CITY OF PITTSBURG
OFFICE OF THE CITY ATTORNEY
DONNA R. MOONEY, SBN 189753
DMooney@ci.pittsburg.ca.us
65 Civic Ave.
Pittsburg, CA 94565-3814
Telephone: (925) 252-4850

RICHARDS, WATSON & GERSHON, APC
GINETTA L. GIOVINCO, SBN 227140
ggiovinco@rwglaw.com
350 South Grand Avenue, 37th Floor
Los Angeles, California 90071
Telephone: (213) 626-8484

Attorneys for Respondents and Defendants
CITY OF PITTSBURG & PITTSBURG CITY COUNCIL

HANSON BRIDGETT LLP
KRISTINA D. LAWSON, SBN 221131
klawson@hansonbridgett.com
ANDREW A. BASSAK, SBN 162440
abassak@hansonbridgett.com
ELLIS F. RASKIN, SBN 314637
eraskin@hansonbridgett.com
NIRAN S. SOMASUNDARAM, SBN 312648
nsomasundaram@hansonbridgett.com
425 Market Street, 26th Floor
San Francisco, California 94105
Telephone: (415) 777-3200

Attorneys for Real Parties in Interest
DISCOVERY BUILDERS, INC. et al.

FILED
FEB 25 2022
K. BIEKER CLERK OF THE COURT
SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA
By T. Schrader, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF CONTRA COSTA

SAVE MOUNT DIABLO,

Petitioner and Plaintiff,

v.

CITY OF PITTSBURG; PITTSBURG CITY COUNCIL; DOES 1-20.

Respondents and Defendants.

DISCOVERY BUILDERS, INC. ON BEHALF OF FARIA LAND INVESTORS, LLC; DISCOVERY BUILDERS, INC.;

Case No. CIVMSN21-0462

Assigned for All Purposes to the Honorable Edward G. Weil
Dept. 39

DECLARATION OF LOUIS PARSONS IN SUPPORT OF MOTION FOR NEW TRIAL

Action Filed: March 30, 2021
Writ Hearing Date: December 1, 2021
Writ Hearing Time: 9:00 a.m.

Code Civ. Proc. §§ 1085, 1094.5; Pub. Res.

COPY

FARIA LAND INVESTORS, LLC; DOES 21-40. Real Parties in Interest.	Code § 21000 et seq. (California Environmental Quality Act ("CEQA")); Gov. Code § 65300 et seq. (State Planning and Zoning Law)

DECLARATION

I, Louis Parsons, declare as follows:

1. I am President of Real Party in Interest Discovery Builders, Inc. and I am an authorized agent of Faria Land Investors, LLC (collectively "Real Parties"). I make this declaration in support of Real Parties' motion for a new trial.

2. In my role as President of Discovery Builders, Inc., I have personally supervised and coordinated the preparation and submission to the City of Pittsburg of all materials relating to Real Parties' Faria/Southwest Hills Annexation Project ("Project"). I have first-hand, personal knowledge of the facts set forth in this declaration. If called upon to testify as to the facts set forth herein, I anticipate that I will competently do so.

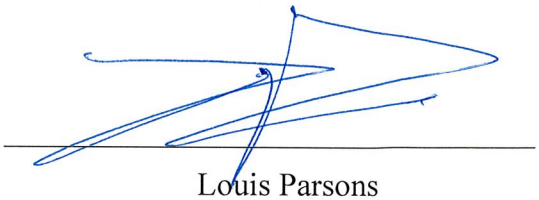
3. The 150 accessory dwelling units ("ADUs") that may be constructed at the site of Real Parties' Faria/Southwest Hills Annexation Project ("Project") will not be built as separate, standalone structures. Instead, they will be built within the building envelope of up to 150 of the other houses at the Project site. The ADUs will function as room within up to 150 of the other houses at the Project site that may be rented out for a restricted rental rate at the option of the homeowner. The ADUs will not have a separate water, sewer, gas, or electrical connection. According to Discovery Builders, Inc.'s analysis of potential environmental impacts associated with the ADUs, will not result in any additional environmental impacts above and beyond the potential impacts that were disclosed and analyzed in the Project's EIR.

4. I have caused to be attached as **Exhibit 1** to this declaration a true copy of floor plans for Discovery Builders, Inc.'s Liberty Project (a separate development project in Pittsburg, California; hereafter "Liberty Project"). I obtained a copy of these floor plans from Discovery Builders, Inc.'s files. The second page of the floor plans shows that ADUs at that project will function as a converted bedroom its own door to the outside. The ADUs will not be developed as separate structures. The Project at issue in this case is a first-tier project, and site-specific plans will be developed in the future. However, it is anticipated that the design of the ADUs will be functionally identical to the ADUs in the Liberty Project.

5. I have caused to be attached as **Exhibit 2** to this declaration a true copy of a

document prepared by Discovery Builders, Inc. staff that compares the total number of water fixtures in houses with ADUs (Exh. 2, p. 1) and houses without ADUs (Exh. 2, p. 2) at the Liberty Project. I obtained a copy of this document from Discovery Builders, Inc.'s files. In both cases, the houses are the exact same size, but the houses without ADUs have a "Junior Master Bedroom" in the place of the ADU. Both houses have the exact same number (38) of water fixtures (e.g., sinks, faucets, etc.).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I have executed this declaration in the County of Contra Costa, California, on February 24, 2022.



Louis Parsons

EXHIBIT 1

Exhibit 1

Elevation A

Elevation C

MATERIAL LEGEND

A. VILLA CONCRETE TILE ROOFING	B. FLAT CONCRETE TILE ROOFING	C. FLAT CONCRETE TILE ROOFING
GABLE & HIP ROOFS	GABLE & HIP ROOFS	GABLE & HIP ROOFS
STUCCO BODY	STUCCO BODY	STUCCO BODY
STUCCO TRIM	STUCCO TRIM	STUCCO TRIM
MOCK VENTS	STUCCO/FOAM CORBEL	STUCCO/FOAM CORBEL
MOCK WOOD SHUTTERS	MOCK VENTS	MOCK VENTS
SIMULATED BRICK VENEER	BOARD AND BATTEN	MOCK WOOD SHUTTERS
WROUGHT IRON DETAIL	SIMULATED STONE VENEER	LAP SIDING
ROLL-UP GARAGE DOORS W/ OPT. WINDOW LITES	ROLL-UP GARAGE DOORS W/ OPT. WINDOW LITES	ROLL-UP GARAGE DOORS W/ OPT. WINDOW LITES

GENERAL NOTES:

1. ALL EXPOSED PORTIONS OF BUILDING FOUNDATIONS SHALL BE PAINTED THE MAIN 'BODY' COLOR
2. ALL ROOF VENTS SHALL BE PAINTED THE SAME COLOR AS ROOFING MATERIAL TO WHICH THEY ARE ADJACENT. DOWNSPOUTS, SIDE VENTS, AND ATTACHED UTILITY BOXES SHALL BE PAINTED THE SAME COLOR OR COLORS AS THE SURFACE OR SURFACES TO WHICH THEY ARE ADJACENT.

Elevation B

Plan 2 (2477)
Front Elevations

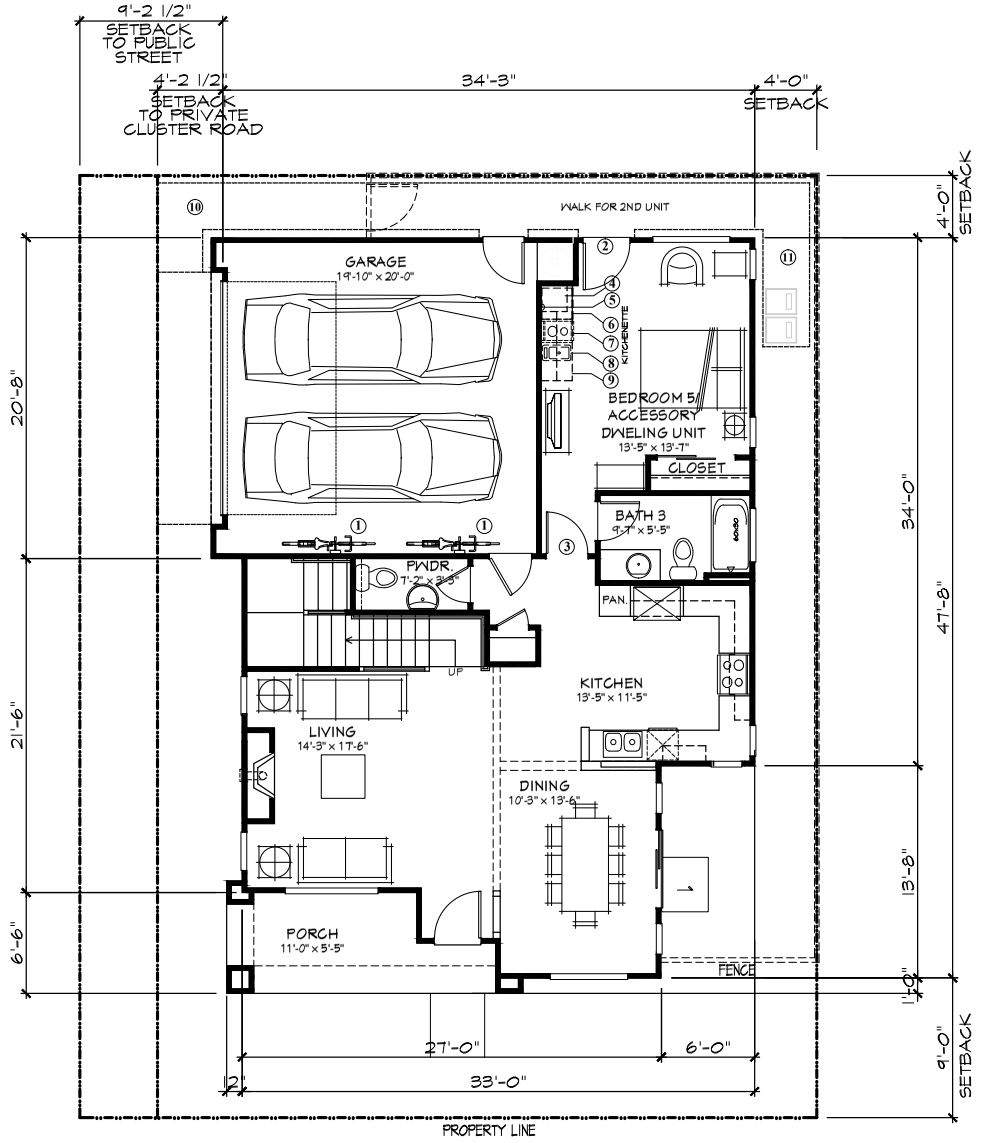
0 2 4 6 8 16

LIBERTY
PITTSBURG, CA

DISCOVERY
DESIGN
GROUP, LLC

Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)

Exhibit 1



Plan Notes:

① Wall-mounted bicycle storage

ACCESSORY DWELLING UNIT

② Exterior entry door
③ Optional door to living
④ Upper microwave shelf with receptacle
⑤ Electrical receptacle
⑥ Undercounter refrigerator
⑦ Two-burner electric cooktop
⑧ Stainless steel sink with garbage disposal
⑨ Base cabinet with tile countertop

⑩ Concrete pathway
⑪ Concrete trash pad (7' min.)

Plan 2 (2477)

SQUARE FOOTAGE	
FIRST FLOOR	1020 SF
SECOND FLOOR	1453 SF
TOTAL LIVING AREA	2477 SF
GARAGE	422 SF

First Floor Plan

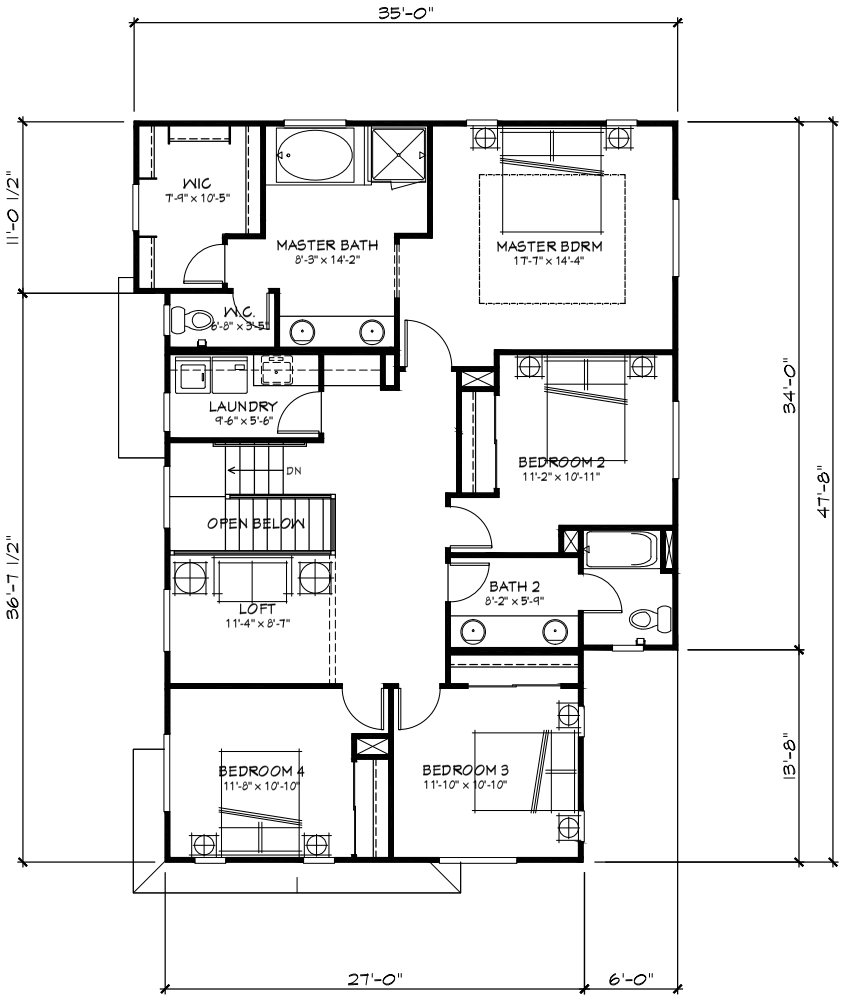
0 2 4 6 8 16

LIBERTY
PITTSBURG, CA

DISCOVERY DESIGN GROUP, LLC

Discovery Builders Inc.
D a t e 02/13/17 (Revised 05/11/17)

Exhibit 1



Plan 2 (2477)

SQUARE FOOTAGE	
FIRST FLOOR	1020 SF
SECOND FLOOR	1453 SF
TOTAL LIVING AREA	2477 SF
GARAGE	422 SF

Second Floor Plan

0 2 4 6 8 16

LIBERTY
PITTSBURG, CA

DISCOVERY
DESIGN
GROUP, LLC

Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)

EXHIBIT 2

LIBERTY PLAN 2 WITH ADU INTERIOR WATER SUPPLY FIXTURE UNITS

Appliances, Appurtenances or Fixtures	Fixture Units for Private Residences per Table 610.3 of the CA Plumbing Code 2019 Edition	Min. Fixture Branch Pipe Size (inches)	Quantity	Totals (Fixture Units * Quantity)
Bathtub or Combo Bath/Shower (fill)	4	1/2	3	12
Clothes Washer	4	1/2	1	4
Dishwasher, domestic	1.5	1/2	1	1.5
Lavatory	1	1/2	6	6
Bar Sink	1	1/2	1	1
Kitchen Sink	1.5	1/2	1	1.5
Laundry Sink (Opt.)	1.5	1/2	0	0
Shower, per head	2	1/2	1	2
Water Closet, 1.6 GPF Gravity Tank	2.5	1/2	4	10
			TOTAL	=38 Interior Water Supply Fixture Units Excluding Fire Sprinklers

Exhibit 2

LIBERTY PLAN 2 WITH BED 5/JR. MASTER BEDROOM INTERIOR WATER SUPPLY FIXTURE UNITS

Appliances, Appurtenances or Fixtures	Fixture Units for Private Residences per Table 610.3 of the CA Plumbing Code 2019 Edition	Min. Fixture Branch Pipe Size (inches)	Quantity	Totals (Fixture Units * Quantity)
Bathtub or Combo Bath/Shower (fill)	4	1/2	3	12
Clothes Washer	4	1/2	1	4
Dishwasher, domestic	1.5	1/2	1	1.5
Lavatory	1	1/2	6	6
Bar Sink	1	1/2	1	1
Kitchen Sink	1.5	1/2	1	1.5
Laundry Sink (Opt.)	1.5	1/2	0	0
Shower, per head	2	1/2	1	2
Water Closet, 1.6 GPF Gravity Tank	2.5	1/2	4	10
			TOTAL	=38 Interior Water Supply Fixture Units Excluding Fire Sprinklers

Exhibit 2