



## PLANNING COMMISSION MINUTES

**Date: January 16, 2024, 7:00 p.m.**

**Location: City Council Chambers  
150 City Park Way  
Brentwood, CA 94513**

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

Chairperson Roberts called the meeting to order at 7:00 PM and found the following members present: Brand, Flohr, Sparling, and Roberts.

### **B. PLEDGE OF ALLEGIANCE**

Chairperson Roberts led the pledge of allegiance.

### **C. ANNOUNCEMENT OF AND SWEARING IN FOR THE RE-APPOINTMENT OF ANITA ROBERTS AND THE APPOINTMENT OF GERALD JOHNSON TO THE PLANNING COMMISSION FOR TWO-YEAR TERMS, EXPIRING DECEMBER 31, 2025**

Mayor Bryant conducted the announcement and swearing in for the re-appointment of Anita Roberts and the appointment of Gerald Johnson to the Planning Commission for two-year terms, expiring December 31, 2025.

### **D. ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON FOR 2024 FOR THE PLANNING COMMISSION**

#### **Motion to elect Commissioner Roberts to serve as Chairperson**

**Moved by:** Rod Flohr, Commissioner

**Seconded by:** Kristopher Brand, Commissioner

Ayes (5): Kristopher Brand, Commissioner, Rod Flohr, Commissioner, Anita Roberts, Chairperson, David Sparling, Vice Chairperson, and Gerald Johnson, Commissioner

#### **Motion Approved (5 to 0)**

#### **Motion to elect Commissioner Sparling to serve as Vice Chairperson**

**Moved by:** Anita Roberts, Chairperson

**Seconded by:** Rod Flohr, Commissioner

Ayes (5): Kristopher Brand, Commissioner, Rod Flohr, Commissioner, Anita Roberts, Chairperson, David Sparling, Vice Chairperson, and Gerald Johnson, Commissioner

**Motion Approved (5 to 0)**

**E. ELECTION OF MEMBERS TO SERVE ON THE DESIGN REVIEW SUBCOMMITTEE AND THE TRANSPLAN COMMITTEE**

**Motion to elect Commissioner Flohr to serve on the Design Review Subcommittee.**

**Moved by:** David Sparling, Vice Chairperson

**Seconded by:** Kristopher Brand, Commissioner

Ayes (5): Kristopher Brand, Commissioner, Rod Flohr, Commissioner, Anita Roberts, Chairperson, David Sparling, Vice Chairperson, and Gerald Johnson, Commissioner

**Motion Approved (5 to 0)**

**Motion to elect Commissioner Johnson to serve on the Design Review Subcommittee.**

**Moved by:** Rod Flohr, Commissioner

**Seconded by:** David Sparling, Vice Chairperson

Ayes (5): Kristopher Brand, Commissioner, Rod Flohr, Commissioner, Anita Roberts, Chairperson, David Sparling, Vice Chairperson, and Gerald Johnson, Commissioner

**Motion Approved (5 to 0)**

**Motion to elect Commissioner Brand to serve on the TRANSPLAN Committee.**

**Moved by:** Anita Roberts, Chairperson

**Seconded by:** David Sparling, Vice Chairperson

Ayes (5): Kristopher Brand, Commissioner, Rod Flohr, Commissioner, Anita Roberts, Chairperson, David Sparling, Vice Chairperson, and Gerald Johnson, Commissioner

**Motion Approved (5 to 0)**

**F. PUBLIC COMMENTS**

Danny Dohrmann spoke regarding the Housing Element.

The Commission received 0 public comments that were sent via email or otherwise for the Commission's consideration. Copies of these comments would be made available on the City's website on the 'Meeting Information' page, if there were any.

## **G. CONSENT CALENDAR**

G.1 Regular Planning Commission Minutes - December 5, 2023

**Moved by:** David Sparling, Vice Chairperson

**Seconded by:** Rod Flohr, Commissioner

Ayes (4): Kristopher Brand, Commissioner, Rod Flohr, Commissioner, Anita Roberts, Chairperson, and David Sparling, Vice Chairperson

Abstained (1): Gerald Johnson, Commissioner

**Motion Approved (4 to 0)**

## **H. PUBLIC HEARINGS**

H.1 Conditional Use Permit and Design Review for the Lone Tree Way Commercial Speculative Building.

Associate Planner, Miguel Contreras, presented the staff report for this item.

The Commissioners asked questions of staff.

Chairperson Roberts opened the public hearing.

Lance Crannell of SDG Architects, representing the applicant, spoke regarding the item.

The Commission received 0 public comments regarding this item that were sent via email or otherwise for the Commission's consideration after the packet was published.

The Commissioners asked questions of the applicant.

The Commissioners discussed the project.

**Close public hearing**

**Moved by:** David Sparling, Vice Chairperson

**Seconded by:** Rod Flohr, Commissioner

Ayes (5): Kristopher Brand, Commissioner, Rod Flohr, Commissioner, Anita Roberts, Chairperson, David Sparling, Vice Chairperson, and Gerald Johnson, Commissioner

**Motion Approved (5 to 0)**

**Moved by:** David Sparling, Vice Chairperson

**Seconded by:** Rod Flohr, Commissioner

Adopt Resolution No. 24-001, approving Conditional Use Permit No. 23-002, as further detailed in the staff report.

Ayes (5): Kristopher Brand, Commissioner, Rod Flohr, Commissioner, Anita Roberts, Chairperson, David Sparling, Vice Chairperson, and Gerald Johnson, Commissioner

**Motion Approved (5 to 0)**

**Moved by:** Rod Flohr, Commissioner

**Seconded by:** David Sparling, Vice Chairperson

Adopt Resolution No. 24-002, approving Design Review No. 23-002, as further detailed in the staff report with a modification to condition of approval #3 requiring the applicant to work with Staff to relocate the bicycle rack to a is more visible and convenient location.

Ayes (5): Kristopher Brand, Commissioner, Rod Flohr, Commissioner, Anita Roberts, Chairperson, David Sparling, Vice Chairperson, and Gerald Johnson, Commissioner

**Motion Approved (5 to 0)**

- H.2 An application for a General Plan amendment (GPA 24-001) to repeal the March 2023 Housing Element and adopt the City’s Housing Element Update for the period of 2023-2031 (6th Cycle), in compliance with State housing element law.

Senior Planner, Jennifer Hagen, introduced the item.

Ines Galmiche of Kimley-Horn presented the staff report for this item.

The Commissioners asked questions of staff.

Chairperson Roberts opened the public hearing.

Danny Dohrmann spoke regarding the item.

The Commission received 0 public comments regarding this item that were sent via email or otherwise for the Commission’s consideration after the packet was published.

The Commissioners discussed the project.

**Close public hearing**

**Moved by:** Rod Flohr, Commissioner

**Seconded by:** Kristopher Brand, Commissioner

Ayes (5): Kristopher Brand, Commissioner, Rod Flohr, Commissioner, Anita Roberts, Chairperson, David Sparling, Vice Chairperson, and Gerald Johnson, Commissioner

**Motion Approved (5 to 0)**

**Moved by:** Rod Flohr, Commissioner

**Seconded by:** Anita Roberts, Chairperson

Adopt Resolution No. 23-005 recommending the City Council not adopt a General Plan amendment (GPA 24-001) to repeal the March 2023 Housing Element or adopt the City's November 2023 Submittal to the California Department of Housing and Community Development (HCD) for the period of 2023-2031 (6th Cycle), in compliance with State housing element law.

Ayes (5): Kristopher Brand, Commissioner, Rod Flohr, Commissioner, Anita Roberts, Chairperson, David Sparling, Vice Chairperson, and Gerald Johnson, Commissioner

**Motion Approved (5 to 0)**

- H.3 Brentwood Municipal Code Amendments to repeal and replace Local Density Bonus Regulations and Reference State Density Bonus Law, as well as modify the definition of Low-income household.

Senior Planner, Jennifer Hagen, presented the staff report for this item.

The Commissioners asked questions of staff.

Chairperson Roberts opened the public hearing.

Danny Dohrmann spoke regarding the item.

The Commission received 0 public comments regarding this item that was sent via email or otherwise for the Commission's consideration after the packet was published.

The Commissioners discussed the project.

**Close public hearing**

**Moved by:** David Sparling, Vice Chairperson

**Seconded by:** Rod Flohr, Commissioner

Ayes (5): Kristopher Brand, Commissioner, Rod Flohr, Commissioner, Anita Roberts, Chairperson, David Sparling, Vice Chairperson, and Gerald Johnson, Commissioner

**Motion Approved (5 to 0)**

**Moved by:** Gerald Johnson, Commissioner

**Seconded by:** Rod Flohr, Commissioner

Adopt Resolution No. 24-003 recommending that the City Council adopt an Ordinance to amend the Brentwood Municipal Code by repealing and replacing Chapter 17.720 (Density Bonus Program) to implement the State Density Bonus Law, as well as modifying Section 17.725.002 (Definitions) of the City's Affordable Housing Ordinance to modify the definition of Low-income household.

Ayes (5): Kristopher Brand, Commissioner, Rod Flohr, Commissioner, Anita Roberts, Chairperson, David Sparling, Vice Chairperson, and Gerald Johnson, Commissioner

**Motion Approved (5 to 0)**

- H.4 An amendment to Title 17 (Zoning) of the Brentwood Municipal Code regarding oil and gas regulations

Planning Manager, Erik Nolthenius, presented the staff report for this item.

The Commissioners asked questions of staff.

Chairperson Roberts opened the public hearing.

Ian Cohen spoke regarding the item.

The Commission received 0 public comments regarding this item that was sent via email or otherwise for the Commission's consideration after the packet was published.

The Commissioners discussed the project.

**Close public hearing**

**Moved by:** Rod Flohr, Commissioner

**Seconded by:** David Sparling, Vice Chairperson

Ayes (5): Kristopher Brand, Commissioner, Rod Flohr, Commissioner, Anita Roberts, Chairperson, David Sparling, Vice Chairperson, and Gerald Johnson, Commissioner

**Motion Approved (5 to 0)**

**Moved by:** David Sparling, Vice Chairperson

**Seconded by:** Gerald Johnson, Commissioner

Adopt Resolution No. 24-004 recommending that the City Council adopt an ordinance removing oil and gas development as conditionally permitted uses in Planned Development District No. 17 and Planned Development District No. 55, requiring oil and gas development uses to be expressly listed as permitted or conditionally permitted uses in a district to be permitted or eligible for conditional use permits, amending oil and gas production regulations, and finding the action exempt from CEQA (RZ 23-003).

Ayes (5): Kristopher Brand, Commissioner, Rod Flohr, Commissioner, Anita Roberts, Chairperson, David Sparling, Vice Chairperson, and Gerald Johnson, Commissioner

**Motion Approved (5 to 0)**

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

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.

**J. REQUEST FOR FUTURE AGENDA ITEMS**

J.1 NEW REQUEST(S)

Chairperson Roberts requested a future agenda item related to the connection between homeowners insurance and safety. Planning Manager, Erik Nolthenius, responded that it is an issue which could potentially be addressed with the development of permanent Objective Design Standards and that the Planning Commission would be involved with that process moving forward. As such, no separate future agenda item will be brought back on this topic.

**K. ADJOURNMENT**

**Meeting adjourned at 10:04 PM**

**Moved by:** Rod Flohr, Commissioner

**Seconded by:** Kristopher Brand, Commissioner

Ayes (5): Kristopher Brand, Commissioner, Rod Flohr, Commissioner, Anita Roberts, Chairperson, David Sparling, Vice Chairperson, and Gerald Johnson, Commissioner

**Motion Approved (5 to 0)**