

P14-1186
Exhibit A, Conditions of Approval

8019 Golden Eagle Way
March 25, 2015

STANDARD CONDITIONS OF APPROVAL
Planning

1. The proposed development shall be in substantial conformance to Exhibit B, dated "March 13, 2015," on file with the Planning Division, except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development.
2. To the extent permitted by law, the project applicant shall defend (with counsel reasonably 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, 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 attorney's 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.
3. The design review approval shall lapse one year from the effective date of this approval unless a building permit is obtained and construction diligently pursued, or the City has approved a time extension.
4. The applicant shall work with the Pleasanton Unified School District (PUSD) to develop a program to offset this project's long term effect on school facility needs in Pleasanton in addition to the school impact fees required by State law. This program shall be designed to fund school facilities necessary to offset this project's reasonably related effect on the long-term need for expanded school facilities. The method and manner for the provision of these funds and/or facilities shall be approved by the PUSD and in place prior to building permit issuance. Written proof of compliance with this condition shall be provided by Applicant to the City, on a form generated by the PUSD, prior to building permit issuance.
5. Prior to the building permit submittal, the applicant/building developer shall submit a final list of the green building measures used in the design of the house covered by this approval to the Planning Division for review and approval by the Director of Community Development. The home shall be designed to achieve a "certified rating" of a minimum of 50 total points, achieving at least the minimum points in each category, using BuildItGreen's current GreenPoints rating system. Notwithstanding the foregoing, the State of California's Green Building Standards Code, "CALGreen", as amended, shall apply, as applicable.

The green building measures shall be shown on one of the first two pages of the plans submitted for issuance of a building permit. Each identified measure shall have a notation indicating the sheet the point can be found, and each sheet shall note where the point is

located. All proposed green building measures shall be shown throughout the plan set, as appropriate, as determined by the Director of Community Development.

A special inspection by the Planning Division shall be coordinated with regards to landscaping, irrigation, and exterior materials. All of the green building measures indicated on the approved checklist shall be inspected and approved by either the City of Pleasanton, or a third party rater, or the applicant shall provide written verification by the project engineer, architect, landscape architect, or designer.

6. All Heating, Ventilation, and Air Conditioning (HVAC) condensing units shall be located on the plans.
7. All conditions of approval shall be attached to all permit plan sets submitted for review and approval, whether stapled to the plans or located on a separate plan sheet.
8. Prior to occupancy, the landscape architect or landscape designer shall certify in writing to the Director of Community Development that the landscaping has been installed in accordance with the approved landscape and irrigation plans with respect to size, number, and species of plants and overall design concept.
9. Planning Division approval is required before any changes are implemented in site design, grading, house design, house colors or materials, green building measures, landscape material, etc.
10. All landscaping shall be installed within nine months of occupancy. The project applicant shall arrange a landscape/irrigation site inspection with the Planning Division within 30 days of completion of the landscaping/irrigation system installation.
11. The developer and future homeowners are encouraged to use best management practices for the use of pesticides and herbicides.
12. The project developer must provide to the Director of Community Development a building height certification performed by a licensed land surveyor or civil engineer. Said certification must allow for the installation of finished roof materials and must meet the approved building height.
13. The approved building materials and colors shall be stated on the plans submitted for issuance of building permits.
14. Campers, trailers, motor homes, or any other similar vehicle are not allowed on the construction site except when needed as sleeping quarters for a security guard.
15. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
16. Portable toilets used during construction shall be kept as far as possible from existing residences and shall be emptied on a regular basis as necessary to prevent odor.
17. The applicant and future homeowner are encouraged to use reclaimed gray water, rain water, etc., for landscape irrigation. If used, the details shall be shown on the permit plan

set to the satisfaction of the Director of Community Development before issuance of a building permit.

18. All fireplaces shall be a gas fireplace, pellet fueled wood heater, or EPA certified wood-burning appliance. The fireplace type shall be indicated on the floor plan and/or specification sheet(s) submitted for issuance of building permits.

SPECIAL CONDITIONS OF APPROVAL Planning

19. The residence shall be constructed to allow for the future installation of a photovoltaic system and a solar-water-heating system. The applicant or building developer shall comply with the following requirements to make the residence photovoltaic- and solar-water-heating-ready:
 - a. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the building's main electrical panels;
 - b. An area shall be provided near the electrical panel for the installation of an "inverter" required to convert the direct current output from the photovoltaic panels to alternating current,
 - c. Engineer the roof trusses to handle an additional load as determined by a structural engineer to accommodate the additional weight of a photovoltaic and solar water heating system beyond that anticipated for roofing;
 - d. Plumbing shall be installed for solar-water heating; and
 - e. Space shall be provided for a solar-heating tank.

These measures shall be shown on the building permit plan set submitted to the Director of Community Development for review and approval before issuance of the first building permit.

20. The project developer may submit the building permit plan check package during the appeal period with a signed statement acknowledging that the plan check fees may be forfeited in the event that the approval is overturned on appeal, or that the design is significantly changed as a result of the appeal. In no case will a building permit be issued prior to the expiration of the 15-day time-period for P14-1186.
21. Final color, roofing and material samples shall be submitted to the Director of Community Development for review and approval before issuance of the first building permit.
22. Prior to issuance of building permits, the applicant shall provide a letter from Golden Eagle Estates indicating that all outstanding items listed in their letter of approval dated August 19, 2014, have been met.
23. 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 Friday. No construction shall be allowed on State or Federal Holidays, Saturdays, or Sundays. The Director of Community Development may allow

earlier “start times” or later “stop times” for specific construction activities, e.g., concrete pouring. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the hours of construction shall be posted on site.

24. All retaining walls shown on the building permit plans shall be faced with stone or manufactured stone, stucco or exterior plaster over blocks or concrete, or shall be constructed of wood. If stucco or exterior plaster is utilized, colors shall match the body of the home. This detail shall be shown on the building permit plan set to the satisfaction of the Director of Community Development before the issuance of a building permit.
25. The applicant/building developer shall provide a fencing plan with design details with the building permit submittal. The fence type and height shall conform to the PUD guidelines.
26. A minimum of one appliance or system that meets Energy Star standards shall be installed as part of the project. The proposed appliance or system and how it adheres to Energy Star standards shall be stated on the plans submitted for the issuance of a building permit.
27. A minimum of one water conservation device such as low-flow faucets, toilets, shower fixtures, etc., shall be installed as part of the project. The water conservation device(s) shall be stated on the plans submitted for the issuance of a building permit.
28. The dwelling unit covered by this approval shall be constructed to encourage telecommuting by providing telecommunications infrastructure such as cabling for DSL service, wiring for total room access, etc. The applicant/building developer shall show the infrastructure on the building permit plan set prior to issuance of a building permit.
29. The applicant/building developer shall submit a building pad elevation certification and foundation certification prepared by a licensed land surveyor or registered civil engineer to the Chief Building Official, certifying that the pad elevations and building locations (setbacks) conform to the approved plans, prior to receiving a foundation inspection for the structure.
30. The project applicant shall submit a final landscape and irrigation plan for the entire site with the building permit plan set to the Planning Division for review and approval before installation. Said landscape plan shall be detailed in terms of species, location, size, quantities, and spacing. Plant species shall be of drought tolerant nature with an irrigation system that maximizes water conservation (e.g. drip system).
31. The project shall comply with the State of California's Model Water Efficient Landscape Ordinance and shall implement Bay Friendly Basics. A licensed landscape architect shall verify the project's compliance with the ordinance prior to the issuance of a building permit, and prior to final inspection. The verification shall be provided to the Planning Division.
32. Any excess soil from the site shall be off-hauled from the site and disposed of in a lawful manner. No temporary stockpiling of dirt on this site shall occur without specific review and approval by the Planning Division.

33. In lieu of providing the tree protection bond for the existing trees on the property, the homeowner and the Golden Eagle Farms homeowners association shall enter into an agreement with the City to ensure the protection and health of these trees. The homeowners association shall collect a fine from the homeowner in the amount of each tree's value, as calculated in the March 3, 2000, tree report prepared by Joseph McNeil, for any of the trees which are destroyed or substantially damaged; such fine shall then be turned over to the City of Pleasanton. The agreement shall be submitted to the City attorney for review and approval before issuance of a building permit; it may not supersede the tree preservation measures required as part of this approval.

STANDARD CONDITIONS OF APPROVAL
Engineering

34. The project applicant shall arrange and pay for the geotechnical consultant to inspect and approve all foundation, retaining, and wall and drainage geotechnical aspects of project construction. The consultant shall be present on site during grading and excavation operations. The results of the inspections and the as-built conditions of the project shall be certified in writing by the geotechnical consultant for conformance to the approved plans and geotechnical report and submitted to the City Engineer for review and approval prior to occupancy.
35. The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of a permit.
36. Any damage to existing street improvements during construction on the subject property shall be repaired to the satisfaction of the City Engineer at full expense to the project developer. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.
37. This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve the project.
38. The project developer and/or the project developer's contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.
39. All dry utilities (electric power distribution, gas distribution, communication service, Cable television, street lights and any required alarm systems) required to serve existing or new development shall be installed in conduit, underground in a joint utility trench unless otherwise specifically approved by the City Engineer.
40. The project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and drainage control measures, including concrete-lined V-ditches, to protect all cut and fill slopes from surface water overflow. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of a grading permit.

STANDARD CONDITIONS OF APPROVAL
Building

41. All retaining walls higher than four feet from the top of the wall to the bottom of the footway shall be constructed of reinforced concrete, masonry, or other material as approved by the Director of Community Development, or shall be an approved crib wall type. Calculations signed by a registered civil engineer shall accompany the wall plans.
42. Prior to issuance of building or demolition permits, the applicant/building shall submit a waste management plan to the Building and Safety Division. The plan shall include the estimated composition and quantities of waste to be generated and how the project developer intends to recycle at least 75 percent of the total job site construction and demolition waste measured by weight or volume. Proof of compliance shall be provided to the Chief Building Official prior to the issuance of a final building permit. During demolition and construction, the applicant/ building developer shall mark all trash disposal bins "trash materials only" and all recycling bins "recycling materials only." The project developer shall contact Pleasanton Garbage Service for the disposal of all waste from the site.
43. At the time of building permit plan submittal, the project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures to prevent stormwater runoff onto adjoining properties.

STANDARD LANDSCAPING CONDITIONS OF APPROVAL
Landscaping Requirements:

44. The applicant/building developer shall provide root control barriers and four inch perforated pipes for trees near driveways and street, and trees in planting areas less than ten feet in width, as determined necessary by the Director of Community Development at the time of review of the final landscape plans.
45. For purposes of erosion control, the applicant/building developer shall plant a hydroseed mixture that has been designed by the project Landscape Architect. The hydroseed mixture shall be specified on the building permit plans for review and approval by the Director of Community Development and shall be maintained by the applicant/developer until the site areas are landscaped.
46. Prior to issuance of a grading or building permit, the project developer shall install a temporary six foot tall chain-link fence (or other fence type acceptable to the Director of Community Development) outside of the existing tree drip lines, as shown on the plans. The fencing shall remain in place until final landscape inspection by the Community Development Department. Removal of such fencing prior to that time may result in a "stop work order."
47. The following statements shall be printed on to the site, grading, and landscape plans where applicable to the satisfaction of the Director of Community Development prior to issuance of a building permit:
 - a. No existing tree may be trimmed or pruned without prior approval by the Community Development Director.

- b. No equipment may be stored within or beneath the driplines of the existing trees.
- c. No oil, gasoline, chemicals, or other harmful materials shall be deposited or disposed within the dripline of the trees or in drainage channels, swales, or areas that may lead to the dripline.
- d. No stockpiling/storage of fill, etc., shall take place underneath or within five feet of the dripline of the existing trees.

STANDARD URBAN STORMWATER CONDITIONS OF APPROVAL

48. The project shall comply with the applicable California Regional Water Quality Control Board, San Francisco Bay Region, and Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) General Permit.

The current Municipal Regional Stormwater NPDES Permit No. is #CAS612008 which was adopted on October 14, 2009. This permit was amended on November 28, 2011 by California Regional Water Quality Control Board, San Francisco Bay Region and is anticipated to be in effect until November 30, 2014.

The current NPDES General Permit number is CAS000002, Order Number 2009-0009-DWQ and this permit is anticipated to be in effect until September 2, 2014.

Copies of the above-mentioned NPDES permits are available at the City of Pleasanton's Engineering Division and Building Division, Alameda County Clean Water Program office in Hayward, and the State Water Board websites.

Design Requirements

49. The following requirements shall be incorporated into the project:
- a. The applicant/building developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures including bio-swales. Irrigated bio-swales shall be designed as needed to the satisfaction of the City Engineer to treat the stormwater running off all impervious surfaces that enters the bio-swale at its most upstream end. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of any building permits.
 - b. All metal roofs, if used, shall be finished with rust-inhibitive paint.
 - c. Bulk construction materials stored outdoors that may contribute to the pollution of stormwater runoff must be covered as deemed appropriate by the Chief Building Official.
 - d. Roof drains shall discharge and drain away from the building foundation to the landscape area or to an unpaved area.

Construction Requirements

50. The Construction General Permit's construction requirements include, but are not limited to, the following:
- a. All cut and fill slopes shall be revegetated and stabilized after completion of grading, but in no case later than October 15. Hydroseeding shall be accomplished before September 15 and irrigated with a temporary irrigation system to ensure that the grasses are established before October 15. No grading shall occur between October 15 and April 15 or when rain is in the forecast unless approved erosion control/stormwater quality measures are in place. Such measures shall be maintained until such time as permanent landscaping and post construction storm water treatment measures are in place.
 - b. Gather all sorted construction debris on a regular basis and place it in the appropriate container for recycling; to be emptied at least on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater runoff pollution.
 - c. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit construction access routes onto the site and place gravel on them. Do not drive vehicles and equipment off paved or graveled areas during wet weather. Broom sweep the street pavement adjoining the project site on a daily basis. Scrape caked-on mud and dirt from these areas before sweeping.
 - d. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing in the storm drain system. Maintain and/or replace filter materials to ensure effectiveness and to prevent street flooding.
 - e. Create a contained and covered area on the site for the storage of cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system by wind or a material spill.
 - f. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, soil/dirt or storm drain.
 - g. Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into street, gutters, unprotected soil or storm drains.
 - h. Equipment fueling area: Use off-site fueling stations as much as possible. Where on-site fueling occurs, use designated areas away from the storm drainage facility, use secondary containment and spill rags when fueling, discourage "topping off" of fuel tanks, place a stockpile of absorbent material where it will be readily accessible, and check vehicles and equipment regularly for leaking oils and fuels. Dispose rags and absorbent materials promptly and properly.
 - i. Concrete wash area: Locate wash out areas away from the storm drains and open ditches, construct a temporary pit with impermeable liner large enough to store the

liquid and solid waste, clean pit by allowing concrete to set, breaking up the concrete, then recycling or disposing of properly. Remove dried concrete on a regular basis (so liner below the wash area will not split and allow wash water to mix with soil). Use self-cleaning concrete trucks where available.

- j. Equipment and vehicle maintenance area: Use off-site repair shop as much as possible. For on-site maintenance, use designated areas away from the storm drainage facility. Always use secondary containment and keep stockpile of cleanup materials nearby. Regularly inspect vehicles and equipment for leaks and repair quickly or remove from the project site. Train employees on spill cleanup procedures. In case of spill, contact the project Qualified Stormwater Developer (QSD) or the Qualified Stormwater Practitioner (QSP) and follow the procedure required in State National Pollutant Discharge Elimination System (NPDES) General Permit.

SPECIAL CONDITIONS OF APPROVAL

Fire

- 51. The building covered by this approval shall be equipped with an automatic fire sprinkler system. Plans and specifications for the automatic fire sprinkler system shall be submitted to the Pleasanton Building and Safety Division for review and approval prior to installation. The fire alarm system, including water flow and valve tamper, shall have plans and specifications submitted to Fire Prevention for review and approval prior to installation. All required inspections and witnessing of tests shall be completed prior to final inspection and occupancy of the building.

STANDARD CONDITIONS OF APPROVAL

Fire

- 52. The project developer shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
- 53. Prior to any construction framing, the project developer shall provide adequate fire protection facilities, including, but not limited to a water supply and water flow in conformance to the City's Fire Department Standards able to suppress a major fire.
- 54. All fire sprinkler system water flow and control valves shall be complete and serviceable prior to final inspection. Prior to the occupancy of a building having a fire alarm system, the Fire Department shall test and witness the operation of the fire alarm system.
- 55. Electrical conduit shall be provided to each fire protection system control valve including all valve(s) at the water connections. The Livermore-Pleasanton Fire Department requires electronic supervision of all valves for automatic sprinkler systems and fire protection systems.

STANDARD CONDITIONS OF APPROVAL

Community Development Department

- 56. The project applicant/developer shall submit a refundable cash bond for hazard and erosion control. The amount of this bond will be determined by the Director of Community Development. The cash bond will be retained by the City until all the permanent

landscaping is installed for the development, including individual lots, unless otherwise approved by the department.

57. The project developer shall submit a written dust control plan or procedure as part of the improvement plans.
58. The project developer shall pay any and all fees to which the property may be subject prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.
59. If any prehistoric or historic artifacts, or other indication of cultural resources are found once the project construction is underway, all work must stop within 20 meters (66 feet) of the find. A qualified archaeologist shall be consulted for an immediate evaluation of the find prior to resuming groundbreaking construction activities within 20 meters of the find. If the find is determined to be an important archaeological resource, the resource shall be either avoided, if feasible, or recovered consistent with the requirements of the State CEQA Guidelines. In the event of discovery or recognition of any human remains in any on-site location, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the County coroner has determined, in accordance with any law concerning investigation of the circumstances, the manner and cause of death and has made recommendations concerning treatment and dispositions of the human remains to the person responsible for the excavation, or to his/her authorized representative. A similar note shall appear on the improvement plans.

CODE REQUIREMENTS

(Applicants/Developers are responsible for complying with all applicable Federal, State and City codes and regulations regardless of whether or not the requirements are part of this list. The following items are provided for the purpose of highlighting key requirements.)

Planning

60. All exterior lighting including landscape lighting shall be directed downward and designed or shielded so as to not shine onto neighboring properties. The project/building developer shall submit a final lighting plan, and include drawings and/or manufacturer's specification sheets showing the size and types of light fixtures proposed for the exterior of the buildings.

Fire

61. All construction shall conform to the requirements of the California Fire Code currently in effect, City of Pleasanton Building and Safety Division and City of Pleasanton Ordinance 2015. All required permits shall be obtained.
62. All buildings undergoing construction, alteration or demolition shall comply with Chapter 14 (California Fire Code currently in effect) pertaining to the use of any hazardous materials, flame-producing devices, asphalt/tar kettles, etc.
63. The building(s) covered by this approval shall conform to the requirements of the California Building Code currently in effect, the California Fire Code currently in effect and

the City of Pleasanton Ordinance 2015. If required plans and specifications for the automatic fire sprinkler system shall be submitted to the Livermore-Pleasanton Fire Department for review and approval prior to installation. The fire alarm system, including water flow and valve tamper, shall have plans and specifications submitted to Fire Prevention for review and approval prior to installation. All required inspections and witnessing of tests shall be completed prior to final inspection and occupancy of the building(s).

Building

64. The project developer shall submit a building survey and/or record of survey and a site development plan in accordance with the provisions of Chapter 18.68 of the Municipal Code of the City of Pleasanton. These plans shall be approved by the Chief Building and Safety Official prior to the issuance of a building permit. The site development plan shall include all required information to design and construct site, grading, paving, drainage, and utilities.
65. The project developer shall post address numerals on the building so as to be plainly visible from all adjoining streets or driveways during both daylight and night time hours.
66. The building covered by this approval shall be designed and constructed to meet Title 24 state energy requirements.
67. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.

< End >

GOLDEN EAGLE ESTATES

C/o Homeowner Association Services
2266 Camino Ramon
San Ramon, CA 94583
Tel (925) 830-4848/Fax (925) 830-0252
Email: rritter@hoaservices.net

August 19, 2014

Via Email & U.S. Mail

Mr. & Mrs. Naji Haddad

RE: 8019 Golden Eagle Way

Dear Mr. & Mrs. Haddad,

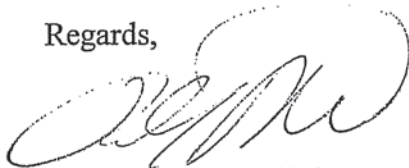
The Board of Directors (BOD) has reviewed the final plans for your new home and has approved with the following contingencies:

- 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)

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,¹ contending that the home, as designed, does not meet the lot-specific guidelines for a medium² 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

¹ 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.

² 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.³ 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

³ 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).⁴ 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.

⁴ 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.⁵ 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.

⁵ 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.⁶

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.

⁶ 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.

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.

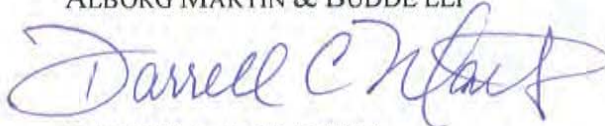
Proposed Resolution of Objections

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 & BUDDE LLP



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:

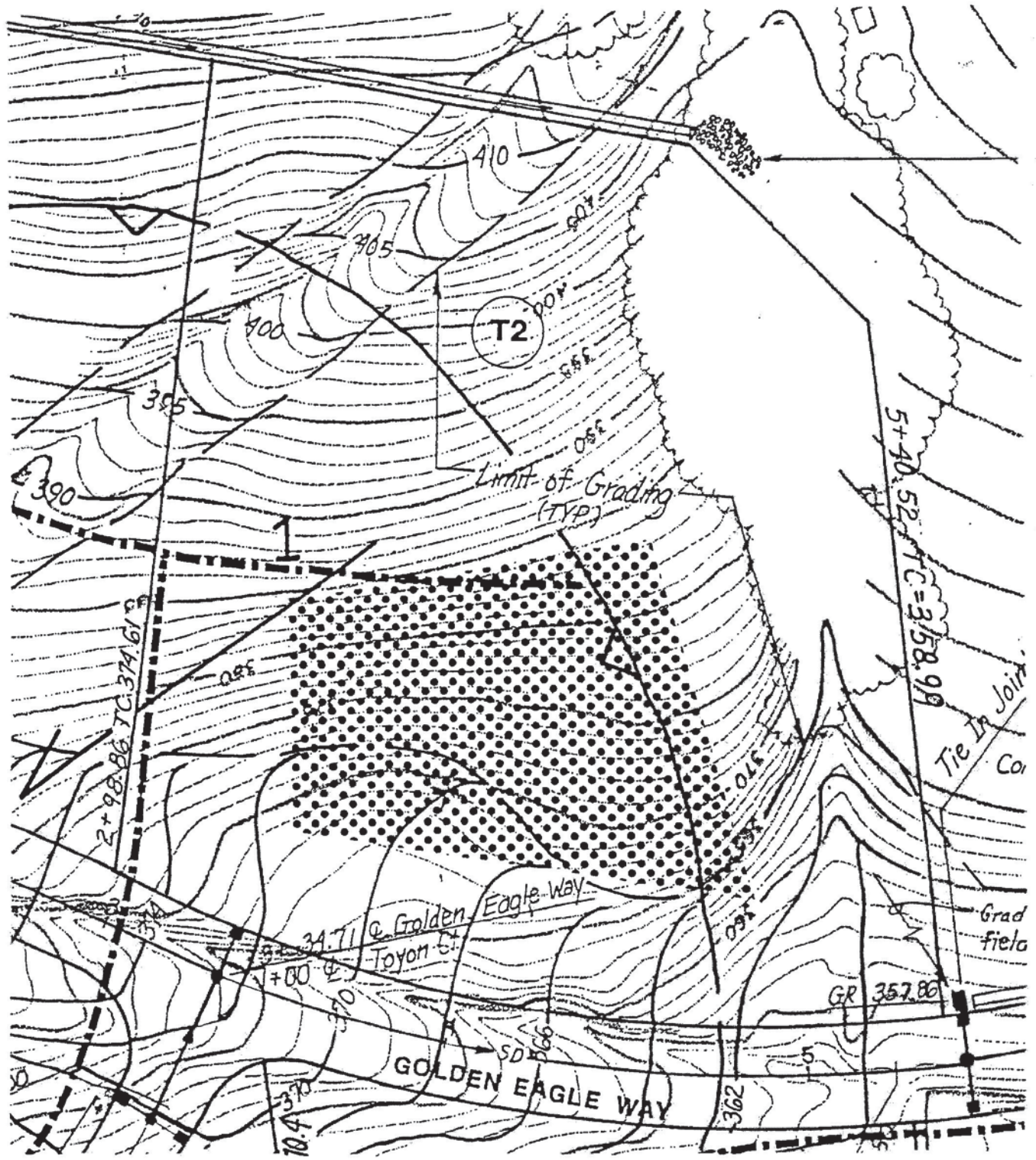
Due to its high visibility, the house design should produce a home that has a horizontal character and does not accentuate vertical features. This does not necessarily preclude a second story but requires creativity in achieving the above. Medium sized house allowed. Second story massing is encouraged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

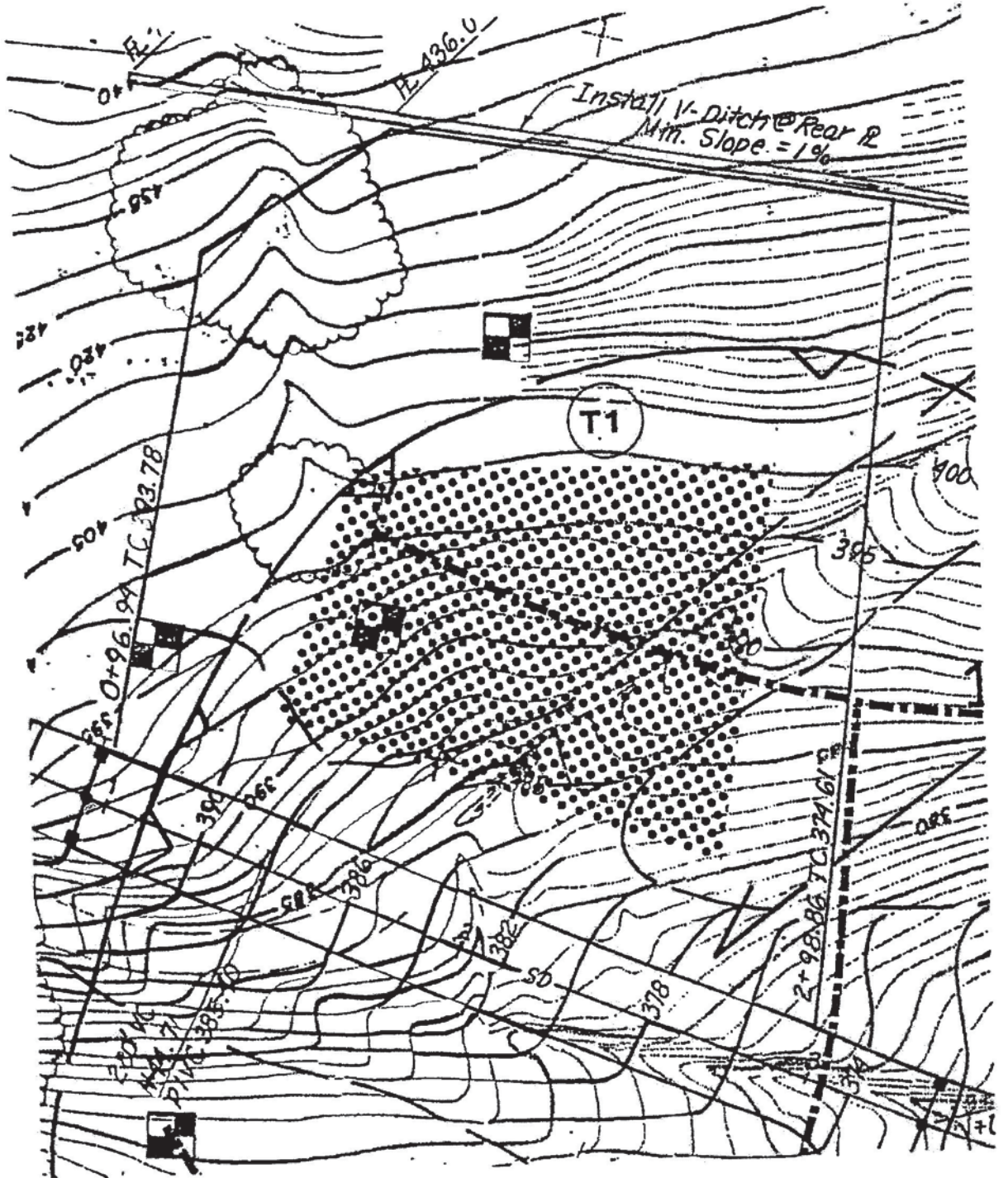
STYLISTIC CRITERIA:

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

© 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





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



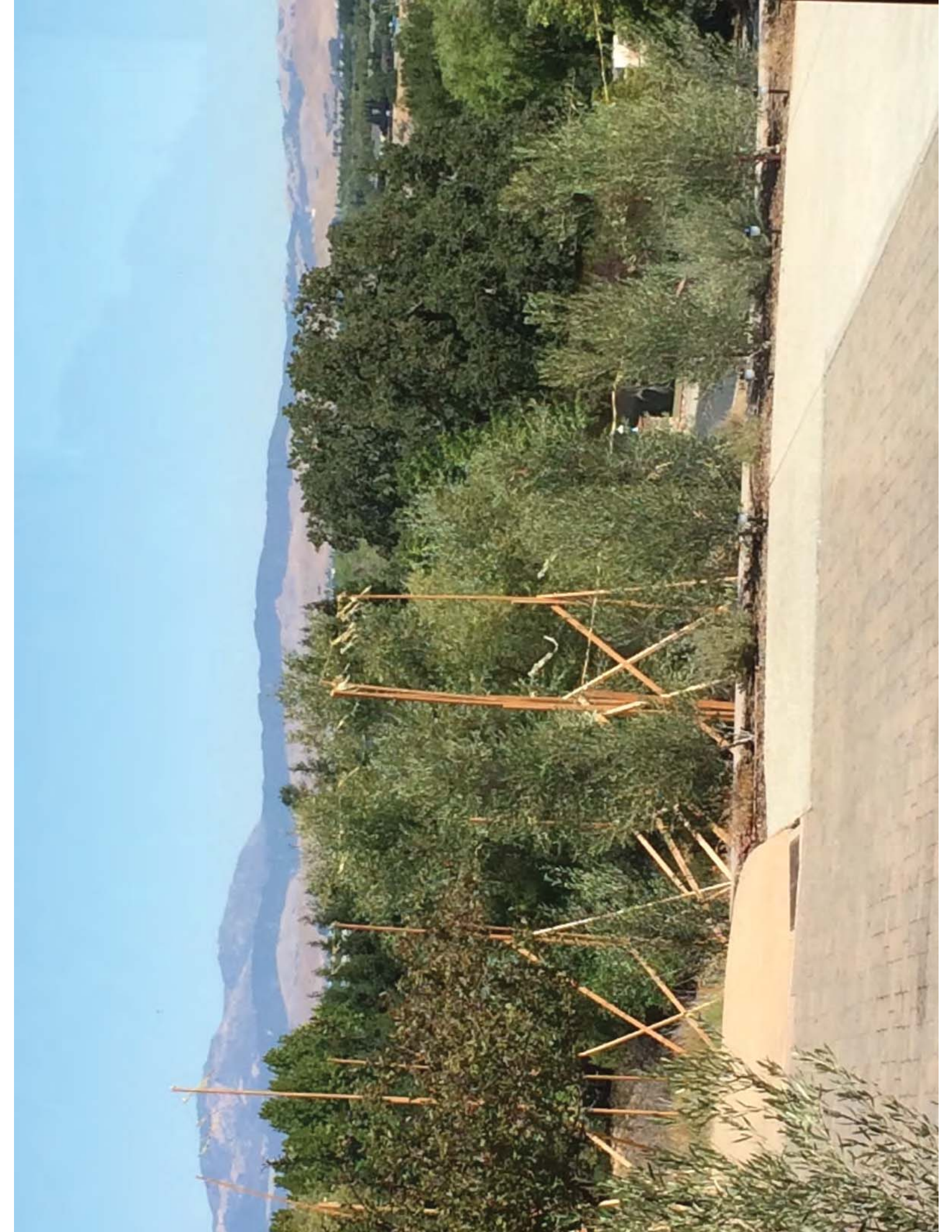
8019 Golden Eagle Way, Pleasanton, CA 9

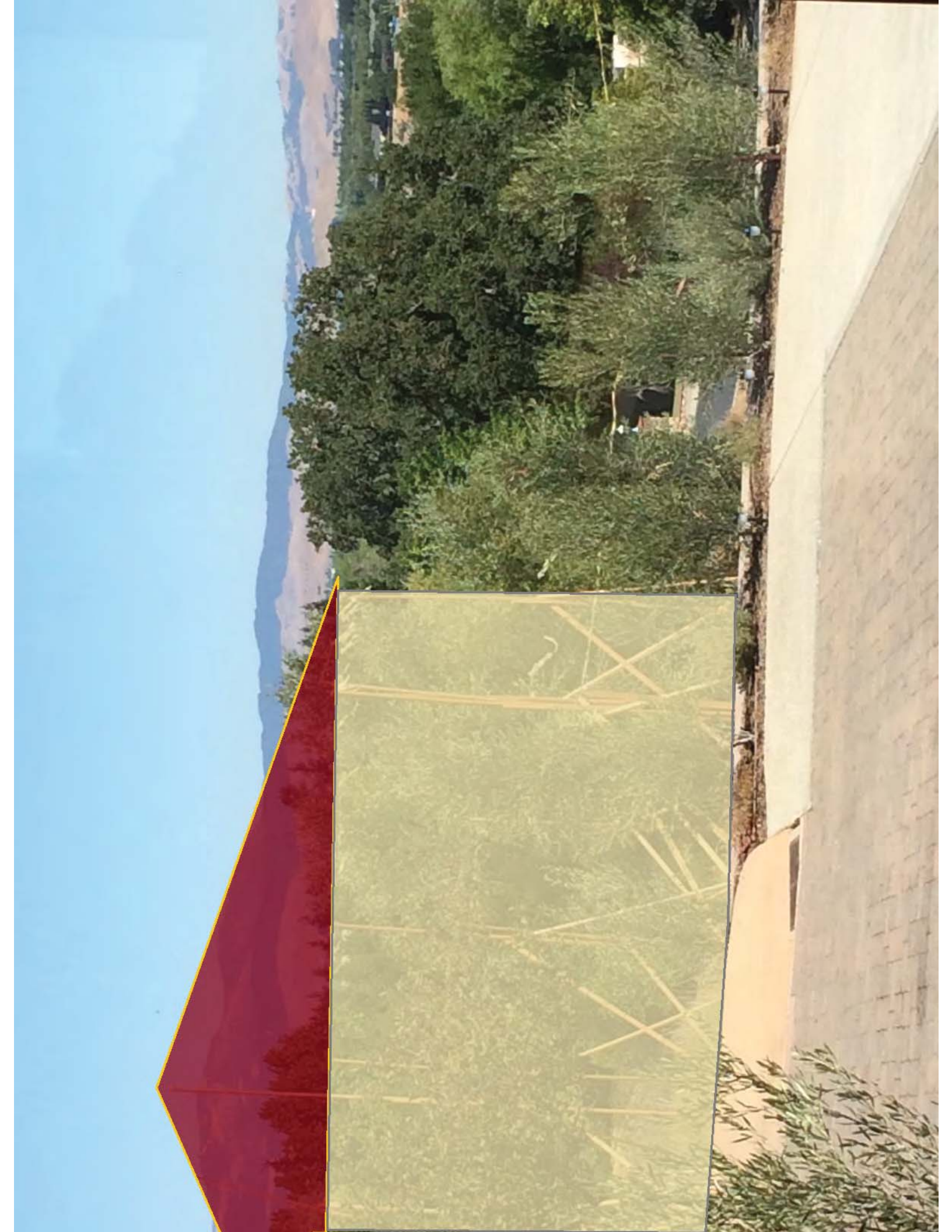
Google earth

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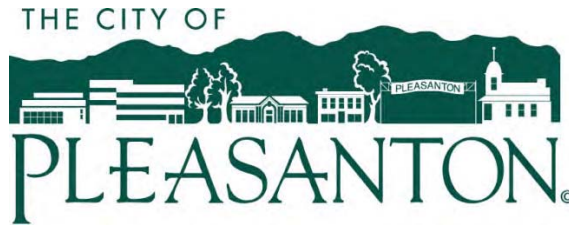
178 ft

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.

Sincerely,

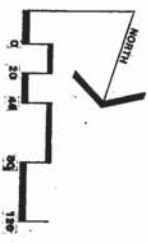
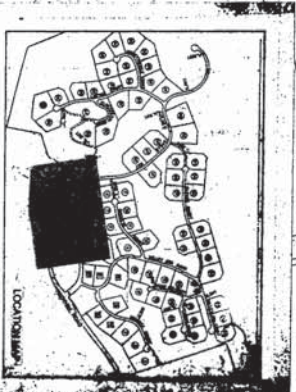
A handwritten signature in black ink that reads "Jennifer Wallis". The signature is written in a cursive style with a large, looped initial "J".

Jennifer Wallis
Associate Planner

Attachments: Golden Eagle Reforestation Plan



NOTE:
 1. SEE SHEET L-5 FOR PLANT MATERIAL LIST & NOTES
 2. SEE SHEET L-7 FOR OVERALL FIRE MANAGEMENT PLAN



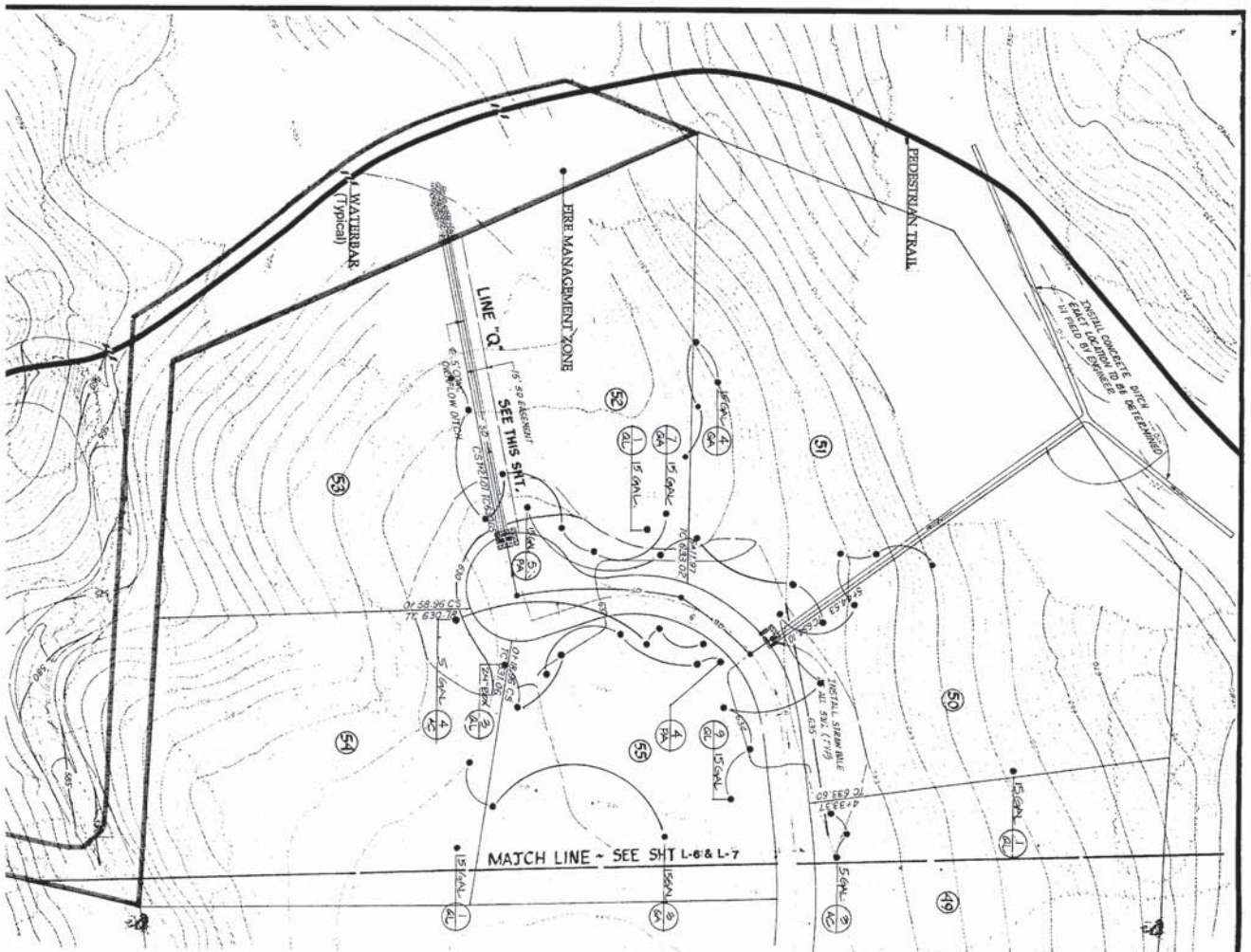
DATE	08/25/89
SCALE	1" = 40'
NO.	50266

STREET TREE PLANTING
 TRACT 5945 → Realty Tract 5833

GOLDEN EAGLE WEST
 PLEASANTON CALIFORNIA

Merrill + Associates
 Landscape Architects & Planners
 240 First Street
 San Francisco, CA 94111
 Tel. (415) 271-8900
 Fax. (415) 271-9603


NO.	DATE	BY
1	08/25/89	MM
2	09/14/89	MM
3	12/19/89	MM



PLANTING NOTES

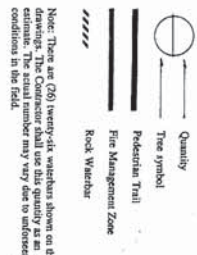
SYMBOL	QTY	SIZE	BOTANICAL NAME	COMMON NAME	NOTES
AC	10	15 gal	FRAXINUS ESCULENTA	AMERICAN HICKORY	
AC1	25	15 gal	ACER CINEREA	WINGED MAPLE	
A4	8	15 gal	ACER MACROCARPUM	RED MAPLE	
P0	19	15 gal	FRAXINUS OXYCARPA	RAVENWOOD	
P4	40	15 gal	FRAXINUS AMERICANA	WHITE OAK	
PC	20	15 gal	FRAXINUS CINEREA	RED MAPLE	
P8	40	15 gal	FRAXINUS BACCHARIFOLIA	RED MAPLE	
Q4	40	15 gal	QUERCUS KOBUS	COAST LIVE OAK	
Q1	20	15 gal	QUERCUS LAEVA	VALLEY OAK	
UC	100	5 gal	UMBELIFLORA CALIFORNICA	CALIFORNIA BAY	
LN	4	15 gal	LARIX NOBIS	GREENLAND LAUREL	
CR	4	15 gal	CROTON BILGOLA	MARSHMALLOW TREE	

PLANTING NOTES

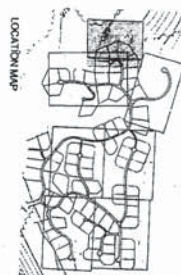
- All work shall be performed by persons familiar with planting work and under supervision of a qualified planting supervisor.
- Plant quantities shown on plant material list are for reference only. If a discrepancy arises, the quantities shown on the landscape architectural drawings shall prevail.
- The quantities required to obtain plant quantities and unit prices for the plant material list are shown on the landscape architectural drawings.
- 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 he or she feels 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: 
- Shovel trees shall be planted a minimum of 2 feet from back of curb.
- All boxed 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 trees distributed 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 Oat
 5% California Wild Flowers
 Seed: 75 pounds per acre
 Fertilizer: 300 pounds 16-4-8
- Planting of Irrigation shall not occur within the proposed engineering drip-line, except where the unimproved trail is to be constructed. It shall not be planted or irrigated 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 1, Sheet L-16, being "Watering Schedule".

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

LEGEND



Note: There are (20) unimproved walkways shown on the drawings. The Contractor shall use this quantity as a guide. The actual number may vary due to unforeseen conditions in the field.



SCALE: 1" = 40'

**PLANTING PLAN
 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

DATE	10/19/07
BY	JL
CHECKED	JL
DATE	10/19/07
BY	JL
CHECKED	JL
DATE	10/19/07
BY	JL
CHECKED	JL

From: Jennifer Wallis [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 [mailto:melandolf@comcast.net]
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

925 837 3434 office

925 286 8258 cell

www.melarchitect.com

melandolf@comcast.net

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 [<mailto:melandolf@comcast.net>]

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
925 837 3434 office
925 286 8258 cell
www.melarchitect.com
melandolf@comcast.net

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

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Jennifer Wallis, Associate Planner



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From: Mark Landolf [<mailto:melandolf@comcast.net>]
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
925 837 3434 office
925 286 8258 cell
www.melarchitect.com
melandolf@comcast.net

From: Gary Monzo [mailto:glmonzo@aol.com]
Sent: Monday, October 27, 2014 4:05 PM
To: rritter@hoaservices.net; joe_johal@wendpac.com; msehrgosha@cmgfi.com; raj@acutrack.com; richmart@comcast.net
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
Handy/Cell number: (925)519-9036
8023 Golden Eagle Way

Pleasanton, CA. 94588
USA

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

From: Randy Ritter <rritter@hoaservices.net>

To: Gary Monzo (glmonzo@aol.com) <glmonzo@aol.com>; Joe Johal <joe_johal@wendpac.com>; msehrgosha <msehrgosha@cmgfi.com>; Raj Barman (raj@acutrack.com) <raj@acutrack.com>; Rich Martoglio (richmart@comcast.net) <richmart@comcast.net>

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 [<mailto:najinhaddad@gmail.com>]

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 <melandolf@comcast.net> wrote:

Hi Randy,

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

Mark Landolf, Architect

925 837 3434 office

925 286 8258 cell

www.melarchitect.com

melandolf@comcast.net

From: Jennifer Wallis [<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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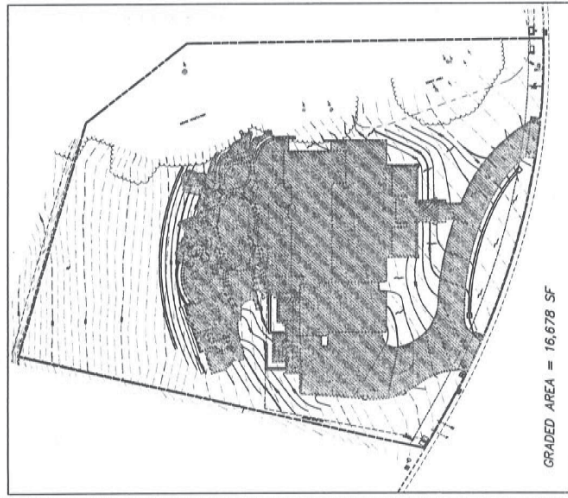
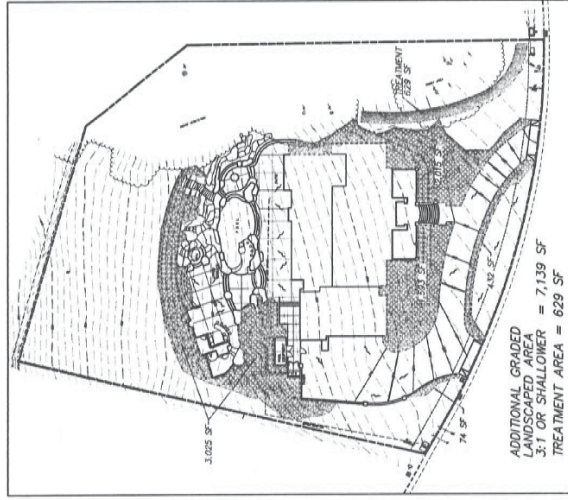
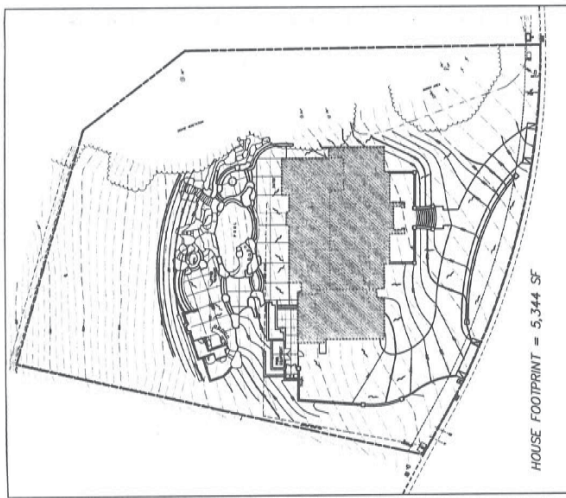
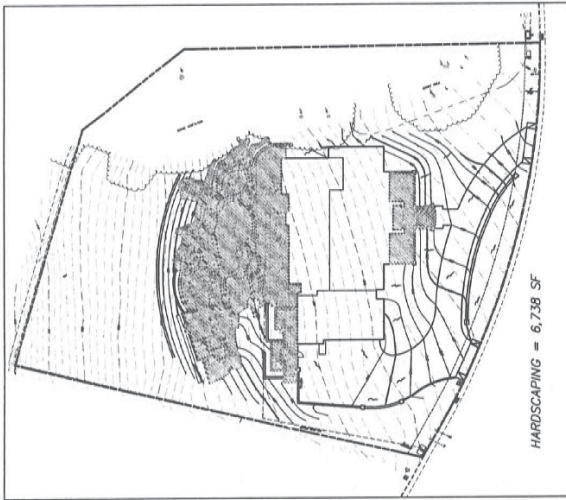
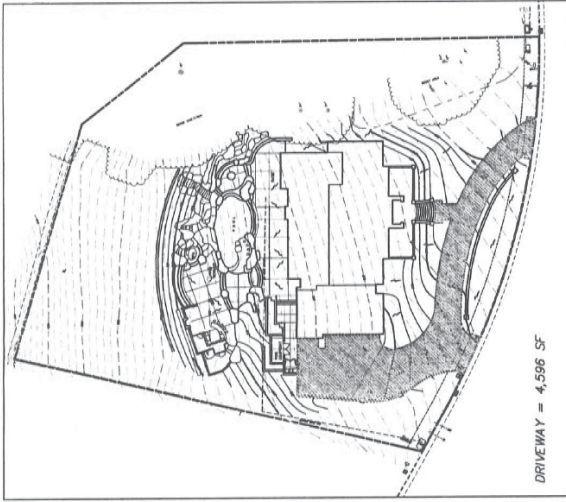
NO.	DATE	REVISIONS

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

DATE	
DRAWN BY	
CHECKED BY	
SCALE	1" = 10'

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

DATE	12-18-2014
SCALE	3/8" = 1'
PROJECT NO.	1415001
SHEET NO.	1
TOTAL SHEETS	1



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

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

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

RECEIVED

APR 15 1994

CITY OF PLEASANTON
PLANNING DEPT.

Golden Eagle Farm

Pleasanton, California

ARCHITECTURAL DESIGN GUIDELINES

APRIL 1, 1994

PREPARED BY:

DOMMER & BYARS

256 SUTTER STREET SUITE 500

SAN FRANCISCO, CA 94108

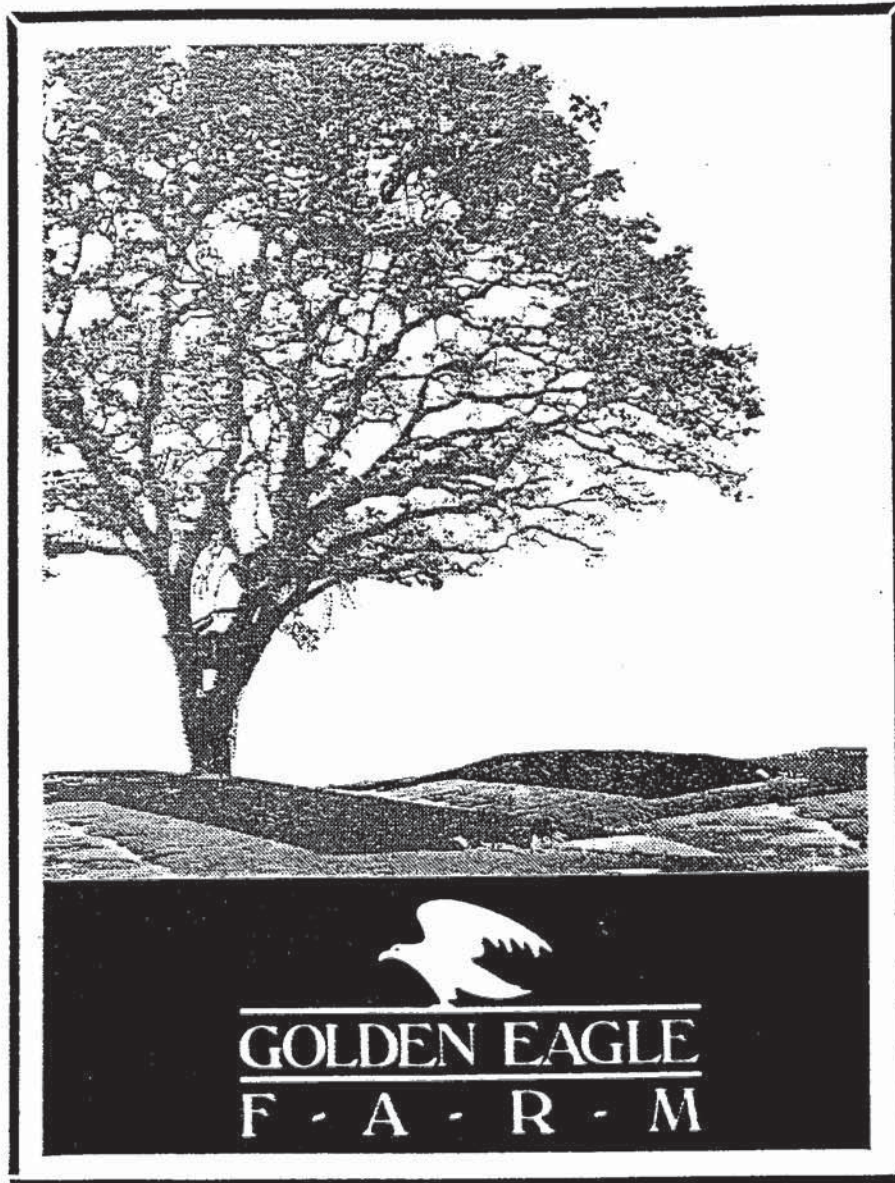
FOR:

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

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>
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:

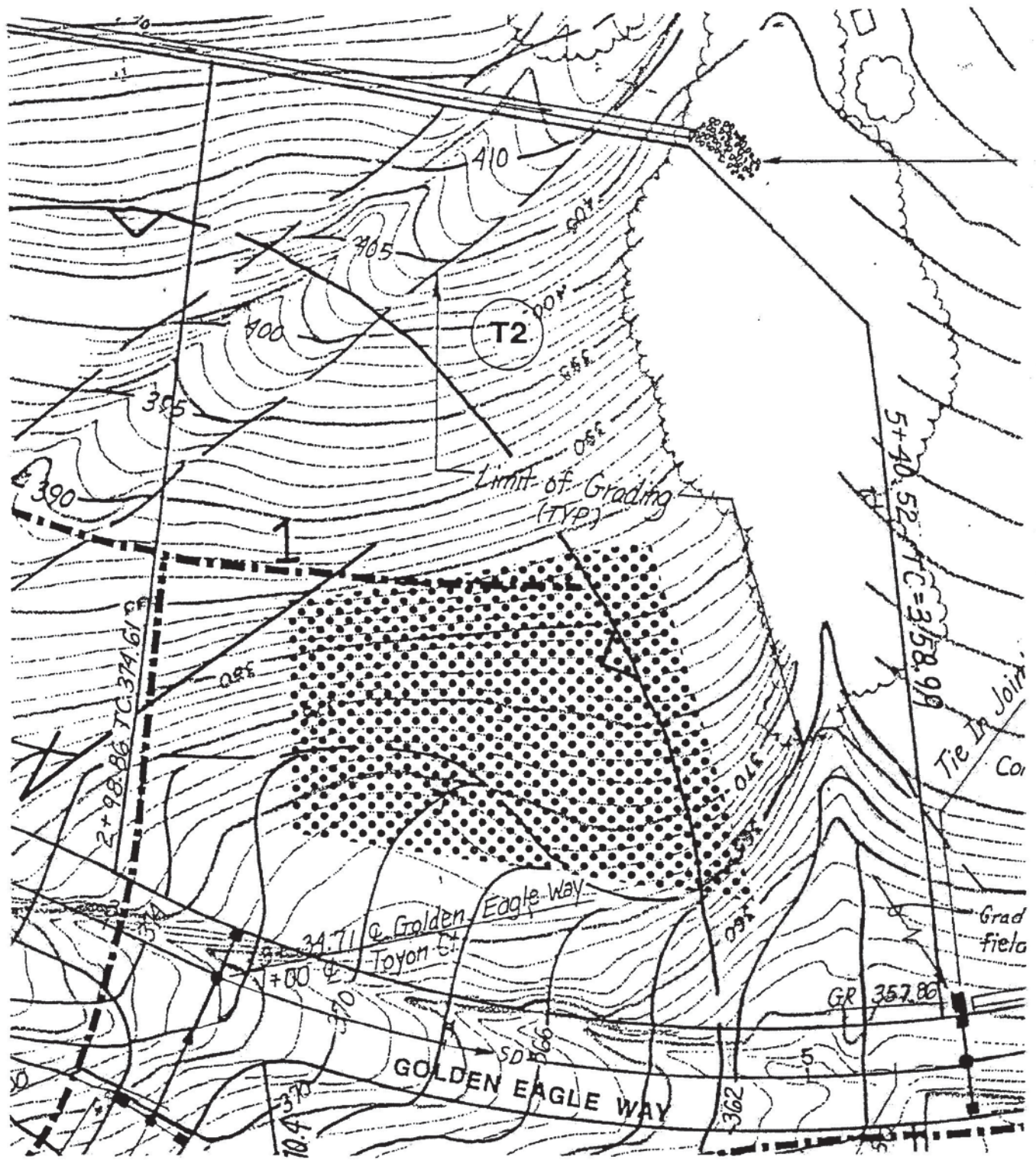
Due to its high visibility, the house design should produce a home that has a horizontal character and does not accentuate vertical features. This does not necessarily preclude a second story but requires creativity in achieving the above. Medium sized house allowed. Second story massing is encouraged 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
Tel (925) 830-4848/Fax (925) 830-0252
Email: rritter@hoaservices.net

P14-1186 (DR)
EXHIBIT F

February 27, 2015

City of Pleasanton Planning Division
Attn: Jennifer Wallis

Via Email: 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.

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C/o Homeowner Association Services
2266 Camino Ramon
San Ramon, CA 94583
Tel (925) 830-4848/Fax (925) 830-0252
Email: rritter@hoaservices.net

P14-1186 (DR)
EXHIBIT G

March 19, 2015

City of Pleasanton Planning Division
Attn: Jennifer Wallis

Via Email: 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

- 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.
- 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.

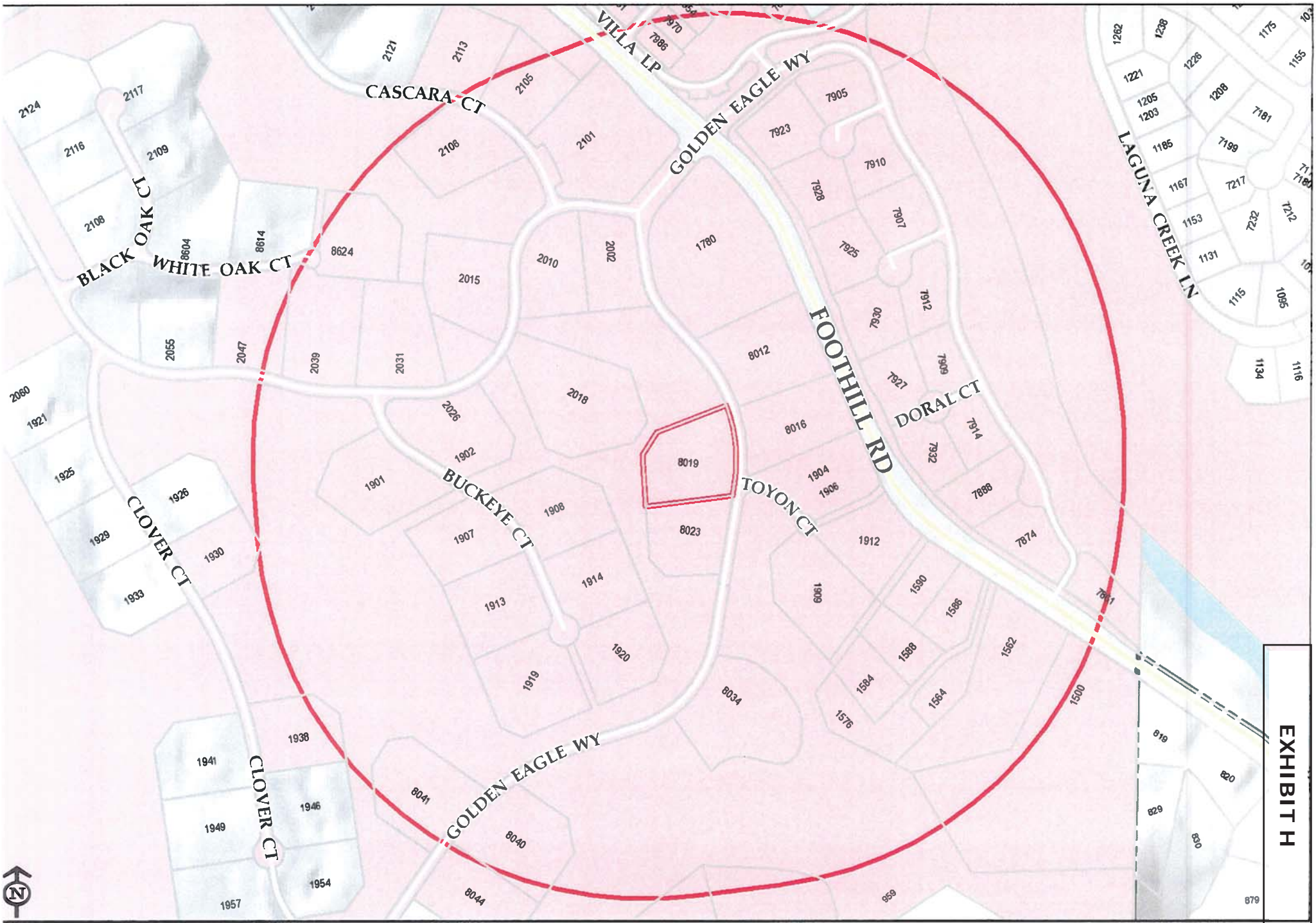
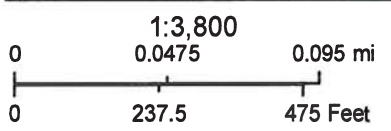


EXHIBIT H



P14-1186, Haddad, 8019 Golden Eagle Way