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 B-GENERAL BUILDING CONTRACTOR
 LIC. # 720437

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FRONT VIEW
 CARNELIAN ASSISTED LIVING

JOB NO. 23004
 DRAWN BY JH/NW
 DATE 10/11/2024

SK2
 SHEET 2 OF 7

APPEAL OF CARNELIAN SENIOR CARE FACILITY

County File #CDLP23-02046

COUNTY PLANNING COMMISSION

APRIL 23, 2025

EVERETT LOUIE, PROJECT PLANNER

CONTACT: EVERETT.LOUIE@DCD.CCCCOUNTY.US 925-655-2873

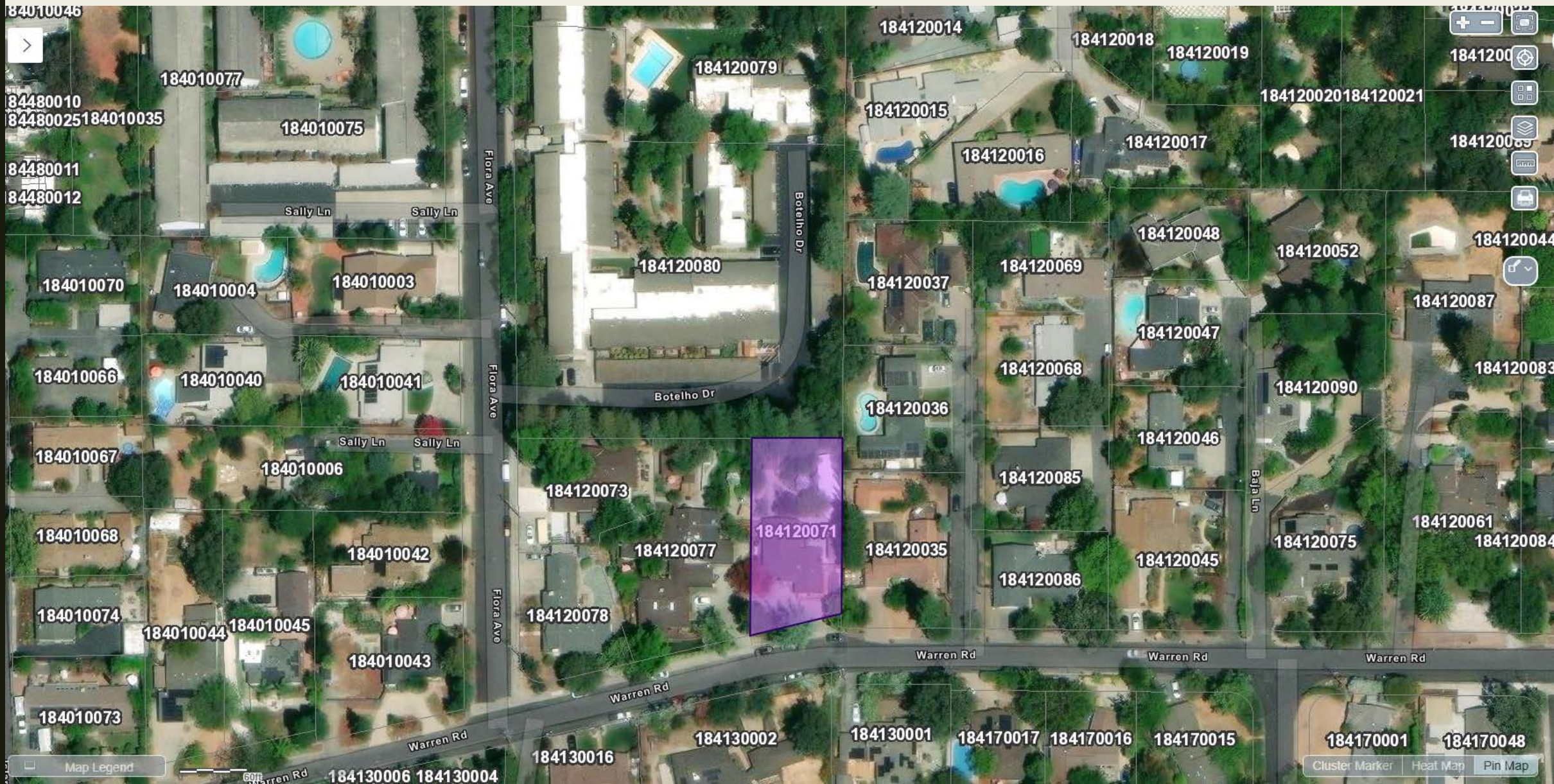


Background

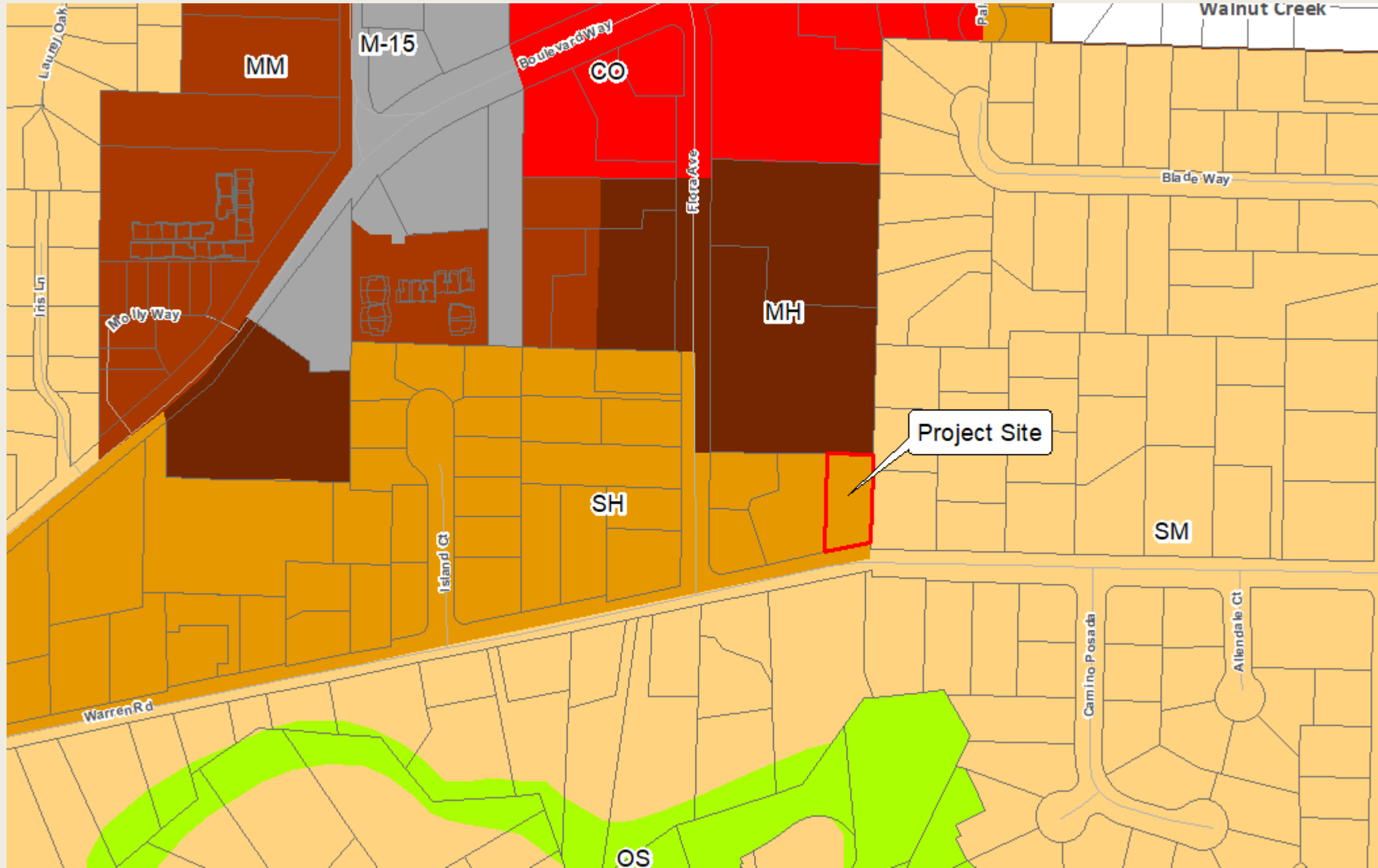
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- October 2, 2023 – #CDLP23-02046 was submitted to DCD
- May 20, 2024, June 17, 2024 and July 1, 2024, Zoning Administrator heard the project.
- October 1, 2024, applicant held meeting with interested neighbors to discuss changes to project.
- February 3, 2025 – Zoning Administrator approved project
- February 6, 2025 – Appeal letter was filed

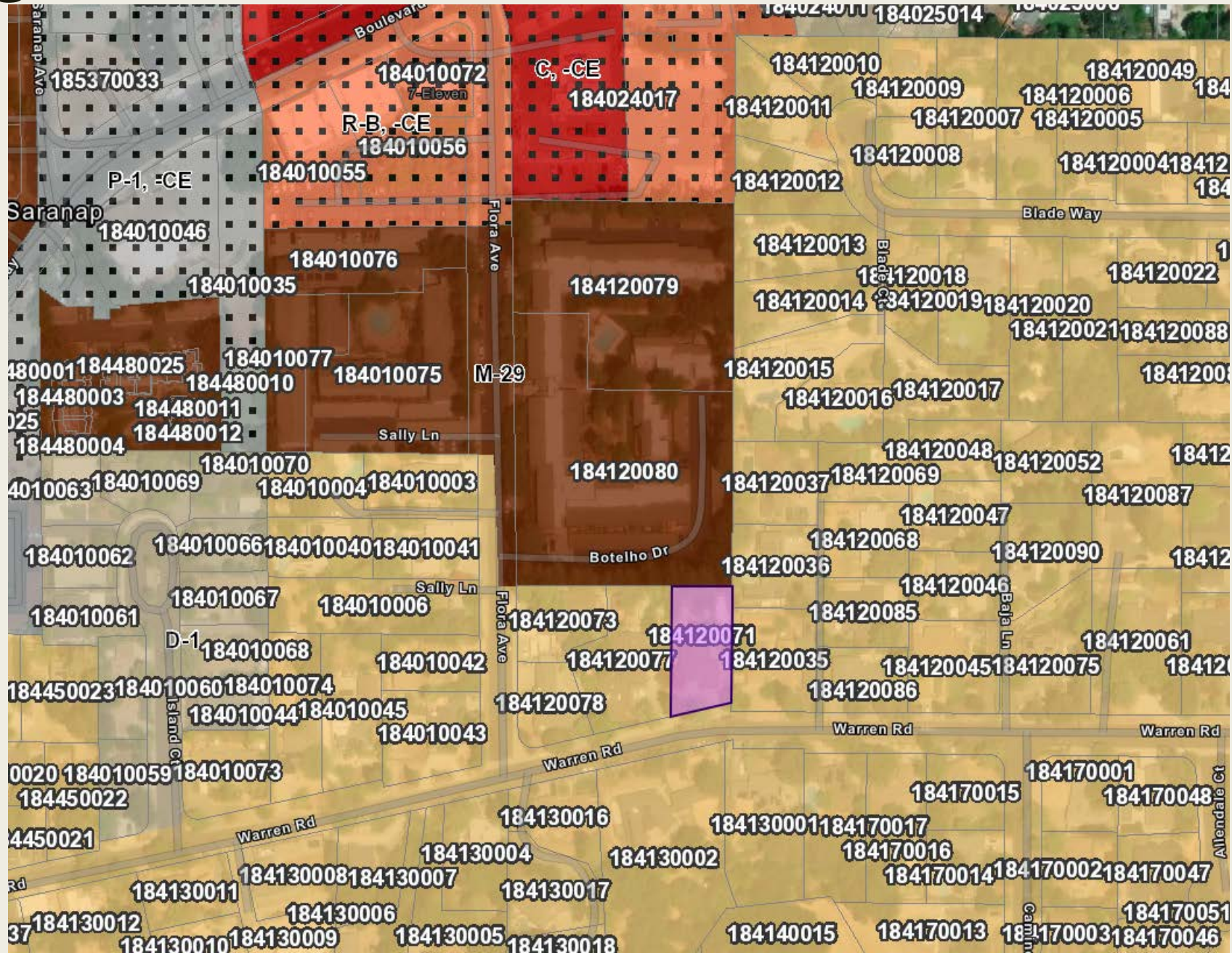
AERIAL VIEW



General Plan: SINGLE-FAMILY RESIDENTIAL-HIGH DENSITY (SH)



Zoning: R-10 SINGLE-FAMILY RESIDENTIAL DISTRICT



SITE PHOTOS- FRONT





SITE PHOTO- REAR

General Plan Analysis

- Deemed Complete under 2005-2020 General Plan - SH

Primary land uses permitted in this designation include detached single-family homes and accessory buildings and structures. Secondary uses generally considered to be compatible with low density homes may be allowed, including home occupations, small residential care and childcare facilities, churches and other similar places of worship, accessory dwelling units, and other uses and structures incidental to the primary uses.

- New General Plan – RH

RESIDENTIAL HIGH DENSITY | RH

Appropriate for higher-density, multiple-family development. Typically includes condominiums, apartments, and assisted living facilities. Also includes limited nonresidential uses that serve and support nearby homes.

Consistent Zoning: HE-C Potentially Consistent Zoning: P-1

Project Description

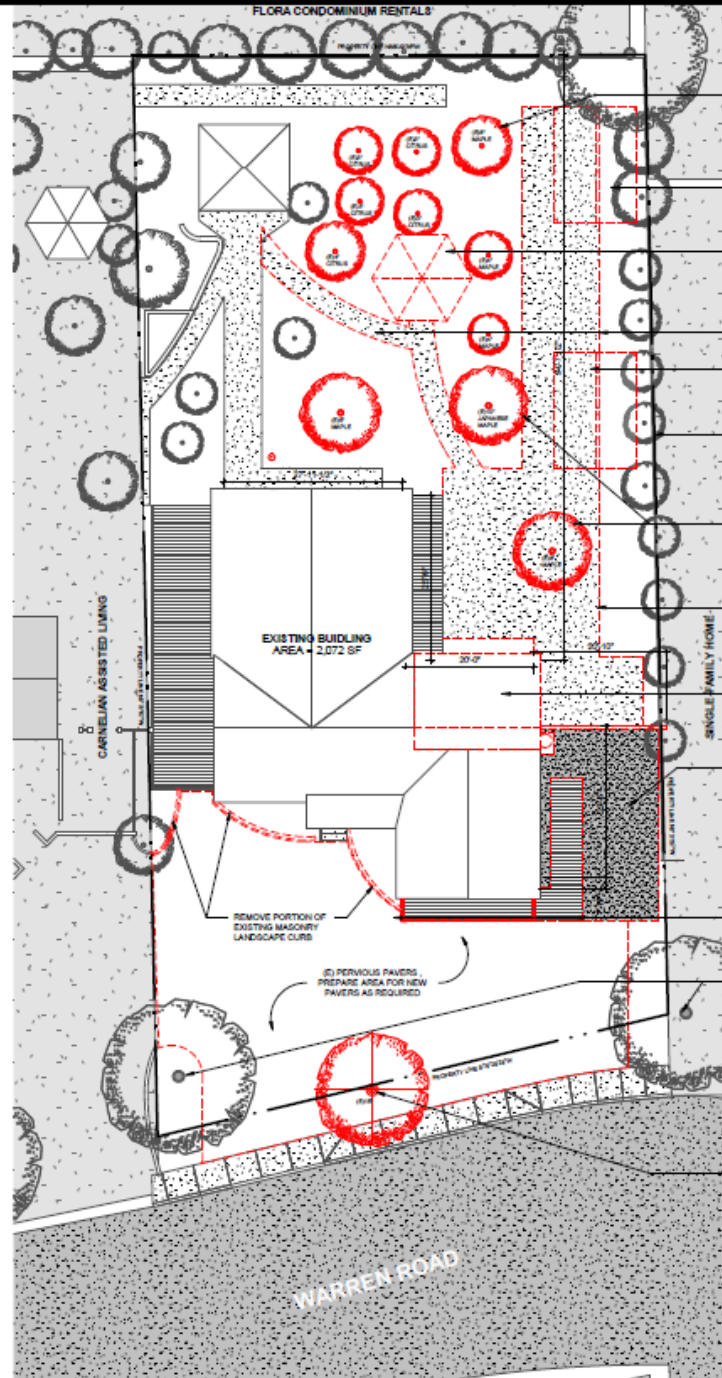
Land Use Permit

- Residential Care Facility for the Elderly for up to 18 persons
- Approximately 2,665-square-foot, two-story addition
- Confirms to R-10 Standards
 - *First Floor - 22' aggregate, 10'-5 ½"min * at closest side yard and 12'-3 ½" side yard towards the south.*
 - *Second Floor – 26' aggregate, 14'5 ½"min**
 - *41' front where 20' is required*
 - *15' rear where 15' is required*
 - *27'-6" building height and 2 story where 35' and 2 ½ story is maximum.*
- 6 parking required, 6 parking provided
- Variance for 16'-5" driveway aisle width (where 25' is the minimum)

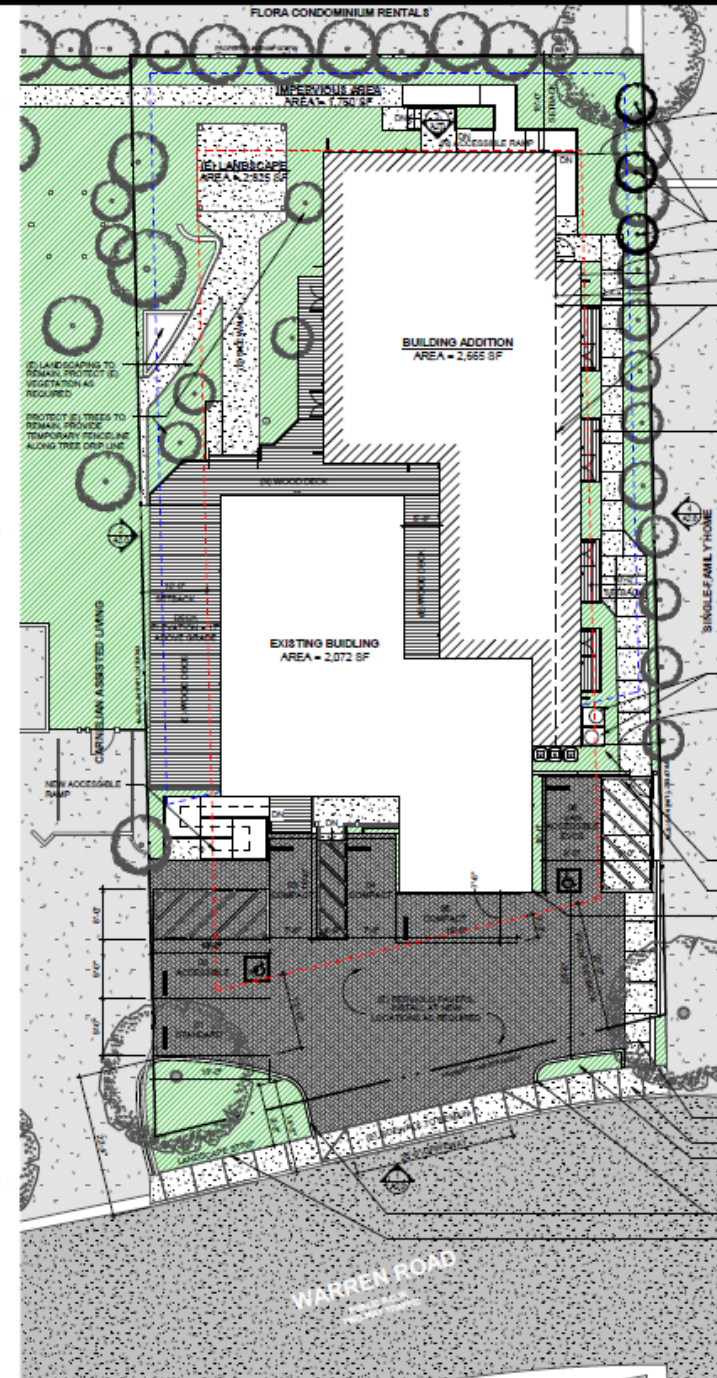
The image features two large, thick black L-shaped corner brackets. One is positioned in the top-left corner, and the other is in the bottom-right corner, framing the central text. The brackets are composed of two perpendicular lines of equal thickness, meeting at a sharp 90-degree angle.

PROJECT DRAWINGS

Site Plan

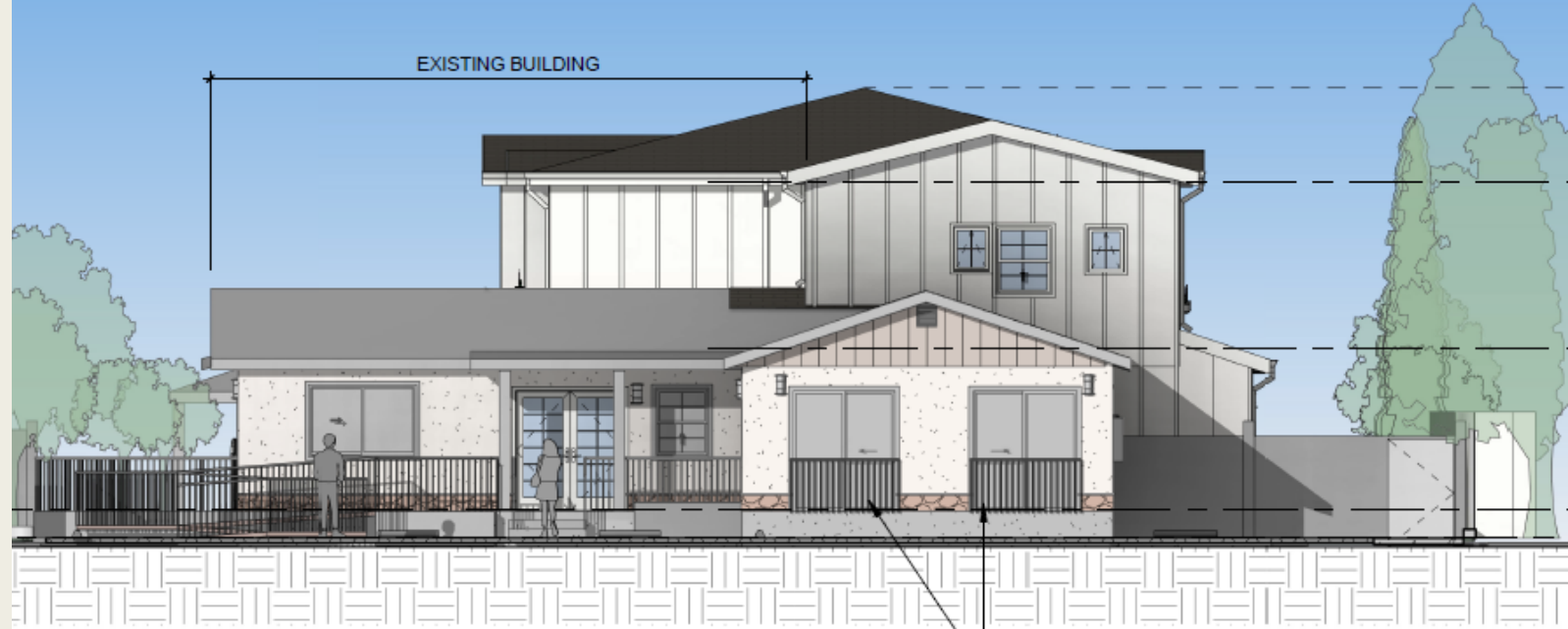


2 EXISTING SITE PLAN + REMOVALS
SCALE: 1" = 10'-0"



1 SITE PLAN
SCALE: 1" = 10'-0"

ELEVATIONS:



EXTERIOR ELEVATION - SOUTH (FRONT)

SCALE: 1/8" = 1'-0"

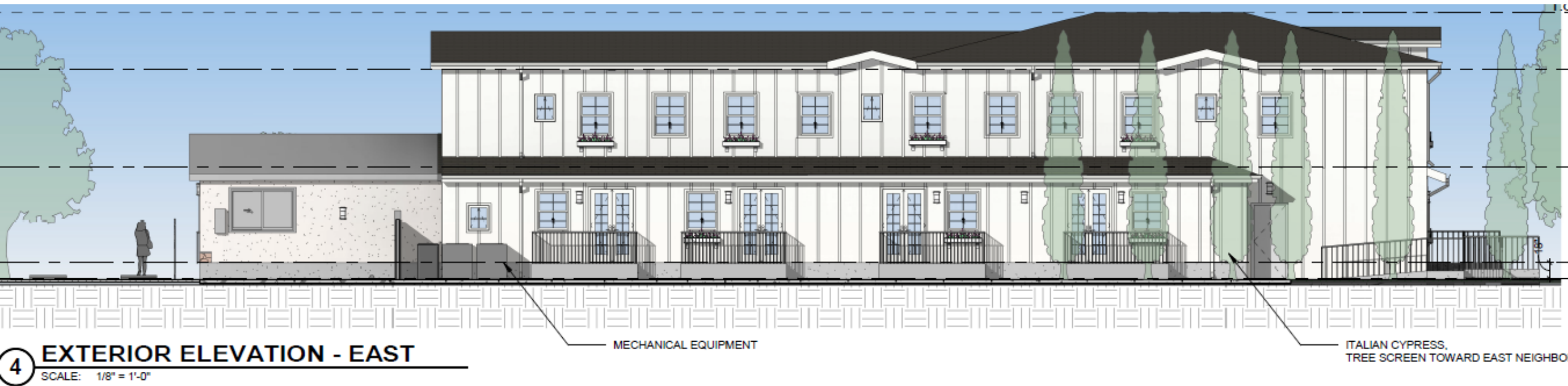
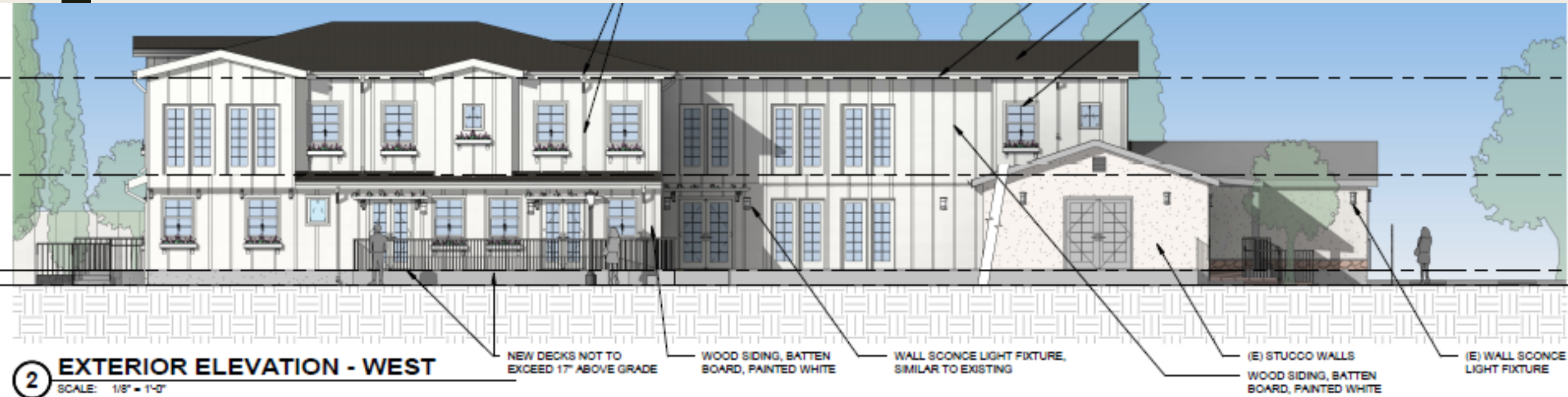
METAL GUARDRAIL, PAINTED TO MATCH EXISTING FINISHES

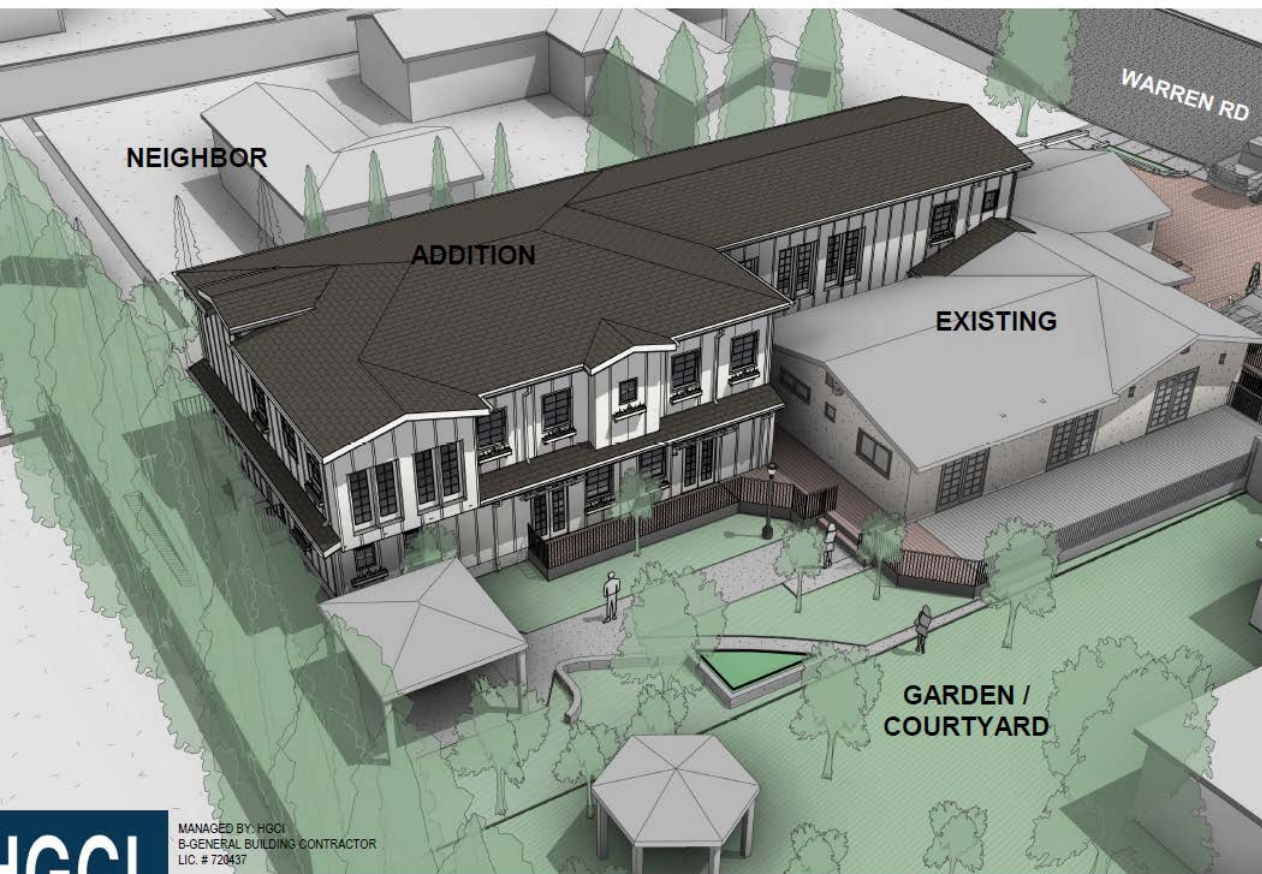


3 EXTERIOR ELEVATION - NORTH

SCALE: 1/8" = 1'-0"

Elevations:





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COURTYARD EYE-LEVEL VIEW
CARNELIAN ASSISTED LIVING

JOB NO. 20004
DRAWN BY JLL/MSK
DATE 10/11/2024

SK3
SHEET 3 OF 7

RENDERINGS



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VIEW FROM EAST NEIGHBOR
CARNELIAN ASSISTED LIVING

JOB NO. 20004
DRAWN BY JLL/MSK
DATE 10/11/2024

SK5
SHEET 5 OF 7

California Environmental Quality Act (CEQA)

The proposed project is exempt under CEQA Guidelines Section 15301(e)(2), Addition to Existing Structure

- **Additions of no more than 10,000 Square Feet**
- **Adequately served by public services**
- **Not in an environmentally sensitive site**

Appeal Points (summary)

As the basis for their appeal, the appellants mentioned various concerns such as:

- *Deceptive and Misleading Application*
- *Unique Scale and Density of the Facility*
- *Emergency Egress and Safety Concerns*
- *Violation of Solar Access Statutes*
- *Negative Impact on Property Values*
- *Erosion of Peaceful Living and Community Integrity*
- *Lack of Legal Basis for Grant of Variance*

Appeal Points

Deceptive and Misleading Application

- The project is to expand an existing building on one APN. The other Carnelian facility each have their own separate Land Use Permit approvals. Staff reviews only what is proposed on the project APN.

Unique Scale and Density of the Facility

- No Density requirement for senior care assisted living. A residential care facility is an allowed use with a land use permit in the R-10. Project meets all R-10 development standards.

Emergency Egress and Safety Concerns

- The applicant is required to submit plans for review and approval of the Fire District. Fire Inspector letter stating “no blatant issues with access”

Appeal Points

Violation of Solar Access Statutes

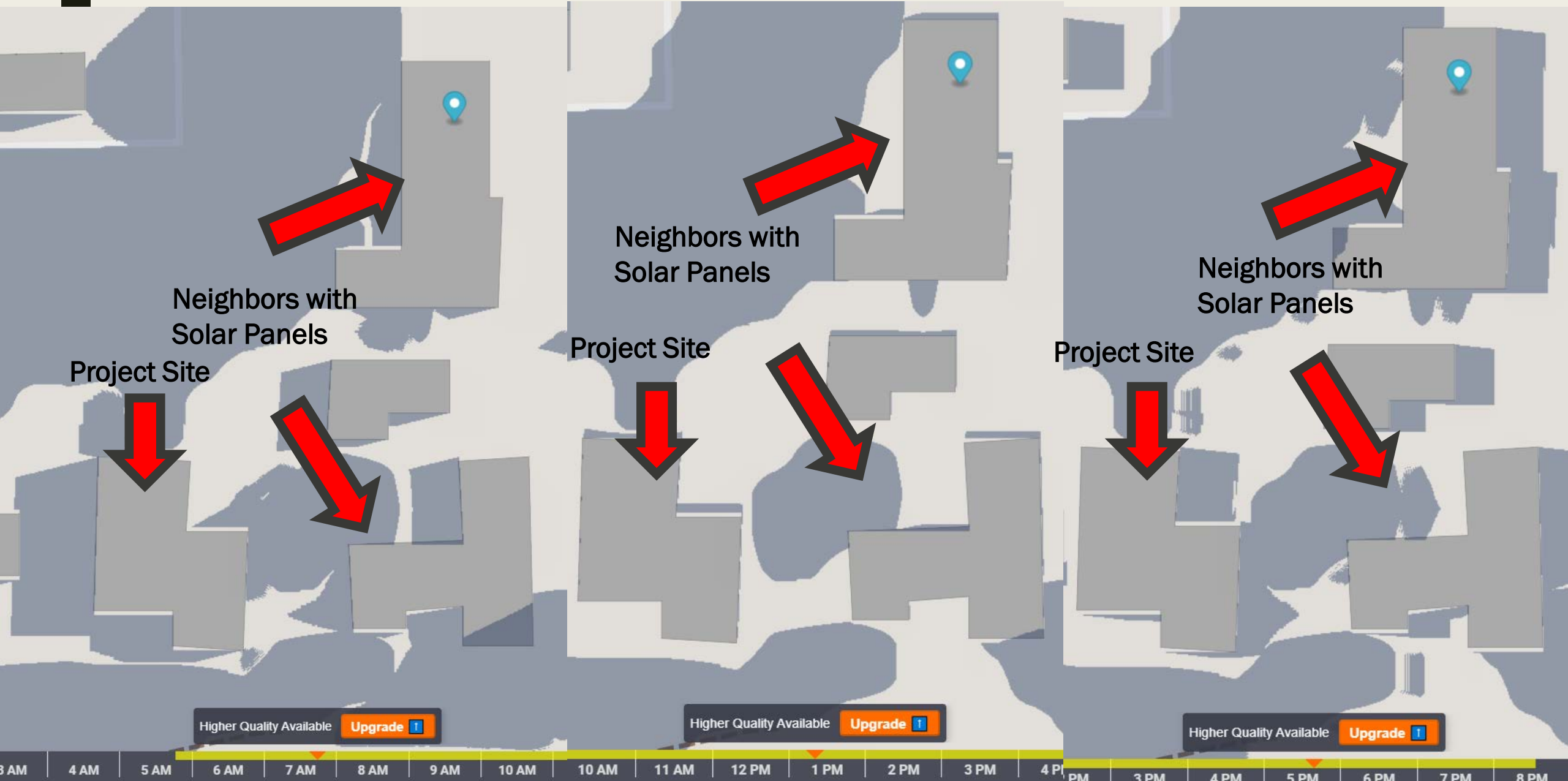
Negative Impact on Property Values

Erosion of Peaceful Living and Community Integrity

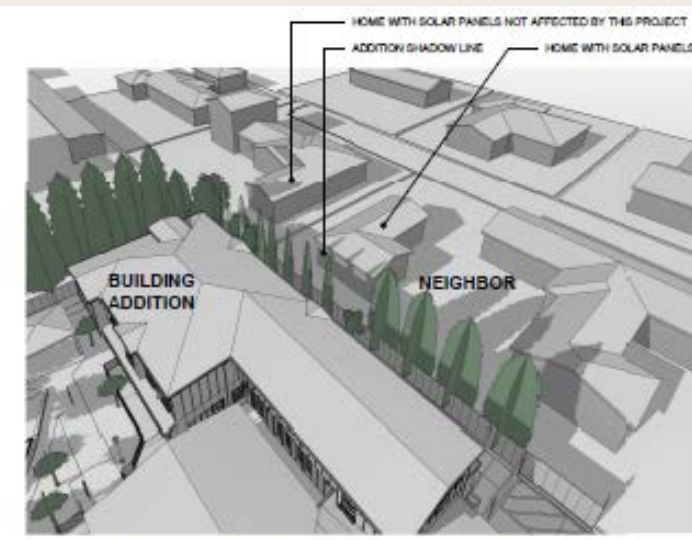
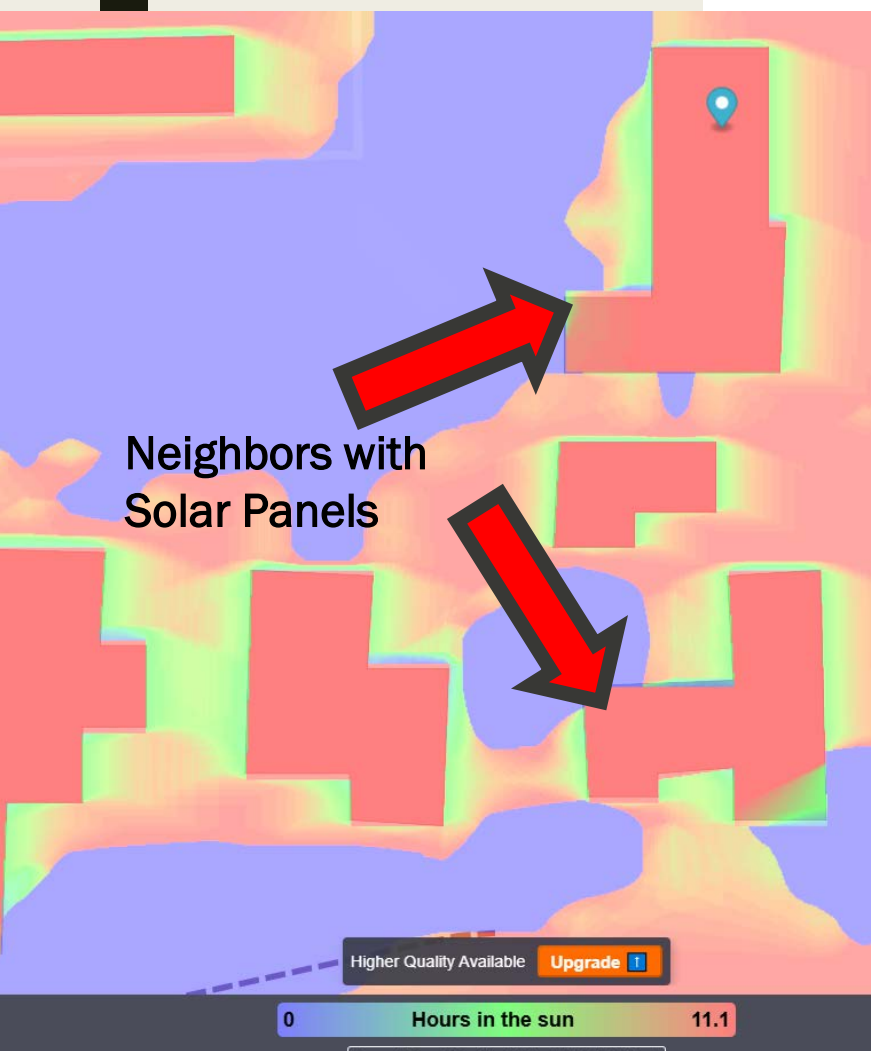
Lack of Legal Basis for Grant of Variance

- No Solar ordinance that prohibits buildings from casting a shadow. Applicant submitted a shadow study which shows negligible shadow impact.
- The project will generate additional tax revenue and employment opportunities. Increased access to assisted living in Walnut Creek/County.
- Numerous changes to address all neighbor concerns (see appeal point #6 in Staff report)
- Staff has made the appropriate Variance findings in support

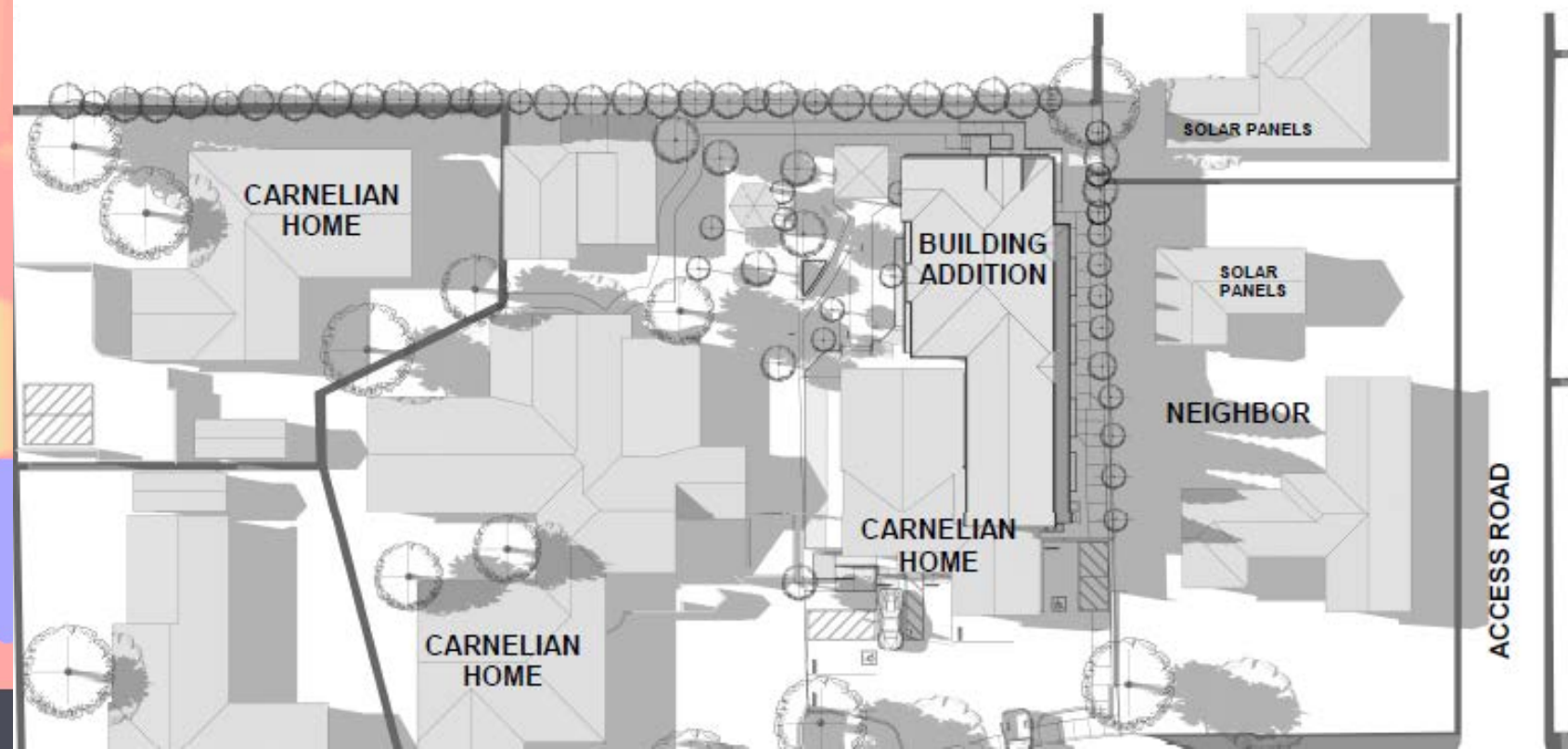
Sun Study - Shadows



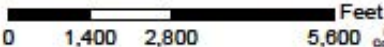
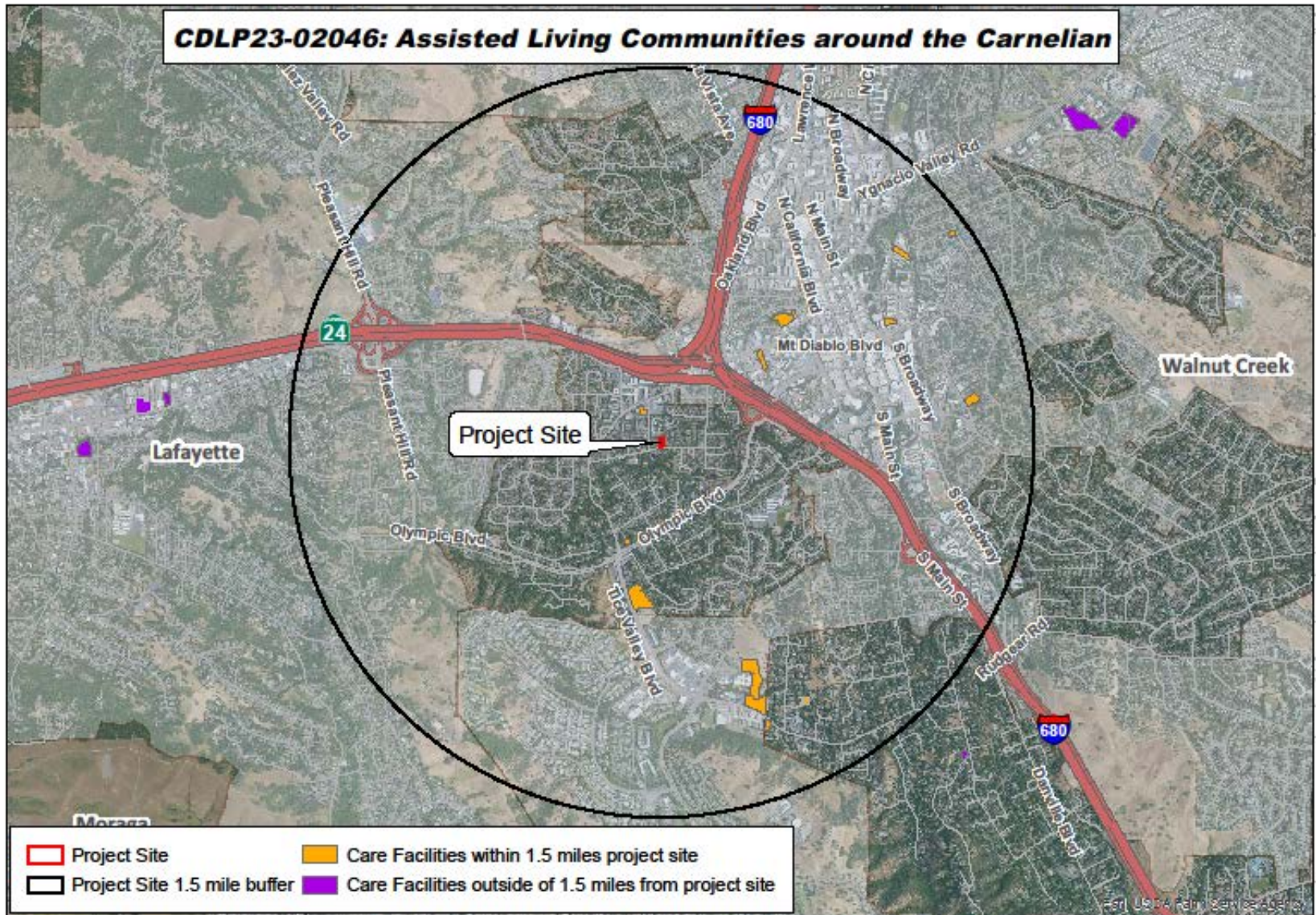
Shadow Study



2 SHADOW STUDY - 3D PERSPECTIVE
SCALE:



Map Of Surrounding Assisted Living Facilities



Map Created 3/1/2025
by Contra Costa County Department of
Conservation and Development, GIS Group
30 Mar Road, Martinez, CA 94553
37.5841 79.16 122:07:03.766W

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Staff Conclusion

- The project is consistent with the applicable policies/standards of:
 - *County General Plan*
 - *Zoning Consistency*
 - *Appropriateness of the neighborhood*

- The project applicant redesigned the project to address neighborhood concerns.

- The project provides the Walnut Creek neighborhood with more assisted living housing opportunities, employment and provides a needed service for the Community.

Staff Recommendation

Staff recommends that the County Planning Commission:

- DENY the appeal by Joshua Eckhaus and Jennifer Ostrander
- APPROVE the project based on the findings and conditions of approval



QUESTIONS?