

From: Richard Sutliffe
Sent: Monday, March 18, 2024 5:47 PM
To: 'clerkofthe'; Clerk of the Board
Subject: Residential Addition at 3455 Freeman Rd., Lafayette, CA; File CDDP23-03020

Follow Up Flag: Follow up
Flag Status: Flagged

March 18, 2024

To: The Contra Costa County Board of Supervisors

RE: Residential Addition at 3455 Freeman Rd., Lafayette, CA; County File CDDP23-03020

As property owners at nearby 3424 Freeman Rd. Lafayette, CA, we object to the approval of this project for the same reasons we objected last September, 2023. See copy attached below:

We believe the County Planning Commission has made an error in initially approving this project and has abused its discretion in doing so.

Our concerns are as follows:

1. As proposed the 1,400 sq. ft. second story addition to this home will not fit the neighborhood. It will be too boxy and tall. It's too massive for this small lot and will dwarf nearby homes.
2. It will potentially set a precedent for this type of addition in the neighborhood. Once something like this is approved, others can follow.
3. With this large of an addition, we assume there will be more residents and more vehicles. Freeman Road is narrow in this area. Where will these additional vehicles park? Will the county assume responsibility for resident and pedestrian safety if Freeman Road is crowded by excessive vehicles parked on the street?

The applicant does not appear, as a matter of good faith, to have made any concessions by modifying his plans to address these valid issues since they were first raised last year.

Sincerely,

(signed electronically)

Richard & Barbara Sutliffe

Owners of 3424 Freeman Rd.

From: Richard Sutcliffe <
Sent: Wednesday, September 27, 2023 2:25 PM
To: 'planninghearing@dcd.cccounty.us' <planninghearing@dcd.cccounty.us>
Subject: Residential Addition at 3455 Freeman Rd., Lafayette, CA; County File CDDP23-03020

September 27, 2023

RE: County File CDDP23-03020; proposed addition at 3455 Freeman Rd., Lafayette, CA

TO: Zoning Administrator, Contra Costa County

We own the house at 3424 Freeman Rd. We have several concerns about this proposed project addition:

1. As proposed the 1,400 sq. ft. second story addition to this home will not fit the neighborhood. It will be too boxy and tall. In short, it's just too massive for this small lot and will dwarf nearby homes.
2. It will potentially set a precedent for this type of addition in the neighborhood. Once something like this is approved, others can follow.
3. With this large of an addition, will this result in more residents and more vehicles? Where will these vehicles park? Is there adequate parking space?

Thank you for your consideration of these issues.

Sincerely,

(signed electronically)

Richard & Barbara Sutcliffe

Owners of 3424 Freeman Rd.

D.S

From: Logan Daniels -
Sent: Wednesday, March 20, 2024 10:37 AM
To: Clerk of the Board; County Administrator
Cc: Everett Louie; Jen Quallick
Subject: Objection to Hearing Date for County File #CDDP23-03020
Attachments: 6816300_Pr_24-0313_1350.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

To: Monica Nino, Clerk of the Board of Supervisors and County Administrator
Stacey M. Boyd, Deputy Clerk
Cc: Everett Louie, Planner II, County Department of Conservation and Development
Jennifer Quallick, Deputy Chief of Staff, Office of Supervisor Candace Andersen
From: Logan and Lindsey Daniels, Appellants in the matter of County File #CDDP23-03020
Subject: **Objection to Hearing Date for County File #CDDP23-03020**

Dear Ms. Nino,

We are the appellants in the county file #CDDP23-03020 matter concerning applicant Harpreet Hansra's proposed renovation at 3455 Freeman Road, Lafayette, CA. We are writing to you with an objection to the hearing date of March 26th which was scheduled for the above-listed county file. We hereby request that the hearing be rescheduled, given the information we have provided below.

On March 1st, Mr. Everett Louie, County Staff Planner II, reached out to me inquiring about potential hearing dates. As you can see below, I responded to Mr. Louie clearly communicating to him that we were unavailable on March 26th. At the end of our correspondence on the same day (March 1st), Mr. Louie responded that he would get back to me, which he did on March 14th. On that date, he inquired about potential hearing dates in the months of April, May, June, and July, which I responded to.

We were rather disappointed to learn via a notice received in the U.S. Mail earlier this week that the hearing had been scheduled for March 26th. We provided prompt responses to the individual we presumed was with the County entity responsible for scheduling the appeal hearing. From our perspective, it seems as though the Board of Supervisors may have scheduled the hearing without consideration of this correspondence and our written statement of our inability to attend a hearing on the March 26th date. On top of the fact that we did not receive timely notice of the original planning commission hearing on this project, this decision is highly frustrating.

As I have told Mr. Louie in writing and via telephone, we are not available on March 26th as it is our son's 10th birthday and we have had plans to celebrate with him that were made six months ago. This proposed project and the appeal are very important to us, and we feel that we have been forthright and communicative to the County regarding our ability to attend - and yet, no consideration was made. In this appeal, we will be speaking on behalf of our neighbors who also feel strongly about this project (15 of 16 adjacent homeowners signed the appeal of the Commissioner's finding that this project is compatible with the neighborhood character). They have entrusted us to represent them and make their views known to the Board of Supervisors.

We greatly appreciate that the County is taking our appeal under consideration, and I look forward to hearing from you after you have had a chance to review this letter, the email correspondence below and our request to reschedule the hearing.

I can be reached via phone at (415) 503-8507 or via email at

Respectfully,

Logan T. Daniels

----- Forwarded message -----

From: **Everett Louie** <Everett.Louie@dcd.cccounty.us>

Date: Tue, Mar 19, 2024 at 10:16 AM

Subject: RE: Public Comment for County File #CDDP23-03020

To: Logan Daniels <logand@gmail.com>

Cc: Jen Quallick <Jen.Quallick@bos.cccounty.us>

Good morning Logan,

The Board of Supervisors meeting offers multiple ways to attend a meeting in the event that you cannot physically be there. Per the attached notice of hearing here are the options for you:

1. Attend via zoom: [Board Meeting Agendas and Videos | Contra Costa County, CA Official Website](#)
2. Attend via a telephone – (Dial 888-251-2949 followed by access code 1672589#)
3. Members of the public may also submit written testimony on the matter before or during the public hearing to the Clerk of the Board of Supervisors via email at clerkoftheboard@cob.cccounty.us

To further accommodate you, I can personally email you when the item you are interested in is about to be called up. That way you are not waiting on the phone for the entire meeting and can join promptly.

Please feel free to use any of these methods to submit any future comments you may have on the project.

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us



From: Logan Daniels ·
Sent: Monday, March 18, 2024 9:22 PM
To: Everett Louie <Everett.Louie@dcd.cccounty.us>
Cc: Jen Quallick <Jen.Quallick@bos.cccounty.us>
Subject: Re: Public Comment for County File #CDDP23-03020

Good Evening Everett,

I received a notice from the Board of Supervisors in the U.S. mail today which indicates that a hearing on the above noted County matter has been scheduled for next March 26th, which was very surprising to me considering our email correspondence below.

As I wrote to you below on March 1st, my spouse and I both have a conflict on March 26th. You responded later that day (March 1st) that you would have to connect with the Supervisor and the applicant and that you would be in touch once you heard back. Your next correspondence was received last Thursday (March 14th) when you inquired with me about potential hearing dates in April, May, June and July - which I responded to the same day.

Our ability to attend on March 26th has not changed - we are unable to cancel plans that we have, which were made six months ago. To be entirely clear and as stated below, neither myself nor my spouse are available to attend a hearing (neither in person, nor virtually) on Tuesday, March 26th. As

the appellants, I am hereby requesting that the hearing be rescheduled to a date when we are able to attend and appeal the matter, in due course.

Please note that I have copied Jen Quallick, the Deputy Chief of Staff in Supervisor Anderson's office, so that the Board of Supervisors has visibility into all of our correspondence specific to the scheduling of this hearing.

Please reach out to me at (415) 503-8507 at your earliest convenience to discuss this matter.

Respectfully,

Logan Daniels

logand@gmail.com

On Thu, Mar 14, 2024 at 2:35 PM Everett Louie <Everett.Louie@dcd.cccounty.us> wrote:

Logan,

Can you please put yes or no on whether or not these BOS dates work for you:

April 23

May 2

May 21

June 4

June 25

July 9

A prompt response is appreciated.

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us



From: Logan Daniels <logand@gmail.com>
Sent: Friday, March 1, 2024 10:02 AM
To: Everett Louie <Everett.Louie@dcd.cccounty.us>
Subject: Re: Public Comment for County File #CDDP23-03020

April 9th doesn't work either as we will be out of town with our family. How about May or June?

Logan Daniels
(415) 503-8507

logand@gmail.com

On Fri, Mar 1, 2024 at 9:59 AM Everett Louie <Everett.Louie@dcd.cccounty.us> wrote:

Good morning Logan,

Thank you for letting me know. There is a meeting on April 9th. Please let me know if this one works?

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us



From: Logan Daniels <logand@gmail.com>
Sent: Friday, March 1, 2024 9:57 AM
To: Everett Louie <Everett.Louie@dcd.cccounty.us>
Subject: Re: Public Comment for County File #CDDP23-03020

Hi Everett,

Thank you for reaching out. Unfortunately, Lindsey and I both have a conflict with 3/26. We are available in April or May. Are there any dates in those months that would work? Please let me know.

Thanks,

Logan Daniels
(415) 503-8507

logand@gmail.com

On Fri, Mar 1, 2024 at 9:19 AM Everett Louie <Everett.Louie@dcd.cccounty.us> wrote:

Hi Logan,

Since you are the appellant, does March 26 for the BOS date work for you?

Thank you

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us



From: Logan Daniels <logand@gmail.com>
Sent: Friday, February 2, 2024 3:13 PM
To: Everett Louie <Everett.Louie@dcd.cccounty.us>
Subject: Re: Public Comment for County File #CDDP23-03020

Thank you, Everett.

Logan Daniels
(415) 503-8507

logand@gmail.com

On Fri, Feb 2, 2024 at 3:02 PM Everett Louie <Everett.Louie@dcd.cccounty.us> wrote:

Hi Logan,

Please see the link for the Planning Commission Hearing: https://contra-costa.granicus.com/MediaPlayer.php?view_id=14&clip_id=3170

If you have any questions, please let me know.

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us



From: Logan Daniels <logand@gmail.com>
Sent: Monday, January 29, 2024 12:51 PM
To: Everett Louie <Everett.Louie@dcd.cccounty.us>
Subject: Re: Public Comment for County File #CDDP23-03020

Thank you. 10 calendar days would be Saturday 2/3, so therefore the deadline is Monday 2/5, correct?

Logan Daniels

(415) 503-8507

logand@gmail.com

On Jan 29, 2024, at 12:11, Everett Louie <Everett.Louie@dcd.cccounty.us> wrote:

Logan,

26-2.2406 - Appeal—Notice.

An appellant may appeal a decision of a division of the planning agency, to the appellant division indicated, by filing a written notice of appeal, specifying the grounds for appeal, with the planning department within the calendar time herein allowed upon payment of the fees prescribed by Article 26-2.28:

EXPAND

Division Decision Appealed	Time Calendar Days	Division Appealed to
Planning commission or board of appeals	10	Board of supervisors
Zoning administrator		Board of appeals

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us

<image001.jpg>

From: Logan Daniels <logand@gmail.com>
Sent: Monday, January 29, 2024 12:10 PM
To: Everett Louie <Everett.Louie@dcd.cccounty.us>
Subject: Re: Public Comment for County File #CDDP23-03020

Everett,

Thank you. One more question - can you point me to the code about appeal timing, which I believe is 10 calendar days from the hearing?

Thanks,

Logan Daniels
(415) 503-8507

logand@gmail.com

On Mon, Jan 29, 2024 at 12:03 PM Everett Louie <Everett.Louie@dcd.cccounty.us> wrote:

Hi Logan,

I just spoke to IT, they anticipate that the hearing will be posted by the end of the week. As I mentioned, we need to transcribe it so that anybody who needs assistance can access the hearing.

Thanks for checking in.

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us

<image001.jpg>

From: Logan Daniels <logand@gmail.com>
Sent: Monday, January 29, 2024 11:52 AM

To: Everett Louie <Everett.Louie@dcd.cccounty.us>

Subject: Re: Public Comment for County File #CDDP23-03020

Good morning, Everett. Do you have an update on when the recording of the hearing will be posted?

Logan Daniels

(415) 503-8507

logand@gmail.com

On Thu, Jan 25, 2024 at 1:03 PM Everett Louie <Everett.Louie@dcd.cccounty.us> wrote:

Hi Logan,

It will eventually be uploaded, however it takes time to transcribe to make it ADA accessible for the entire County.

Once it is uploaded I can let you know.

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us

<image001.jpg>

From: Logan Daniels <logand@gmail.com>
Sent: Thursday, January 25, 2024 12:35 PM
To: Everett Louie <Everett.Louie@dcd.cccounty.us>
Subject: Re: Public Comment for County File #CDDP23-03020

Is there a recording of last night's hearing available online? I looked on the county website but couldn't find it.

Logan Daniels

(415) 503-8507

logand@gmail.com

On Jan 25, 2024, at 11:51, Everett Louie
<Everett.Louie@dcd.cccounty.us> wrote:

Hi Logan,

The items required for a valid appeal are the following: **filing a written notice of appeal, specifying the grounds for appeal, with the planning department within the calendar time herein allowed upon payment of the fees.**

There is no specific form that you need to fill out, you can submit a handwritten appeal, a typed appeal, etc.

If you have any questions, please let me know.

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us

<image001.jpg>

From: Logan Daniels <logand@gmail.com>
Sent: Thursday, January 25, 2024 11:49 AM
To: Everett Louie <Everett.Louie@dcd.cccounty.us>
Subject: Re: Public Comment for County File #CDDP23-03020

Everett,

So neighbor signatures are not required? The only requirement is to file the paperwork and make payment? Is there a form that we need to fill out?

Thanks,

Logan Daniels
(415) 503-8507

logand@gmail.com

On Thu, Jan 25, 2024 at 11:39 AM Everett Louie
<Everett.Louie@dcd.cccounty.us> wrote:

Hi Logan,

26-2.2406 - Appeal—Notice.

An appellant may appeal a decision of a division of the planning agency, to the appellant division indicated, by filing a written notice of appeal, specifying the grounds for appeal, with the planning department within the calendar time herein allowed upon payment of the fees prescribed by Article 26-2.28:

The appeal must be accompanied by a \$250 filing fee and be received in the Department of Conservation and Development by 5:00 pm on the 10th day.

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us

<image001.jpg>

From: Logan Daniels <logand@gmail.com>

Sent: Thursday, January 25, 2024 11:36 AM

To: DCD PlanningHearing <PlanningHearing@dcd.cccounty.us>; Everett Louie <Everett.Louie@dcd.cccounty.us>

Subject: Re: Public Comment for County File #CDDP23-03020

Hi Everett,

Can you please let me know what the process is to appeal the project to the Board of Supervisors. Do we need to collect signatures from neighbors? I know we need to file by 2/5 but any other help you can provide would be greatly appreciated.

Thanks,

Logan Daniels

(415) 503-8507

logand@gmail.com

On Jan 24, 2024, at 17:22, DCD PlanningHearing
<PlanningHearing@dcd.cccounty.us> wrote:

Hi Logan,

The Public Comment Period happens when the Planning Commissioners open the public comment period. Unfortunately, there isn't a set time as this is the second item on the agenda. However, if you are tuning in, the Commissioners will ask if there are any public comments and open the meeting to taking them.

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us

<image001.jpg>

From: Logan Daniels <logand@gmail.com>
Sent: Wednesday, January 24, 2024 5:18 PM
To: DCD PlanningHearing <PlanningHearing@dcd.cccounty.us>
Subject: Re: Public Comment for County File #CDDP23-03020

Thank you, Everett. When is the public comment period? At the start of the hearing?

Logan Daniels

[\(415\) 503-8507](tel:(415)503-8507)

logand@gmail.com

On Jan 24, 2024, at 17:11, DCD
PlanningHearing
<PlanningHearing@dcd.cccounty.us>
wrote:

Public Comments received and will forward to
the Planning Commissioners.

Everett Louie, Planner II

CONTRA COSTA COUNTY

**Department of Conservation and
Development**

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us

<image001.jpg>

From: Logan Daniels <logand@gmail.com>
Sent: Wednesday, January 24, 2024 4:39 PM
To: DCD PlanningHearing
<PlanningHearing@dcd.cccounty.us>; Everett
Louie <Everett.Louie@dcd.cccounty.us>
Subject: Public Comment for County File
#CDDP23-03020

Public Comment for Tonight's Hearing re:
Zoning of 3455 Freeman Road, Walnut Creek,
CA

Hi, my name is Logan Daniels and I reside at
3434 Freeman Road in the neighborhood of
the proposed development.

The subject property at 3455 Freeman does
not comply with the R-10 Zoning
Requirements (84-8.602 and 84-8.604) since
the parcel is less than 10,000 sq. ft. and the
width is less than eighty feet in
average. Specifically, the zoning
administrator (ZA) concluded in its response
to the appeal that *"the subject property is
consistent with the lot requirements for
property in the R-10 Single-Family Residential
District except for the 65.9-foot lot width
requirements (the lot is required to have 80*

feet in average width), and therefore, the Small Lot Design Review was required". (NOTE: The ZA failed to note that the parcel size is not in compliance either).

At this point in the review process, planning staff should have paused and determined if a small lot design review was appropriate for the proposed development of a multi-story 3,600 sq. ft structure on a lot size of 8,118 sq. ft. This represents a FAR, or Floor Area Ratio of 44% (3,600 / 8,118). The FAR is simply the gross area of the structure divided by the gross area of the parcel.

While the county planning code may not have FAR requirements, it would have been prudent for staff to compare the proposed FAR of 44% with other homes in the surrounding neighborhood. I did compare the FARs of all of the surrounding homes in the neighborhood and every single home has an FAR that is significantly lower, with the majority being between 6-15%. This means that the FAR of the proposed development exceeds that of every single home in the surrounding neighborhood – and exceeds it on average by 4X and in some instances by up to 7 times the FAR. This comparison directly proves out that the proposed development is **absolutely not** compatible with the homes in the surrounding neighborhood. In fact, the development will be completely out of context if the County erroneously approves the proposed development - since there are not any homes in the surrounding neighborhood that are more than one story on a parcel size that is comparable to the subject property.

Furthermore, the staff response to Appeal Point 4 stated the following: "The project which is residential in nature is consistent with the development pattern of this area in that smaller lots will build up instead of outwards as the small lot size restricts development due to the setback

requirements". This statement by planning staff is completely false and non-factual. There are absolutely no homes in the surrounding neighborhood that have "built up" on an existing structure at all, let alone on a small or substandard lot adjacent to other small and substandard lots. If there are, Planning Staff should be able to easily identify those homes; however, they will not be able to because there are not any that exist.

Has County Counsel Thomas Geiger reviewed this proposed development and the appeal? I'm asking as there appears to be a legal issue with the position that the Zoning Administrator has taken, which is that the proposed development is compatible with the surrounding neighborhood in terms of its location, size, height, and design. As stated in the staff response to Appeal Point , "County Code 82-10.002(c) requires the Zoning Administrator to determine that the proposed project is compatible with the surrounding neighborhood". The legal issue that will become problematic for the County is that compatibility with the surrounding neighborhood *has absolutely not been made* and therefore the Zoning Administrator should have denied the applicant's proposal.

The cascading negative effects of the county approving this proposed development lacking a legal basis will impact all the entire neighborhood, but especially those neighbors that are immediately adjacent to the proposed development. For instance, the next door neighbors to the proposed development are currently able to enjoy the privacy of their backyards without any privacy invasions or structures blocking the full sunlight that they currently experience. That will impact those neighbors' ability to enjoy their homes as they are entitled to, when their privacy is invaded and their access to natural sunlight is taken away. This will directly negatively impact the value of the surrounding homes, especially the next door neighbors.

There are only two new homes that have been built within the last 10 years on Freeman Road – 3494 Freeman and 3514 Freeman. Both parcels are more than twice as large (19,166 and 18,295 respectively) as the subject property (8,118). In both instances, the existing one-story homes at 3494 and 3514 Freeman were deconstructed and new **one-story** homes were built. These two homes were designed to be compatible with the surrounding neighborhood and the zoning administrator applied the correct determination in these instances. The zoning administrator is not applying the same principles when it made its preliminary determination that the subject property at 3455 Freeman is compatible with the surrounding neighborhood.

**NOTICE OF APPEAL HEARING BEFORE THE CONTRA COSTA COUNTY
BOARD OF SUPERVISORS REGARDING COUNTY FILE #CDDP23-03020**

UNINCORPORATED LAFAYETTE AREA

NOTICE IS HEREBY GIVEN that the Contra Costa County Board of Supervisors will hold a public hearing on Tuesday, March 26, 2024, at 9:00 a.m., to consider the following planning matters.

HARPREET HANSRA (Applicant) and LINDESY AND LOGAN DANIELS, ET AL (Appellants)- The County Planning Commission's approval of the following application has been appealed: HARPREET HANSRA (Applicant and Owner); County File #CDDP23-03020: The applicant is requesting approval of a Small Lot Design Review Development Plan for the construction of a second story, approximately 1,400-square-foot residential addition and an approximately 85-square-foot extension to an existing rear porch of an existing single-family residence. The project is located at 3455 Freeman Road in the unincorporated Lafayette area of the County. (Zoning: R-10 Single-Family Residential District) (APN: 185-211-014)

Members of the public may attend the Board of Supervisors meeting and participate in this public hearing in-person at 1025 Escobar Street, Martinez, California. The public hearing will also be accessible to the public for participation via teleconference (Dial 888-251-2949, followed by Access Code 1672589#) and Zoom (the meeting agenda will include Zoom log-in information and will be posted to the following website, under agendas for the current year, in advance of the meeting: <https://www.contracosta.ca.gov/4664/Board-Meeting-Agendas-and-Videos>). Members of the public may also submit written testimony on the matter before or during the public hearing to the Clerk of the Board of Supervisors via email at clerkoftheboard@cob.cccounty.us.

Board meetings are televised live on Comcast Cable 27, ATT/U-Verse Channel 99, and WAVE Channel 32, and can be seen live online at www.contracosta.ca.gov.

Date: March 14, 2024

Monica Nino, Clerk of the Board of Supervisors and County Administrator

By June McHuen, Deputy Clerk
CCT 6816300; Mar. 15, 2024

From: Candace Andersen
Sent: Wednesday, March 20, 2024 2:11 PM
To: Logan Daniels
Cc: Everett Louie; Clerk of the Board; County Administrator; Jen Quallick; Gayle Israel
Subject: Re: Objection to Hearing Date for County File #CDDP23-03020

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Daniels,

My staff and I had been working with our planning staff to try to schedule this hearing at a mutually agreeable time for all of the parties involved. When I met with your wife and many of your co-appellants last week, the one time they said would NOT work for all of them is the first week of April, when many of them would be travelling because of Spring Break.

Unfortunately, I learned that when alternate dates to March 26 were offered to you by County Planner Everett Louie, he was told that your first availability is in June.

April 9-No
April 23-No
May 14-No
May 21-No
June 4-Yes
June 25-No
July 9-Yes

This is not a complex matter and I do not believe it is reasonable to have the hearing postponed to June or July. I would like to see us proceed next week since you are apparently not available for the hearing when our Board of Supervisors meets.

Front only

or July. 1 months

While I don't want to spoil your son's birthday celebration, I am hopeful that you can participate remotely by Zoom or by phone as Mr. Louie has offered in a previous email. I am also hopeful that many of your co-appellants, who also signed on to the appeal, will be present in our board chambers or by zoom regarding this matter.

Best regards,
Candace

Candace J. Kay Andersen
Contra Costa County
Board of Supervisors
District 2



San Ramon Valley Office

309 Diablo Road
Danville, CA. 94526

Lamorinda Office
3338 Mt. Diablo Blvd.
Lafayette, CA. 94549

candace.andersen@bos.cccounty.us
Tel. 925-655-2300

From: Logan Daniels <logand@gmail.com>
Date: Wednesday, March 20, 2024 at 10:38 AM
To: Clerk of the Board <ClerkOfTheBoard@cob.cccounty.us>, County Administrator <County.Administrator@cao.cccounty.us>
Cc: Everett Louie <Everett.Louie@dcd.cccounty.us>, Jen Quallick <Jen.Quallick@bos.cccounty.us>
Subject: Objection to Hearing Date for County File #CDDP23-03020

To: Monica Nino, Clerk of the Board of Supervisors and County Administrator
Stacey M. Boyd, Deputy Clerk
Cc: Everett Louie, Planner II, County Department of Conservation and Development
Jennifer Quallick, Deputy Chief of Staff, Office of Supervisor Candace Andersen

From: Logan and Lindsey Daniels, Appellants in the matter of County File #CDDP23-03020
Subject: **Objection to Hearing Date for County File #CDDP23-03020**

Dear Ms. Nino,

We are the appellants in the county file #CDDP23-03020 matter concerning applicant Harpreet Hansra's proposed renovation at 3455 Freeman Road, Lafayette, CA. We are writing to you with an objection to the hearing date of March 26th which was scheduled for the above-listed county file. We hereby request that the hearing be rescheduled, given the information we have provided below.

On March 1st, Mr. Everett Louie, County Staff Planner II, reached out to me inquiring about potential hearing dates. As you can see below, I responded to Mr. Louie clearly communicating to him that we were unavailable on March 26th. At the end of our correspondence on the same day (March 1st), Mr. Louie responded that he would get back to me, which he did on March 14th. On that date, he inquired about potential hearing dates in the months of April, May, June, and July, which I responded to.

We were rather disappointed to learn via a notice received in the U.S. Mail earlier this week that the hearing had been scheduled for March 26th. We provided prompt responses to the individual we presumed was with the County entity responsible for scheduling the appeal hearing. From our perspective, it seems as though the Board of Supervisors may have scheduled the hearing without consideration of this correspondence and our written statement of our inability to attend a hearing on the March 26th date. On top of the fact that we did not receive timely notice of the original planning commission hearing on this project, this decision is highly frustrating.

7.5

From: Logan Daniels < >
Sent: Wednesday, March 20, 2024 6:30 PM
To: Candace Andersen
Cc: Everett Louie; Clerk of the Board; County Administrator; Jen Quallick; Gayle Israel
Subject: Re: Objection to Hearing Date for County File #CDDP23-03020

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Supervisor Andersen,

I appreciate the clarification about how this decision was reached.

Thank you,

Logan Daniels

On Wed, Mar 20, 2024 at 2:10 PM Candace Andersen <Candace.Andersen@bos.cccounty.us> wrote:

Dear Mr. Daniels,

My staff and I had been working with our planning staff to try to schedule this hearing at a mutually agreeable time for all of the parties involved. When I met with your wife and many of your co-appellants last week, the one time they said would NOT work for all of them is the first week of April, when many of them would be travelling because of Spring Break.

Unfortunately, I learned that when alternate dates to March 26 were offered to you by County Planner Everett Louie, he was told that your first availability is in June.

April 9-No

April 23-No

May 14-No

May 21-No

June 4-Yes

June 25-No

July 9-Yes

This is not a complex matter and I do not believe it is reasonable to have the hearing postponed into June or July. I would like to see us proceed next week since you are apparently not available anytime over the next two months when our Board of Supervisors meets.

While I don't want to spoil your son's birthday celebration, I am hopeful that you can participate remotely by Zoom or by phone as Mr. Louie has offered in a previous email. I am also hopeful that many of your co-appellants, who also signed on to the appeal, will be present in our board chambers or by zoom regarding this matter.

Best regards,

Candace

Candace J. Kay Andersen
Contra Costa County

Board of Supervisors
District 2



CONTRA COSTA
BOARD OF SUPERVISORS

San Ramon Valley Office
309 Diablo Road
Danville, CA. 94526

Lamorinda Office
3338 Mt. Diablo Blvd.
Lafayette, CA. 94549

candace.andersen@bos.cccounty.us
Tel. 925-655-2300

From: Logan Daniels <logand@gmail.com>
Date: Wednesday, March 20, 2024 at 10:38 AM
To: Clerk of the Board <ClerkOfTheBoard@cob.cccounty.us>, County Administrator <County.Administrator@cao.cccounty.us>
Cc: Everett Louie <Everett.Louie@dcd.cccounty.us>, Jen Quallick <Jen.Quallick@bos.cccounty.us>
Subject: Objection to Hearing Date for County File #CDDP23-03020

To: Monica Nino, Clerk of the Board of Supervisors and County Administrator
Stacey M. Boyd, Deputy Clerk
Cc: Everett Louie, Planner II, County Department of Conservation and Development
Jennifer Quallick, Deputy Chief of Staff, Office of Supervisor Candace Andersen
From: Logan and Lindsey Daniels, Appellants in the matter of County File #CDDP23-03020
Subject: **Objection to Hearing Date for County File #CDDP23-03020**

Dear Ms. Nino,

We are the appellants in the county file #CDDP23-03020 matter concerning applicant Harpreet Hansra's proposed renovation at 3455 Freeman Road, Lafayette, CA. We are writing to you with an objection to the hearing date of March 26th which was scheduled for the above-listed county file. We hereby request that the hearing be rescheduled, given the information we have provided below.

On March 1st, Mr. Everett Louie, County Staff Planner II, reached out to me inquiring about potential hearing dates. As you can see below, I responded to Mr. Louie clearly communicating to him that we were unavailable on March 26th. At the end of our correspondence on the same day (March 1st), Mr. Louie responded that he would get back to me, which he did on March 14th. On that date, he inquired about potential hearing dates in the months of April, May, June, and July, which I responded to.

We were rather disappointed to learn via a notice received in the U.S. Mail earlier this week that the hearing had been scheduled for March 26th. We provided prompt responses to the individual we presumed was with the County entity responsible for scheduling the appeal hearing. From our perspective, it seems as though the Board of Supervisors may have scheduled the hearing without consideration of this correspondence and our written statement of our inability to attend a hearing on the March 26th date. On top of the fact that we did not receive timely notice of the original planning commission hearing on this project, this decision is highly frustrating.

As I have told Mr. Louie in writing and via telephone, we are not available on March 26th as it is our son's 10th birthday and we have had plans to celebrate with him that were made six months ago. This proposed project and the appeal are very important to us, and we feel that we have been forthright and communicative to the County regarding our ability to attend - and yet, no consideration was made. In this appeal, we will be speaking on behalf of our neighbors who also feel strongly about this project (15 of 16 adjacent homeowners signed the appeal of the Commissioner's finding that this project is compatible with the neighborhood character). They have entrusted us to represent them and make their views known to the Board of Supervisors.

We greatly appreciate that the County is taking our appeal under consideration, and I look forward to hearing from you after you have had a chance to review this letter, the email correspondence below and our request to reschedule the hearing.

I can be reached via phone at (415) 503-8507 or via email at LoganD@gmail.com.

Respectfully,

Logan T. Daniels

----- Forwarded message -----

From: **Everett Louie** <Everett.Louie@dcd.cccounty.us>

Date: Tue, Mar 19, 2024 at 10:16 AM

Subject: RE: Public Comment for County File #CDDP23-03020

To: Logan Daniels <logand@gmail.com>

Cc: Jen Quallick <Jen.Quallick@bos.cccounty.us>

Good morning Logan,

The Board of Supervisors meeting offers multiple ways to attend a meeting in the event that you cannot physically be there. Per the attached notice of hearing here are the options for you:

1. Attend via zoom: [Board Meeting Agendas and Videos | Contra Costa County, CA Official Website](#)
2. Attend via a telephone – (Dial 888-251-2949 followed by access code 1672589#)
3. Members of the public may also submit written testimony on the matter before or during the public hearing to the Clerk of the Board of Supervisors via email at clerkoftheboard@cob.cccounty.us

To further accommodate you, I can personally email you when the item you are interested in is about to be called up. That way you are not waiting on the phone for the entire meeting and can join promptly.

Please feel free to use any of these methods to submit any future comments you may have on the project.

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us



From: Logan Daniels <logand@gmail.com>
Sent: Monday, March 18, 2024 9:22 PM
To: Everett Louie <Everett.Louie@dcd.cccounty.us>
Cc: Jen Quallick <Jen.Quallick@bos.cccounty.us>
Subject: Re: Public Comment for County File #CDDP23-03020

Good Evening Everett,

I received a notice from the Board of Supervisors in the U.S. mail today which indicates that a hearing on the above noted County matter has been scheduled for next March 26th, which was very surprising to me considering our email correspondence below.

As I wrote to you below on March 1st, my spouse and I both have a conflict on March 26th. You responded later that day (March 1st) that you would have to connect with the Supervisor and the applicant and that you would be in touch once you heard back. Your next correspondence was received last Thursday (March 14th) when you inquired with me about potential hearing dates in April, May, June and July - which I responded to the same day.

Our ability to attend on March 26th has not changed - we are unable to cancel plans that we have, which were made six months ago. To be entirely clear and as stated below, neither myself nor my spouse are available to attend a hearing (neither in person, nor virtually) on Tuesday, March 26th. As the appellants, I am hereby requesting that the hearing be rescheduled to a date when we are able to attend and appeal the matter, in due course.

Please note that I have copied Jen Quallick, the Deputy Chief of Staff in Supervisor Anderson's office, so that the Board of Supervisors has visibility into all of our correspondence specific to the scheduling of this hearing.

Please reach out to me at (415) 503-8507 at your earliest convenience to discuss this matter.

Respectfully,

Logan Daniels
(415) 503-8507

logand@gmail.com

On Thu, Mar 14, 2024 at 2:35 PM Everett Louie <Everett.Louie@dcd.cccounty.us> wrote:

Logan,

Can you please put yes or no on whether or not these BOS dates work for you:

April 23

May 2

May 21

June 4

June 25

July 9

A prompt response is appreciated.

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us



From: Logan Daniels <logand@gmail.com>
Sent: Friday, March 1, 2024 10:02 AM
To: Everett Louie <Everett.Louie@dcd.cccounty.us>
Subject: Re: Public Comment for County File #CDDP23-03020

April 9th doesn't work either as we will be out of town with our family. How about May or June?

Logan Daniels
(415) 503-8507

logand@gmail.com

On Fri, Mar 1, 2024 at 9:59 AM Everett Louie <Everett.Louie@dcd.cccounty.us> wrote:

Good morning Logan,

Thank you for letting me know. There is a meeting on April 9th. Please let me know if this one works?

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us



From: Logan Daniels <logand@gmail.com>
Sent: Friday, March 1, 2024 9:57 AM
To: Everett Louie <Everett.Louie@dcd.cccounty.us>
Subject: Re: Public Comment for County File #CDDP23-03020

Hi Everett,

Thank you for reaching out. Unfortunately, Lindsey and I both have a conflict with 3/26. We are available in April or May. Are there any dates in those months that would work? Please let me know.

Thanks,

Logan Daniels
(415) 503-8507

logand@gmail.com

On Fri, Mar 1, 2024 at 9:19 AM Everett Louie <Everett.Louie@dcd.cccounty.us> wrote:

Hi Logan,

Since you are the appellant, does March 26 for the BOS date work for you?

Thank you

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us



From: Logan Daniels <logand@gmail.com>
Sent: Friday, February 2, 2024 3:13 PM
To: Everett Louie <Everett.Louie@dcd.cccounty.us>
Subject: Re: Public Comment for County File #CDDP23-03020

Thank you, Everett.

Logan Daniels
(415) 503-8507

logand@gmail.com

On Fri, Feb 2, 2024 at 3:02 PM Everett Louie <Everett.Louie@dcd.cccounty.us> wrote:

Hi Logan,

Please see the link for the Planning Commission Hearing: https://contra-costa.granicus.com/MediaPlayer.php?view_id=14&clip_id=3170

If you have any questions, please let me know.

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us



From: Logan Daniels <logand@gmail.com>
Sent: Monday, January 29, 2024 12:51 PM
To: Everett Louie <Everett.Louie@dcd.cccounty.us>
Subject: Re: Public Comment for County File #CDDP23-03020

Thank you. 10 calendar days would be Saturday 2/3, so therefore the deadline is Monday 2/5, correct?

Logan Daniels

(415) 503-8507

logand@gmail.com

On Jan 29, 2024, at 12:11, Everett Louie <Everett.Louie@dcd.cccounty.us> wrote:

Logan,

26-2.2406 - Appeal—Notice.

An appellant may **appeal** a decision of a division of the planning agency, to the appellant division indicated, by filing a written notice of **appeal**, specifying the grounds for **appeal**, with the planning department within the calendar time herein allowed upon payment of the fees prescribed by Article 26-2.28:

EXPAND

Division Decision **Appealed**
Planning commission or board of **appeals**
Zoning administrator

Time Calendar Days
10
Division **Appealed** to
Board of supervisors
Board of **appeals**

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us

<image001.jpg>

From: Logan Daniels <logand@gmail.com>
Sent: Monday, January 29, 2024 12:10 PM
To: Everett Louie <Everett.Louie@dcd.cccounty.us>
Subject: Re: Public Comment for County File #CDDP23-03020

Everett,

Thank you. One more question - can you point me to the code about appeal timing, which I believe is 10 calendar days from the hearing?

Thanks,

Logan Daniels
(415) 503-8507

logand@gmail.com

On Mon, Jan 29, 2024 at 12:03 PM Everett Louie <Everett.Louie@dcd.cccounty.us> wrote:

Hi Logan,

I just spoke to IT, they anticipate that the hearing will be posted by the end of the week. As I mentioned, we need to transcribe it so that anybody who needs assistance can access the hearing.

Thanks for checking in.

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us

<image001.jpg>

From: Logan Daniels <logand@gmail.com>
Sent: Monday, January 29, 2024 11:52 AM

To: Everett Louie <Everett.Louie@dcd.cccounty.us>

Subject: Re: Public Comment for County File #CDDP23-03020

Good morning, Everett. Do you have an update on when the recording of the hearing will be posted?

Logan Daniels

(415) 503-8507

logand@gmail.com

On Thu, Jan 25, 2024 at 1:03 PM Everett Louie <Everett.Louie@dcd.cccounty.us> wrote:

Hi Logan,

It will eventually be uploaded, however it takes time to transcribe to make it ADA accessible for the entire County.

Once it is uploaded I can let you know.

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us

<image001.jpg>

From: Logan Daniels <logand@gmail.com>
Sent: Thursday, January 25, 2024 12:35 PM
To: Everett Louie <Everett.Louie@dcd.cccounty.us>
Subject: Re: Public Comment for County File #CDDP23-03020

Is there a recording of last night's hearing available online? I looked on the county website but couldn't find it.

Logan Daniels

[\(415\) 503-8507](tel:(415)503-8507)

logand@gmail.com

On Jan 25, 2024, at 11:51, Everett Louie
<Everett.Louie@dcd.cccounty.us> wrote:

Hi Logan,

The items required for a valid appeal are the following: **filing a written notice of appeal, specifying the grounds for appeal, with the planning department within the calendar time herein allowed upon payment of the fees.**

There is no specific form that you need to fill out, you can submit a handwritten appeal, a typed appeal, etc.

If you have any questions, please let me know.

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us

<image001.jpg>

From: Logan Daniels <logand@gmail.com>
Sent: Thursday, January 25, 2024 11:49 AM
To: Everett Louie <Everett.Louie@dcd.cccounty.us>
Subject: Re: Public Comment for County File #CDDP23-03020

Everett,

So neighbor signatures are not required? The only requirement is to file the paperwork and make payment? Is there a form that we need to fill out?

Thanks,

Logan Daniels
(415) 503-8507

logand@gmail.com

On Thu, Jan 25, 2024 at 11:39 AM Everett Louie
<Everett.Louie@dcd.cccounty.us> wrote:

Hi Logan,

26-2.2406 - Appeal—Notice.

An appellant may appeal a decision of a division of the planning agency, to the appellant division indicated, by filing a written notice of appeal, specifying the grounds for appeal, with the planning department within the calendar time herein allowed upon payment of the fees prescribed by Article 26-2.28:

The appeal must be accompanied by a \$250 filing fee and be received in the Department of Conservation and Development by 5:00 pm on the 10th day.

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us

<image001.jpg>

From: Logan Daniels <logand@gmail.com>

Sent: Thursday, January 25, 2024 11:36 AM

To: DCD PlanningHearing <PlanningHearing@dcd.cccounty.us>; Everett Louie <Everett.Louie@dcd.cccounty.us>

Subject: Re: Public Comment for County File #CDDP23-03020

Hi Everett,

Can you please let me know what the process is to appeal the project to the Board of Supervisors. Do we need to collect signatures from neighbors? I know we need to file by 2/5 but any other help you can provide would be greatly appreciated.

Thanks,

Logan Daniels

(415) 503-8507

logand@gmail.com

On Jan 24, 2024, at 17:22, DCD PlanningHearing
<PlanningHearing@dcd.cccounty.us> wrote:

Hi Logan,

The Public Comment Period happens when the Planning Commissioners open the public comment period. Unfortunately, there isn't a set time as this is the second item on the agenda. However, if you are tuning in, the Commissioners will ask if there are any public comments and open the meeting to taking them.

Everett Louie, Planner II

CONTRA COSTA COUNTY

Department of Conservation and Development

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us

<image001.jpg>

From: Logan Daniels <logand@gmail.com>
Sent: Wednesday, January 24, 2024 5:18 PM
To: DCD PlanningHearing <PlanningHearing@dcd.cccounty.us>
Subject: Re: Public Comment for County File #CDDP23-03020

Thank you, Everett. When is the public comment period? At the start of the hearing?

Logan Daniels

(415) 503-8507

logand@gmail.com

On Jan 24, 2024, at 17:11, DCD
PlanningHearing
<PlanningHearing@dcd.cccounty.us>
wrote:

Public Comments received and will forward
to the Planning Commissioners.

Everett Louie, Planner II

CONTRA COSTA COUNTY

**Department of Conservation and
Development**

30 Muir Road | Martinez, CA 94553

(925) 655-2873

Everett.Louie@dcd.cccounty.us

<image001.jpg>

From: Logan Daniels <logand@gmail.com>
Sent: Wednesday, January 24, 2024 4:39 PM
To: DCD PlanningHearing
<PlanningHearing@dcd.cccounty.us>; Everett
Louie <Everett.Louie@dcd.cccounty.us>
Subject: Public Comment for County File
#CDDP23-03020

Public Comment for Tonight's Hearing re:
Zoning of 3455 Freeman Road, Walnut
Creek, CA

Hi, my name is Logan Daniels and I reside at
3434 Freeman Road in the neighborhood of
the proposed development.

The subject property at 3455 Freeman does
not comply with the R-10 Zoning
Requirements (84-8.602 and 84-8.604) since
the parcel is less than 10,000 sq. ft. and the
width is less than eighty feet in
average. Specifically, the zoning
administrator (ZA) concluded in its response
to the appeal that "*the subject property is
consistent with the lot requirements for
property in the R-10 Single-Family
Residential District except for the 65.9-foot
lot width requirements (the lot is required*

to have 80 feet in average width), and therefore, the Small Lot Design Review was required". (NOTE: The ZA failed to note that the parcel size is not in compliance either).

At this point in the review process, planning staff should have paused and determined if a small lot design review was appropriate for the proposed development of a multi-story 3,600 sq. ft structure on a lot size of 8,118 sq. ft. This represents a FAR, or Floor Area Ratio of 44% (3,600 / 8,118). The FAR is simply the gross area of the structure divided by the gross area of the parcel.

While the county planning code may not have FAR requirements, it would have been prudent for staff to compare the proposed FAR of 44% with other homes in the surrounding neighborhood. I did compare the FARs of all of the surrounding homes in the neighborhood and every single home has an FAR that is significantly lower, with the majority being between 6-15%. This means that the FAR of the proposed development exceeds that of every single home in the surrounding neighborhood – and exceeds it on average by 4X and in some instances by up to 7 times the FAR. This comparison directly proves out that the proposed development is ***absolutely not*** compatible with the homes in the surrounding neighborhood. In fact, the development will be completely out of context if the County erroneously approves the proposed development - since there are not any homes in the surrounding neighborhood that are *more than one story on a parcel size that is comparable to the subject property.*

Furthermore, the staff response to Appeal Point 4 stated the following: "*The project which is residential in nature is consistent with the development pattern of this area in that smaller lots will build up instead of*

outwards as the small lot size restricts development due to the setback requirements". This statement by planning staff is completely false and non-factual. There are absolutely no homes in the surrounding neighborhood that have "built up" on an existing structure at all, let alone on a small or substandard lot adjacent to other small and substandard lots. If there are, Planning Staff should be able to easily identify those homes; however, they will not be able to because there are not any that exist.

Has County Counsel Thomas Geiger reviewed this proposed development and the appeal? I'm asking as there appears to be a legal issue with the position that the Zoning Administrator has taken, which is that the proposed development is compatible with the surrounding neighborhood in terms of its location, size, height, and design. As stated in the staff response to Appeal Point , "County Code 82-10.002(c) requires the Zoning Administrator to determine that the proposed project is compatible with the surrounding neighborhood". The legal issue that will become problematic for the County is that compatibility with the surrounding neighborhood has absolutely not been made and therefore the Zoning Administrator should have denied the applicant's proposal.

The cascading negative effects of the county approving this proposed development lacking a legal basis will impact all the entire neighborhood, but especially those neighbors that are immediately adjacent to the proposed development. For instance, the next door neighbors to the proposed development are currently able to enjoy the privacy of their backyards without any privacy invasions or structures blocking the full sunlight that they currently experience. That will impact those neighbors' ability to enjoy their homes as they are entitled to, when their privacy is invaded and their access to natural sunlight

is taken away. This will directly negatively impact the value of the surrounding homes, especially the next door neighbors.

There are only two new homes that have been built within the last 10 years on Freeman Road – 3494 Freeman and 3514 Freeman. Both parcels are more than twice as large (19,166 and 18,295 respectively) as the subject property (8,118). In both instances, the existing one-story homes at 3494 and 3514 Freeman were deconstructed and new one-story homes were built. These two homes were designed to be compatible with the surrounding neighborhood and the zoning administrator applied the correct determination in these instances. The zoning administrator is not applying the same principles when it made its preliminary determination that the subject property at 3455 Freeman is compatible with the surrounding neighborhood.

From: Logan Daniels ·
Sent: Friday, March 22, 2024 11:53 AM
To: Candace Andersen
Cc: Everett Louie; Clerk of the Board; County Administrator; Jen Quallick; Gayle Israel
Subject: Re: Objection to Hearing Date for County File #CDDP23-03020

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Supervisor Andersen,

Thank you again for taking the time to respond to my email. I wanted to clarify with you that what I conveyed to Mr. Louie was that our preferred dates for the hearing were either June 4th or July 9th; however, we are most definitely available to attend a hearing in April or May and we can make any of those dates listed below work.

Given the importance of this matter to ourselves, our neighbors, the future of our neighborhood and the conflict that we as the appellants have on March 26th, I am hereby asking for your assistance to reschedule the hearing to either April 9th or whichever date works next for the County and the Applicant.

We really hope that you and the Board of Supervisors can accommodate this request to find a date that is mutually agreeable to all parties, as you noted below. Please feel free to contact me at (415) 503-8507 if you have any questions or would like to discuss this matter further.

Respectfully,

Logan T. Daniels

On Wed, Mar 20, 2024 at 2:10 PM Candace Andersen <Candace.Andersen@bos.cccounty.us> wrote:

Dear Mr. Daniels,

My staff and I had been working with our planning staff to try to schedule this hearing at a mutually agreeable time for all of the parties involved. When I met with your wife and many of your co-appellants last week, the one time they said would NOT work for all of them is the first week of April, when many of them would be travelling because of Spring Break.

Unfortunately, I learned that when alternate dates to March 26 were offered to you by County Planner Everett Louie, he was told that your first availability is in June.

From: Lynn Chen
Sent: Monday, March 25, 2024 5:19 PM
To: Clerk of the Board
Subject: 3455 Freeman Road

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Clerk of the Board's Office,

We are longtime residents of Walnut Creek. We're very familiar with the neighborhood of Saranap and often drive through there to visit. We are writing in regards to a small group of neighbors who filed appeals against the 2 story design at 3455 Freeman Road. We've reviewed the design of the house and found it to be very beautiful and compatible with many other houses in the surrounding neighborhood within Saranap. We are thankful that the planning commission has already found this project to be compatible in the previous two hearings, and we hope that you will continue to stay firm with that assessment/decision and deny this third appeal.

We want to add to the voices of the many neighbors who approve the design at 3455 Freeman Road and believe it is important to allow for designs that support growing families. The Hansra family are wonderful neighbors and their home will add to the neighborhood of Saranap.

Thank you!
The Woo Family

From: Logan Daniels
Sent: Monday, March 25, 2024 10:05 PM
To: Candace Andersen; Clerk of the Board
Cc: Everett Louie; County Administrator; Jen Quallick; Gayle Israel
Subject: Re: Objection to Hearing Date for County File #CDDP23-03020
Attachments: 3455 Freeman Hearing Appellant Written Statement 2024.03.25.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

To: Monica Nino, Clerk of the Board of Supervisors and County Administrator

Please see the attached written testimony that we are requesting be read into the record at the March 26, 2024 hearing for the addition at 3455 Freeman Road, County File #CDDP23-03020.

Thank you,

Logan T. Daniels

On Fri, Mar 22, 2024 at 11:52 AM Logan Daniels <logand@gmail.com> wrote:
Hi Supervisor Andersen,

Thank you again for taking the time to respond to my email. I wanted to clarify with you that what I conveyed to Mr. Louie was that our preferred dates for the hearing were either June 4th or July 9th; however, we are most definitely available to attend a hearing in April or May and we can make any of those dates listed below work.

Given the importance of this matter to ourselves, our neighbors, the future of our neighborhood and the conflict that we as the appellants have on March 26th, I am hereby asking for your assistance to reschedule the hearing to either April 9th or whichever date works next for the County and the Applicant.

We really hope that you and the Board of Supervisors can accommodate this request to find a date that is mutually agreeable to all parties, as you noted below. Please feel free to contact me at (415) 503-8507 if you have any questions or would like to discuss this matter further.

Respectfully,

Logan T. Daniels

On Wed, Mar 20, 2024 at 2:10 PM Candace Andersen <Candace.Andersen@bos.cccounty.us> wrote:

Dear Mr. Daniels,

March 25, 2024

To Whom It May Concern,

This written statement is being provided to the County regarding the proposed addition located at 3455 Freeman Road.

Due to an unavoidable conflict which was documented in writing to both the County Planning Commission ("Commission") and the Board of Supervisors ("Board") over the last month, we, the appellants, are unable to attend the hearing that was scheduled for March 26th, 2024.

The entirety of this process has been flawed, from its inception with the approval of the application, to the failure to properly apply the neighborhood compatibility code, and to the present hearing which was scheduled at a time when we were unavailable.

We are hopeful that the Board will vote to reverse the Commission's decision.

To summarize our grounds for appeal:

- A compatibility determination is required for small lot design reviews regarding location, size, height, and design in relation to the surrounding neighborhood.
- Fifteen (15) of sixteen (16) homeowners in the immediate vicinity signed an appeal objecting to the Zoning Administrator's compatibility decision and expressed strong concern over the project's negative impact on the neighborhood. The Zoning Administrator and the Commission disregarded the almost unanimous position of the neighbors who will be directly affected by the proposed addition and know their own neighborhood. A flawed noticing process prevented neighbors from being fully heard.
- The Commission Members acknowledged that, unlike most jurisdictions, there are no written guidelines for the legally required compatibility analysis. Our understanding from Supervisor Andersen is that the County has no interest in creating such guidelines. Yet the lack of guidelines results in an unacceptable level of leeway and arbitrariness. Without any written guidelines, the Commission Members are forced to improvise, leading to a subjective and arbitrary decision. For example:
 - In the previous appeal, the Chair of the Commission stated that the entire Saranap area is the 'surrounding neighborhood' for purposes of the compatibility analysis. However, Saranap has over 6,000 residents, enough to be labeled a small city by the Census Bureau (small town is <5,000 residents). This area is far too large to be considered the surrounding neighborhood. In addition, this definition of "surrounding neighborhood" is inconsistent with analysis in past small lot reviews where the Commission defined the surrounding neighborhood as houses on the same street.
 - Another Commission Member lacked awareness that a compatibility analysis is even required for this project.
- The 3455 Freeman Road project does not compare to any home within sight of the project. There are no two-story homes within 0.2 miles, and they are all on much larger lots. Other

two-story homes in the wider Saranap use second story setbacks to soften the visual impact and trees to shield the homes and provide privacy. The proposed 3,685 square foot, two-story house at 3455 Freeman Road on a narrow lot with negligible second story setbacks will be too large and too close to the front and side property lines to support large enough trees for privacy and visual softening.

- In summary, this project is far from compatible with the neighborhood. The applicants have offered nothing meaningful to soften the design so that it blends in with the neighborhood and protects privacy. The Commission's decision was erroneous and arbitrary. The analysis, decision and process are all counter to the law's requirements.

Thank you for your time and consideration in this matter.

Respectfully,

Logan and Lindsey Daniels

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From: Geoffrey Foster
Sent: Monday, March 25, 2024 10:59 PM
To: Clerk of the Board
Cc: Geoff Foster
Subject: Testimony - Appeal Hearing 3/26/23 - Planning Commission Appeal - County File #CDDP23-03020

Follow Up Flag: Follow up
Flag Status: Flagged

3/25/2024

Regarding: Harpreet Hansra (Applicant) and Lindsey and Logan Daniels, et al (appellants).
Approval of a Small Lot Design Review Development Plan for the construction of a second story, approximately 1,400 - square foot addition to an existing family residence.

Ms Nino and Ms Boyd,

I wanted to submit my testimony regarding the above manner.

I live across the street from the planned development.

My primary concern is that the planning commission rubber stamped approval of this project while conferring with the applicant's council without regard to the impact to the immediate surrounding community.

The proposed design of this home essentially doubles the size of the home on this small lot. It creates a large 2 story boxy structure on a street of one story homes that are half the size.

Quite simply the size and the design of the structure will make this home stick out in a charming neighborhood of 1 story homes. It will create a shadow on the neighbor's one story home on the East side with a large 2 story wall just 5 feet from the property line.

Part of the purpose of a small lot review is to make sure that a development is cohesive with the surrounding neighborhood and this proposed addition is not cohesive with the immediate neighborhood of 1 story homes. (21 homes along Freeman Road from Bridgefiled entrance down to the bridge crossing Las Trampas Creek)

In the appeal to the planning commission, Mr. Everett Louie pointed out that there are other 2 story homes in the Saranap Community of greater 2,000+ homes. The examples he gave were all on larger lots and not in the immediate neighborhood I referenced above.

I have concerns that the applicant's council (Walnut Creek City Council Member/former Mayor Matt Francois) has unfairly influenced Mr. Louie, and the planning commission followed his report. Indeed much of the language used by Mr. Louie and Mr. Francois was very similar during the planning commission appeal hearing.

A small lot review is meant to be interpreted subjectively to the immediate community. This was mentioned by Donna Allen in the deliberations of the planning commission. Yet, the planning commission is using unfair

comparisons as grounds for their approval of this proposed addition. The addition as planned will not be cohesive with the surrounding homes on our street, will stick out and will reduce the property value of the surrounding neighbors.

I believe people should be able to improve and expand their homes for their needs. However the applicants could expand their home in many other ways than the current proposed design that as designed, will negatively impact its surrounding community.

Sincerely,
Geoff Foster