

**PLANNING COMMISSION AGENDA ITEM NO. E.2
09/19/2023**

SUBJECT: Applications for Vesting Tentative Subdivision Map and Design Review approval for the Hanson Lane residential project.

DEPARTMENT: Community Development Department

STAFF: Erik Nolthenius, Planning Manager
Jennifer Hagen, Senior Planner

TITLE/RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 23-029 approving the Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, and Errata Sheet; Resolution No. 23-030 approving the Vesting Tentative Subdivision Map (VTSM 9547); and Resolution No. 23-031 approving the Design Review (DR 21-006) for the Hanson Lane Project, based on findings of fact, as conditioned.

The project includes a Vesting Tentative Subdivision Map (VTSM 9547) to create 94 single-family residential lots, open space area, an emergency vehicle access (EVA), new internal roadway system, and other related improvements. The project qualifies for a density bonus, but is not seeking to develop above the density allowed by the City. Rather, the applicant seeks concessions and waivers from certain City standards, as allowed by the density bonus law. The project also includes a design review application (DR 21-006) for the homes to be constructed on the 94 lots. The project is located at 251 Hanson Lane (APN 018-230-034).

The City prepared a mitigated negative declaration for this project in accordance with the requirements of the California Environmental Quality Act (CEQA, codified at Public Resources Code §§ 21000, et seq., and as further governed by the State CEQA Guidelines, found at 14 CCR §§ 15000, et seq.). Several potentially significant impacts are identified; however, mitigation measures are incorporated to reduce those impacts to less than significant levels. All mitigation measures not addressed by the standard conditions of approval are included as conditions of approval where appropriate.

OWNER/APPLICANT

Edward J. Hanson / MLC Holdings, Inc.



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PROJECT DESCRIPTION

The applicant, MLC Holdings Inc., is requesting approval of an Initial Study/Mitigated Negative Declaration (IS/MND), a Mitigation Monitoring and Reporting Plan (MMRP), Errata Sheet, a Vesting Tentative Subdivision Map (VTSM 9547), and Design Review (DR 21-006) for a new 94-unit single-family development including three estate residential lots, open space area, an emergency vehicle access (EVA), and new internal roadway system.

The proposed project would include the subdivision of the 19.73-acre property to develop 94 single-family residences including three estate residential lots ranging from 21,101 square feet (sf) to 21,200 sf and 91 single-family residential lots ranging in size from 4,000 sf to 8,242 sf. The project includes four varying floor plans that will be distributed across all 94 lots as follows:

Plan Number	Units Size	# of Lots	% of Total
Plan 1 (4024)	2,541-sf residence with four bedrooms and a loft	24	26%
Plan 2 (4022)	2,320-sf residence with four bedrooms and a loft	23	24%
Plan 3 (3526)	2,177-sf residence with four bedrooms, an office, and a loft	24	26%
Plan 4 (4026)	2,771-sf residence with four bedrooms and a loft	23	24%

As detailed below, a total of 12 below-market rate units would be provided for very-low, low-, and moderate-income families. The 12 below-market rate units are spread across the four proposed floor plans. Each residence would include a two-car garage and a private rear yard. Additionally, the three larger lots discussed above would provide the required density transition from the existing Ranchette Estate development adjacent to the project to the southwest.

A retaining wall up to four feet in height would be constructed along the western boundary of the site due to a change in grade in a few areas near the adjacent existing residential development. A standard six-foot good neighbor rear yard fence would be constructed on top of the retaining wall. In addition, due to a change in grade between the northern boundary of the project site and the existing access road for the rural residences to the north of Lone Tree Way, a four-foot retaining wall would be constructed separating the private road to the north of the project site and the segment of Lone Tree Way along the northern boundary of the project site.



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GENERAL PLAN

Residential-Low Density

ZONING

PD-71 (Planned Development No. 71)

PREVIOUS ACTION(S)

Previous actions related to this agenda item that were taken by the Planning Commission and City Council are listed below. To view prior actions and materials, and Brentwood Municipal Code references in the staff report, as applicable:

- Visit www.brentwoodca.gov/meetings, and select the meeting date(s) desired to see the reference materials and videos.
- Visit www.brentwoodca.gov/municipalcode research references to the Brentwood Municipal Code and search by the code section(s) cited.

On September 26, 2006, the City Council adopted Ordinance No. 836 Rezoning the subject property known as Hanson Ranch to Planned Development (PD) 71 and added Chapter 17.528 to the Brentwood Municipal Code establishing uses and development standards for the site.

On June 13, 2007 the subject property was annexed into the City as part of the Hanson Ranch Annexation.

On April 8, 2008, the City Council adopted Ordinance No. 857 updating the PD sections of the Brentwood Municipal Code, including PD-71 adopting revised subarea maps and development standards.

BACKGROUND

The 19.73-acre project site is located at 251 Hanson Lane in the city of Brentwood, and is identified by Assessor's Parcel Number (APN) 018-230-034. The site has been disturbed by previous agricultural operations and is currently undeveloped and vacant. The southwest and northeast corners of the site contain existing trees, the majority of which are ornamental species. The General Plan designates the site as Residential-Low Density (R-LD) and the site is zoned Planned Development (PD-71). Pursuant to Brentwood Municipal Code Section 17.521.001, the intended primary use for the PD-71 zone shall consist of detached single-family residential, duets, parks, and open space uses.



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Surrounding Land Uses

North: Rural Residential across Lone Tree Way

East: The City of Brentwood Solid Waste Operations and Wastewater Operations facilities across Marsh Creek and Marsh Creek Regional Trail

South: Single-Family Residential across Hanson Lane

West: Single-Family Residential



APPLICABLE STATE HOUSING LAW

The applicant submitted the application for this project under Senate Bill (SB) 330 (Government Code section 65941.1.) and review of the application must comply with SB 330. Most importantly, if the application complies with the applicable objective general plan, zoning, and subdivision standards and criteria, including design review standards, the City cannot deny or condition the project in a manner that would lessen the intensity of housing, such as decreasing the density or number of units (Government Code section 65589.5(j)). Therefore, the City cannot require compliance with the City's General Plan "mid-range" policy. The "mid-range" policy requires that applicants meet subjective criteria to develop above the mid-point of the applicable General Plan density range, and is, therefore, contrary to the requirement that cities cannot limit density through subjective criteria. The City Council has directed that this policy be removed from the General Plan.

ANALYSIS

GENERAL PLAN CONSISTENCY - RESIDENTIAL LOW DENSITY

The subject property has a General Plan land use designation of R-LD. The R-LD designation is designed predominantly for single-family detached houses, although higher density developments could be accommodated if offset with sufficient open



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space or other amenities in order to maintain the gross density within the indicated range. The R-LD designation allows a density range of 1.1 to 5.0 dwelling units per gross acre (du/ac), and the proposed project would result in a density of 4.67 du/ac. As noted above, the City cannot impose the General Plan “mid-range” policy.

Consistent with the General Plan, this development will help to provide a broad spectrum of housing types and community facilities with development occurring in a logical and orderly manner and contiguous with existing developments (Goal LU1, Policy LU 1-4, and Policy LU 1-5). The proposed project is located in a convenient location for future residents to access bus transit (Policy LU 2-6). The proposed project also provides land for recreational uses with access to the existing Marsh Creek Trail, and opportunities for community gathering (Policies LU 4-2 and 4-3).

In addition, as demonstrated in the IS/MND prepared for the project, the City’s community services and facilities can accommodate the increased demand resulting from the development, as the proposed project will offset impacts to community services through the payment of impact fees (Policies CSF 1-2 and CSF 1-3).

The project is not anticipated to have a significant adverse effect on the surrounding properties from a noise perspective; however, the proposed project would result in a temporary increase of noise during construction activities. The project will be conditioned to comply with the Noise Element so that construction activities will be regulated to the allowable hours, construction vehicles will be required to use operating mufflers, and loud stationary noise sources will be positioned away from sensitive receptors (Noise, Action N-1). Continued compliance with the Noise Element under operational conditions will also be required. Seismically sound construction designs and practices will further comply with the Safety Element (Goal SA-1).

Housing Element

In addition to applicable State laws, the City’s 2014 General Plan and 2023 Housing Element have goals and policies to ensure that adequate provisions are made for meeting the housing needs for all economic segments of Brentwood. The proposed project meets the intent of the goals and polices established by the General Plan and Housing Element as follows:

Goal LU 1. *Establish a land use pattern in Brentwood that provides for a diverse, self-sufficient community that offers a broad spectrum of job opportunities, housing types, community facilities, and commercial services.*



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The project provides a land use pattern that provides for a diverse and self-sufficient community that offers a total of 94 detached single-family residences, with 82 market rate homes, including three estate residential lots, and 12 affordable single-family units.

Goal H-1. *Provide a diversity of housing opportunities to enhance the City's living environment and to satisfy the shelter needs of all Brentwood residents.*

The project provides a diversity of housing opportunities by including 82 single-family market rate homes, three of which would be estate residential homes, and 12 below-market rate homes for very-low, low-, and moderate-income families. The homes would range in size from 2,177 sf to 2,771 sf.

Goal H-2. *Encourage housing that is affordable to all socio-economic segments of Brentwood's population.*

The project includes 12 affordable units for very-low, low-, and moderate-income families for the Brentwood population, consistent with the City's Affordable Housing Ordinance.

Action H 2a. *Compliance with Affordable Housing Ordinance: All new residential projects shall provide affordable housing units in accordance with the City's adopted Affordable Housing Ordinance Chapter 17.725. The City will continue to review and monitor the ongoing effectiveness of the City's affordable housing ordinance to ensure developers provide a certain percentage of new homes to qualifying households at an affordable cost for the longest feasible time. The ordinance shall also continue to include a list of automatically available development incentives to encourage the construction of the inclusionary units, as well as provide the details for available alternatives to satisfy inclusionary housing obligations.*

The project complies with the Affordable Housing Ordinance by providing affordable units in accordance with the City's adopted ordinance that was in effect at the time the project was deemed complete in January 2022 and is subject to the 10 percent affordability requirement. The project is providing 12 affordable units (13 percent) for very-low, low-, and moderate-income households which is more than required by the ordinance in order to also meet State Density Bonus requirements. In addition, the project developer would be required to enter into an Affordable Housing Agreement with the City prior to final map approval.



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The project site is within the General Plan R-LD land use designation, which provides for a density range from 1.1 to 5.0 dwelling units per acre. The 94 proposed units results in an overall density of 4.67 dwelling units per acre, which is consistent with the density range of 1.1 to 5.0 dwelling units per acre.

Goal H-3. *Encourage an equitable distribution of housing for all economic groups throughout the community.*

By providing a mix of market rate, moderate, and low income units, the project achieves and maintains an equitable distribution of housing types available to all economic groups. The Regional housing Needs Allocation (RHNA) for Brentwood for the 6th cycle requires planning for the development of 1,522 new affordable housing, including 247 units for moderate-income households and 232 units for low income households for the next 2023-2031 housing allocation cycle. The proposed project would contribute 12 affordable units and 82 above moderate units that are all anticipated to be counted toward the 2023-2031 allocation cycle consistent with the provisions in the Housing Element update.

Action LU 2a. *Density Transition*

Action LU 2a of the General Plan requires a density transition for proposed lots facing or abutting existing residential lots zoned Ranchette Estate or of one acre or more, such that the proposed lots have a minimum area of 20,000 sf. Given the presence of one acre lots west of the site, the proposed lots are required by this policy to have a minimum area of 20,000 sf. The project meets this requirement on its western border by including three larger lots ranging between 21,100 sf to 21,200 sf. These larger lots would be accessed internally through the new subdivision and would back up to the existing Ranchette Estate residential development along Hanson Lane, along the western boundary of the site to comply with the General Plan provisions (Goal LU 2, Action LU 2a). This configuration would provide a visual buffer to minimize the impact of the development on the existing residents and protect the integrity of the existing land use patterns to the west.

ZONING CONSISTENCY- PLANNED DEVELOPMENT (PD-71)

The project site is zoned PD-71, which allows for single-family detached residential uses on lots with a minimum size of 5,000 sf for 67 percent of the total lots and a minimum size of 4,500 sf for 33 percent of the lots. As shown in the table below, the project satisfies the required height and parking standards for the zoning district; however, the project includes reduced front and side yard setbacks, and reduced lot area. As allowed under the State Density Bonus law, the applicant is requesting a



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concession and waivers to these development standards, which is discussed further in the report.

	PD-71 Development Standards	Proposed	Complies
Minimum Lot Area	5,000 sf for 66% of the total lots (~59 lots) 4,500 sf for 33% of the total lots (~29 lots)	~25% of lots are 5,000 sf or more ~22% range from 4,500sf-5,000 sf ~52% are less than 4,500 sf	No, waiver requested.
Minimum Front Yard Setback	15' from property line to any building façade 20' feet from any garage facing street	12'	No, waiver requested.
Minimum Side Yard Setback	5' with a min. 15' combined total	5', with a 10' combined total	No, waiver requested.
Minimum Rear Yard Setbacks	20'	20'-22'	Yes
Minimum Off-Street Parking Spaces	2	2	Yes
Maximum Building Height	30'	25' 4"	Yes
Maximum Lot Coverage	40%	28%-42%	No, waiver requested.
Density	5 dwelling units per acre	4.67 dwelling units per acre	Yes

HOUSING LAWS

The State has passed numerous housing laws to address the housing shortage and limit local governments' ability to deny housing projects that comply with the General Plan and/or zoning regulations. Several laws apply to the Hanson Lane project that affect the City's processing of the project. The housing laws that affect the Hanson Lane project directly limit the City's ability to respond to issues about density, development standards, and design standards. Although there are a variety of housing laws that apply to this project, the most relevant is the State Density Bonus law (Government Code §§ 65915-65918).



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State Density Bonus Law

The State Density Bonus Law was enacted in 1979 to address the shortage of affordable housing in California. The law has been amended dozens of times over the years. Pursuant to the Density Bonus law, the density bonus is set on a sliding scale, based on the percentage of affordable units provided. The proposed project is proposing to provide five percent (5%) of the units for very-low income households, which meets the State’s Density Bonus Law threshold for a base density bonus (Government Code § 65915 (f)(2)(B)(1)(b)). However, the project’s proposed density is within the allowed range under the City’s current General Plan and as a result is not requesting to utilize any of the allowed bonus units. The project is, however, requesting to utilize the concession and waivers allowed under the Law with respect to some of the zoning criteria as well as the City’s mid-point density policy.

Concession

As relevant here, an incentive/concession is defined as either (1) a reduction in site development standards or a modification of zoning requirements or architectural design requirements that exceed the minimum Building Code standards, or (2) other regulatory incentives or concessions proposed by the developer or the City that result in identifiable and actual cost reductions to provide for affordable housing costs (Government Code § 65915(k)). Under the Density Bonus Law, a project that provides at least five percent of its units for very-low income households, such as the proposed project, may request one incentive/concession (Government Code § 65915(d)(2)(A)). Although it has already been noted that the City cannot impose the General Plan “mid-range” policy, the applicant had originally requested a concession in order to exceed the midpoint point range. The following table provides a summary of the concession requested by the applicant:

	General Plan	Concession Request	Summary
1	The General Plan requires housing projects above the mid-point density to provide a significant amount of amenities / public benefit incorporated into a project at the discretion of the	Exemption from the General Plan mid-point density range requiring a significant amount of amenities/public benefit.	The density range in the Residential Low Density General Plan land use designation is 1.1 to 5.0 du/ac with a midrange of 3.0 du/ac. The applicant’s proposed density exceeds the midpoint of that range. According to the applicant, the provision of 10% very-low, low- and moderate-income units, in addition to the additional units to satisfy State Density Bonus law is a public benefit that would justify exceeding the midpoint density range policy and therefore requests a



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	Council (General Plan Density Calculation p.9-1).		concession in the form of acknowledgment of the provision of this level of affordable housing as a public benefit sufficient for these purposes.
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Under State law, the City’s review of requested incentives or concessions is limited to determining the project’s eligibility for the requested incentives and concessions, and whether any requested deviations from City standards would (1) not actually result in identifiable and actual cost reductions to provide for affordable housing costs, (2) have a specific, adverse impact on public health/safety or on a property listed on the California Register of Historical Resources for which there is no feasible method to satisfactorily mitigate the impact without rendering the project unaffordable, (3) be contrary to state or federal law. Cities bear the burden of proof for the denial of any requested incentive or concession not given. Staff has not identified any grounds under the Density Bonus Law for denying this requested concession.

Waivers

Under the Density Bonus Law, a qualified applicant may request waivers of development standards such as lot sizes, lot dimensions, or setbacks. Pursuant to the Density Bonus law, the City is not permitted to apply any development standards that would physically preclude the construction of the project as designed at its permitted density with the concessions allowed under the law. As with concessions, the City is not required to waive or reduce development standards that would (1) have a specific, adverse impact on public health /safety or on a property listed on the California Register of Historical Resources for which there is no feasible method to satisfactorily mitigate the impact without rendering the project unaffordable, or (2) be contrary to state or federal law. Furthermore, a waiver does not count as an incentive/concession, and there is no limit on the number of waivers that may be requested or granted. The following table provides an summary of the four waivers requested by the applicant:

	PD-71 Zoning Standard	Waiver Requested	Summary
1	The minimum lot area is 5,000 sf for 66% of the lots on the 19.73-acre project site and 4,500 sf for 33%	Approximately 25%of the proposed lots are 5,000 sf or more; 22% are between 4,500 sf and 5,000 sf; and the remaining ~ 52% are less than 4,500 sf.	Larger lot sizes would not allow for the project to build to the density permitted under the Density Bonus Law.



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	PD-71 Zoning Standard	Waiver Requested	Summary
	of the lots on the project site.		
2	The front yard setback shall be 15 feet as measured from the property line to any building façade or side entry garage and 20 feet for any garage facing the street measured from the property line to the center of the garage door.	Minimum front yard reduced to 12 feet.	On certain floor plans, a 15-foot front setback would preclude the ability to provide the PD-required usable rear yard space and would thus preclude development of the project as proposed.
3	The minimum side yard setbacks for single-family detached units shall be a minimum of five feet with a minimum combined total of 15 feet for both side yards. Corner lots shall maintain a minimum side yard on the street side of ten feet.	Minimum side yard setback combined total reduced to 10 feet.	15-foot combined side yards would require significantly smaller houses and/or the development of significantly wider lots, which would physically preclude construction of this Density Bonus Law-qualifying project as proposed and would also prevent attainment of the density allowed by the General Plan.
4	Maximum lot coverage shall be 40%.	Maximum lot coverage increased to 42%.	Compliance with this development standard would physically preclude construction of the Density Bonus Law-qualifying project as proposed.

Staff has analyzed whether all of the above mentioned waivers are subject to denial and has determined that they are not, for the following reasons:



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- (1) there are no specific, adverse impacts on public health or safety for which there is no feasible method of mitigation or avoidance that would be associated with granting this requested waiver;
- (2) there are no specific, adverse impacts on public health or safety on any real property listed in the California Register of Historical Resources; and
- (3) the requested waivers are not contrary to state or federal law.

Affordable Housing Ordinance and Density Bonus Affordability Requirement

The project application was deemed complete in January 2022, and therefore is subject to the City's Affordability Housing Ordinance that was in effect at that time. That ordinance requires the project to provide ten percent (10%) of total units as affordable units. Under that ordinance, the project is required to provide nine affordable units, with two reserved for very low-income households, four reserved for low-income households, and three reserved for moderate-income households. The proposed project is proposing to provide 12 affordable units, with five reserved for very low-income households, four reserved for low-income households, and three reserved for moderate-income households. Under the State Density Bonus Law (Government Code § 65915 (f)(2)(B)(1)(b)), the project is required to provide five percent (5%) of the units for very-low income households in order to qualify for Density Bonus benefits. Under this law, the project is required to provide five units reserved for very-low income households. Units required by the City's Affordable Housing Ordinance qualify as affordable units for purposes of the Density Bonus Law. Therefore, with a total of 12 affordable for-sale units, the project meets the affordability requirements as required by City and State requirements (BMC Ordinance 790, adopted December 14, 2005, and Government Code § 65915 (f)(2)(B)(1)(b)).

The designs of the affordable units are comparable to the exterior designs of the market rate units, materials, architectural elements, and overall construction quality, as well as the number of bedroom and proportion of bedroom types. The affordable units are also dispersed throughout the residential development including on corner lots, consistent with the requirements of the applicable Affordable Housing Ordinance.

VESTING TENTATIVE SUBDIVISION MAP

The subject site consists of an irregularly shaped 19.73-acre parcel, with the eastern boundary along Marsh Creek. The proposed vesting tentative subdivision map includes 94 single-family lots, a 73,244-sf open space area, a 64,757 sf bioretention area located along the eastern boundary of the site, and a 5,471-sf emergency vehicle access lot located along the western boundary of the site. The three estate



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residential lots ranging from 21,101 to 21,200 sf are located along the southwestern edge of the site, north of Hanson Lane, to assure the required density transition between the proposed project and the existing homes. A bioretention lot (Parcel B) for storm water treatment is located along the eastern boundary of the site. Smaller residential lots ranging from 4,005 sf to 8,242 sf in size are accessed through the internal street system.

Although the project will not have an on-site park, it will provide direct connection to the cities trail system and provide an improved path along the projects creek frontage with a new 75-foot vegetated creek setback area. The General Plan establishes a standard of five acres of community or neighborhood recreational or park facility per 1,000 residents to ensure adequate recreational open space for the community. Since the proposed project does not include development of a park, the proposed project would be subject to the payment of fees in lieu of land dedication, consistent with the requirements set forth in Section 16.150.030 of the Municipal Code. (Goal CSF 2, Policy 2-9).

As part of the application review, the Engineering Department and the Contra Costa County Fire Protection District reviewed the proposed vesting tentative subdivision map to verify that safe and acceptable street widths have been included in the subdivision. Full right-of-way improvements would be constructed within the street, including utilities, curb, gutter, and a separated sidewalk with a landscape strip. The project involves the construction of the necessary infrastructure to serve the proposed neighborhood and would include plans to connect to existing City infrastructure to provide water and sewer to the site. Storm water quality for the site will be established with a bio-retention basin constructed at the eastern boundary of the site pursuant to Contra Costa County and State Water Control Resource Board regulations. A draft condition of approval would also require improvements to Hanson Lane and Lone Tree Way along the project frontage.

Access and Circulation

Site access would be provided by way of Hanson Lane and Lone Tree Way, which (at this location) are minor arterial streets leading to retail and dining. Hanson Lane and Lone Tree Way will be extended as part of the proposed project. In addition, as part of the project, three roadway connections would be constructed along Lone Tree Way, and one connection would be constructed along Hanson Lane to provide access to the proposed roadway network. A 5,471-sf EVA parcel would be located along the western boundary of the site. The EVA would provide access to the site from Bonita Way. Sidewalks would be included on both sides of the streets to allow for pedestrian circulation throughout the project site. A new sidewalk would also be constructed



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along the southern side of Hanson Lane and extend outside of the project boundary in order to connect to the existing sidewalk. Each residence would include a two-car garage with a 20-foot driveway and street parking would be provided throughout the site. Access to the site would be via three proposed access locations off Lone Tree Way, which borders the property to the north, and two proposed access locations off Hanson Lane, which borders the property to the south. The internal streets are approximately 56 feet in width, with sidewalks leading to Hanson Lane and Lone Tree Way. Full right-of-way improvements would be constructed within the street, including utilities, curb gutter, and a separated sidewalk with a landscape strip. The subdivision would be oriented in a grid-like pattern similar to most single-family subdivisions, thus creating a fabric of viable and interrelated neighborhoods (Policy LU1-5, LU1-4, Policy CIR 1-2).

An analysis of the expected vehicle miles traveled (VMT) by the proposed residential development was prepared by TJKM Transportation Consultants. The proposed development is expected to generate 839 daily vehicle trips, including 62 AM peak hour trips and 84 PM peak hour trips. Based on the existing residential VMT generated by other similar homes surrounding the project location, the project is expected to generate VMT per resident that is at least 15 percent below the Brentwood citywide average. The project would thus result in a less-than-significant impact related to VMT, based on the adopted Contra Costa Transportation Authority thresholds. A detailed discussion of transportation-related impacts associated with the proposed project can be found in the IS/MND.

Master Plotting Plan

The master plotting plan depicts which home plans would be constructed on a particular lot. Consistent with the Residential Design Guidelines, the proposed combination of models and elevation styles serve to diversify the plotting as much as possible.



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SANTA BARBARA
PLAN 4024-R

COASTAL
PLAN 4022

CONTEMPORARY
PLAN 4024-R

FARMHOUSE
PLAN 4026

STREET SCENE



SANTA BARBARA
PLAN 4026

CONTEMPORARY
PLAN 4022-R

FARMHOUSE
PLAN 4024

COASTAL
PLAN 3526-R

Four distinctive elevation styles are provided for each house plan, which include Santa Barbara, Coastal, Contemporary, and Farmhouse. The four elevation styles offered are as follows:

Santa Barbara – The Santa Barbara style incorporates concrete “S” style tile roofing covering a series of traditional gable roof forms. Walls are clad with stucco and will be painted with a complimentary color. The Santa Barbara style incorporates deep-set entry doors with entrances onto porches that are typically designated by a single arch feature. All windows are accented with dimensional stucco trim and decorative wooden shutters at the front elevation.

Farmhouse – The Farmhouse style incorporates concrete flat tile roofing covering a series of traditional gable roof forms. Walls are clad with stucco and board and batten will be features at the front upper gable. Plan 4022 and Plan 4026 will also feature board and batten on a portion of the upper story exterior. The Farmhouse style will incorporate a darker trim around windows and doors on all sides and decorative wood shutters on the front windows. Plan 4022 and Plan 4026 will feature a brick veneer along the front elevation, and Plan 4024 will have darker color of stucco at the lower half of the first story front elevation.

Coastal – The Coastal style incorporates concrete flat tile roofing covering a series of traditional gable roof forms. Walls are clad with stucco, lap siding, and stone



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vener. Two of the front windows feature decorative wooden shutters, and all windows are accented with dimensional stucco trim, which is carried around onto the sides and rear of the homes. Entryways may feature one or two columns.

Contemporary – The Contemporary style incorporates concrete flat tile roofing covering a series of variable gable roof forms. Walls are clad with stucco and lap siding. The Contemporary style incorporates flat roofs and non-traditional angled gables. All windows and doors are accented with a dimensional stucco trim. Lap siding is placed in varying positions on the front elevation of the house to create visual interest.

Residential Design Guidelines

The current Residential Design Guidelines were adopted by the City in 2006 in an effort to articulate the importance of high-quality design that complements and enhances the existing fabric of the community. The guidelines as currently written specifically state that “These may not apply in all individual cases to all housing types, but provide guidance for those elements that most frequently occur regardless of housing type or density.” While the guidelines have helped to articulate the community’s vision in the past, since they were adopted to provide “guidance” and not as development standards they are currently difficult to enforce due to new State laws. The following discussion highlights some of the key Residential Design Guidelines (Chapter 2, Subdivisions) that apply to the project:

Section 2.6.1 Provide variety in unit plans.

- *One distinct plan with four distinctive elevations shall be provided for every 25 units.*

94 units require four plans, each with four elevations. The applicant is providing four plans, each with four elevations and 12 color schemes. The streetscape is varied by the incorporation of four elevations for each of the four home plans. While the Residential Design Guidelines requires the provision of four plans with four distinct elevations per plan, the proposed project is providing a total of three varied floor plans with four varied elevations and 12 varied color schemes. The project provides a variety in unit plans and elevations consistent with the Design Review Guidelines.

- *Twenty-five percent of all units within a subdivision must be single story.*

Although a waiver is not required to deviate from the Guidelines, the applicant has requested a waiver to allow all homes within the subdivision to be two-story. Staff



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has analyzed whether this waiver is subject to denial and has determined that is not, for the following reasons:

- (4) there are no specific, adverse impacts on public health or safety for which there is no feasible method of mitigation or avoidance that would be associated with granting this requested waiver;
 - (5) there are no specific, adverse impacts on public health or safety on any real property listed in the California Register of Historical Resources; and
 - (6) the requested waiver is not contrary to state or federal law.
- *Ten percent of all units within a subdivision must have side-loaded garage configuration.*

Again, although a waiver is not required to deviate from the Guidelines, the applicant has requested a waiver to allow all units included in the proposed project to have a front-loaded garage configuration. Staff has also analyzed whether this waiver is subject to denial and has determined that is not, for the following reasons:

- (1) there are no specific, adverse impacts on public health or safety for which there is no feasible method of mitigation or avoidance that would be associated with granting this requested waiver;
- (2) there are no specific, adverse impacts on public health or safety on any real property listed in the California Register of Historical Resources; and
- (3) the requested waiver is not contrary to state or federal law.

Section 2.6.2 Maintain architectural style integrity. *Architectural styles shall be clearly articulated and consistent in their proportions and details with the traditional models on which they are based.*

Based on the Master Plotting Plan, two identical floor plans are not repeated side-by-side facing the same street. The façade massing is broken up with varying elevation styles, rooflines, color schemes, and finished materials. Architectural integrity is maintained in that the architectural style of each elevation type remains consistent with the traditional examples on which the style is based, and the elements evident on the front façade are carried around to the less-prominent side and rear elevations. Articulated front façades and the use of rooflines to differentiate the first and second stories help to reduce building massing. Front elevations use porches and finish materials to emphasize points of entry.

Other features identified in the design guidelines are carried through onto the proposed plans; including various roof heights and forms; the visual emphasis of



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front doors from the street, and the avoidance of exposed and unarticulated second-floor walls. Roof forms and pitch angles vary slightly, but are generally consistent throughout each architectural elevation style. Taken together, these elements reflect attention to detail and general compliance with the City's Residential Design Guidelines.

Section 3.2.1 Form and Massing. *Side walls on corner lots require special design treatment. The stepping back of wall plans at the corner is suggested. Corner lot side walls should receive the same level of design treatment as front facades.*

The design elements on the front elevations of the proposed homes do not continue to the side and rear elevations. A majority of the side and rear elevations contain windows with trim as the only design element. As such, a condition of approval has been included to require the continuation of design elements, such as lap siding and shutters, to the side and rear elevations of corner lots, where such elevations would be visible from the public right of way.

Lighting

All street lighting would be required to comply with the standards set forth in Section 17.521.005 (Other Regulations) of the Brentwood Municipal Code, which includes such requirements as cut-off lenses to direct light downward. Prior to installation of any building-mounted lighting fixtures, the applicant would be required to submit project plans including lighting fixtures to be reviewed.

Lighting details and cut sheets for the residential lighting fixtures will be reviewed in conjunction with final design-level submittals for site improvements and building permits for compliance with the City's applicable regulations. As conditioned, all external light fixtures must be of either a cut-off or full-cut off design, per City regulations.

Landscaping

The proposed project would include an open space area along the western side of Marsh Creek. The open space area would include landscaping and sidewalks. All existing on-site trees would be removed as part of the proposed project; however, trees would be planted throughout the site along the internal roadway network. In addition, a variety of shrubs, groundcover, and grasses would be planted throughout the project site.

The preliminary landscape plan submitted with the application provides typical front yard landscaping. Shade and ornamental trees proposed on the site are 15-gallon



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size and 24-inch box as required by the Municipal Code. A standard condition of approval requires the submittal of detailed landscape and irrigation plans for review and approval prior to issuance of a building permit to ensure compliance with the City's Water Efficient Landscape Ordinance.

Fencing and Walls

A masonry retaining wall would be constructed along the western boundary of the site due to a change in grade in a few areas near the adjacent existing residential development. The retaining wall would range in height up to four feet. A standard six-foot good neighbor rear yard fence would be constructed on top the retaining wall. In addition, due to a change in grade between the northern boundary of the project site and the existing road to access the rural residences located to the north of Lone Tree Way, a four-foot retaining wall would be constructed. The retaining wall would separate Lone Tree Way and the private road to the north of Lone Tree Way. All masonry walls have been conditioned to be decorative split-face block. Each property will be provided a six-foot high wood good neighbor fence for privacy by the applicant.

DATE OF NOTICE

As required, the City published a public hearing notice in the Brentwood Press and mailed it to property owners within 300 feet of the site on September 8, 2023, and the project site is posted with the required signage. Prior to publication of the agenda report, staff received the attached email within Attachment 6 in opposition of the project.

ENVIRONMENTAL DETERMINATION

The City prepared a mitigated negative declaration for this project in accordance with the requirements of the California Environmental Quality Act (CEQA, codified at Public Resources Code 21000, et seq., and as further governed by the State CEQA Guidelines, found at 14 CCR 15000, et seq.). Several potentially significant impacts are identified; however, mitigation measures are incorporated to reduce those impacts to less than significant levels. All mitigation measures not addressed by the standard conditions of approval are included as conditions of approval where appropriate.

The public review period for the proposed IS/MND began on April 21, 2023, and ended on May 22, 2023. Staff did not receive any comment letters during this public review period.



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An Errata Sheet has been prepared for the IS/MND to provide consistency for the numbering of the proposed mitigation measures. The revisions do not result in modifications to the conclusions of the IS/MND and do not result in significant new information. Therefore, pursuant to CEQA, recirculation of the IS/MND is not required. The IS/MND, Mitigation Monitoring and Reporting Program (MMRP) and the IS/MND Errata Sheet may be reviewed by clicking on the link below and scrolling to "Hanson Lane:"

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

ATTACHMENT(S)

1. Resolution No. 23-029 Hanson Lane MND and MMRP
 - A. Hanson Lane IS/MND (see link embedded on page 21 of the staff report)
 - B. Hanson Lane MMRP (see link embedded on page 21 of the staff report)
 - C. Hanson Lane Errata Sheet (see link embedded on page 21 of the staff report)
2. Resolution No. 23-030 Hanson Lane VTSM
 - A. Conditions of Approval
3. Resolution No. 23-031 Hanson Lane DR
 - A. Conditions of Approval
4. Hanson Lane Design Review and Vesting Tentative Subdivision Map Package
5. Hanson Lane Project Description
6. Public Comment