



**PLANNING COMMISSION AGENDA**  
**Zoom Webinar ID: 87350296630**

**October 15, 2024, 7:00 p.m.**  
**City Council Chambers**  
**150 City Park Way**  
**Brentwood, CA 94513**

Planning Commission [Zoom Link](#)

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**A. CALL TO ORDER & ROLL CALL**

**B. PLEDGE OF ALLEGIANCE**

**C. PUBLIC COMMENTS**

The public is permitted to address the Planning Commission on items that are on the Consent Calendar, Requests for Future Agenda Items, or items **not** on the agenda. Public comments for scheduled agenda items should wait until that time. To accommodate those speaking in person and via Zoom, we will call upon those in-person first, and then to Zoom. If necessary, we will repeat that process.

**In Person:** Please file a speaker's card with the Administrative Secretary on the form provided on the counter at the back of the Chambers.

**Zoom:** Please use the Raise Your Hand feature in Zoom during this item to speak under Public Comments.

Persons are required to limit their remarks to three (3) minutes unless an extension of time is granted by the Chairperson subject to approval of the Planning Commission. Speakers desiring answers to questions should direct them to the Planning Commission and, if relevant, they may direct them to the appropriate staff member. Speakers can also follow up directly with staff during regular City business hours.

**PLEASE NOTE THAT THE COMMISSION'S ACTIONS ARE FINAL UNLESS AN APPEAL IS FILED WITH THE CITY CLERK WITHIN TEN CALENDAR DAYS.**

**D. CONSENT CALENDAR**

All matters listed on the consent calendar are considered routine in nature and will be enacted by one motion. If discussion is required, that particular item will be removed from the consent calendar and will be considered separately

**D.1 Regular Planning Commission Minutes - September 17, 2024**

**E. BUSINESS ITEMS**

**E.1 Time extension for the Lazy Dog restaurant Design Review approval.**

Title/Recommendation

A time extension application (TE24-001) requesting a one-year extension for the approved Design Review (DR22-011-A1) to construct a new sit-down restaurant known as Lazy Dog, with related site improvements, located on the south side of Sand Creek Road and the east side of State Route 4 (APN 019-110-074 and a portion of CCWD owned parcel APN 019-110-023).

Staff recommends that the Planning Commission adopt Resolution No. 24-043, approving the requested time extension (TE24-001), thus extending the expiration date of DR22-011

to September 26, 2025.

On December 12, 2017, the City Council adopted a City-initiated Mitigated Negative Declaration (MND) (SCH# 2017102022) prepared for the subject site. The Initial Study (IS) for the MND contemplated buildout of the site based on the maximum Floor Area Ratio (FAR) of 0.45, as provided in Table 2.0.2 of the City of Brentwood General Plan Environmental Impact Report (EIR). Based on the size of the project site and the maximum FAR, the site could be developed with a maximum of 103,890 square feet of commercial space and a maximum of 520 parking spaces and remain within the envelope of what was studied in the MND. The approved design review application and development FAR fall below the maximum capacity that was contemplated, and therefore no further environmental review is required.

## **E.2 Applications for Design Review approval for two new single-family homes**

### Title/Recommendation

An application for Design Review (DR24-008) approval for a new 2,353 square-foot two-story home with a 430-square-foot garage and a 480-square-foot attached accessory dwelling unit (ADU) located at 171 Kayla Place (APN 016-010-006), and an application for Design Review (DR24-009) approval for a new 1,977 square-foot two-story home with a 445-square-foot garage and a 359-square-foot attached ADU located at 175 Kayla Place (APN 016-010-005).

Staff recommends that the Planning Commission adopt Resolution No. 24-038 approving DR24-008 and Resolution No. 24-039 approving DR24-009.

The proposed projects qualify as a Class 32 categorical exemption under the California Environmental Quality Act (CEQA Guidelines Section 15332), as they are characterized as in-fill development. If the Planning Commission votes to deny the application, it would negate the need for any review under the California Environmental Quality Act (CEQA), as CEQA does not apply to projects in which a public agency rejects or disapproves per 14 CCR Section 15270(a).

## **F. PUBLIC HEARINGS**

Persons addressing the Planning Commission are asked to file a speaker card or raise their hands using the Zoom feature. The Commission may adopt reasonable regulations at the onset of the public hearing to facilitate public testimony. These regulations may include time limits. In the absence of such regulations, the public hearing shall follow the protocol for Public Comments.

### **F.1 Conditional Use Permit for C'est La Vie Wine and Tea located at 6800 Lone Tree Way**

#### Title/Recommendation

An application for a Conditional Use Permit (CUP 24-006) to establish a 3,750 square foot restaurant/cafe known as C'est La Vie Wine and Tea that would serve beer and wine, host live entertainment, and occupy more than 15% of the existing building "E" located within the Lone Tree Crossings at 6800 Lone Tree Way (APN 019-010-054).

Staff recommends that the Planning Commission adopt Resolution No. 24-042, approving Conditional Use Permit No. 24-006, subject to certain findings and conditions.

The proposed project qualifies for a Class 1 categorical exemption under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities), as the use will be established within an existing building located within an existing commercial center and will include only minor interior alterations (i.e., tenant improvements) and thus involves negligible or no expansion of existing or former uses.

The project further qualifies for a Class 32 categorical exemption under CEQA Guidelines Section 15332 (In-Fill Development Projects) as the proposed project is consistent with the applicable General Plan designation, as well as with applicable zoning designation and regulations, are proposed on a project site less than 5 acres in size, have no value as habitat for endangered species, would not result in significant effects relating to traffic, noise, air quality, or water quality, and can be adequately served by all utilities and public services.

**F.2 Focused Zoning Code update related to regulations for automobile service stations/gas stations, carwashes, and short-term rentals**

Title/Recommendation

Adopt Resolution No. 24-041 recommending that the City Council adopt an Ordinance to amend the Brentwood Municipal Code to prohibit new automobile service stations/gas stations and carwashes and replace with Alternative Fuel Stations and Electric Vehicle Charging Stations in all zones throughout the city; add new land use classifications in Section 17.030.030 (Definitions) for Alternative Fuel Station and Electric Vehicle Charging Station; and update Chapter 17.796 (Short-Term Rentals) to more clearly define short-term rentals.

The proposed text amendments are exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of the CEQA Guidelines, as it can be seen with certainty that the proposed ordinance would restrict future land uses and development and would not facilitate new construction or other groundbreaking activities. There is no potential to result in either a direct physical change to the environment or a reasonably foreseeable indirect physical change to the environment.

**G. INFORMATIONAL REPORTS FROM COMMITTEES AND UPCOMING MEETING SCHEDULE**

This portion of the agenda is to provide an opportunity for Planning Commissioners to report on attendance at events and subcommittee meetings.

TRANSPLAN Committee (Brand) 2nd Thursday of every month

Design Review Subcommittee (Flohr/Johnson) 2nd and 4th Thursday of every month

Land Use and Development Committee (Roberts) 3rd Monday of every month

Brentwood Municipal Code Review Committee (Brand) 2nd Wednesday in January and July

**H. REQUEST FOR FUTURE AGENDA ITEMS**

**H.1 NEW REQUEST(S)**

Planning Commissioners wishing to have an agenda item placed on a future agenda shall make a request under this section of the agenda. These items will be included on the agenda for a future Planning Commission meeting.

**I. ADJOURNMENT**

The next regular Planning Commission meeting is scheduled for November 5, 2024, at 7:00 PM and will be at the City of Brentwood Council Chambers located at 150 City Park Way.

Any disclosable public records related to an agenda item for the open session of this meeting distributed to all or a majority of the City Council less than 72 hours before this meeting is available for inspection at City Hall, located at 150 City Park Way, during normal business hours. These writings will also be available for review at the City Council meeting in the public access binder in the entrance of the City Council Chambers.

Public comments received after 3:00 p.m. of the meeting date, but prior to the start of the meeting, will be emailed to the Planning Commission and posted on the City's agenda webpage within one day following the meeting, and will be summarized in the meeting minutes.

The Closed Captioning provided via Zoom is auto generated. It is not the official record and is provided as a convenience.

If you challenge the any of the matters listed under 'Public Hearings' in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Brentwood Planning Commission at, or prior to, the public hearing

**NOTICE**

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available at the City Hall parking lot. If you are a person with a disability and you need disability-related modifications or accommodations to participate in this meeting, please contact the City Clerk's Office at (925) 516-5440 or fax (925) 516-5441. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. {28 CFR 35.102-35, 104 ADA Title II}

#### **POSTING STATEMENT**

On October 10, 2024, a true and correct copy of this agenda was posted on the City Hall Bulletin Board, outside City Hall, 150 City Park Way, Brentwood, CA 94513 and at our website [www.brentwoodca.gov](http://www.brentwoodca.gov)

A complete packet of information is available for public review at City Hall or on our website at [www.brentwoodca.gov](http://www.brentwoodca.gov)