

Gary and Candileigh Monzo
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April 6, 2015

Narrative Summary of Appeal

Gary and Candileigh Monzo (the "Monzos"), owners of 3023 Golden Eagle Way, are appealing the March 25, 2015 decision of the Planning Commission approving Design Review Application P14-1186 for 8019 Golden Eagle Way (Haddad). The basis for the Monzos' appeal arises from their belief that the Planning Commission did not fully or adequately address the Monzos' objections as set forth in great detail in their February 26, 2015 letter to Jennifer Wallis, Associate Planner, concerning P14-1186. Additionally, the Monzos are raising objections and appealing the decision based upon (1) misstatements of fact made in the Staff Report to the Planning Commission, (2) the Planning Commission's failure to adhere to and objectively uphold the Architectural Guidelines for both scope and design of the Haddad's application, (3) the Planning Commission's refusal to require the architect and/or applicant to consider alternative designs and home configurations on the property (including a PUD modification to alter the suggested building envelope), (4) the Planning Commission apparent disregard and dismissal of factual misstatements and misrepresentations by the architect concerning the plans for P14-1186, (5) the Planning Department and Planning Commission's disregard of conflicting information in grading representations apparent in different components of the application, and (6) the Planning Department and Planning Commission's failure to conduct an adequate investigation into the history of P14-1186 (including prior iterations thereof) so as to provide a full and complete background of all relevant factors used in determining whether P14-1186 complies with the architectural guidelines for Golden Eagle Estates.

DOMMER ARCHITECTS
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May 11, 2015

RE: P14-1186 LOT T-2 (8019 GOLDEN EAGLE WAY)
GOLDEN EAGLE ESTATES
APPEAL OF PLANNING COMMISSION APPROVAL

Members of the Pleasanton City Council,

My name is Jerry Dommer. I am the senior partner in the firm of Dommer Architects, previously called Dommer & Byars, the architect of record for the planning and design of Golden Eagle Farms, now known as Golden Eagle Estates. I was the partner in charge of the design of the Golden Eagle Farms development in the late 80's and early 90's. Our firm produced the master plan and the Architectural Design Guidelines ("Design Guidelines") for the overall development. I have been retained by Gary Monzo as a professional consultant in the appeal of the Pleasanton Planning Commission approval of the proposed home design on Lot T-2 at 8019 Golden Eagle Way.

Dommer & Byars has master planned and designed approximately 30 large luxury residential communities. This project was different from any other development we have ever designed. The Pleasanton Planning Department took a particularly close approach to the planning process of the Golden Eagle Farms project. Prior to any master planning, we met with Brian Swift, then Director of City Planning. Mr. Swift conveyed that the Pleasanton Ridge was a treasured visual landmark of the City Pleasanton and its residents. He mandated that this project should respect the beauty of the hillside and design a development that *nestled* the homes into the landscape, rather than dominate it.

Our master planning effort was performed with the close consultation of the Planning Department. Planners visited the site as lots were positioned in the master plan. After the master plan was preliminarily approved by Planning, we drafted the Design Guidelines. The entire development was closely monitored by City Planning. The Master Plan and Design Guidelines were a cooperative effort product between the developer / architect and Pleasanton City Planning. Indeed, following completion of the Design Guidelines, I personally served as Chairman of the Homeowner's Association Design Review Committee for three (3) years, and was directly involved in evaluating home design for compliance with the Design Guidelines in Golden Eagle Estates.

Each lot has an individual assessment and specific design requirements. No two lots are the same. The Design Guidelines pays special attention to lots, under the heading of House Design Bulk Requirements, that are designated as "High Visibility" lots. The Architectural portion of the Design Guidelines states for high visibility lots: ***"...the house design should produce a home that has a horizontal character, and not accentuate vertical features. This does not necessarily preclude a second story, but requires creativity in achieving the above.... Second story massing is encouraged at the back of the house away from the street."*** The Landscape portion of the Design Guidelines states ***"...Homes will be designed to maintain a low profile.... taking advantage of individual lot features while protecting the rural character of the development."*** Pictures of homes were included in the Design Guidelines to qualify Approvable House Styles and disqualify Non-Approvable House Styles, which are attached hereto as Attachment 1.

I visited the Golden Eagle Estates to see firsthand the character of Mr. Monzo's property, the adjacent homes in the neighborhood, and the proposed design for lot T-2. The neighborhood is a fine collection of mostly homes with low profile designs. Similarly, Mr. Monzo's home is a true one-story split level design with a second story at the rear of the north end.

Lot T-2, at 8019 Golden Eagle Way, is designated as being “**high visibility**”, and should have followed these guidelines closely. However that is not the case.

- The home design is not horizontal in character or “low profile,” but is rather massive and vertical. Moreover, although there is “split” in the levels from front to rear, the split is *de minimus* and does not architecturally meet the definition of a true “split-level” home.
- The two house levels are positioned at the front of the house. The two-story rotunda, the most prominent part of the design, sets back only 2’-10” from the ground level entry door.
- The Planning Department’s Staff Report is misleading insofar as its statement that “[t]he 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.” The forward most component of the first floor is the porch, which accounts for only 16% of the nearly 104 feet of horizontal plane of the front of the home. Architecturally and per the Design Guidelines, the second story is not massed at the back of the proposed home.
- The upper level and roof of the rotunda blocks Mr. Monzo’s current view of Mt. Diablo, the most popular view in the East Bay. (See Attachments 2 and 3, which are, respectively, photographs taken from inside Mr. Monzo’s home of the actual story poles for P14-1186 Lot T-2, followed by a photograph of the proposed structure superimposed thereon)..
- The resulting loss of view will diminish the pleasure of living in the Monzo residence, and will be detrimental to the Monzo’s property value as well.
- Additionally, the amount of grading and landscaping for this site is beyond the 40% of site area allowed. The project architect commented that the “*requirements are out-of-date and unreasonable*”. The hillside has been in-place for thousands of years. There has been no reason to change the Guidelines in 25 years. They still meet the original far reaching goals of Pleasanton City Planning in 1990, and for which I was personally consulted and involved.

The Planning Department’s March 25, 2015 PowerPoint presentation (“PowerPoint”) to the Planning Commission (which accompanied the Staff Report) showed pictures of various comparable designs that were supposed to be Approvable designs. I visited all of these examples, and do not agree with staff’s opinion. As noted in the table below, three of the five “examples” provided in the PowerPoint, which purportedly represented homes subject to the same design criteria for “High Visibility” lots were in fact subject to different and less stringent criteria. Specifically, Lots 9, 13, 31 and 48 provide “[l]arge house allowed, Second story massing is encouraged at back of house away from street.” These homes do not bear the more stringent requirement that my firm wrote for the “High Visibility” lots as noted above, to wit, “**...the house design should produce a home that has a horizontal character, and not accentuate vertical features. This does not necessarily preclude a second story, but requires creativity in achieving the above.... Second story massing is encouraged at the back of the house away from the street.**” Finally, for those two lots that had the same, more stringent criterion (Lots 23 and 25), neither of those homes as constructed impairs the views of neighboring homes, rendering them non-comparable examples when evaluating Design Guideline compliance and impact on neighbors. Indeed, none of the “example” homes have an impact on their neighbors’ views as positioned on the hillside.

Accordingly, house designs where the second floor is not substantially set back do not meet the requirements of “**horizontal in character, low profile, or set back**”. Moreover, they do not meet the intent of the Design Guideline wording, or match the Approvable House Styles. Rather, they match the Non-approvable House Styles, which in my opinion aptly describes the home proposed in P14-1186 Lot T-2, and which is non-compliant with the Design Guidelines.

LOT NUMBER	DESIGN CRITERIA PER GUIDELINES	VIEW IMPACT
9	Less Stringent (low visibility)	None
13	Less Stringent (very low visibility)	None
23 ¹	More Stringent	None
25 ²	More Stringent	None
48	Less Stringent (low visibility)	None
31 ³	<i>Less Stringent (moderate visibility)</i>	<i>None</i>

The collection of photos enclosed as Attachment 4, represent aerial photos of all of the lots identified above and in the PowerPoint (including erroneously identified lots), and clearly demonstrate the absence of any view impact with any of the lots. Conversely, Attachment 5 represents the spatial and resulting view impact on Mr. Monzo's home by the home proposed in P14-1186 Lot T-2.

Ultimately, this dispute needs resolution, since a redesign to make the home compliant with the Design Guidelines does not seem attainable based upon the comments of the architect at the March 25, 2015 Planning Commission meeting. As such, a compromise toward the middle should work for both parties. Based upon my expertise, experience and intimate familiarity with the Golden Eagle Estates development, I would recommend (and the Monzos would accept) that the current Haddad house design would be workable if pulled back 15 feet more from the Golden Eagle Way. That would leave the present house design intact, and require modification of the backyard landscaping.⁴ Moreover, I am informed that the Golden Eagle Estates HOA Board has recently passed a resolution tentatively approving the movement and/or enlargement of the building envelope to allow for such movement, in addition to any other necessary variances to the Design Guidelines to effectuate this solution. Indeed, repositioning of the house would open the view corridor to Mt. Diablo from the Monzo's living room, and provide relief from the roof impact. We believe that this is the least disruptive solution for both parties.

Best regards,

Jerry Dommer
DOMMER ARCHITECTS.

¹ Erroneously identified this home as Lot 31, but with a correct address for the home depicted in the photo.

² Erroneously identified both the lot number (Lot 31) and address for home depicted in the photo. The home depicted in the photo is actually Lot 25 at 2092 Valley Oak Court.

³ Erroneously correlated to photos of homes depicted in the PowerPoint. Lot 31 is actually 1933 Clover Court.

⁴ The property where the drive is situated is a 10% slope. The proposed house sits on an approximate 18% slope. The backyard close to the house is approximately a 20% slope. The 10%-20% slopes are indicated in the Design Guidelines for this lot. Moving the proposed house back 15' would result in an approx. 2'-8" cut into the hillside. That is a fairly short retaining wall in itself, but would be added to the retaining wall height presently designed, and which would be a minimal increase to accommodate a resolution.

APPENDIX 1

APPROVABLE HOUSE DESIGNS

The following photographs are representative of house styles that the Design Review Committee and the Pleasanton Planning Department feel are most compatible with the design objectives for Golden Eagle Farm. These are designs that are subdued in nature, work well with both the natural topography and vegetation and yet have a well established architectural character that will stand the test of time.

Each photograph has a brief explanation of its desired aspects. This survey is intended to present a direction that the Committee would support.

A1

This house design has a low physical profile as well as a low roof pitch ratio. The wood exterior materials, large shadows from the overhangs, and added landscaping make the house quite anonymous in the neighborhood.

A2

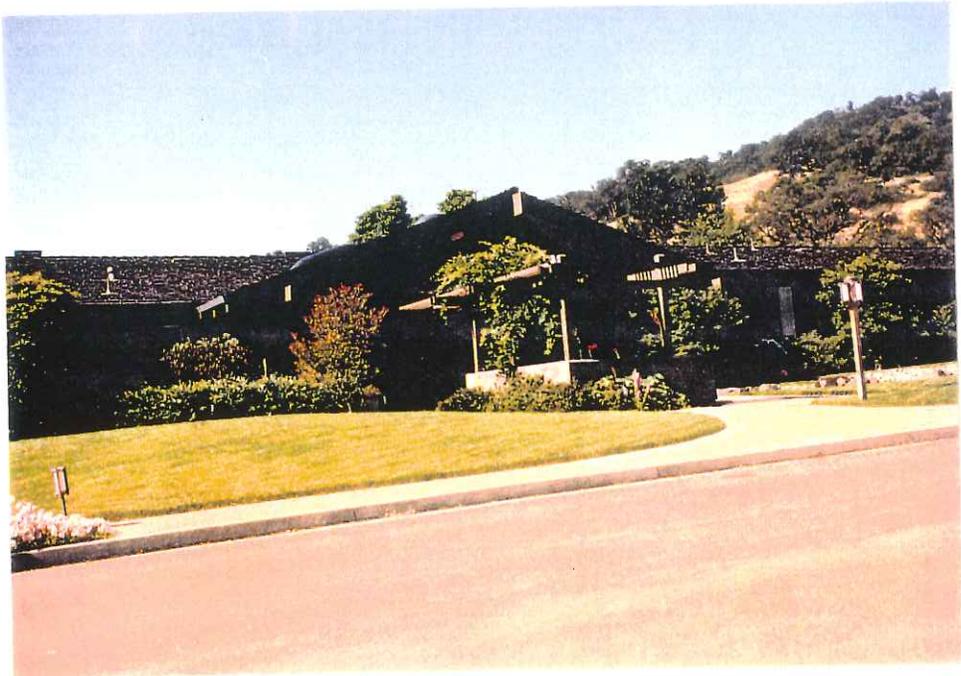
Although this house is two stories, the design has been creative in making the massing fairly restrained. The second story is only partial and allows an interesting roof and unimposing character. The new planting will eventually soften the house further.

A3

This large one-story house was planned around a small grove of large trees and is successful at working with existing conditions. Its horizontal character, low slope roof, and wood exterior allow it to fit well into the landscape.



A1



A2



A3

A4

This house design is very horizontal in character and has been heavily sheltered by large tree cover. The feeling is a house design that works very well in a natural setting. The mixed use of materials, wood with brick accent, makes for an interesting but subtle facade.

A5

This home has a strong architectural character, but its horizontal lines and landscaping make it a very pleasant home in the neighborhood.

A6

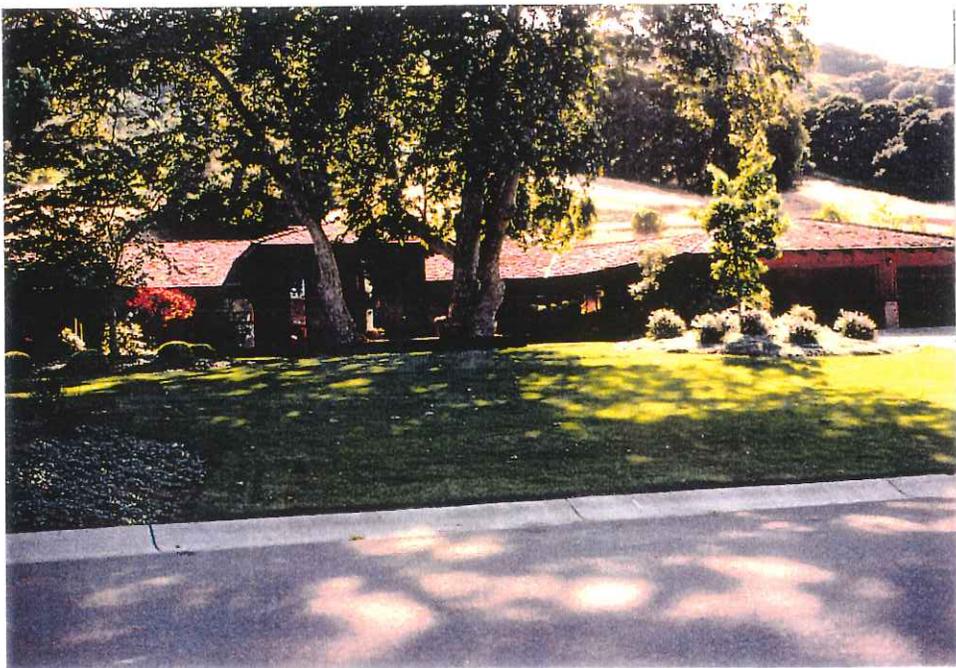
This very large home has a strong architectural quality. The breaking up of the massing of the structure and roof helps minimize the size of the home, however, the front portico is too large.



A4



A5



A6

A7

This house design has articulated the massing and roof form in order to reduce the scale of a large two story home. The second story, being only partial, helps keep the house from having a massive character.

A8

This contemporary house design fits well in a natural setting. Its broken-up massing and natural materials give it a proper scale with the wooded landscape.

A9

This 1½ story house has a very pleasant and subdued character. Although its roof mass has considerable height, it is broken up with windows and changes of shape and direction. The landscaping helps soften the design even further.



A7



A8



A9

APPENDIX 1A

NON-APPROVABLE HOUSE DESIGNS

The following photographs represent house styles that the Design Review Committee finds incompatible with the design objectives of Golden Eagle Farm. The accompanying text with each photograph describes design directions and features that are not acceptable.

N1

This house has too formal and stark an appearance. The development is not looking for chateau-like designs, or designs that are totally unique in the surrounding neighborhoods.

N2

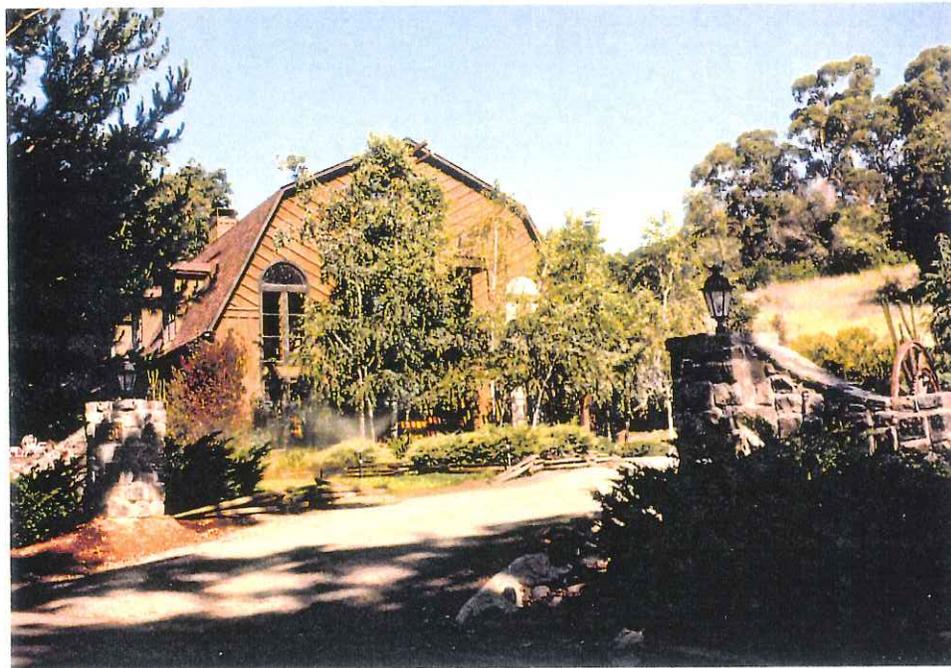
This barn conversion may have a rural charm, but its style is too extreme to incorporate into the Oak Tree Farm design palette.

N3

This Victorian Revival house is too eclectic and dominating in the natural setting of Oak Tree Farm.



N1



N2



N3

N4

This house is too massive and bold in its detailing to compliment the development and neighboring homes.

N5

House designs with unbroken facades such as this home, are not desirable. The house has virtually no landscaping to soften its hard character.

N6

This fairly modern house design is quite stark and extreme in character. It floats above the landscape with a very heavy one story shadow. It does not sit well on its natural setting.



N4



N5



N6

N7

This eclectic design dates back to 19th century rural America. It is a style which would be out of place in this development.

N8

This house is too broken up into small pieces. It does not have a strong cohesive design concept. It has virtually no landscaping to soften its harsh quality.



N7

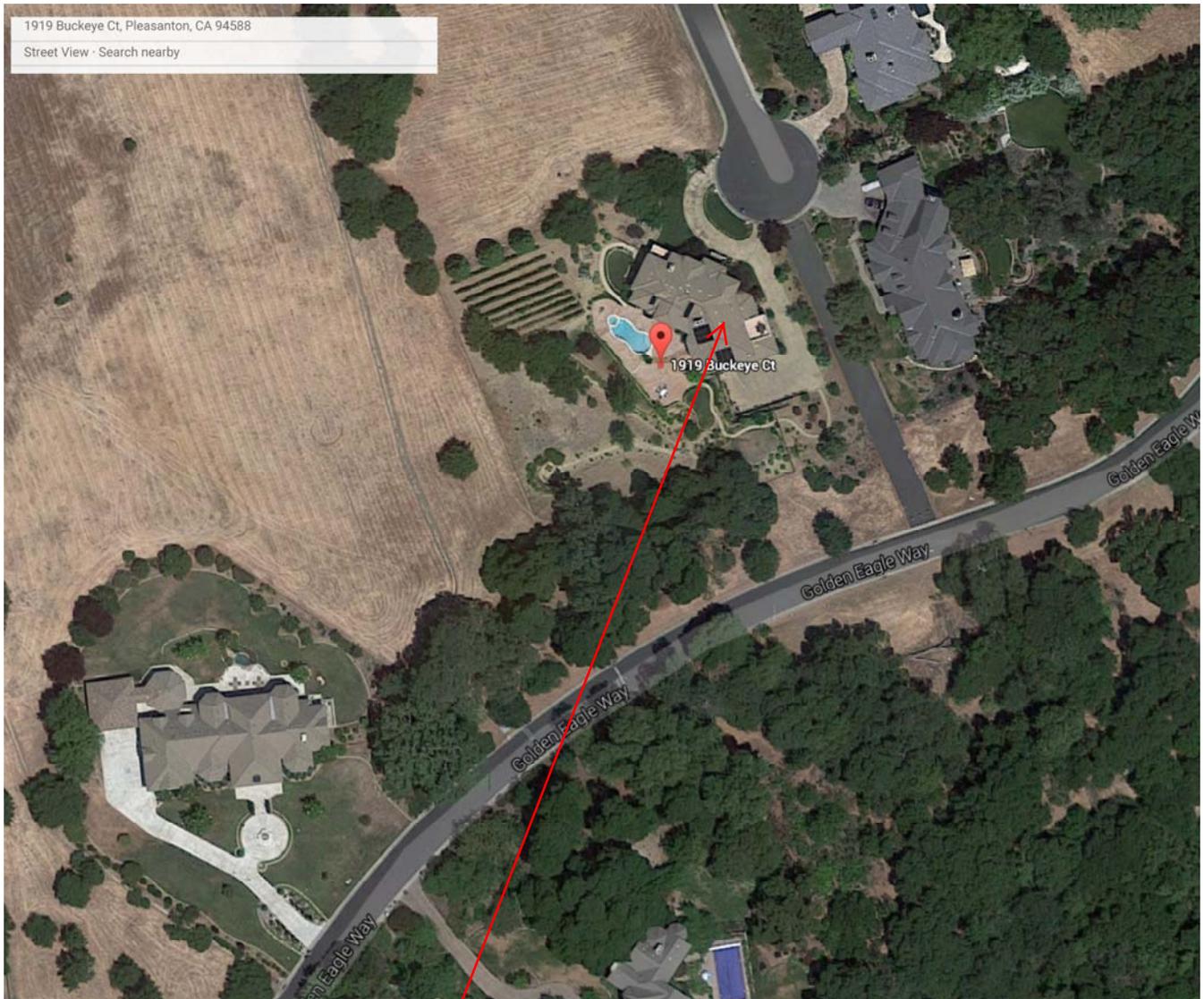


N8





Story pole for
front of Rotunda



Lot No. 9
1919 Buckeye Court
Pleasanton, CA 94588



Lot No. 13
2031 Valley Oak Road
Pleasanton, CA 94588

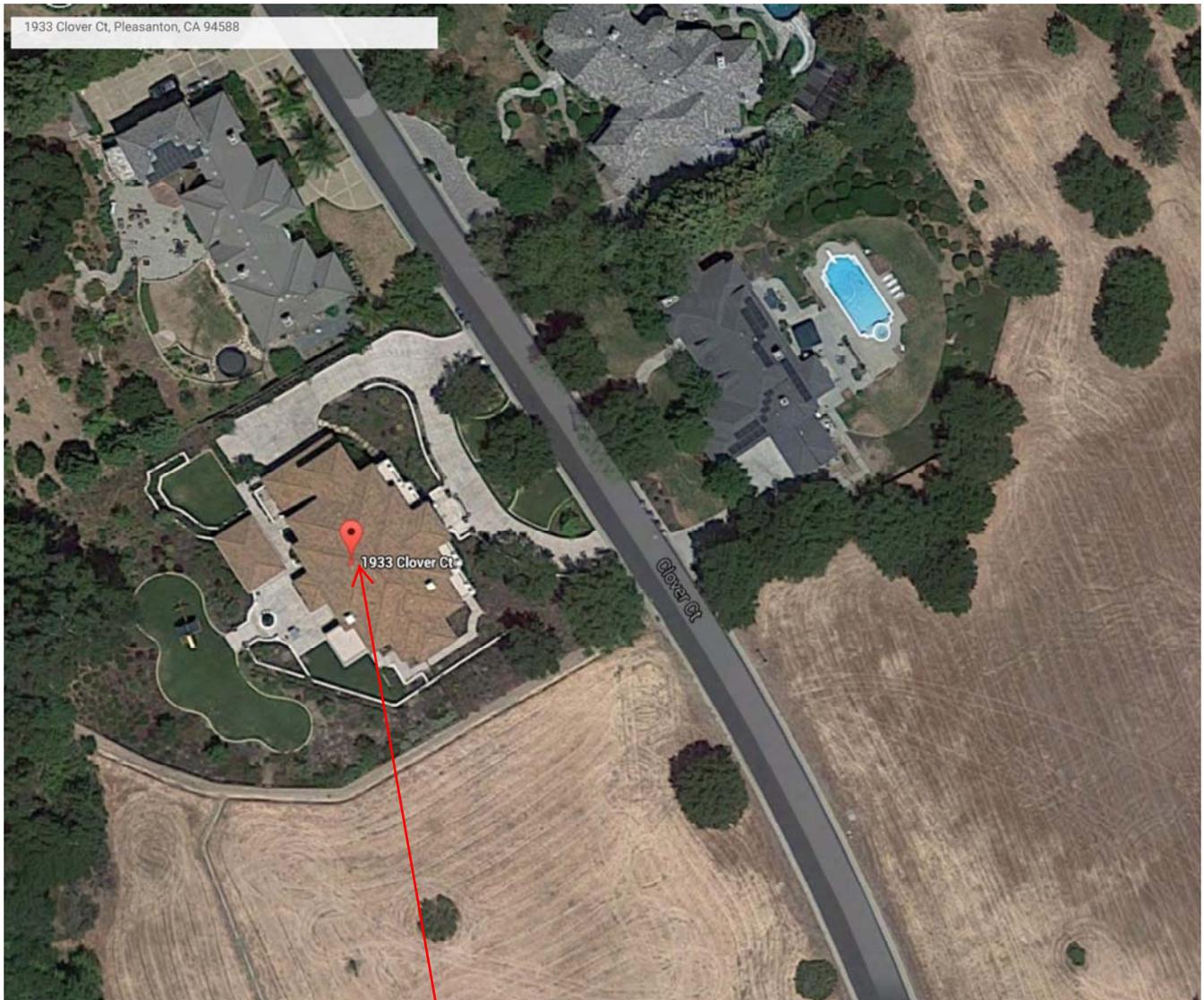


Lot No. 25
2092 Valley Oak Ct.
Pleasanton, CA 94588

Lot No. 23
2116 Black Oak Ct.
Pleasanton, CA 94588



Lot No. 48
1511 Honey Suckle Ct.
Pleasanton, CA



Lot No. 31
1933 Clover Court
Pleasanton, CA 94588



Eagle Way, Pleasanton, CA 94588, USA

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

1993