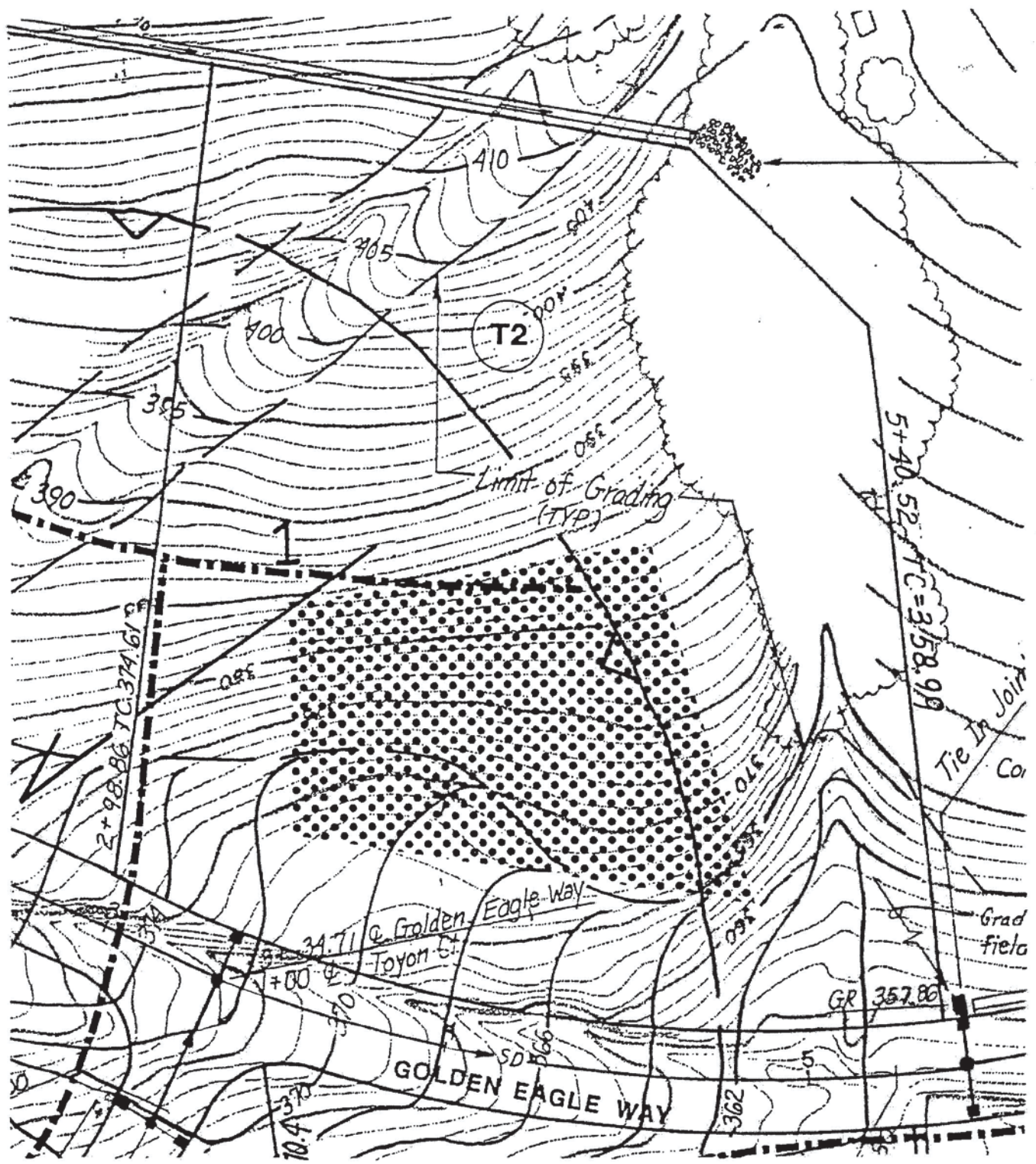
Due to its high visibility, the house design should produce a home that has a horizontal character and does not accentuate vertical features. This does not necessarily preclude a second story but requires creativity in achieving the above. Medium sized house allowed. Second story massing is encouraged at the back of the house away from the street.

**STYLISTIC CRITERIA:**

See Appendix A. The following house styles are not permitted on this lot: numbers 2, 5, 10, 17, 19, and 22.

**COMMENTS:**

It is the responsibility of the lot purchaser to provide a site specific geotechnical report and complete any missing topographic surveying.



RECOMMENDED BUILDING SITE

**LOT NUMBER:T-1**

**LOCATION OF SITE:**

Below middle bench on Golden Eagle Way.

**SITE DESCRIPTION:**

Gentle to moderate uphill sloping site bounded on the south by a fire management zone and fields and on the west by a fire management zone. The site has an eastern orientation.

**VISIBILITY TO SITE:**

Medium/high visibility from Foothill Road.

**VIEWS FROM SITE:**

Panoramic views of valley.

**TREES ON SITE:**

Scattered trees on site. See Landscape Survey.

**SLOPE OF SITE:**

12% - 15% at front 1/2 of site, 25% uphill at rear 1/2 of site.

**SPLIT-LEVEL REQUIREMENTS:**

Terrace the exterior patios and/or landscaping. Provide a split-level house design.

**HOUSE DESIGN BULK REQUIREMENT:**

Due to its high visibility, the house design should produce a home that has a horizontal character and does not accentuate vertical features. This does not necessarily preclude a second story but requires creativity in achieving the above. Medium sized house allowed. Second story massing is encouraged at back of house away from street.

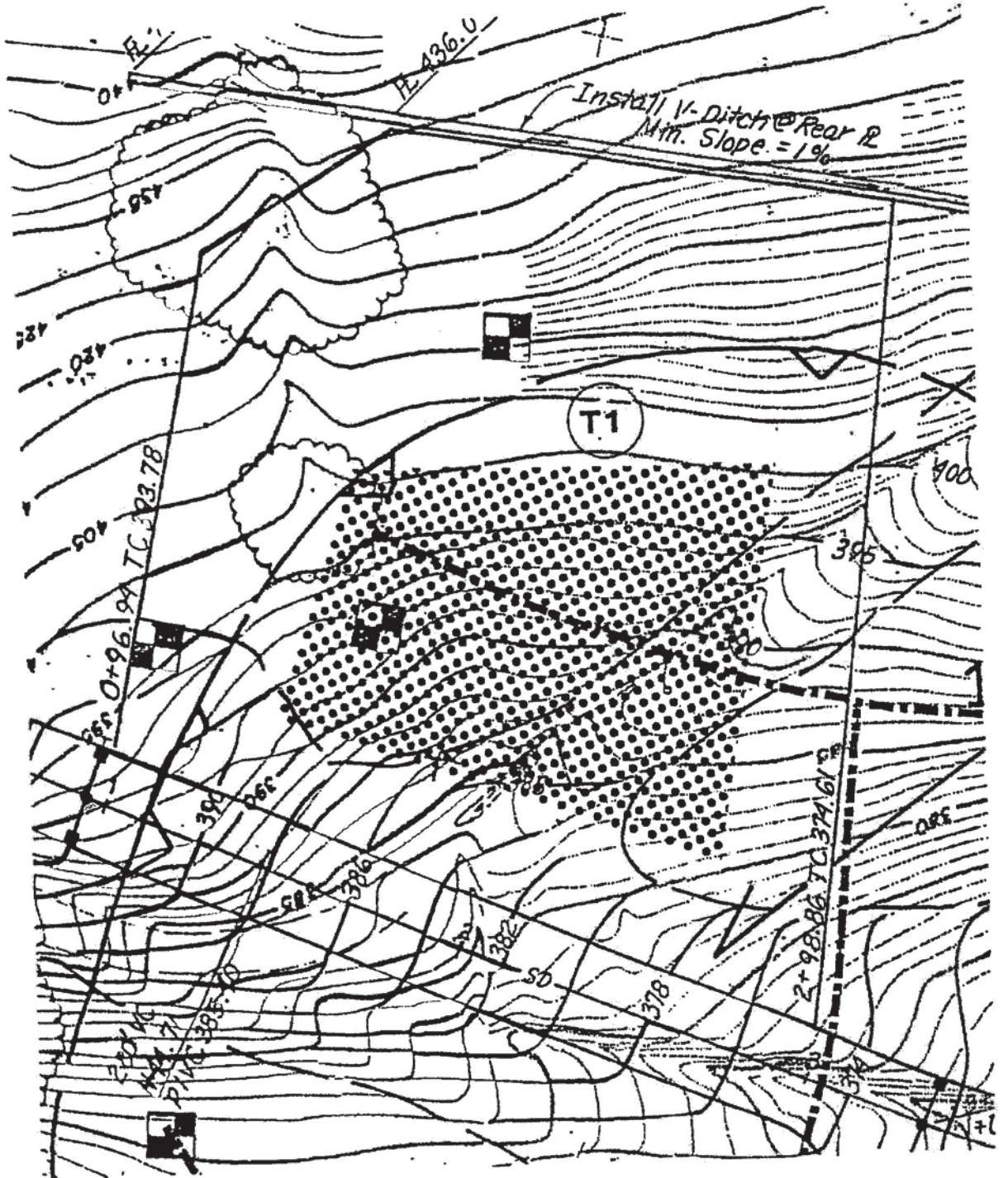
**STYLISTIC CRITERIA:**

See Appendix A. The following house styles are not permitted on this lot: numbers 2, 5, 10, 17, 19, 22 and 24.

**COMMENTS:**

It is the responsibility of the lot purchaser to provide a site specific geotechnical report and complete any missing topographic surveying.

**G O L D E N                      E A G L E                      F A R M**







Golden Eagle Way, Pleasanton, CA 94588, USA

© 2014 Google

Google earth

1993

Imagery Date: 4/5/2014 37°38'33.64" N 121°54'02.89" W elev 384 ft eye alt 665 ft



Golden Eagle Way, Pleasanton, CA 94588, USA

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1993

Imagery Date: 4/5/2014 37°38'33.64" N 121°54'02.89" W elev 384 ft eye alt 665 ft



Google earth

Imagery Date: 6/9/2014 37°38'40.73" N 121°54'23.33" W elev. 525 ft eye alt. 1354 ft

162 ft

1993



8019 Golden Eagle Way, Pleasanton, CA 9

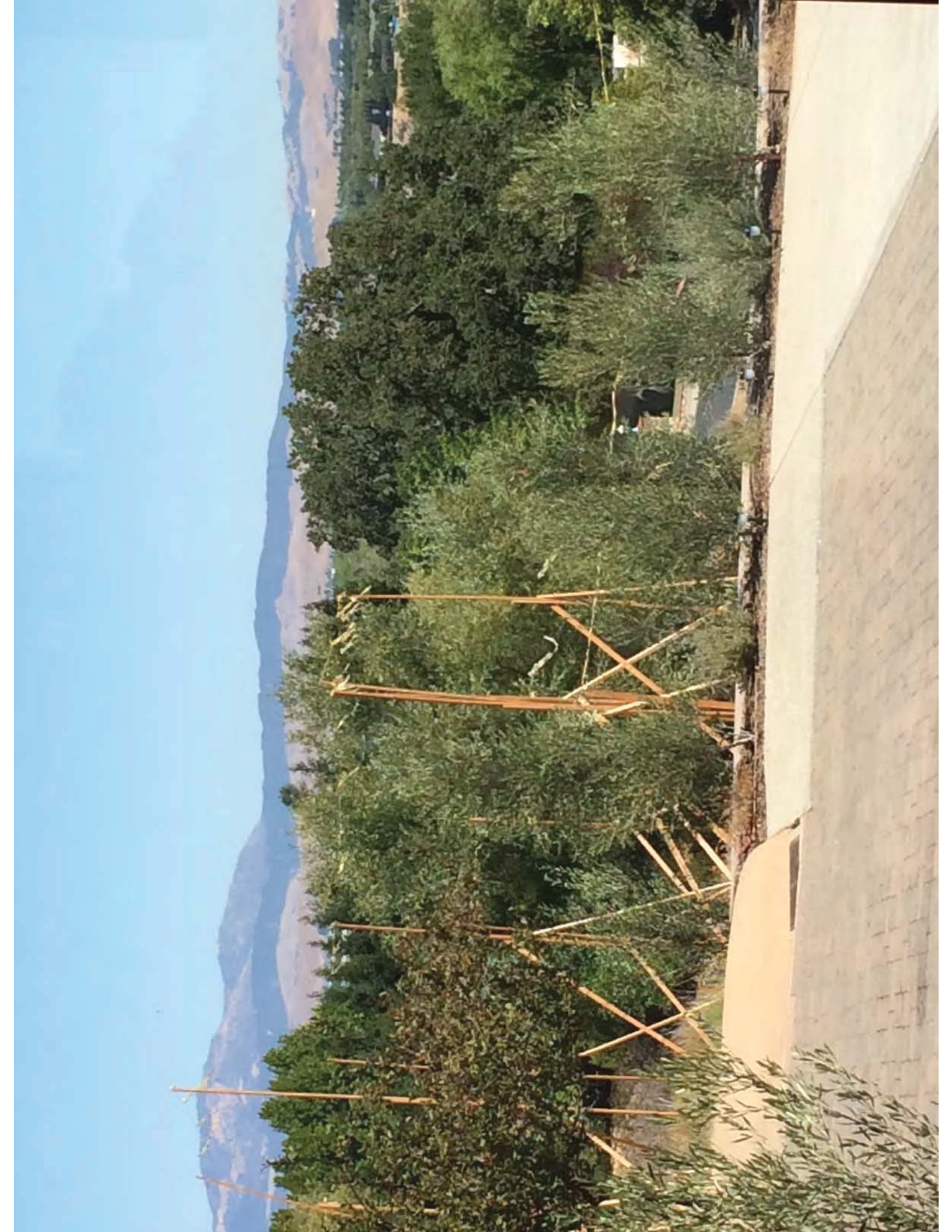
Google earth

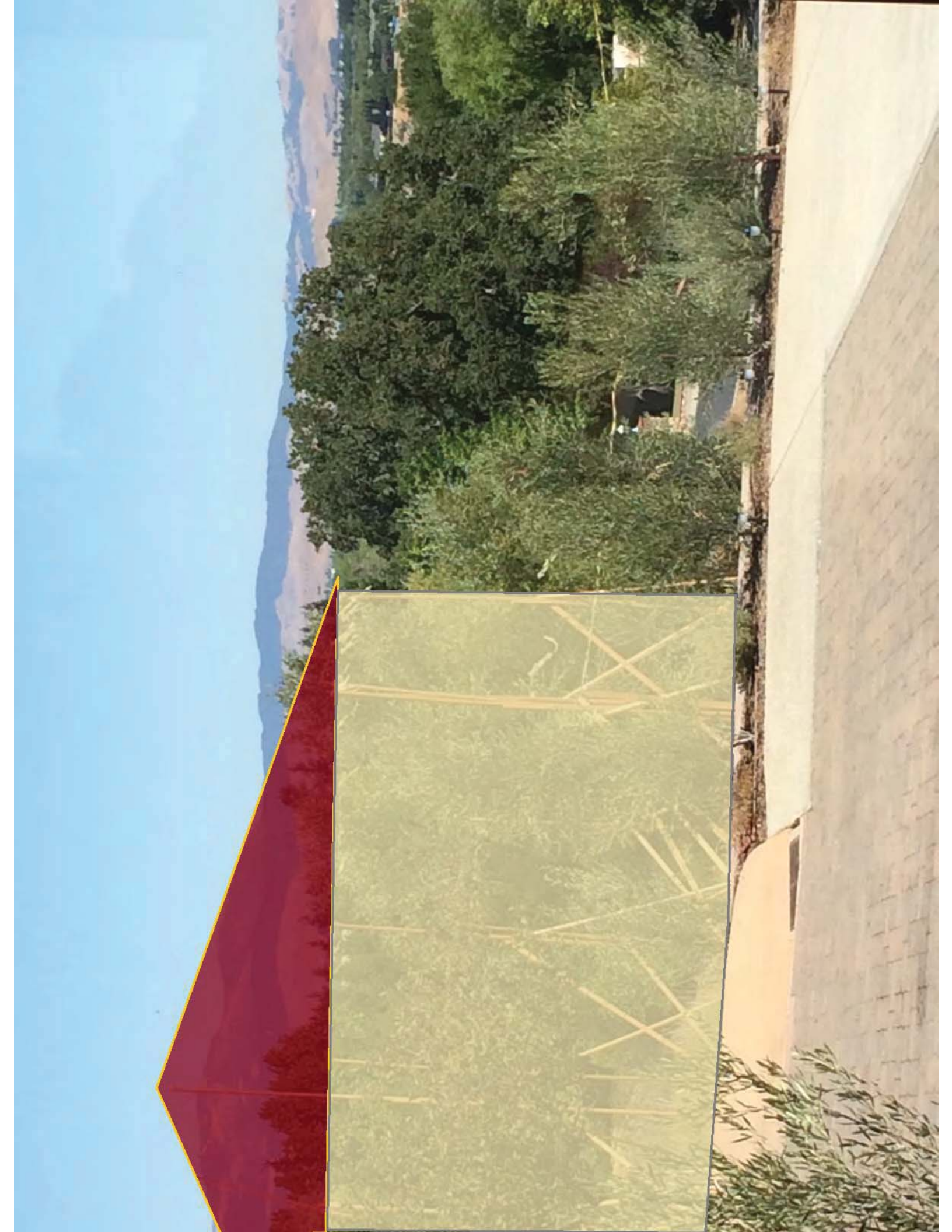
Imagery Date: 6/9/2014 37°38'33.21" N 121°54'11.18" W elev. 477 ft eye alt. 1354 ft



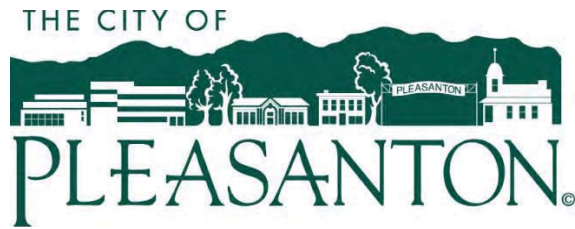
178 ft

1993









October 14, 2014

VIA E-MAIL

Mark Landolf  
1660 Ridgewood Road  
Alamo, CA 94507

**Subject: Design Review Application Comments  
8019 Golden Eagle Way  
Design Review (P14-1186)**

Dear Mr. Landolf:

Thank you for submitting your application for a Design Review approval for the construction of an approximately 6,841-square-foot, two-story custom home on an approximately 47,200-square-foot lot located in the Golden Eagle Farms at 8019 Golden Eagle Way within the PUD-LDR (Planned Unit Development – Low Density Residential) District, dated received on September 17, 2014.

Staff and all other applicable reviewing agencies have completed a preliminary review of the initial application submittal. Based on the review, Staff has concluded that the following items need to be submitted and/or addressed prior to completing our review process and deeming your application complete.

### Planning Division Comments

1. Design Guidelines for Golden Eagle Farms require that “in the lot design, the total grading, including drive, walks, house structure, exterior gardens, patios, and the 1:3 or more shallow grading for a cut shall not exceed 40% of the lot area, or 20,000 square feet, whichever is smaller, without approval of the city and Development Design Review Committees. Existing vegetation is valuable to the development, and grading must preserve, as much as is reasonable, the naturalness that exists on the site.” This limits the on-site grading to a maximum of 18,878 square feet. Please provide a complete grading plan that verifies all areas to be graded, as defined by Golden Eagle regulations, do not exceed 18,878 square feet.
2. Design Guidelines for Golden Eagle require that grading retaining walls installed to maintain “elective” landscaping including lawns, pool areas, patios, etc. be limited to 5-feet in height. Currently submitted plans indicate retaining walls in excess of 5-feet in height. Please revise plans accordingly to reduce all retaining walls to a maximum height of 5-feet.

### COMMUNITY DEVELOPMENT

P. O. BOX 520, Pleasanton, CA 94566-0802

Planning	Building & Safety	Engineering	Traffic	Inspection
200 Old Bernal Ave. Street	200 Old Bernal Ave.	200 Old Bernal Ave.	200 Old Bernal Ave.	157 Main
(925) 931-5600	(925) 931-5300	(925) 931-5650	(925) 931-5650	(925) 931-5680
Fax: 931-5483	Fax: 931-5478	Fax: 931-5479	Fax: 931-5479	Fax: 931-5484



*Applicant: Mark Landolf*  
*Project Address: 8019 Golden Eagle*  
*Application: P14-1186*  
*October 14, 2014*

3. On Sheet A1, please provide all setbacks from the main structure as well as the rear accessory structure and pool to the front, side and rear property lines. Please be aware that the setbacks notated on the plans may be incorrect and should reflect the following setback requirements:
  - a. Front yard: 23-feet to the garage, 30-feet to the house.
  - b. Side yard: 10% of the lot width, 20-feet minimum. "Width" is defined as the horizontal distance between the side property lines of a site measured at right angles to the depth at a point midway between the front and rear property lines.
  - c. Rear yard: 20% of the lot depth, 30-feet minimum. "Depth" is defined as the horizontal distance between the front and rear property lines of a site measured along a line midway between the side property lines.
4. Please provide a complete fence/wall plan showing all proposed fencing and retaining wall design, sections and details on the property.
5. Please provide cabana elevations and architectural details.
6. Please revise the landscape and irrigation plan to accurately reflect and label all trees, trunks and driplines of existing trees on-site. Please be aware that landscaping within the drip line of heritage trees will be limited to planting requiring no irrigation.
7. Grade changes and trenching of any depth is prohibited within the dripline of heritage trees. Please be aware that all irrigation within the dripline of a heritage tree will need to be relocated as part of the final landscape plan.
8. Please be aware that a minimum of three (3) 36" box specimen trees are required to be installed and maintained as part of the final landscape plan. The following species should be used for specimen trees:
  - a. Coast live oak
  - b. Valley oak
  - c. London plane tree
  - d. California sycamore
  - e. California bay
9. Please be aware that final landscape plans will be reviewed against the Golden Eagle Reforestation Plan (see attachment). All trees noted within the reforestation plan will be required to be retained. If the required trees are no longer on-site or in poor health, the property owner will be required to replace the trees in the same location or in a location on-site acceptable to the Planning Division.
10. Please be aware the proposed Queen Palm trees are not appropriate for this development and need to be substituted with trees that are more in keeping with the existing native plant material and plants identified within the Golden Eagle Landscape Guidelines.

*Applicant: Mark Landolf  
Project Address: 8019 Golden Eagle  
Application: P14-1186  
October 14, 2014*

If you have any questions concerning this approval, please feel free to contact me by phone at (925) 931-5607 or by email at [jwallis@cityofpleasantonca.gov](mailto:jwallis@cityofpleasantonca.gov).

Sincerely,

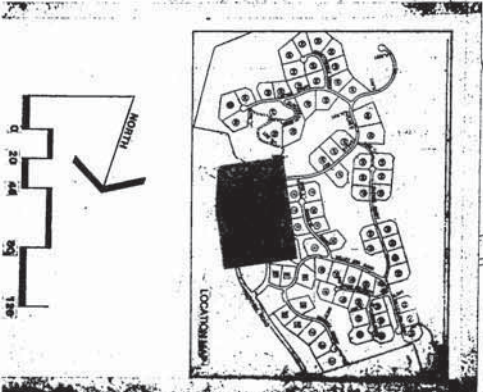
A handwritten signature in black ink that reads "Jennifer Wallis". The signature is written in a cursive, flowing style.

Jennifer Wallis  
Associate Planner

Attachments: Golden Eagle Reforestation Plan



NOTE:  
 1. SEE SHEET L-6 FOR PLANT MATERIAL LIST & NOTES  
 2. SEE SHEET L-7 FOR OVERALL FIRE MANAGEMENT PLAN



STREET TREE PLANTING  
 TRACT 5945 → Realty & Trac 6833

**GOLDEN EAGLE WEST**  
 PLEASANTON CALIFORNIA

Merrill + Associates  
 Landscape Architects & Planners  
 240 First Street  
 San Francisco, CA 94111  
 Tel: (415) 271-8900  
 Fax: (415) 271-9605

NO.	DATE	BY	DESCRIPTION
1	08/25/89	MM	PRELIMINARY
2	11/01/89	MM	REVISED
3	12/19/89	MM	REVISED



**PLANTING LIST**

SYMBOL	QTY	SIZE	BOTANICAL NAME	COMMON NAME	NOTES
AC	102	30" box	FRAXINUS ESCROBATA	HOLOGUNY CHERRY	
AC1	25	15 gal	ACER CINEREA/TUL	WING MAPLE	
A4	8	15 gal	ACER MACROCARPUM	REDLEAF MAPLE	
P0	19	15 gal	FRAXINUS OXYCARPA 'RAYWOOD'	RAYWOOD ASH	
P4	40	15 gal	FRAXINUS OXYCARPA 'VARIWOOD'	LONGPOINT ASH TREE	
PC	26	30" box	FRAXINUS CINEREA	CHERRY PITCHER	STANDARD
P8	48	15 gal	FRAXINUS BACCHARA	CALIFORNIA SPYGLASS	STANDARD
Q4	438	15 gal	QUERCUS KOBORIYA	COAST LIVE OAK	STANDARD
Q5	9	30" box	QUERCUS KOBORIYA	COAST LIVE OAK	
Q6	224	15 gal	QUERCUS LORNAVA	VALLEY OAK	
UC	103	5 gal	UMBELIADORA CALIFORNICA	CALIFORNIA BAY	
UN	4	15 gal	LARIX NOBIS	OREGON LAUREL	
EN	4	15 gal	QUERCUS BELLOKA	MARSHBARK TREE	

**PLANTING NOTES**

- All work shall be performed by persons familiar with planting work and under supervision of a qualified planting supervisor.
- Plant quantities shown on plant material list are for reference only. If a discrepancy arises, the Contractor shall verify quantities on plant material list for the plant material as part of the bid.
- The Contractor is required to submit plant quantities and unit prices for the plant material as part of the bid.
- Plant material locations shown are approximate and may be subject to change in the field by the Landscape Architect.
- The Landscape Architect reserves the right to make substitutions, additions, and deletions in the planting schedule as to the size, species, or other factors necessary while work is in progress. Such changes are to be accompanied by equitable adjustments in the contract price if/when necessary.
- All trees are to be staked as shown in the staking diagram.
- All trees shall have deer protection fencing. See detail:
- Shrub trees shall be planted a minimum of 2 feet from back of curb.
- All balled plant materials shall be hand-picked and tagged by the Landscape Architect at their place of origin. See specifications.
- Refer to Specifications for soil preparation, amendments and planting procedures.
- No new planting or irrigation shall occur within the drip-line of the existing trees.
- All areas disturbed by grading shall be hydroseeded with a grassland erosion control mix for non-irrigated conditions.
- CENTRAL COASTAL MIX**  
 30% Wimmera 62 Ryegrass  
 15% Wimmera 62 Ryegrass  
 15% Laia Vetch  
 20% California Oats  
 5% California Wild Flowers  
 Seed: 75 pounds per acre  
 Fertilizer: 300 pounds 16-4-8  
 Water to Civil Engineer's Specifications for hydromed method of application.
- Planting of Irrigation shall not occur within the proposed engineering copyright line, except where the unimproved trail is to be removed. It shall not be planting or irrigation until the plan prior to completion of grading.
- Existing trees to remain shall be maintained and protected throughout all phases of construction as per the Specifications See Special Condition - Protection of Existing Trees.
- Irrigation procedures:  
 A. All per the irrigation plan sheets: L-13, L-14, L-15 & L-16, the trees indicated will be irrigated by the irrigation system.  
 B. All others will be irrigated manually by a water truck. These trees shall be planted according to detail:

NOTE:  
 1. SEE SHEET L-5, FOR PLANT MATERIAL LIST & NOTES  
 2. SEE SHEET L-17, FOR OVERALL FIRE MANAGEMENT PLAN

**LEGEND**

- Quantity
  - Tree symbol
  - Pedestrian Trail
  - Fire Management Zone
  - Rock Waterbar
- Note: There are (20) unimproved walkways shown on the drawings. The Contractor shall use this quantity as an estimate. The actual number may vary due to unforeseen conditions in the field.



LOCATION MAP



SCALE: 1" = 40'

**PLANTING PLAN  
 PLANT MATERIAL LIST & NOTES**

**GOLDEN EAGLE WEST**  
 PLEASANTON CALIFORNIA

Merrill + Associates  
 Landscape Architects & Planners  
 240 First Street  
 San Francisco, CA 94111  
 Tel: (415) 291-8500  
 Fax: (415) 291-9603

NO. 10	DATE	BY
10/19/11	11/11/11	11/11/11
10/27/11	11/11/11	11/11/11
11/11/11	11/11/11	11/11/11

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**From:** Jennifer Wallis [mailto:[jwallis@cityofpleasantonca.gov](mailto:jwallis@cityofpleasantonca.gov)]  
**Sent:** Thursday, October 16, 2014 10:14 AM

**To:** 'Mark Landolf'  
**Cc:** 'NAJI HADDAD'  
**Subject:** RE: 8019 Golden Eagle Submittal

Any substantial grading would require future planning approval. All pool, spa, cabana, irrigation and retaining walls require Planning approval. If these are not included within your Design Review landscape plan, they would be required to be submitted at a later time to be reviewed for compliance with the PUD requirements and could not just be installed after the fact. If you plan to grade more than is permitted within the PUD requirements, at any time now or in the future, it will require a PUD Modification.

Jennifer

Jennifer Wallis, Associate Planner



Community Development Department  
Planning Division  
P.O. Box 520 / 200 Old Bernal Avenue

(P) 925.931.5607 | (F) 925.931.5483

---

**From:** Mark Landolf [REDACTED]  
**Sent:** Thursday, October 16, 2014 10:06 AM  
**To:** Jennifer Wallis  
**Cc:** 'NAJI HADDAD'  
**Subject:** RE: 8019 Golden Eagle Submittal

We would still submit a landscape plan, but it would need to be modified by removing most of the backyard grading in order to comply. He would like to know that he will be able to actually have a usable backyard after he builds the house and it simply doesn't allow for that. What I am trying to gage at this point is whether or not additional landscaping would be allowed AFTER the implementation of a modified landscape plan.

Thanks, we appreciate your help

Mark Landolf, Architect

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**From:** Jennifer Wallis [<mailto:jwallis@cityofpleasantonca.gov>]  
**Sent:** Thursday, October 16, 2014 10:01 AM  
**To:** 'Mark Landolf'  
**Cc:** 'NAJI HADDAD'  
**Subject:** RE: 8019 Golden Eagle Submittal

I will talk to the rest of staff regarding your proposed PUD Modification. A complete landscape plan however is a requirement of Design Review approval for every new home and cannot be deferred until later.

Jennifer

Jennifer Wallis, Associate Planner



Community Development Department  
Planning Division  
P.O. Box 520 / 200 Old Bernal Avenue

(P) 925.931.5607 | (F) 925.931.5483

---

**From:** Mark Landolf [REDACTED]  
**Sent:** Thursday, October 16, 2014 9:56 AM  
**To:** Jennifer Wallis  
**Cc:** 'NAJI HADDAD'  
**Subject:** RE: 8019 Golden Eagle Submittal

Hi Jennifer,

I just spoke with my client in regards to the allowable grading issue and we would like for you to find out if it is something that planning would support. Something to keep in mind here is that part of our graded area is due to the new runoff requirements that didn't exist when the guidelines were written. Also important to note that it really doesn't allow for any backyard or patio at the back of the house. I have advised my client that it may be better to submit the full landscape plan at a later date as it is pretty obvious that a blind eye has been turned to this issue for every other lot in Golden Eagle. Can you advise us on this? He really just want to get his house built.

Thanks



---

**From:** Jennifer Wallis [<mailto:jwallis@cityofpleasantonca.gov>]  
**Sent:** Tuesday, October 14, 2014 5:00 PM  
**To:** 'Mark Landolf'  
**Subject:** RE: 8019 Golden Eagle Submittal

Getting it approved as is would require a PUD Modification. We would require HOA approval again for submittal of a PUD Modification. I will have to run the Modification request up the chain to see if that is something that we can even support and whether it would be a Minor Mod (Administrative approval) or a Major Mod (City Council approval).

Jennifer Wallis, Associate Planner



Community Development Department  
Planning Division  
P.O. Box 520 / 200 Old Bernal Avenue

(P) 925.931.5607 | (F) 925.931.5483

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**From:** Mark Landolf [REDACTED]  
**Sent:** Tuesday, October 14, 2014 4:56 PM  
**To:** Jennifer Wallis  
**Subject:** RE: 8019 Golden Eagle Submittal

Thank you Jennifer,

On the grading requirements, we are hoping that what we have proposed would be approved as is. The grading restriction is outdated and doesn't make much sense. Wouldn't anyone prefer a landscaped yard over what is existing out there? Also, would suggest that you look at the neighboring lots on google earth and guestimate how much of those lots are graded, including Monzo's. His looks to be about 80% graded...At any rate, we would like to pursue getting it approved as shown. Can you tell me how we can go about that?

Mark Landolf, Architect



From: Gary Monzo [REDACTED]  
Sent: Monday, October 27, 2014 4:05 PM

[REDACTED]  
Subject: Re: 8019 Golden Eagle Submittal

*Members of the Board:*

*I've finally had a chance to review the string of communications below concerning the Haddad plan, as well as the letter from the City of Pleasanton outlining its request for further information and modification of the plans as submitted. As a preliminary response, and respectfully, this is not an issue of what the HOA will "allow" insofar as some manner of end run around the City's concerns. Simply put, the City has clearly identified several areas of non-compliance as related the HOA building and landscape guidelines and has given Mr. Haddad the option of either revising his plans to comport to the guidelines, or seeking a PUD-modification (which the City has yet to determine whether it will be a major or minor modification). While Mr. Landolf is clearly trying to make his case that other properties in GE estates are, in his opinion, also "non-compliant," and therefore should grant Mr. Haddad a pass. However, the fact remains that Mr. Landolf (and Mr. Haddad) are simply speculating.*

*This Board was not provided (prior to approval) any plans outlining what percentage grading the Haddad development would be – thus appearing to be something that we overlooked in our approval process, and that Mr. Landolf is hoping to end run with the City. That's clearly on us as a Board for not doing the front end work, and wholly incorrect to characterize it as our "approval" of non-compliant plans. When we are not provided with the information to determine whether plans are compliant, any approval thereafter is based upon a misrepresentation by omission. Again, this is on us for not being more attentive to the issue, but the fact remains that we are not here to "fix" problems that Mr. Landolf should have anticipated when designing the home and submitting (incompletely) to this Board. The guidelines are clearly set forth in the HOA materials and it is our job to enforce those guidelines for the benefit of the entire community.*

*If Messrs. Landolf and Haddad wish to proceed by PUD-modification, which will require this Board's approval, if not the entire community, then they should present their request in its entirety for review and consideration by the Board. However, as a sitting member of the Board, I will expect that we will be provided with far more substantial "evidence" of other lots being non-compliant before we are asked to approve a PUD-modification – certainly more than Mr. Landolf's bare speculation about grading, and certainly more than anecdotal figures concerning a small percentage of lots in the development.*

*Finally, I wish to remind this Board that we are still waiting for several items that were conditions of approval during our original approval process, and in fact render this Board's approval as conditional, pending receipt of those items. Again, this is wholly on us for not keeping this in our sights with follow up, but now have it back on our agenda for compliance to satisfy this Board's original approval, and can be added to the issues outlined below and in the City of Pleasanton's letter.*

Gary Monzo

[REDACTED]  
8023 Golden Eagle Way



Pleasanton, CA. 94588  
USA

-----Original Message-----

From: Randy Ritter [redacted]  
To: Gary Monzo [redacted]; Joe Johal [redacted]; msehrgosha [redacted]; Raj Barman ([redacted]); Rich Martoglio [redacted]

Sent: Fri, Oct 17, 2014 11:16 am  
Subject: FW: FW: 8019 Golden Eagle Submittal

FYI I think we will need to chat at the meeting to give Naji the possible next steps- ie meeting with HOA to determine what you will allow before he moves for a PUD mod—the plans you approve include this % of grading however the city needs something more specific-

Thx  
Randy

**From:** NAJI HADDAD [redacted]  
**Sent:** Friday, October 17, 2014 9:30 AM  
**To:** Mark Landolf  
**Cc:** Randy Ritter  
**Subject:** Re: FW: 8019 Golden Eagle Submittal

Good Morning Randy,

I hope all is well,  
We need your help and guidance on how to proceed with this sticking 40% allowance grading issue, As you and I know simply by looking at Google earth you will find every single property on GE have 60% plus grading, Can you please read all communication between Mark and Jennifer and let me know how to approach this.

Best regards,  
Naji Haddad

On Thu, Oct 16, 2014 at 11:59 AM, Mark Landolf <[redacted]> wrote:

Hi Randy,

Just wanted to get you in the loop with what we are hearing from planning.

Mark Landolf, Architect  
[redacted]

---

**From:** Jennifer Wallis [mailto:[jwallis@cityofpleasantonca.gov](mailto:jwallis@cityofpleasantonca.gov)]  
**Sent:** Thursday, October 16, 2014 10:14 AM

**To:** 'Mark Landolf'  
**Cc:** 'NAJI HADDAD'  
**Subject:** RE: 8019 Golden Eagle Submittal

Any substantial grading would require future planning approval. All pool, spa, cabana, irrigation and retaining walls require Planning approval. If these are not included within your Design Review landscape plan, they would be required to be submitted at a later time to be reviewed for compliance with the PUD requirements and could not just be installed after the fact. If you plan to grade more than is permitted within the PUD requirements, at any time now or in the future, it will require a PUD Modification.

Jennifer

Jennifer Wallis, Associate Planner



Community Development Department  
Planning Division  
P.O. Box 520 / 200 Old Bernal Avenue

(P) 925.931.5607 | (F) 925.931.5483

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**From:** Mark Landolf [REDACTED]  
**Sent:** Thursday, October 16, 2014 10:06 AM  
**To:** Jennifer Wallis  
**Cc:** 'NAJI HADDAD'  
**Subject:** RE: 8019 Golden Eagle Submittal

We would still submit a landscape plan, but it would need to be modified by removing most of the backyard grading in order to comply. He would like to know that he will be able to actually have a usable backyard after he builds the house and it simply doesn't allow for that. What I am trying to gage at this point is whether or not additional landscaping would be allowed AFTER the implementation of a modified landscape plan.

Thanks, we appreciate your help

Mark Landolf, Architect



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**From:** Jennifer Wallis [<mailto:jwallis@cityofpleasantonca.gov>]  
**Sent:** Thursday, October 16, 2014 10:01 AM  
**To:** 'Mark Landolf'  
**Cc:** 'NAJI HADDAD'  
**Subject:** RE: 8019 Golden Eagle Submittal

I will talk to the rest of staff regarding your proposed PUD Modification. A complete landscape plan however is a requirement of Design Review approval for every new home and cannot be deferred until later.

Jennifer

Jennifer Wallis, Associate Planner



Community Development Department  
Planning Division  
P.O. Box 520 / 200 Old Bernal Avenue

(P) 925.931.5607 | (F) 925.931.5483

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**From:** Mark Landolf [REDACTED]  
**Sent:** Thursday, October 16, 2014 9:56 AM  
**To:** Jennifer Wallis  
**Cc:** 'NAJI HADDAD'  
**Subject:** RE: 8019 Golden Eagle Submittal

Hi Jennifer,

I just spoke with my client in regards to the allowable grading issue and we would like for you to find out if it is something that planning would support. Something to keep in mind here is that part of our graded area is due to the new runoff requirements that didn't exist when the guidelines were written. Also important to note that it really doesn't allow for any backyard or patio at the back of the house. I have advised my client that it may be better to submit the full landscape plan at a later date as it is pretty obvious that a blind eye has been turned to this issue for every other lot in Golden Eagle. Can you advise us on this? He really just want to get his house built.

Thanks

Mark Landolf, Architect  
[REDACTED]

---

**From:** Jennifer Wallis [<mailto:jwallis@cityofpleasantonca.gov>]  
**Sent:** Tuesday, October 14, 2014 5:00 PM  
**To:** 'Mark Landolf'  
**Subject:** RE: 8019 Golden Eagle Submittal

Getting it approved as is would require a PUD Modification. We would require HOA approval again for submittal of a PUD Modification. I will have to run the Modification request up the chain to see if that is something that we can even support and whether it would be a Minor Mod (Administrative approval) or a Major Mod (City Council approval).

Jennifer Wallis, Associate Planner



Community Development Department  
Planning Division  
P.O. Box 520 / 200 Old Bernal Avenue

(P) 925.931.5607 | (F) 925.931.5483

---

**From:** Mark Landolf [REDACTED]  
**Sent:** Tuesday, October 14, 2014 4:56 PM  
**To:** Jennifer Wallis  
**Subject:** RE: 8019 Golden Eagle Submittal

Thank you Jennifer,

On the grading requirements, we are hoping that what we have proposed would be approved as is. The grading restriction is outdated and doesn't make much sense. Wouldn't anyone prefer a landscaped yard over what is existing out there? Also, would suggest that you look at the neighboring lots on google earth and guestimate how much of those lots are graded, including Monzo's. His looks to be about 80% graded...At any rate, we would like to pursue getting it approved as shown. Can you tell me how we can go about that?

Mark Landolf, Architect



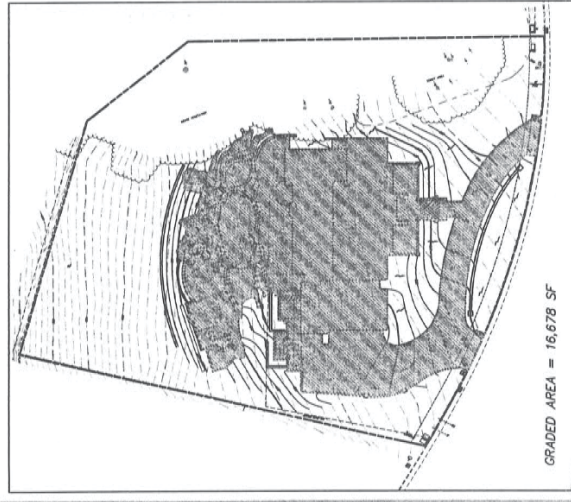
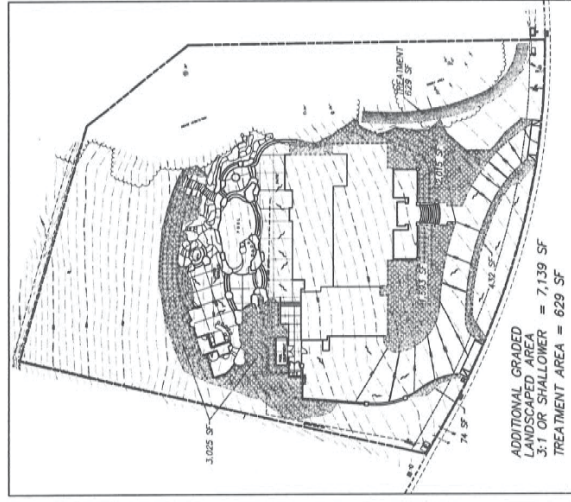
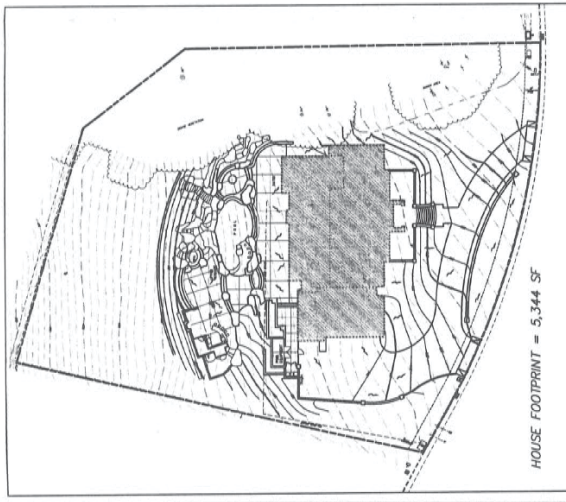
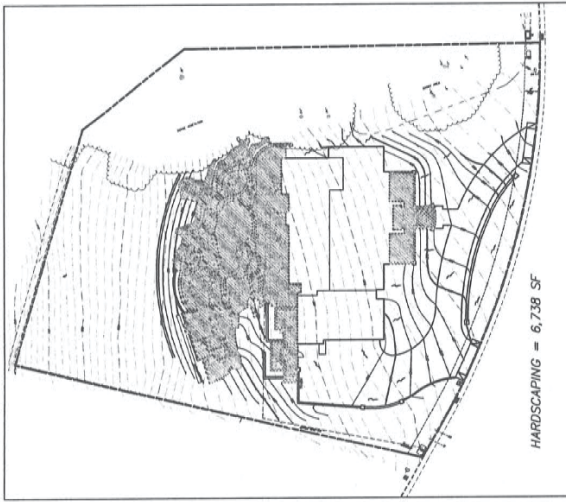
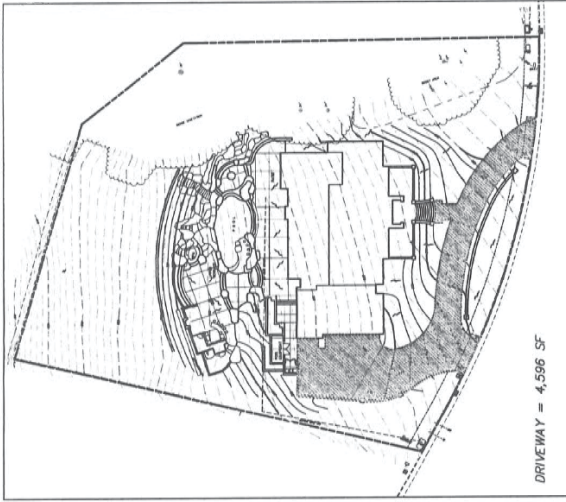
NO.	DATE	REVISIONS

**ALEXANDER & ASSOCIATES INC.**  
 REGISTERED PROFESSIONAL ENGINEERS  
 995 OLD BERNAL AVE. SUITE 10, PLEASANTON, CALIFORNIA (925) 462-2826

SHEET NO. 1  
 TOTAL SHEETS 1

PROJECT NAME  
**GRADED AREA**  
**LOT 2 TRACT 5945**  
**CITY OF PLEASANTON**  
**ALAMEDA COUNTY, CALIFORNIA**

12-18-2014  
 1415001  
 14150  
 14150



PER CONDITIONS OF APPROVAL FOR  
 ALL GRADING IS 3:1 OR FLATTER.

LOT AREA = 47,197 SQ FT  
 ADDITIONAL GRADED LANDSCAPED AREA 3:1 OR SHALLOWER = 7,139 SQ FT  
 IMPERVIOUS AREA = 16,678 SQ FT



**Jennifer Wallis**

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**From:** Roxana Pedrazzi [REDACTED]  
**Sent:** Thursday, February 26, 2015 2:30 PM  
**To:** Jennifer Wallis  
**Subject:** Proposed Home @ 8019 Golden Eagle Way

Dear Jennifer,

We received your notice regarding the proposed home for Nagib Haddad(P14-1186) at 8092 Golden Eagle Way.

The proposed home apparently requires some exceptions to the Golden Eagle Estates Homeowners Building Guidelines.

Specifically, the home is two story and quite prominent on the lot. The guidelines seem to ask for the second story

to be pushed back towards the natural hill side rather than being as vertical as it is proposed.

We do not have expertise in this area, but would like to respect the Homeowner Guidelines as they were well thought

through and were followed by others in their homebuilding over the years.

Please let us know if there is further discussion on this issue or others regarding the proposed home.

We are glad to have someone making use of the lot, which has been vacant for some time, while maintaining the

integrity of the neighborhood.

Pedrazzi

Thank You

Milton and Roxana

2018 Valley Oak Road  
Pleasanton, CA 94588  
[REDACTED]

## Jennifer Wallis

---

**From:** [REDACTED]  
**Sent:** Friday, March 13, 2015 12:30 PM  
**To:** Jennifer Wallis  
**Subject:** Design Review Approval on 8019 Golden Eagle Way

Dear Jennifer:

The 2 X 4 outline of the planned configuration of the house that is proposed for 8019 Golden Eagle Way is visually offensive from several different viewpoints. Lot guidelines specify that the house should be horizontal on the road side of the property with any second story biased more towards the rear of the lot.

Please ensure that the approved plans ultimately conform to the existing community (Golden Eagle) requirements.

Sincerely,

John & Phyllis Fiscella

7894 La Quinta Court  
Pleasanton



GOLDEN EAGLE  
F - A - R - M

APRIL 12, 1994

CITY OF PLEASANTON  
PLANNING DEPARTMENT  
P. O. BOX 520  
PLEASANTON, CA 94566

RECEIVED

APR 15 1994

CITY OF PLEASANTON  
PLANNING DEPT.

ATTN: Heidi Kline

RE: Revised G.E.F. Architectural Guidelines

Dear Heidi,

Here is a copy of the Architectural Guidelines for Golden Eagle Farm.

Please keep this on file for your staff.

Yours truly,  
GOLDEN EAGLE FARM

Harry E. Mc Hugh, Vice-President  
Currin Construction Corporation



# **Golden Eagle Farm**

**Pleasanton, California**

## **ARCHITECTURAL DESIGN GUIDELINES**

**APRIL 1, 1994**

**PREPARED BY:**

**DOMMER & BYARS**

**256 SUTTER STREET SUITE 500**

**SAN FRANCISCO, CA 94108**

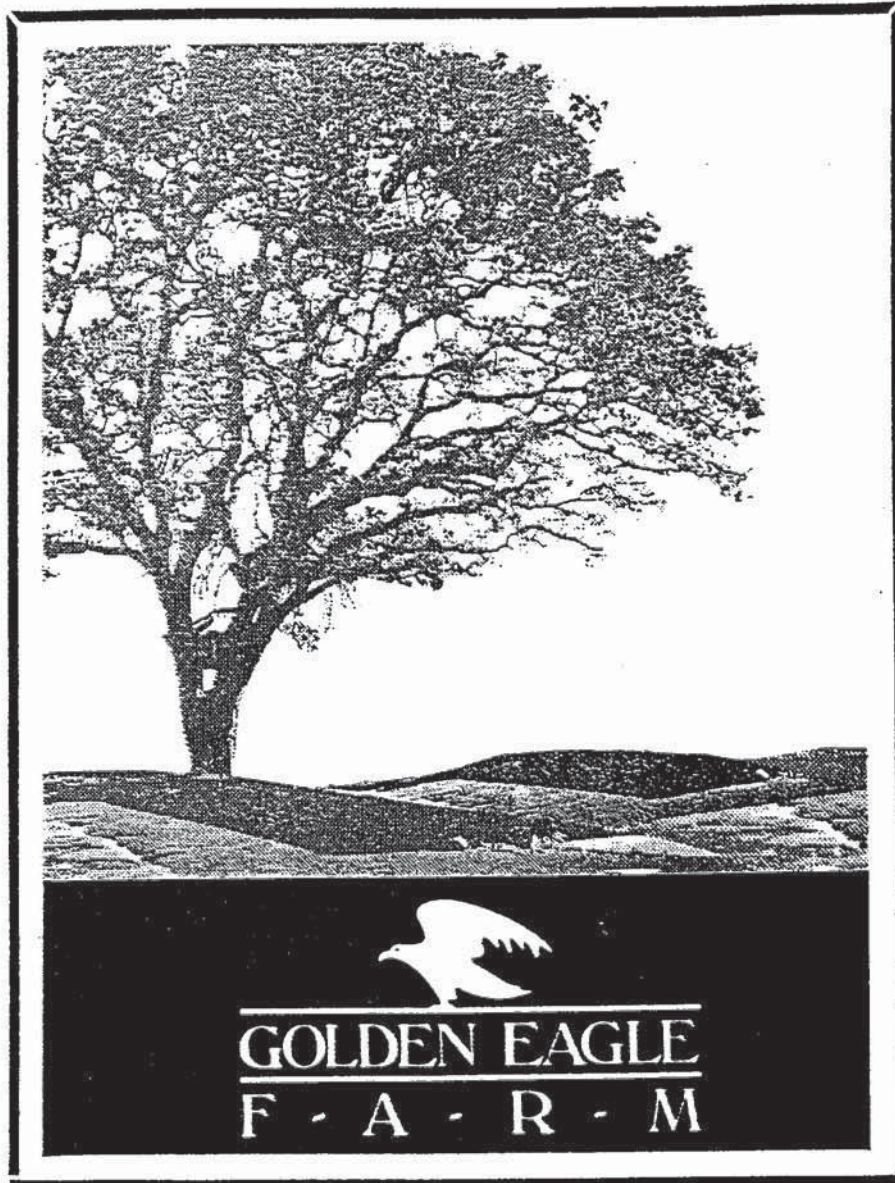
**FOR:**

**GOLDEN EAGLE FARM JOINT VENTURE**

**1780 FOOTHILL ROAD**

**PLEASANTON, CA 94588**

# ARCHITECTURAL DESIGN GUIDELINES



DOMMER & BYARS ARCHITECTS AND PLANNERS

ADDENDUM/REVISION  
GOLDEN EAGLE FARM  
PLEASANTON, CALIFORNIA  
ARCHITECTURAL DESIGN GUIDELINES  
LANDSCAPE DESIGN AND IRRIGATION GUIDELINES  
Revision Date: April 1, 1994

INTRODUCTION

The purpose of this Design Guideline is to inform and direct the Owner of a lot in Golden Eagle Farm as to site specific requirements and restrictions for site planning, landscape design and home design. It also gives the design review bodies (see General below) critical information for making judgments during the review process. There are 80 lots in the Golden Eagle Farm Development, each with its own unique characteristics: setting, orientation, slope, geology, topography, vegetation, views, etc. The Guidelines present this information on an individual lot basis, and shall be used in conjunction with the Landscape Design and Irrigation Guidelines.

The Guidelines are not meant to be a coverall document, but rather to provide preliminary information and data that will assist the Owner and his agents in initial decision making. It is the responsibility of the purchaser to supplement this data with necessary fact-finding procedures. The lot Owner shall be responsible for obtaining a soils report and a topographic survey to determine the exact existing soils condition for Building Permit Application, property line locations, and the final site grades. This data is available for certain lots. The Owner should contact the Developer's representative regarding this matter. (See General below.)

The Golden Eagle Development is the result of a vast amount of interaction between the developer and various City of Pleasanton agencies. The Development Plan is the synthesis and incorporation of both the City and Developer's program and objectives. As the project is implemented with the buildout of each lot, there shall be a continuing combined effort between the developer, the lot purchaser, the Design Review Committee and the City agencies.

GENERAL

A Design Review Committee has been established to review the plans before their submission to the City. The key members are as follows:

DEVELOPER REPRESENTATIVE  
Harry McHugh  
Currin Construction Company  
1780 Foothill Road  
Pleasanton, CA 94588  
Phone:510/462-3787  
Fax: 510/462-0571

LANDSCAPE ARCHITECT  
Ralph Sherman  
Merrill & Associates  
249 Front Street  
San Francisco, CA 94111  
Phone:415/291-8960  
Fax: 415/291-9463

ARCHITECT  
Jerry Dommer  
Jack Byars  
Dommer & Byars  
256 Sutter Street, Ste. 500  
San Francisco, CA 94108  
Phone:415/788-8880  
Fax: 415/788-8884

PLEASANTON PLANNING DEPARTMENT\*\*\*  
City of Pleasanton  
Planning Department  
200 Old Bernal Avenue  
P.O. Box 520  
Pleasanton, CA 94566  
Phone:510/484-8023

GOLDEN EAGLE WEST PROPERTY  
OWNERS ASSOCIATION\*\*\*  
Bob Wilson  
Community Associations Consulting  
6379 Clark Avenue Suite 200  
Dublin, CA 94568  
Phone:510/833-0100  
Fax: 510/833-1625

\*\*\* The Pleasanton Planning Department and the Golden Eagle West Property Owners Association are not official committee members, but are listed here as part of the review process.

## PROCEDURES

The following sequence of events shall be anticipated by each home builder in order to secure appropriate approvals and permits. These instructions have been established to simplify the review process and secure the necessary approvals as soon as possible.

Before any of the following events occur, it will be incumbent upon the lot Owner to formulate any questions after reviewing both the Landscape and Architectural Design Guidelines. The Owner may contact the Homeowner Association's Architect, Landscape Architect, or Pleasanton Planning Department for assistance before the schematic planning commences.

The purchaser should review both the Architectural Design Guidelines and the Landscape Design and Irrigation Guidelines. Any questions or clarification about these guidelines should be addressed to either the consultants or the Pleasanton Planning Department.

### A. SCHEMATIC PHASE: G.E.F ARCHITECTURAL CONSULTANTS AND PLEASANTON PLANNING DEPARTMENT

1. Schematic review of the design concept for the residence is strongly encouraged to be completed prior to any detailed preparation of design plans. There are no minimum requirements for the plans submitted for this review. However, the degree and detail of the direction and comments provided to you will be dependent on the amount of information received for the review. Typically, this submittal consists of a front building elevation, lot grading plan with pad and finished floor elevations, and floor plans. This schematic package should be submitted simultaneously to both the architectural consultants and the Pleasanton Planning Department. The applicant shall send five (5) copies to the Architect who will distribute it to the Landscape Architect. One copy of the plans shall be submitted to the Pleasanton Planning Department for review.
2. The Architectural Consultants shall then forward a letter with their comments, at which time the applicant may proceed to the Preliminary stage. The Pleasanton Planning Department will also respond with their comments in a letter to the applicant.

B. PRELIMINARY PHASE: G.E.F. ARCHITECTURAL CONSULTANTS ONLY

1. The lot Owner shall submit a preliminary site plan, and landscape plan at a minimum scale of 1" = 10'-0". Provide all floor plans and one major elevation/ character sketch at a minimum scale of 1/4" = 1'-0". Minimum scale for the site and landscape plans shall be 1" = 10'-0". These plans shall include existing and (conceptual) proposed grades, (conceptual) proposed drainage; proposed siting of all structures and hardscape elements including the house, gazebos, patios, walkways, pools, spas, fences, etc. (all materials must be clearly identified); existing trees; all proposed landscaping, including common and botanical names, quantity and size; developer landscape improvements; any proposed undeveloped portions of the lot. The site and landscape plans are very important aspect of the overall design and are closely scrutinized by the City review agencies.

The Owner shall submit to the Planning Department, one (1) set of blue-line prints and five (5) sets of blue-line prints to the Architect.

2. The Design Review Committee will offer a critique and further direction. A response letter and marked-up drawings will be forwarded to the Applicant.
3. All review parties shall submit by telephone or FAX transmittal their comments to the Architect.

C. FINAL DESIGN REVIEW PHASE:

1. At this stage, the Owner shall incorporate the Committee's comments from the Preliminary review and provide final and more detailed documents.
2. The home Owner shall submit five (5) sets of blue-line prints for Committee Site Plan review of all floor plans and exterior elevations. The site plan should show topographic grade changes, all proposed landscape considerations, and any other information deemed important. The floor plans and elevations should be at 1/4" = 1'-0" showing height limit calculations and finish materials. One cross section through the house is required, showing the design relationship with existing grade. Actual exterior material samples, color, and their location are required. (See enclosed Checklist.)

3. Again, these drawings are to be forwarded to the Architect for distribution. If the plans meet the Guidelines's requirements, the Architect and Landscape Architect will write a letter of approval which, along with the approved drawings, will be returned to the Applicant.

D. CITY SUBMITTAL:

1. Upon receipt of letter of approval from both Landscape Architectural consultant and Architectural consultant, the applicant may submit the formal design review submittal to the Pleasanton Planning Department. This submittal shall include the following items: a completed City application signed by the property owner, a \$ 50.00 application fee, copies of the two approval letters from the Architectural consultants, color and material samples, and seven sets of the architectural and landscape architectural plans. These plans shall include all building elevations, floor plans, cross-section through the house and site, and landscape plan.
2. Upon receipt of a complete application, the City will assign a staff planner to work with the applicant towards the speedy completion of the design review process. The goal is to complete the design review process within three weeks from submittal of a complete application. The City will also at this time send a notice to property owners within 300 feet notifying them that they have 10 days to review the proposed plan and respond with comments or concerns. After this notification period is complete and all design issues have been worked out satisfactorily between the applicant and the City staff, the project will be approved subject to certain condition. If staff is unable to resolve all issues with the applicant, the project may be referred to the Planning Commission for review and action.

3. All City approvals have a 15-day appeal period following the approval during which time the approval may be appealed but the applicant, a reviewing City body (City Council or Planning Commission), or a City resident. The applicant may submit three sets of the revised building plans (which should reflect the conditions of approval) to the City's building department for the commencement of the plan check process during this 15-day appeal period only if the applicant signs a waiver stating he/she understands that the plan check fee may be forfeited if the approval is appealed and subsequently, denied or modified. Otherwise, the applicant may wait to the end of the 15-day appeal period and then proceed with the City's building department plan check procedure for issuance of a building permit.



## OBJECTIVES

The prime objective for Golden Eagle Farm is to produce a very high quality project that is complimentary to its sensitive hill setting, the surrounding community and Pleasanton proper. Many portions of the site are highly visible from Foothill Road and more distant areas of Pleasanton. Consequently, the homes located in those sensitive areas must be designed to minimize their impact on the naturalness of the site. See Architectural Controls herein.

## THE GUIDELINES

These Guidelines identify the highly sensitive areas on an individual lot basis. These are primarily the home sites along Foothill Road and on the large upper grassland areas referred to as benches. The Guidelines describe each lot, setting out its characteristics, degree of visibility from off site, vegetation, the slope/topography of the lot, views from the site, and basic direction for site planning and house design. The parameters left open to the design should not hinder creativity, but rather assist in a design direction that will enhance the site and total project.

Due to the rolling hill character of the property, most home sites have a variety of slope conditions occurring. The site plan accompanying each lot description shows the terrain with elevations lines, and also indicates a general area to site the house. This Recommended Building Site is located on the flattest portion of the site, and is sensitive to the existing trees, visibility of the house, views from the house, and cut and fill considerations.

Homes that are on slopes steeper than 10% shall be required to incorporate split-level planning. The exterior house approach, patios and landscaping will have to be terraced/benched or sloped to conform to the natural slope of the site. Specific design requirements and restrictions are listed under "Split Level Requirements", "House Design Bulk Requirement", and "Stylistic Criteria". These are located at the description of each lot.

Due to the visibility and sensitivity of the project environment, certain house styles will be excluded entirely or, in some cases, on specific "highly visible" lots. This restriction has been carefully considered in unison by this Committee and the City of Pleasanton. The house styles not permitted are discussed under "Architectural Controls", and further qualified in photos at the back of these Guidelines. It is possible that this description may not cover 100% of the style categories and further requests may arise. In the event of such an occurrence, the decisions of the Design Review bodies will be final.

These Guidelines and the subsequent Review Procedure is meant to aid the new home owner in achieving his/her own objectives, and

avoiding unnecessary side-stepping during the process. If we can offer further assistance, please do not hesitate to ask questions.

## FINAL DEVELOPMENT PLAN

### PLANNING APPROACH

The approach to this 264 acre site is to provide a single-family planned development that is compatible with the size of the property, its natural terrain and vegetation, and the neighboring communities. The plan locates 80 homesites on the flat and moderate slope portions of the property in order to minimize cutting and filling, with resulting limited tree loss and a maximum preservation of the existing environment.

House sites and roads were located on a topographical survey; numerous field walks were conducted of the entire road system and a review was made of each intended house site. Modifications were made to improve the relationship of street and home site alignment to respective tress and slopes. House sites on slopes greater than 10% will be terraced. This terracing is to be performed by the purchase, and is subject to Design Review Committee approval. The number of terrace breaks and their differential dimensions will be relative to the slope. Grading for each site will be specifically designed to its topographical conditions, ensuring minimal cut and fill and tree loss. Some homes will have their garages at a different level than the house entry.

### DEVELOPER SITE AND LANDSCAPE PLAN

The approach to the Golden Eagle Farm Site and Landscape Plan incorporates a landscaping and forestation plan that will help to preserve and maintain the site's natural character.

Riparian woodlands and open grasslands totaling approximately 190 acres have been preserved as common open space. A new trail system will link neighborhoods and provide access for residents to hike through the open space.

The forestation program is being implemented to augment the existing tree groves and provide additional visual screening of the new homes. Approximately 800-900 native species of trees will be planted.

An additional 650 street trees will be planted in natural groupings adding a rural character to the project's streetscape.

Fire Management Zones will be initiated by the developer throughout the site, and will be maintained by the Homeowners Association.

The development will provide new, improved public access to Augustin Bernal Park. The project will include a conveniently located two (2) acre recreation center offering tennis courts, a

community center, and swimming pool. Each of the projects eighty (80) lots exceeds 39,000 square feet and are clustered in small groupings to preserve the rural character of the site.

#### LOT DESIGN

To ensure that the proposed development is implemented in a controlled and cohesive manner based upon the intentions written herein, an Architectural Design Review Committee has been formed by the development company to appraise individual home and landscape designs on the basis of the development conditions, codes and restrictions. This will provide the first phase review prior to the City's Design Review Board. (See Procedures.)

House Sites: Individual home sites will be rough graded by the developer only as necessary to daylight the street grading, provide the utility service stubs, and provide reasonable access to each lot. Terraces as indicated in this application are meant to indicate intent and not exact position, extent or cross section height. The City Design Review Board will require each owner to provide a soils report with the initial house design. The exact internal and exterior slope benches or terraces will be indicated in the conceptual design drawings with full cut and fill calculations for design review and approval. Large, flat pads shall not be allowed.

#### ARCHITECTURAL CONTROLS

The Golden Eagle Farms development is envisioned as a collection of distinguished homes that provide a compatibility with and sensitivity to the external character of the site. Extreme or out of character designed treatments, materials or color selections will not be allowed, e.g., geodesic domes, barn, A-frame, medieval castle, New England cape, etc. This development seeks homes with a clear and well-articulated sense of architectural character that is further supported by a well-modulated palate of earth tone colors, such as beige, light and medium browns, grays, slate colors and soft terra cotta. The roof material colors should not overpower the house or the landscaping. Shingles, wood shakes, ceramic or preformed cement tiles of softer tones are encouraged. Design plans whose character, profile and landscaping are subdued in their relationship to the existing surroundings will be encouraged, as opposed to homes that dominate the existing setting.

In the Architectural Design Guidelines, there is descriptive data and requirements for each lot. Under the section, House Design Bulk Requirement, the size of house that is allowed is designated. Relating to this house size data, the City Council of the City of Pleasanton on January 17, 1992, put into effect Resolution No. 92-76, which is now part of the Guidelines and is as follows:

The design guidelines for Tract 6033 are amended by deleting the term "medium", and for the twenty (20) impact lots, the following shall apply:

"The structure, not including the garage, should be 7,000 square feet or less, but in all cases the design shall be the ultimate criterion; if the garage exceeds 800 square feet, then square footage in excess of 800 square feet shall count towards the 7,000 square foot guideline."

These high impact lot numbers as indicated on the Site Plan/Landscape Plan in the Guidelines are as follows:

20, 21, 22, 23, 24, 25, 26, 27, 30, 31, 32, 33, 34, 35, 36, 37, 45, 48, and 49.

A. Minimum Setbacks Front yard: 23 ft. to garage, 30 ft. to house  
Side yard: 10% of lot width, 20 ft. minimum  
Back yard: 20% of lot depth, 30 ft. minimum

B. Fencing: Certain fencing will be allowed on and within parcels.

1. All fencing shall not exceed 72" in height.

2. Fencing materials shall be a natural color, such as redwood and cedar, or natural color painting. No white or bright colors will be permissible.

3. See Fencing, Sheet 10.

C. Height Limit: All 80 parcels are sloping sites. The maximum height of a house structure shall be 35 feet, computed as follows:

Measuring from a point that is the average elevation between the lowest grade elevation and the highest grade elevation that the house structure intersects, the dimension from the points shall not exceed 35 feet to the highest point of the roof, excluding chimneys, antennas and lightning rods.

D. Materials: Most materials will be allowed as exterior finishes, with the following exclusions:

1. No plywood siding
2. No concrete block
3. No low quality stucco applications
4. No metal siding
5. General roofing shall not be low slope tar and gravel or flat build-up tar and gravel. Specific smaller areas may be tar and gravel with approval.

- E. In the lot design, the total grading, including drive, walks, house structure, exterior gardens, patios, and the 1:3 or more shallow grading for a cut shall not exceed 40% of the lot area, or 20,000 square feet, whichever is smaller, without approval of the City and Development Design Review Committees. Existing vegetation is valuable to the development, and grading must preserve, as much as is reasonable, the naturalness that exists on the site.

#### LANDSCAPE CONTROLS

- A. Landscape improvements shall be installed within nine (9) months of owner occupancy. All landscaping plans shall be reviewed by the Homeowners' Association design review committee.
- B. Tree Preservation:
1. Buildings located on lots with less than fifty percent (50%) tree coverage may not be sited within the drip-line of heritage trees. Lots with more than fifty percent (50%) tree coverage (subject to the approval of the Fire Department) may locate buildings within the drip-line of heritage trees provided recommended development around native trees is implemented. Refer to the Oak Woodlands section of this brochure for design guidelines.
  2. Landscaping within the drip-line of "heritage" trees will be limited to plantings requiring no irrigation. See Landscape Design Guidelines for preservation of existing oaks.
  3. Removal of existing trees, with a caliper of greater than 6 inches in diameter, will require approval from the Homeowners' Association.
  4. Removal or significant damage to "heritage" trees due to construction or landscaping practices will be subject to a fine paid to the Homeowners' Association and may result in prosecution pursuant to the City of Pleasanton Municipal Code Section 16 and 17.
- C. Plant Materials: Landscaping installed by homeowners shall generally conform to the plant lists provided as per the Guidelines.
- D. Specimen Trees: A minimum of three (3) 36" box specimen trees shall be installed and maintained by each lot Owner, and a minimum of six (6) 36" box specimen trees shall be installed by lot 20-27, 30-38, 45, and 48-49 owners.

The purpose of the specimen trees is to augment and enhance the landscaping and forestation program, to preserve and maintain the site's natural character, to screen visually prominent lots, and to create a setting for the main structure. As such, these trees should be located with respect to existing patterns of the woodland and the proposed development.

The following species should be used for specimen trees:

**Species List for 36" Box Specimen Trees**

BOTANICAL NAME	COMMON NAME
Quercus agrifolia	Coast live oak
Quercus lobata	Valley oak
Platanus acerifolia	'Yarwood' London plane tree
Platanus racemosa	California sycamore
Umbellularia californica	California bay

TREE SPECIFICATION

1. Trees to be 36" box size.
2. All trees to have deer protection fencing.
3. All trees to be stake or guyed.

**E. Fencing:**

1. Front property line: No fencing on the front property line or between the front of the home and the front property line.
2. Side property line: No fencing on the side property lines for the first 30 feet from the front property line.
3. Opening fencing (welded wire mesh attached to wood posts or other approved equal) will be allowed on side property lines and rear property lines. Any reasonable or required diversion of fence alignment due to existing shrubs, steep terrain or trees will be considered at Homeowners' Association design review.
4. Solid fencing will be allowed on sideyard property lines between the 30 foot front fencing set back to a point 60 feet from the back property line.
5. Fencing within the parcel property lines will be allowed in the backyard to provide privacy, children and animal control, etc.
6. Fencing at corner lots shall be reviewed on an individual, specific basis. In general, the frontages

of the corner lots will be considered as frontyards and follow those specific guidelines.

- F. Tennis Courts: The installation of tennis courts shall be subject to review and approval by the Homeowners' Association. Each design shall be reviewed on an individual site basis. If the site can accommodate the tennis court, compliance with the site development guidelines must be met.
- G. Miscellaneous On-Site Structure: Spas, pools, gazebos, etc. shall be reviewed on an individual basis.
- H. Grading: The grading of flat pads for "elective" landscaping including lawns, pool areas, patios, etc. shall follow the following criteria:
  - 1. Retaining walls limited to 5' in height.
  - 2. Cut or fill slopes limited to 3:1 slope with maximum vertical grade change of 12'.
  - 3. Follow the criteria for preservation of heritage trees as noted in the Oak Woodlands section of this brochure.
- I. Scenic Transition Zone: A scenic transition zone will be established in order to insure that visually prominent lots retain a strong rural character along portions of the individual lot abutting common open space zones. All manicured landscape planting, grading, and structures will be prohibited in these areas. Seasonal mowing of native grasses will be allowed in these areas as a fire protective measure. Refer to fire management section for recommended landscape guidelines.

#### FIRE MANAGEMENT

A program for fire safety has been incorporated into the initial planning and will be instituted and maintained after the development is completed. Street widths, maximum slopes, cul-de-sac radii, etc., are designed as per City fire regulations. Hydrants are engineered to spacing, sizing and pressures per City requirements. Initial clearing of dead brush and tree materials, and selective removal of highly flammable plant species will be thoroughly and periodically repeated. The Fire Management Zone has been laid out as a neighborhood plan, meeting the specific protection needs of each cluster of homes.

The plans incorporate a variety of measures from fire breaks/trials, fire retardant planting and mowing, to the use of irrigation where called for. In higher risk areas, homeowners will be required to submit a Fire Management Plan, along with landscape plans to the Design Review Committee. Roof materials will be treated wood, fire resistive materials or incombustible roofing.

See the Landscape Guidelines for a more detailed description of the Fire Management Plan. For other fire safety requirements, see Miscellaneous.



### SPECIAL ENERGY CONSERVATION

Title 24 energy requirements will be satisfied. Each home design will be analyzed for compliance on a 'Cal Pass' or 'point' system to determine insulation thicknesses, single vs. dual glazing, mechanical systems, etc. Home design will be encouraged to include passive solar methods relative to home orientation, natural and artificial sun shading, uses of thermal mass, strategic preventing of and allowing for seasonal insulation. Active solar design will be optional. See Miscellaneous.

### MISCELLANEOUS

1. All homes shall have a fully automatic interior sprinkler system.
2. The use and placement of solar panels, "dish" antennae and short wave antennae will be subject to the approval of the Design Review Committee.
3. Per the stipulation of the C.C.&R.'s, now that 90% of the project has been sold, the developer will no longer be paying Design Review Fees. As stated in the C.C.&R.'s, these fees are to be paid by the Lot Owner.

**LOT NUMBER: T-2**

**LOCATION OF SITE:**

Below middle bench on Golden Eagle Way.

**SITE DESCRIPTION:**

Gently uphill sloping site bound on west by a fire management zone and on the north by a fire management zone and fields. There is a shallow swale crossing the southwest corner of the site. The site has a northeastern orientation.

**VISIBILITY TO SITE:**

Moderate high visibility from Foothill Road.

**VIEWS FROM SITE:**

Panoramic views of valley.

**TREES ON SITE:**

Cluster of trees at northwest corner. See Landscape Survey.

**SLOPE OF SITE:**

15% uphill off road at front of site. 25% slope at back of site.

**SPLIT-LEVEL REQUIREMENTS:**

Terrace the exterior patios and/or landscaping. Provide a split-level house design.

**HOUSE DESIGN BULK REQUIREMENT:**

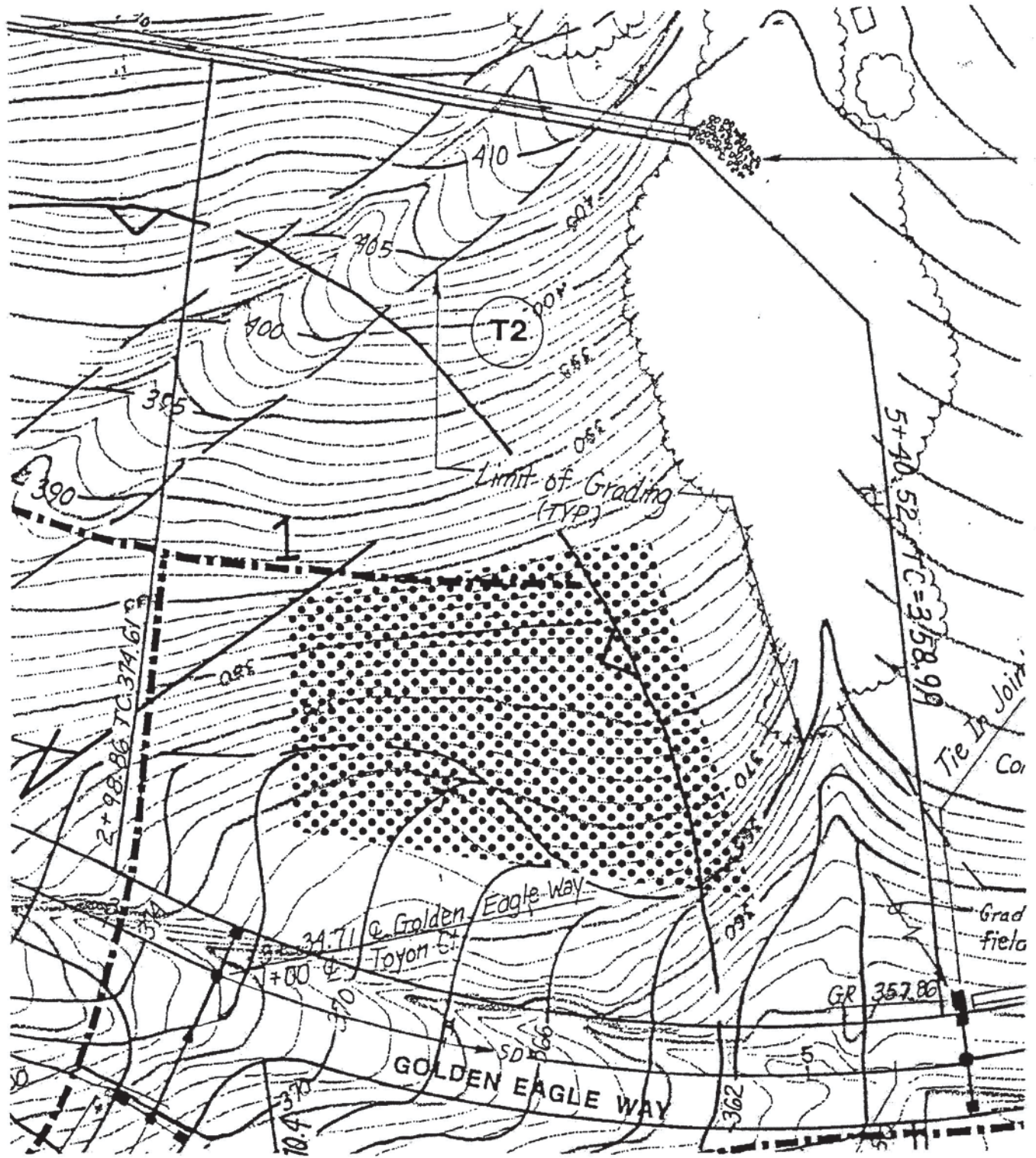
Due to its high visibility, the house design should produce a home that has a horizontal character and does not accentuate vertical features. This does not necessarily preclude a second story but requires creativity in achieving the above. Medium sized house allowed. Second story massing is encouraged at the back of the house away from the street.

**STYLISTIC CRITERIA:**

See Appendix A. The following house styles are not permitted on this lot: numbers 2, 5, 10, 17, 19, and 22.

**COMMENTS:**


It is the responsibility of the lot purchaser to provide a site specific geotechnical report and complete any missing topographic surveying.



RECOMMENDED BUILDING SITE

# GOLDEN EAGLE ESTATES

C/o Homeowner Association Services  
2266 Camino Ramon  
San Ramon, CA 94583



P14-1186 (DR)  
EXHIBIT F

February 27, 2015

City of Pleasanton Planning Division  
Attn: Jennifer Wallis

Via Email: [lwallis@cityofpleasantonca.gov](mailto:lwallis@cityofpleasantonca.gov)

Subject: 8019 Golden Eagle Way (P14-1186)

The Board of Directors was in receipt of a copy of the notice relative to the above project. After reviewing the submittal, the question that came up is why the city planning could approve grading that is clearly not within the PUD guidelines (see below). The Board is requesting that the normal variance procedures be adhered to.

Please let us know how that process will be followed.

Regards,

The Board of Directors

cc: Randy Ritter, Manager

- E. In the lot design, the total grading, including drive, walks, house structure, exterior gardens, patios, and the 1:3 or more shallow grading for a cut shall not exceed 40% of the lot area, or 20,000 square feet, whichever is smaller, without approval of the City and Development Design Review Committees. Existing vegetation is valuable to the development, and grading must preserve, as much as is reasonable, the naturalness that exists on the site.

# GOLDEN EAGLE ESTATES

C/o Homeowner Association Services  
2266 Camino Ramon  
San Ramon, CA 94583

P14-1186 (DR)  
EXHIBIT G

March 19, 2015

City of Pleasanton Planning Division  
Attn: Jennifer Wallis

Via Email: [jwallis@cityofpleasantonca.gov](mailto:jwallis@cityofpleasantonca.gov)

Subject: 8019 Golden Eagle Way (P14-1186)-Follow-up

The Board of Directors was in receipt of a copy of the Planning Commission Notice of Public Hearing relative to the above project.

In our February 27, 2015 correspondence the association questioned why the city planning could approve grading that is clearly not within the PUD guidelines (see below). The Board requested that the normal variance procedures be adhered to.

After further review the Board has to hold by the guideline's and for consistency standpoint, would approve 20,000 square feet of grading.

However we are aware the plans the association reviewed and approved included the grading of 23,717 square feet, which was not provided by the applicant. Our intention is not to stand in the way of Mr. Haddad's project and would be supportive of this variance if the city felt compelled to approve.

Regards,

The Board of Directors

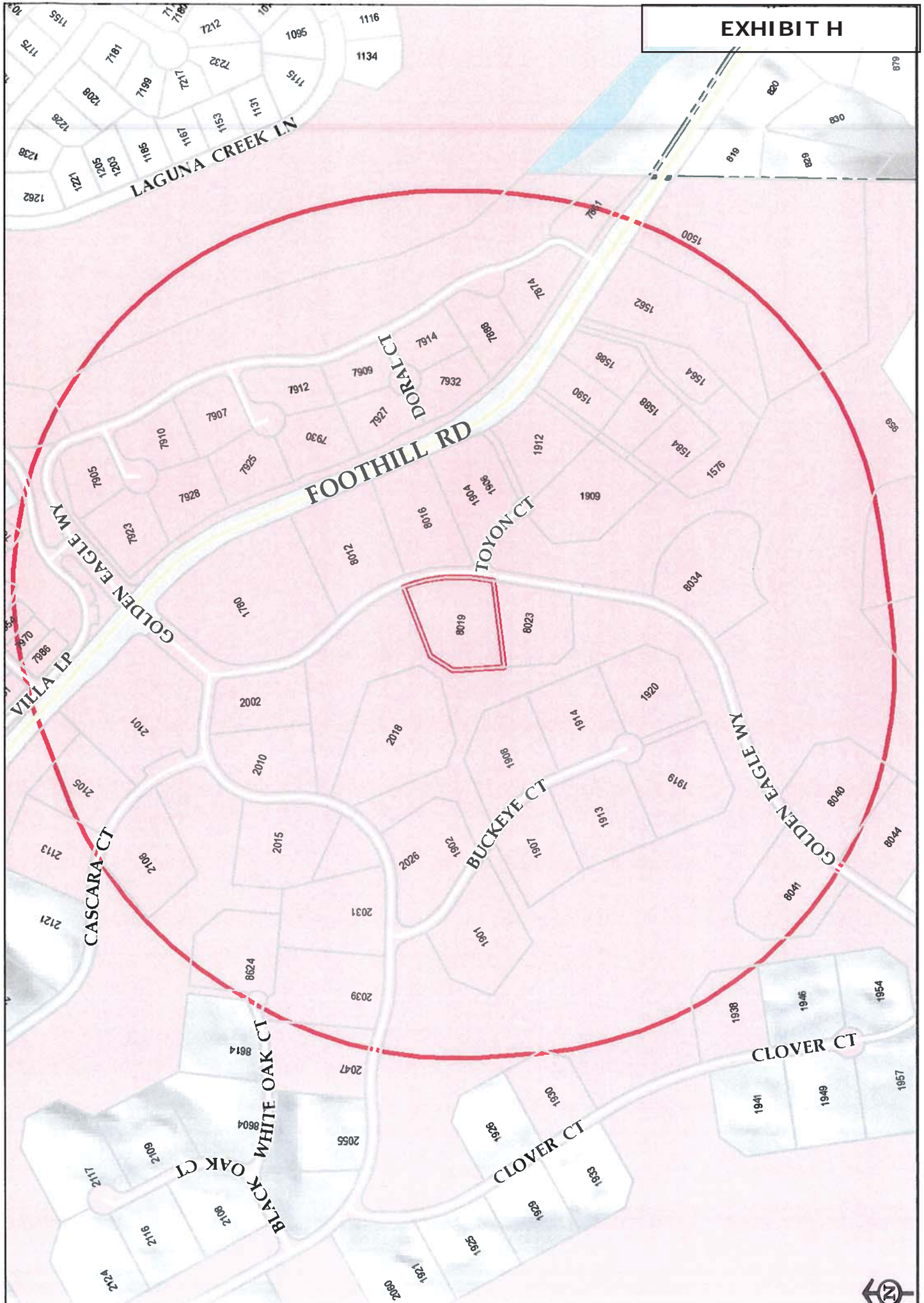
cc: Randy Ritter, Manager

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  1. Retaining walls limited to 5' in height.
  2. Cut or fill slopes limited to 3:1 slope with maximum vertical grade change of 12'.
  3. Follow the criteria for preservation of heritage trees as noted in the Oak Woodlands section of this brochure.

EXHIBIT H



Planning Division  
March 2, 2015



P14-1186, Haddad, 8019 Golden Eagle Way

