

## RESOLUTION NO. 23-XXX

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD ADOPTING A MITIGATED NEGATIVE DECLARATION, MITIGATION MONITORING AND REPORTING PROGRAM, AND ERRATA SHEET FOR THE HANSON LANE PROJECT (VTSM 9547 AND DR 21-006), LOCATED AT 251 HANSON LANE (APN 018-231-034-3).**

**WHEREAS**, MLC Holdings (the "Applicant"), submitted an application to the City of Brentwood for certain permits and approvals, including a Vesting Tentative Subdivision Map (VTSM 9547) and Design Review (DR 21-006), to develop its proposed Hanson Lane Project, a 94-unit residential subdivision project proposed to be developed on a 19.73-acre site located south of Lone Tree Way and north of Hanson Lane (the "Project Site," identified as APN 018-231-034-3); and

**WHEREAS**, collectively, the Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, and Errata Sheet for Vesting Tentative Subdivision Map (VTSM 9547), which includes a request for a density bonus under the State Density Bonus Law, and Design Review (DR 21-006) constitute the "Project;" and

**WHEREAS**, the Project application has been referred to various public utility companies, public districts, and pertinent departments for review and recommendations; and

**WHEREAS**, pursuant to the California Environmental Quality Act ("CEQA," codified at Public Resources Code Section 21000, *et. seq.*) and its implementing regulations (the "CEQA Guidelines," found at 14 CCR Section 15000, *et. seq.*), the City of Brentwood is the lead agency for the proposed Project; and

**WHEREAS**, the City reviewed the Project application and prepared an Initial Study for the Project in accordance with Section 15063 of the CEQA Guidelines; and

**WHEREAS**, on the basis of the Initial Study, and pursuant to Section 15170 of the CEQA Guidelines, the City prepared a Mitigated Negative Declaration ("MND") for the Project, which MND is attached hereto, along with the Initial Study, attached as Exhibit 'A' and incorporated herein by this reference; and

**WHEREAS**, pursuant to Section 15097 of the CEQA Guidelines, the City has prepared a Mitigation Monitoring and Reporting Plan ("MMRP") to accompany the Initial Study and MND, which is attached hereto as a component part of Exhibit 'B' and incorporated herein by this reference; and

**WHEREAS**, the City has prepared an errata sheet to accompany the Initial Study and MND to provide consistency for the numbering of the proposed mitigation measures (the "Errata Sheet"). The Errata Sheet is attached hereto as a component part of Exhibit 'C' and incorporated herein by this reference; and

**WHEREAS**, pursuant to Section 15072 of the CEQA Guidelines, the City provided notice of its intent to adopt the MND, and pursuant to Public Resources Code Section 20191(b) and Section 15073 of the CEQA Guidelines, the City circulated the MND for public review and comments from April 21, 2023 to May 22, 2023; and

**WHEREAS**, the City distributed a Notice of Public Hearing to all property owners of record within 300 feet of the Project Site and published it in the Brentwood Press on September 8, 2023, in accordance with City policies and Government Code Section 65090, and a public hearing notice sign was posted on the site during this same timeframe for the September 19, 2023 Planning Commission hearing; and

**WHEREAS**, on September 19, 2023, the Planning Commission held a public hearing, reviewed said Project, studied the compatibility of this request with adjacent land uses, and considered this request, as well as considered the staff report, all accompanying information, and testimony received from the Applicant and other interested parties; and

**WHEREAS**, on September 19, 2023, the Planning Commission approved the Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, and Errata Sheet, by Planning Commission Resolution No. 23-029; and

**WHEREAS**, on September 19, 2023, City Council member Jovita Mendoza timely filed a Call for Review of the Planning Commission's action approving the Project, including adoption of Planning Commission Resolution No. 23-029; and

**WHEREAS**, the City distributed a Notice of Public Hearing to all property owners of record within 300 feet of the Project Site and published it in the Brentwood Press on October 13, 2023, in accordance with City policies and Government Code Section 65090, and a public hearing notice sign was posted on the site during this same timeframe; and

**WHEREAS**, the City Council considered the call for review of the Project at its regular meeting of October 24, 2023, and considered the staff report, all accompanying information, and testimony received from the Permittee and other interested parties.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Brentwood finds:

- A. The recitals set forth above are true and correct and are incorporated herein by this reference.
- B. The City Council has reviewed and considered the MND, MMRP, and Errata Sheet together with all comments received during the public review process, as well as the written responses prepared to such comments, the staff report, testimony by staff and the public, and all

other materials and evidence submitted to the City relating to the Project.

- C. The City Council hereby finds, on the basis of the whole record before it, that:
- a. The MND, the MMRP, and Errata Sheet have been prepared and completed in accordance with the requirements of CEQA and the CEQA Guidelines;
  - b. There is no substantial evidence that the Project will have a significant effect on the environment; and
  - c. The information, analyses, findings and conclusions set forth in the MND, MMRP, and Errata reflect the City's independent judgment and analysis.
- D. Based on the information, analyses and conclusions in the Initial Study, and on the whole record before it, the City Council approves and adopts the Initial Study and Mitigated Negative Declaration for the Hanson Lane Project dated April 2023, attached hereto as Exhibit 'A', including the Mitigation Monitoring and Reporting Plan attached hereto as Exhibit 'B', and the Errata Sheet attached hereto as Exhibit 'C'.
- E. The City's custodian for the record of proceedings for the Project is the Planning Manager and the record of proceedings is maintained in the City's files at 150 City Park Way, Brentwood, California.

The above actions are final unless an appeal is filed pursuant to Chapter 17.880 of the Brentwood Municipal Code within ten (10) calendar days following Planning Commission action.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Brentwood at its regular meeting of October 24, 2023, by the following vote:

AYES:  
NOES:  
ABSENT:  
RECUSE:

APPROVED:

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Joel R. Bryant  
Mayor

ATTEST:

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Margaret Wimberly, MMC  
City Clerk

Initial Study and Mitigated Negative Declaration dated April 2023, Exhibit 'A'

Mitigation Monitoring and Reporting Plan, Exhibit 'B'

Errata Sheet, Exhibit 'C'

All attachments may be reviewed by clicking on the link below and scrolling to  
"Hanson Lane:"

<https://www.brentwoodca.gov/government/community-development/planning/ceqa-documents>