

**EXHIBIT A
DRAFT CONDITIONS OF APPROVAL**

**PAP-151 (Appeal of PADR-2138) / 5252 Meadowwood Court
Second-Floor Window**

February 9, 2011

1. The window shall conform substantially to the approved elevation and site plan, marked Exhibit B, dated "Received January 12, 2011," on file with the Planning Division. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance to the approved exhibits.
2. The Leroudiers (applicants) shall install a minimum of three 15 gallon size Leyland False Cypress trees along the southern property line, adjacent to the proposed window. The trees shall be planted approximately 6-feet apart and off-set approximately 4-feet from the shared southern property line fence. Prior to submitting to the Building and Safety Division for plan check and permit issuance, the Leroudiers shall submit a detailed landscaping plan, which includes size and location of the Leland False Cypress trees, to the Planning Division for review and approval prior to installing the trees. The plan shall be drawn to scale and be designed to the satisfaction of the Director of Community Development. An inspection by the Planning Division to verify the installation of the trees shall be required prior to final inspection and permit sign off of the window from the Building and Safety Division. The Leyland False Cypress trees shall be maintained in a healthy manner at all times. Should one of the trees die, it shall be replaced within 30-days with a new 15 gallon size Leyland False Cypress tree.
3. All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday. No construction shall be allowed on State or Federal Holidays or Sundays. The Director of Community Development may allow earlier "start-times" or later "stop-times" for specific construction activities (e.g., concrete pouring), if it can be demonstrated to the satisfaction of the Director of Community Development that the construction noise and construction traffic noise will not affect nearby residents or businesses. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the applicant shall post on the site the allowable hours of construction activity.
4. All appropriate City permits shall be obtained prior to the installation of the window.
5. All conditions of approval for this case shall be reprinted and included as a plan sheet(s) with the building permit plan check sets submitted for review and approval. At all times these conditions of approval shall be on all plans kept on the project site.

6. To the extent permitted by law, the project applicant shall defend (with counsel reasonable acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

END

11-30-2010

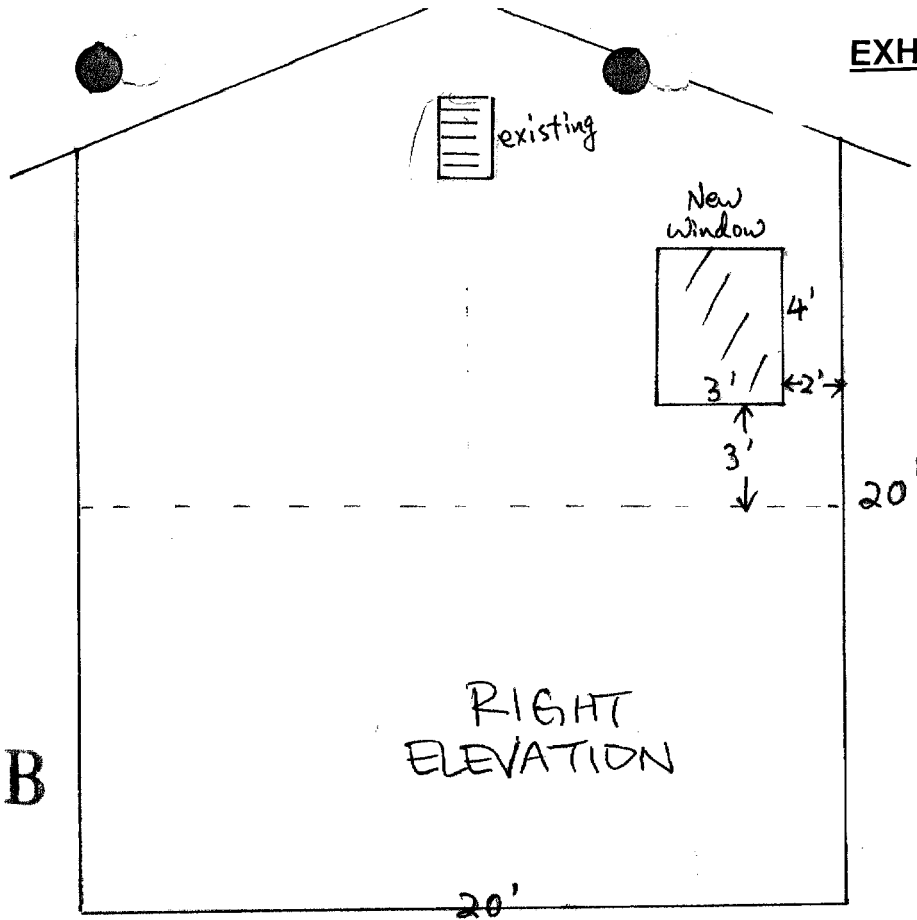
EXHIBIT C

PADR - 2138
RECEIVED

DEC 06 2010

CITY OF PLEASANTON
PLANNING DIVISION

EXHIBIT B



RIGHT
ELEVATION

Elevation plan of # South Side of 5252 Meadowwood Ct.

I have reviewed the Plan and have no issues with the new window installation.

Name	Signature	Address
Catharine Tranoto CP	Catharine Tranoto	5264 Meadowwood Ct.
Brian Highfill	Brian Highfill	5267 Meadowwood Ct
Lisa Highfill	Lisa Highfill	5267 Meadowwood Ct.
Maryleneb. Medeiros		5151 Geentree Ct.
SUSAN C. SPANGLER		5253 Meadowwood Ct.
Susan C. Spangler		5246 Meadowwood Ct.
Linda Lillike Walker		1647 Harvard Road

BARRY C. WINSTON, O.D., F.A.A.O.

Amador Valley Optometric
4450 Black Avenue, Suite C
Pleasanton, California 94566
(925) 462-2600

EXHIBIT D



American Optometric Association

December 16, 2010

To Whom It May Concern:

Please be advised that due to Celine Leroudier's visual condition, as natural a lighting environment as possible would be most beneficial for her optimal reading performance.



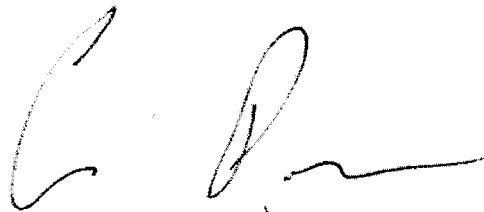
Barry C. Winston, O.D.

To: Pleasanton Planning and Building Department

The South wall at 5252 Meadowwood ct, Pleasanton, Ca. 2nd floor at Child's bedroom doesn't have enough ventilation. I am recommending a window on the south wall for more ventilation in accordance with A.S.H.I standards.

Regards,

Craig Pearson 925 400 5808



12-12-2010

APPROVED PLAN AND PERMIT MUST BE AVAILABLE AT JOB SITE

This permit expires 180 days from date of issue or 180 days from last signed inspection.

Project Address 5252 MEADOWWOOD CT	APN# 946 337601900	Permit #: RSFR 203037
Subdivision:	Tract #: 2742	Lot: 007
Applicant LEROUDIER FREDERIC & Y.		

Project: 10-0013637 - **Local Business License:** \

Owner LEROUDIER FREDERIC & YIPING 5252 MEADOWWOOD CT PLEASANTON, CA 94566-5953 Phone:	Contractor OWNER BUILDER OWNER BUILDER
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Scope of Work RSFR RESIDENTIAL SINGLE FAMILY REMODEL
REMOVE AND REPLACE SECTION OF BEDROOM 2 EXTERIOR WALL DUE TO WATER DAMAGE. REPAIR TO INCLUDE STUCCO, STUDS INCLUDING PARTIAL TOPLATE, INSULATION., GYP. BD.

Comments

Quantity	Description	Amount	Quantity	Description	Amount
	2000 BUILDING PERMIT ENERGY S	17.31			
	2000 BUILDING PERMIT	179.25			
	5 ARCHIVING, \$2/PAGE	10.00			
	2000 CA BLDG STDS SPECIAL REV	1.00			
	2000 SEIS RES PERMIT, .00010*1	0.20			

Total Fees:	\$207.76
Payment:	\$207.76

Issued By: *Ray* **Date of Issue:** 22-NOV-2010

City of Pleasanton

BUILDING PERMIT INSPECTION RECORD

Inspection	Date	Initial	Inspection	Date	Initial	Inspection	Date	Initial
SETBACKS			INSULATION	12/14/10	RB	PRE-GUNTE		
FOOTINGS						PRE-DECK		
GRADE BEAM			GYP BOARD			PRE-PLASTER		
PIERS			GAS TEST			DOOR ALARMS		
UFER GRND			GAS PIPE					
SLAB			WALL FRAMING			PRE-ROOF		
GARAGE SLAB			CEILING FRAMING			SHEATHING		
FLR JOIST			T-BAR CLG			REROOF INPROG		
U'FLR DUCTS						SPARK ARR		
U'FLR INSUL			FIRE SPRKLR			ROOF BATTEN		
U'FLR PLUMB			HYDRO TEST					
			FIRE/SMK DAMP'S			WINDOW FLASH		
RF SHTG			RO ALARM			WINDOW INPROG		
EXT SHEAR						SMOKE DET		
			T-POLE					
SEWER LATERAL			SERVICE			WTR HEATER		
WATER LATERAL			U'GRND EL			SEISMIC STRAPS		
EXT LATH	12/14/10	AL	WATER PIPE			MECH VENTING		
RO FRAME			SHOWER PAN TEST			FURNACE		
RO ELEC	12/14/10	AL	U'SLAB PLG			A/C COMPRS		
RO PLUMB						DUCTS		
DUCTS			BIO-SWALE IRRIG					
TOP OUT			GRADING			WATER METER		
INT SHEAR			ON-SITE WTR			ELEC METER		
HOLDDOWNS			OS SEWER			GAS METER		

12-7-10 Remove all damage reframe & recall, If new window is installed it will need to meet current Egress per CBC room has no complying Egress window. RB

Department	Date	Initial	Department	Date	Initial	Department	Date	Initial
L/P FIRE FINAL INSPECTION			PLANNING FINAL			BUILDING & SAFETY FINAL INSPECTION		
POLICE FINAL INSPECTION			PUBLIC WORKS FINAL					

To schedule an inspection, call 925-931-5300 between the hours of 8:00 AM and 4:00 PM the day before the inspection is needed. Have your permit number and address ready. You may request an AM or PM inspection. A job site contact phone number is required with the request. The Inspectors are available to take calls between 7:30 AM and 8:00 AM for questions or approximate same day inspection times at 925-931-5300.

APPROVED PLANS AND PERMIT TO REMAIN ON JOB SITE
 This permit expires 180 days from last inspection or per Chapter 1 of the C.B.C.

**MINUTES
ZONING ADMINISTRATOR
Pleasanton, California**

Small Conference Room
200 Old Bernal Avenue, Pleasanton
Tuesday, December 21, 2010

CALL TO ORDER

The meeting was called to order at 10:30 a.m. by Janice Stern, Zoning Administrator.

Present: Janice Stern, Zoning Administrator; Natalie Amos, Associate Planner;
Mr. and Mrs. Leroudier, Applicants; Kong Susanto and Catherine Pranoto,
5264 Meadowwood Court.

PADR-2138

Application for administrative design review approval to install a second-story window on the right elevation of the existing residence located at 5252 Meadowwood Court.

Ms. Stern explained the Administrative Design Review and appeal process.

Ms. Stern introduced Natalie Amos, Associate Planner, who then presented a summary of the project listed above.

The Public Hearing was opened.

Mr. Leroudier stated that they wanted to install the window for better daylight into the room and for ventilation. He mentioned that the view out of the window would be of trees and the top of the neighbor's house. Mr. Leroudier presented pictures on his computer. He stated that it would be a stretch to see into the neighbor's backyard. He noted that they plan on putting a desk under the window which would prevent someone from standing at the window.

Mr. Leroudier stated they do not want to invade their neighbor's privacy. He mentioned they saw other homes in their neighborhood with windows in a similar location as their proposal. He mentioned that this window does not seem like an unreasonable request. He mentioned that the Susanto's have a window in a similar location and a second story deck that allows them to look onto the rear neighbors property.

Mr. Susanto stated the window is directly overlooking their side yard and into their family room and kitchen which is the major activity areas for their family. He mentioned that the other houses with windows do not have the major activity on the side of the house like they do. He stated that this window would clearly invade their privacy. He explained that changing the glass or planting trees would not be a solution. He also mentioned that there are other ways to get light into the room.

Ms. Stern asked if Mr. Susanto had gone to the applicant's house to see what the view would be from the proposed window.

Mr. Susanto replied that he had not.

Ms. Stern asked if the pictures the applicant presented were taken from the location of the proposed window.

Mr. Leroudier explained that the wall was not opened and that he was on a ladder taking the pictures.

Mrs. Leroudier stated that the bedroom is very dark. She explained that their daughter's vision is not that good and presented a letter from her daughter's doctor. She also presented the permit card from the City's Building Inspector and a letter from their contractor regarding ventilation.

The Public Hearing was closed.

Ms. Stern explained that consideration must be taken in regard to ownership of the home changing and the new owners may not place a desk under the window.

Ms. Stern mentioned that the pictures do not show the view when looking down from the proposed window and that the view looking down would be into the neighbor's patio area.

Ms. Stern asked if they thought of other ideas like a skylight (solar tube) which would increase the lighting in the room.

Ms. Leroudier stated that the solar tube would not work because the morning light would not let her daughter sleep in the morning.

Ms. Stern mentioned that there are ways of covering the tube lighting.

Ms. Leroudier referred to the doctor's note recommending better lighting in their daughter's room.

Ms. Stern asked if using opaque glass would be an option.

Mr. Susanto stated that the window may not always remain opaque.

Ms. Stern stated that it would be a condition of approval that the window would always have to be opaque glass.

Mr. Susanto agreed to opaque glass as a condition of approval.

Ms. Leroudier explained that opaque glass is for the privacy of the home with the opaque glass and that neighbors should not ask someone to put in opaque glass. She mentioned that houses next to her have windows looking straight into their bedroom and living room.

Ms. Stern stated that those windows are considerably much farther away than their proposed windows.

Ms. Leroudier mentioned the angle of the view to how far you can see out the window.

Ms. Stern reiterated that it is not possible to determine the actual view from the window. The pictures presented do not reflect the actual view. She mentioned that she is concerned about the privacy on the back patio.

Ms. Stern mentioned that she would like to go up on the scaffold to get more of the actual view from where the proposed window would be.

Ms. Stern continued the meeting to December 22, 2010.

Respectfully submitted,

Natalie Amos

**MINUTES
ZONING ADMINISTRATOR
Pleasanton, California**

Small Conference Room
200 Old Bernal Avenue, Pleasanton
Wednesday, December 22, 2010

CALL TO ORDER

The meeting was called to order at 10:30 a.m. by Janice Stern, Zoning Administrator.

Present: Janice Stern, Zoning Administrator; Natalie Amos, Associate Planner;
Mr. and Mrs. Leroudier, Applicants; Kong Susanto and Catherine Pranoto,
5264 Meadowwood Court; and Susan Spangler, 5253 Meadowwood Court.

PADR-2138

Application for administrative design review approval to install a second-story window on the right elevation of the existing residence located at 5252 Meadowwood Court.

Ms. Stern resumed the meeting from December 21, 2010.

Ms. Stern explained that she wanted to go to the site to get additional information and check on conditions.

The Public Hearing was reopened.

Ms. Spangler mentioned that her concern is the neighbor's idea of privacy and that privacy has changed vastly in the last ten years. She mentioned that most people do not look into neighbor's yards. She stated that people have to accept the loss of privacy.

Mr. Susanto stated the proposed window is much closer to their property than most neighboring windows. He mentioned that putting the desk at the window would allow a person sitting at the window to look into their property. He mentioned that he does not feel comfortable with the proposed window looking out to that side of his property.

Mr. Susanto explained that the original architecture of the neighborhood respects privacy.

Ms. Leroudier stated that after living there five years they wanted to make improvements to their home and they realized that the room needed more daylight. She asked if it was fair for them to not have the window when they have the choice to use a blind to keep their privacy.

Mr. Leroudier asked if there was possibly a compromise as he understands the concerns of the neighbors.

Mr. Susanto stated that there is not a compromise from the applicants.

Mr. Spangler asked about the opaque glass being changed to clear glass.

Ms. Leroudier mentioned that there is a state law that homeowners have the right to use and enjoy their property with the exclusion of others. She stated that if they cannot install this window then their rights are not being protected.

Ms. Leroudier stated that other cities all around Pleasanton do not have this law that you must get the neighbor's permission to install a second-story window. She mentioned that this was a waste of time and taxpayers money and does not agree with Pleasanton's law. She also mentioned that this process damages relationships with the neighbors.

The Public Hearing was closed.

Ms. Stern explained that a lot of information was brought up yesterday about the area and the conditions on the site, but noted that the discussion today had revolved around the privacy issue and what people's expectation of what privacy is. She stated that she went to visit the site to evaluate some of that information and to figure out what would be the reasonable expectation for privacy in that neighborhood, given the conditions, and the houses and changes that people have made to their houses and to their sites, including the applicant, the neighbor and the other houses around there.

Ms. Stern noted that after visiting the area she noticed that people have made additions to their houses and that many balconies do look into neighboring yards. She stated that she understands the concern about viewing into the living area, but there are ways to prevent that by using blinds. She noted her concern regarding the exterior area because there is not an opportunity to put a tree there or increase the fence height to maintain the privacy. She noted the raised deck in the neighboring yard that gives them the opportunity to look into the applicant's yard pretty clearly. She also noted the neighbor's window additions that look over onto the applicant's home and the other neighbor.

Ms. Stern mentioned her concern with opaque glass because that could cause more issues. She noted the window will be opened at certain times and they could also replace the glass without going through a review by the City. She stated that it would be hard to enforce that condition of only installing opaque glass.

Ms. Stern noted that she will make a decision today that will end this process, but she hopes the neighbors will adapt to this and keep a neighbor relationship as that is more important than a window.

The Zoning Administrator granted approval of PADR-2138, subject to the conditions of approval as shown on the attached Exhibit B.

Respectfully submitted,

Natalie Amos

PAP-151/PADR-2138
RECEIVED

EXHIBIT H

January 6, 2011

Planning Commission
City of Pleasanton

JAN 06 2011
CITY OF PLEASANTON
PLANNING DIVISION

Dear Commissioners,

This letter is with regards to application from Yiping Leroudier (PADR-2138) to install a second-story 4'x4' window on the right elevation of the existing residence located at 5252 Meadowwood Court.

Our residence is located at 5264 Meadowwood Court, which is adjacent to the applicant's property.

The main problem with this plan is that this proposed window is directly facing our main patio area and our main family room. If a window is allowed to be opened as planned, this will clearly cause major loss of our privacy. We tried to compromise with the applicants, and suggested many other solutions instead of adding the window, including the use of fix opaque glass, sunroof, trimming the trees in front of their existing window in that room, adding lighting to their rooms, opening a higher window with a window sill at least 6' from the base of the second floor, and enlarging the other window of the room. Some of the options are not to the codes, and the others were rejected by applicants without providing any wiggle room for compromise.

Instead, the applicants gave many documents and information to the city, and most of them were pointing to nullify the need for ones' privacy and stressed right of use. Included with the documents, is a letter from Susan Spangler, our other neighbor. Her relationship may be closer to the applicant and, in her letter; we felt like, most probably, she did not really understand the background of the issue. The fact is that Mrs. Spangler did not participate in the previous hearing, and the letter was written without even consulting with us. As a close neighbor, we wished she could also be our good neighbor who is impartial and fair. Anyway, many of the statements are clearly one sided, exaggerated, and does not show fairness. As a body who is a part of the city of Pleasanton, I hope that the planning commission can discern individual's opinions vs. what is right for the residence of Pleasanton.

The recent public hearing on this case by planning manager has resulted in the approval of the plan without any compromise. We were not given the reasons of why the decision is thus. We felt that the decision is made without the right guidelines or have been made in a hasty manner. While this matter is probably very small for planning division to deal with, this matter involved the fundamental view of city of Pleasanton towards the residence's privacy. An incorrect decision can be a really bad precedence to the development of city of Pleasanton. So we would like to use this opportunity to sincerely ask the commissioners to reconsider this decision through this appeal.

Please look at (Exhibit I); a map I printed from Google map, enlarged multiple times, but still is a good way to see the orientation of the proposed window addition.

While we understand that complete privacy is not a realistic expectation and that there are thresholds that we should and can tolerate; there are some that are just not right, especially for single family units in our neighborhood.

In this case, the distance between the walls of which the second story window addition is planned is approx 9-10 feet away from the fence, and the fence is approx 15 feet away from our family room's sliding door. In between the fence and the sliding door is where

our main patio is. The planned window addition is overlooking right into the center of our main patio.

Applicants have shown many photos taken from various sides of their homes. Photos are sometimes not very precise on the size and clarity; some can just hide the true picture that the human eyes can actually see. In fact some of the photos that applicants presented during the previous public hearing, like a view showing only the roof of our house or one that showed from the other area of the wall when it was opened for repair, are totally misleading. A realistic visualization of how grossly privacy is impacted in this case is to ask somebody to stand 10 to 20 feet away. We believed you would agree that the planned window, that will allow applicants or future residence to casually observe us in the patio area from 10 to 20 feet away, clearly and grossly, violated the pre-existing privacy that we currently have. Another troubling fact is that the proposed window has direct sight-line towards the sliding door of our family room, approx. 25 feet away from the planned window. Near the sliding door is where we place a table for our daily dining and also serve as a work table for my wife when she is home doing the paperwork or working with the laptop. She is a stay-at-home mom who dedicated her time volunteering for a church, helping seniors at senior housing in Pleasanton, and our children's schools.

Applicant also mentioned a couple of items that I am not sure about the relevance towards the impact towards the previous decision. Since we were not informed about the reasons for the decision, let us put some major information that the applications provided.

1. "Medical condition of her daughter's eyes requires a window addition for direct sunlight to the bedroom, and planning to place a desk right next to the window". There are a lot of other options to improve the lighting of a room that are safer than having to let people read under direct sunlight. In fact there are a lot of articles that recommend against it. So this reason that applicant brought up did not seem logical. Their need for extra lighting in the bedroom (which main purpose is supposed for sleeping) will be gained at the cost of our lighting when we were suggested to install blind at our patio door to protect our privacy in the family room (which hold our main activity in the house, and is the only room in the house that has enough light). Where is the fairness?

2. "Rights of use".
If privacy is not of our concern, nobody is going to bother the applicant about the right of use. However, the right of use the applicant is mentioning is taking away the right of basic privacy from us. There are codes and regulations for safe architecture, and there are ordinance and guidelines to cover those that cannot be covered by the codes.
Many cities acknowledge that second story window may be very intrusive towards adjacent property if the orientation, location, and/or size are not right. The right of use should not be viewed as absolute, but should also consider the impact to neighborhood.

The location, the size, and the orientation of the planned second story window is exactly over viewing the center of our main patio, in a distance between 10-20 feet. It also has a direct sight line to the 6' sliding door to our family room. This is exactly what other city planners are worried about when they mentioned "second story window may be very intrusive towards the adjacent neighbor property".

3. "There are many designs in the other houses that may intrude privacy, including some from the Susanto's".

Again, we are not talking about absolute privacy here. We lived in an urban neighborhood, and understood the need for tolerance; including privacy. But from what I can see in our property, all the items mentioned by the applicant have some things that helped mitigate the privacy issues, like a distance of more than 40', and trees. There must be something that the previous owner had compromised with the neighbors that allows them to build those. However, there is definitely none that will violate others' privacy in such an extent like the planned second story window.

Even if the existing condition has some privacy issue to talk about, we think you will agree with us that "a bad plan in the past should not be used as a basis of a bad plan in the future. Planning is for the future, and good planning is essential for the benefit of the current and future residence. Privacy should be part of the planning and be preserved whenever possible.

4. The Leroudier mentioned that "If we can see you, you can see us too. So if we are violating your privacy, you are also violating ours".

While it may have some slight logic behind it, this statement is absurd. It says that if I punch you in the face, it means you use your head to hit my hand? The pre-existing privacy situation that is being violated is ours, not Leroudier's.

5. "To meet egress requirement".

It is not a requirement by the city to open another window to comply with egress requirement to fix the wall that was previously damaged by black molds.

The egress requirement is there if the applicant is to open a window, not the other way round. In fact the applicant's room has another window that the applicant, if they want to, can be enlarged to meet with egress requirement.

Some documents

We would like to ask the planning commissioners to re-consider this case with some additional information that we found from reviewing how other cities view privacy and second story windows. The issue of privacy, especially those that are posed by second floor side windows, is one of the major concerns to all these cities, and which value should also be considered by city of Pleasanton.

1. Exhibit II

("Palo Alto Single Family Individual Review Guidelines - Guideline 5 - Placement of Second Story Windows and Decks for Privacy*") Approval Criterion: "The size, placement and orientation of second story windows and decks shall limit direct sight lines into windows and patios located at the rear and sides of adjacent properties in close proximity. *Complete privacy is not a realistic expectation. Designs should reduce opportunities for individuals to be causally observed by others and minimize intrusions upon PRE-EXISTING privacy situations, such as the MAIN OUTDOOR LIVING AREA or PRIMARY PATIO").

There are figures on the attached document, having 2nd floor windows, that shows very similar situation to our case, including the orientation of the planned window, the location of the main patio, and the direct sight line to the family sliding door.

2. Exhibit III

("Study Session to Review Recommendations for changes to Single Family (R-1)

Zone District Regulations and Adoption of an Individual Review, from City of Palo Alto), mentioned that:

"City of Mountain View regulates the size and location of second story windows to ensure the privacy of adjacent homes. Other cities require an increased setback for second stories to address privacy."

3. Exhibit IV

("San Pablo, Code of Ordinances, Appendix A - Residential Design Guidelines").

"second story side yard window can intrude the privacy of neighbor".

I am very sure that there are a lot more documents that we can gather regarding discussions on second floor windows issues on privacy; and their regulations from many other cities. Just from these 3 documents alone, we can clearly see how all cities have similar attitude about protecting their residence from having to live under constant gaze by their neighbor due to poor planning.

I have not seen or told if there is any, the guidelines or regulations that city of Pleasanton has for such matter, and if such privacy issue had never been handled or documented by city of Pleasanton, it would be appropriate for city of Pleasanton to learn from the documents and try to extract what is the right thing to apply to city of Pleasanton. I do believe, like many other cities' residences, Pleasanton residences still value privacy very much.

Our expectation is that, because the purpose is not right, the location is not right, the orientation is not right and the size is not right, and all are directly impacting our ability to enjoy privacy in our own property, I sincerely hope that the commissioners to disallow the plan and ask the applicant to opt for other solution to the lighting problem the applicant is trying to solve. If the applicant choose to enlarge the existing window on the other side of the wall, we will be willing to share 50% or up to \$200 to open the wall for the bigger window, to help partially fund the applicant to fix their egress issue. We have this consideration because the moment the window addition is done, the architecture of the home and our home's comfort level will change immediately, forever; which damage will be permanent to us. We also understand the inconvenience caused and would really like our relationship to be back to normal again.

In the case that the planning commissioners still favor the applicant over the addition to the second story window, we would expect at least a compromise to this. We saw that the applicant's property has many Italian Cypress trees (see attached photo) that can grow 30+ ft with a very small base, with the tree width of approx 2 feet. We would like the city to put a condition towards the addition of the windows that if they were to pursue the option, they would plant 4 Italian Cypress tree of at least 20' tall each in their side yard, put in place as closely as possible side by side (~2 feet apart) so that they somewhat form a living screen against the most offended areas of our property as posed by the window addition. And that the applicant should make sure that the plants are taken care properly until they are settled. The Italian Cypress trees also blend nicely with the theme of the applicant's home.

Again, we felt that the applicant's plan has completely ignored the need to minimize privacy intrusion to the adjacent neighbor (us). It is not thoughtful and it is not right. If decision is being maintained as previously made without compromise, we feel that the city of Pleasanton is unfairly treating this case, and is completely disregarding the value of privacy; and that this will be a very bad precedence of privacy issue in the city of

Pleasanton.

If planning commissioners are with us to protect residence right for privacy, I hope that city of Pleasanton will develop some kind of guidelines on second story window addition like some other cities have done.

Sincerely,

A handwritten signature in black ink, appearing to be 'Kong Susanto', with a stylized flourish at the end.

Kong Susanto
Catharine Pranoto
5264 Meadowwood Court, Pleasanton, CA 94566
(925) 398-6668

Cc: Natalie Amos, Association Planner



Main Patio Area



Direction of planned window
to the family room's glass door
Approx 9' from window to fence
and 16' from fence to door



Property Boundary



5264 Meadowwood Ct



5252 Meadowwood Ct



EXHIBIT I



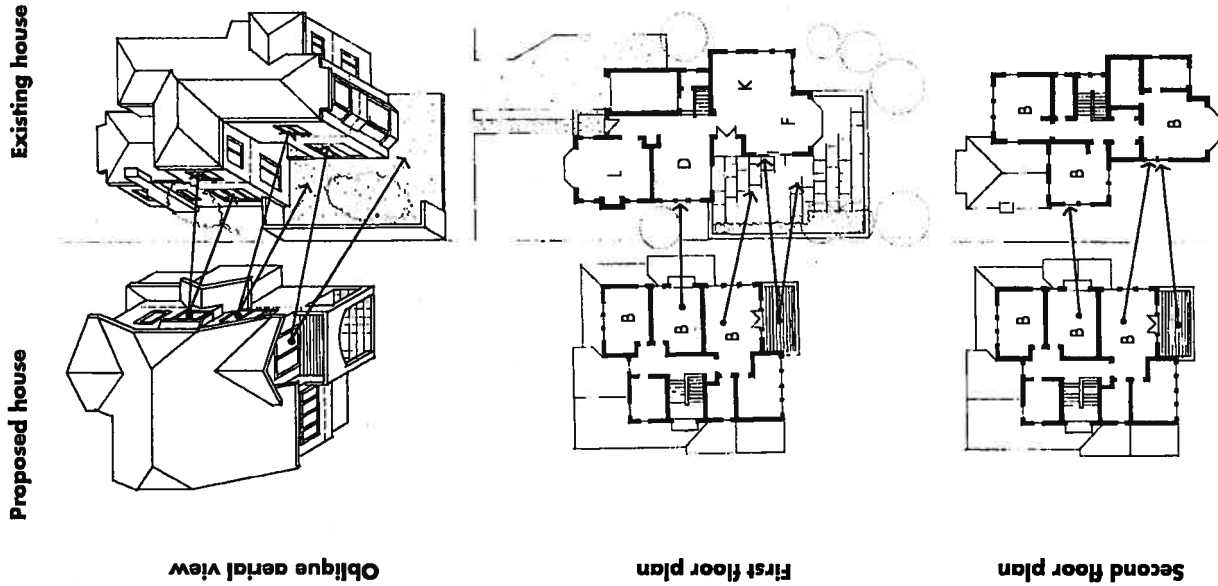
Guideline FIVE

Placement of Second Story Windows and Decks for Privacy*

Approval Criterion:

The size, placement and orientation of second story windows and decks shall limit direct sight lines into windows and patios located at the rear and sides of adjacent properties in close proximity.

Complete privacy is not a realistic expectation. Designs should reduce opportunities for individuals to be casually observed by others and minimize intrusions upon pre-existing privacy situations, such as the main outdoor living area or primary patio.



Insufficient Privacy

- Floor plan arranges bedrooms and deck along side wall, increasing potential privacy impacts
- Side facing bay window, large master bedroom window, second floor deck with low railing look into neighboring home's bedrooms, dining and living area, and patio
- House siting, window alignment between homes contributes to privacy impacts

5A: Does NOT meet guideline

composed of three primary components: 1) threshold or "trigger" for review, 2) the review process and procedures, and 3) associated guidelines or standards.

1. Threshold for Review

Some cities have addressed specific problems with the adoption of regulations. As an example, the City of Mountain View regulates the size and location of second story windows to ensure the privacy of adjacent homes. Other cities require an increased setback for second stories to address privacy, massing and bulk issues. The most significant disadvantage to the regulatory approach is the inflexibility and potential for unanticipated consequences. As an example, regulated setbacks can result in what has been described as a "wedding cake" effect; a precisely regulated second story stacked massing. Some flexibility can be incorporated through the use of exceptions or exemptions (e.g., a daylight plane exemption adjacent to a non-residential use). However, it is difficult to anticipate all such situations. As well, numerous exemptions and exceptions create a difficult, overly complex code. It is the opinion of the Advisory Group and staff that a focused design review is the preferable alternative.

The threshold for individual review would be construction of a new two-story house, new second-story addition, or addition to an existing second story greater than 150 square feet. The threshold is based on the premise that two-story houses have a greater effect on privacy, bulk and massing, and to a lesser extent streetscape, than do one-story houses. The threshold is simple, clear, and understandable. The 150 square foot trigger was based on the potential for additional significant living area (e.g., bedroom) while allowing small improvements to the existing living area without individual review.

Other options were discussed for thresholds or "triggers"; examples include a threshold based on a percentage of FAR or a request for exemption from certain regulations or standards. The percentage FAR option would trigger review if the house exceeded a certain percentage of the allowable FAR (e.g., 85% or 90%). There is an intuitive logic to requiring review when the project is "pushing the envelope" and an assumption that a smaller house would have fewer impacts. However, this option would still allow a second story to be built without a review for privacy issues (e.g., windows and decks). The exemption option would trigger review when an exemption is requested from a regulation or standard (e.g., an entry feature greater than 12 feet). Neither option would provide certainty for neighbors. That is, it would be difficult to know, in advance, when a proposed new house would trigger review. It was felt both options would result in a much more complex and difficult to administer code.

2. Process and Procedures

The Individual Review Process emphasizes input from the neighbors, early identification of issues, and a problem-solving approach. The process includes several new ideas including posting on site to inform neighbors of the proposed project, use of a checklist as part of the application, the availability of a mediator and a "call-up" City Council appeal process. An outline of the process, an example of draft posting notices and a checklist example is included in the Individual Review Process section of the binder.

The Advisory Group was particularly concerned, as was the community, with notification of neighbors. A sentiment expressed at the Community Forums and by the Advisory Group was the sense of unexpected change with little or no opportunity for neighborhood input. Many developers and homeowners do contact their neighbors prior to beginning a project, however, many do not. By the time the project has been submitted for plan check, there is an inherent resistance to change due, in part, to cost considerations. At this point, there has been a significant investment in both time and money in the proposed project. The Individual Review Process would require notice to the adjacent neighbors and "posting" of the project. Posting would require the applicant to place a sign on the property notifying the neighbors a project is on file, directions on obtaining further information and where to direct comments. Elevations would not be posted. There was a concern expressed at the second Community Forum about posting elevations or floor plans. Elevations can change and lead to confusion and many believe posting floor plans invades privacy. Planning and Library staffs are discussing the potential for, at a minimum, the front elevation and site plan to be available at the main library for the convenience of neighbors unable to come to the Development Center during regular business hours.

There was strong feeling that an applicant should be required to meet with neighbors before filing an application. The City cannot deny applicants the right to file an application if they have not met with the neighbors, however, the application would encourage the applicant/property owner to meet with neighbors as early in the process as possible and will request information as to what attempts have been made to do so. As well, the application would include a checklist to be filled out by the applicant/property owner. An excellent example from the City of Pacific Grove is included in the binder. The anticipated checklist for Palo Alto will emphasize how the project will address privacy, mass and bulk, and the neighborhood streetscape. This approach ensures the project is sensitive to these critical issues, provides directly relevant and understandable information to the neighbors, and a framework for review. A checklist would be completed in conjunction with the guidelines.

San Pablo, California, Code of Ordinances >> Title 17 - ZONING* >> APPENDIX A - Residential Design Guidelines* >>

APPENDIX A - Residential Design Guidelines*

Editor's note—

- Editor's Note. See Section 17.10.110 for guidance on the use of these Design Guidelines.

Purpose

The Residential Design Guidelines are intended to assist designers in understanding the city's goals and objectives for high quality residential development. The guidelines complement the mandatory site development regulations contained in Chapter 17.10 by providing illustrated examples of desirable and undesirable development.

Applicability

The design guidelines and illustrations are general and may be interpreted with some flexibility in their application to specific projects. The guidelines are to be used in conjunction with the city's design review process (Chapter 17.62) to encourage the highest quality of design while, at the same time, provide the flexibility necessary to encourage creativity by project designers. The guidelines also may be imposed as a condition of approval. In any instance of conflict between the provisions of these design guidelines and other provisions of the zoning ordinance, the other provisions of the zoning ordinance shall prevail.

The design guidelines are formatted into two general categories: single-family residential and multiple-family residential. Two-family duplex development falls under the guidelines applicable to single-family residential. Each category is further subdivided, where applicable, into neighborhood planning guidelines and architectural guidelines.

The guidelines apply to new construction, residential additions and remodeling that would significantly affect the exterior appearance of buildings, pursuant to Chapter 17.62 Design Review.

Single-Family Neighborhood Planning

Objective. Site planning should emphasize development that fits into neighborhoods.

Problem Areas. Single-family, two-family and multi-family housing may be built on vacant lots or on combined lots in residential districts. Figure 1 shows three examples of residential layouts on a hypothetical group of six lots. The figure shows problems with each of the layouts, including paving over front yards for parking, developing accessory structures with no yard setbacks, jeopardizing the privacy of neighbors by orienting duplex units to the side yard, and orienting corner lot housing to the side street rather than the primary street - which weakens the continuity of front yards along the street. These problems should be addressed in applications for new residential development or additions, where applicable.

Second Story Side-Yard Setbacks. New single-family homes or duplexes, or additions to existing houses, may be constructed as one- or two-story buildings. To preserve open space on narrow lots, property owners may choose to develop two-story houses. However, second floors may loom over adjacent houses, and second floor side yard windows can intrude on the privacy of neighbors. Development, therefore, must be consistent with mandatory second story side yard setbacks and height limits (see Table 17.10-3).

Figure 2, with four illustrations of two-floor, single-family houses on lots varying in width from fifty feet to twenty-five feet, shows the effects of the mandated wider second floor setbacks. These configurations help to protect the privacy of neighbors in their homes and back yards. The wider second story setbacks also help to let sunlight and air reach the ground level between the houses.

Figure 1—Infill Development in Single-Family Neighborhoods

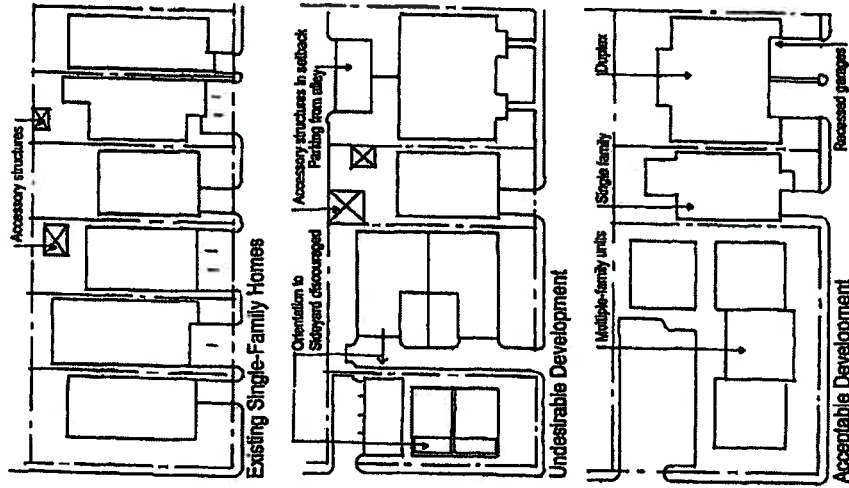
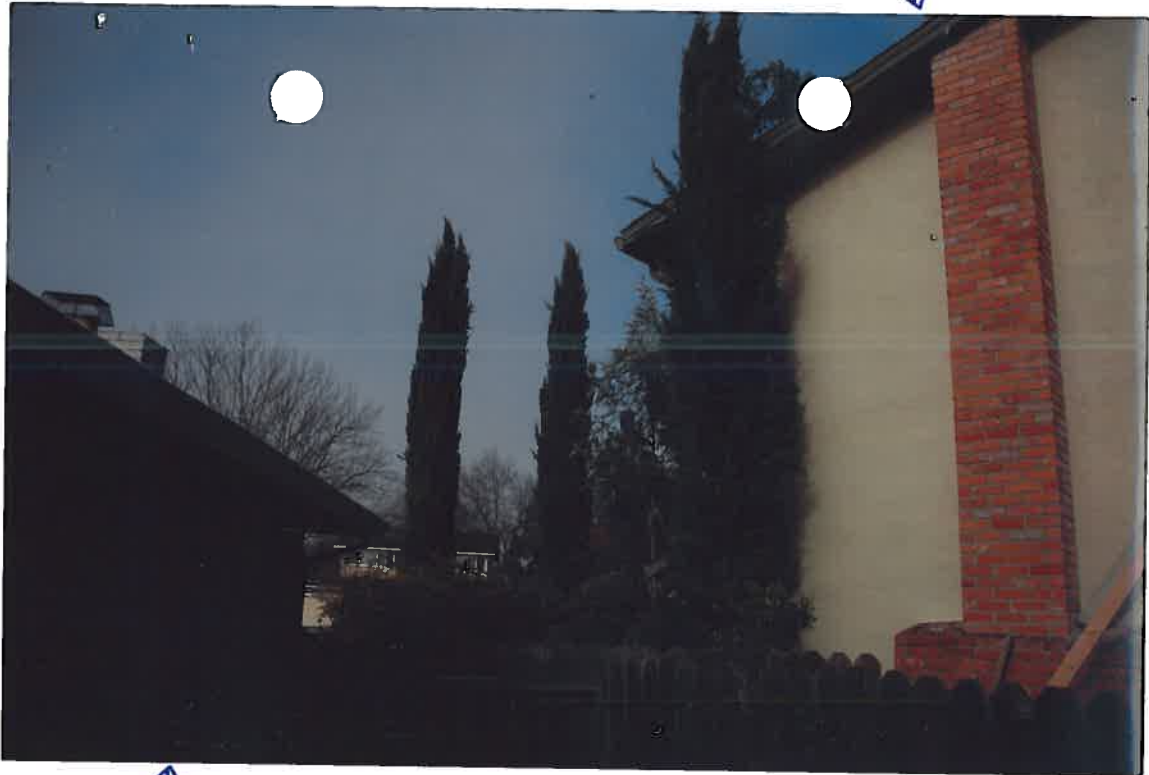


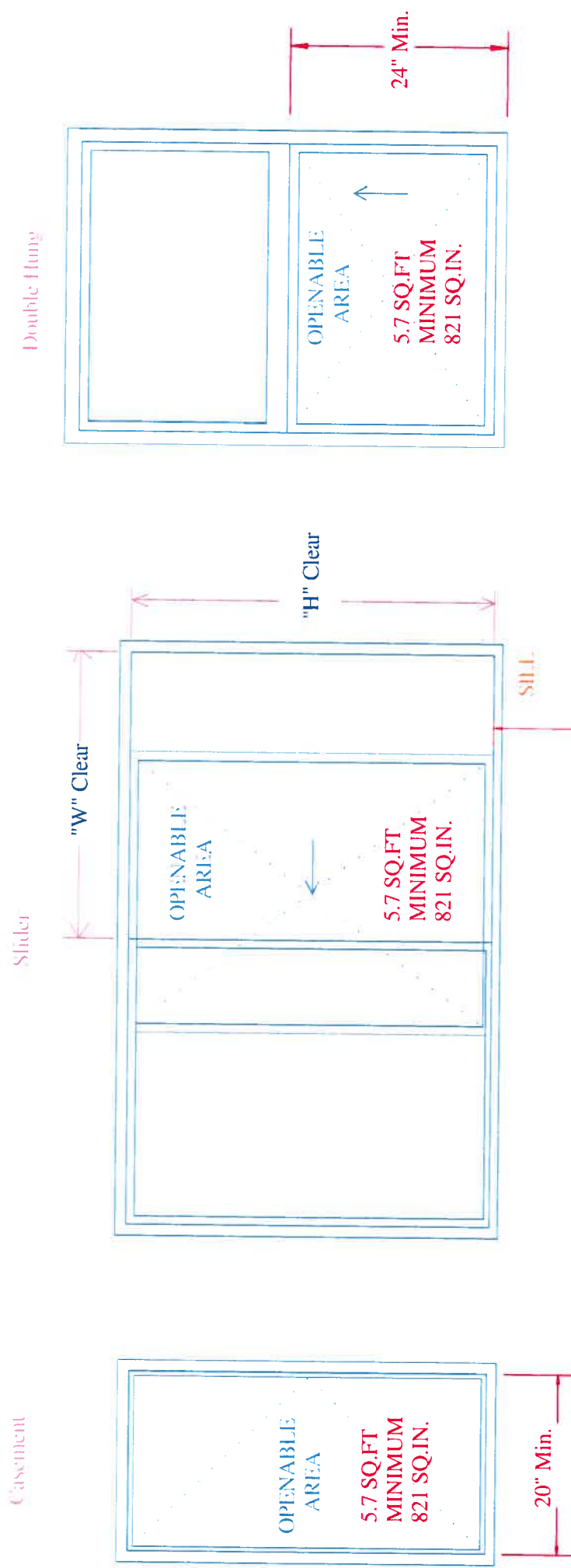
Figure 2—Desirable Single Family Houses on Lots of Varying Widths

A. 50-Foot Wide Parcel

5252
MEADOWWOOD CT
↓



↑
5204 MEADOWWOOD CT



NOTE: Casement measured when opened a minimum of 90 degrees.

EGRESS WINDOW REQUIREMENTS

44" Max. Sill Height

WIDTH	20	20.5	21	21.5	22	22.5	23	23.5	24	24.5	25	25.5	26	26.5	27	27.5	28	28.5	29	29.5	30	30.5	31	31.5	32	32.5	33	33.5	34
HEIGHT	41.0	40.0	39.1	38.2	37.3	36.5	35.7	34.9	34.2	33.5	32.8	32.2	31.6	31	30.4	29.8	29.3	28.8	28.3	27.8	27.4	26.9	26.5	26.1	25.7	25.3	24.9	24.5	24

Above Chart shows widths and heights that equal the Min. 5.7 sq. ft. requirement.

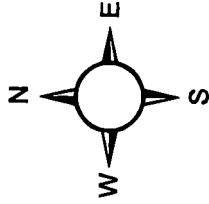
Location Map

City of Pleasanton

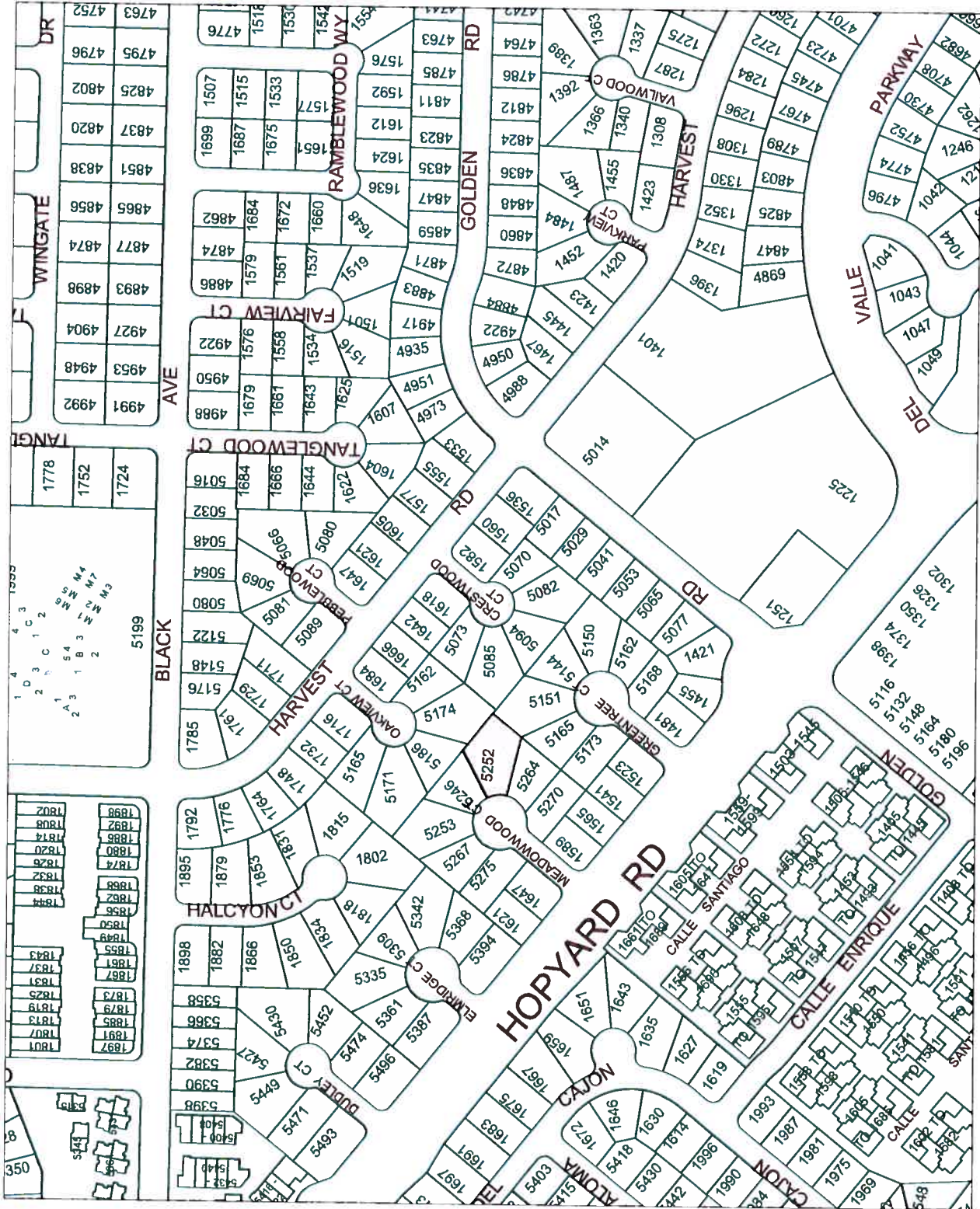
GIS

Department

5252 Meadowwood Ct.



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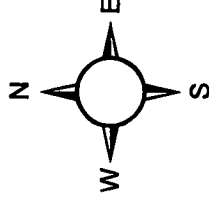
Noticing Map

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