



PLANNING COMMISSION AGENDA ITEM NO. E.1
12/05/2023

SUBJECT: Application for Vesting Tentative Subdivision Map and Design Review approval for the Lone Tree Way residential project.

DEPARTMENT: Community Development Department

STAFF: Erik Nolthenius, Planning Manager
Miguel Contreras, Associate Planner

TITLE/RECOMMENDATION

Staff recommends that the Planning Commission consider Resolution No. 23-038 recommending that the City Council adopt a Mitigated Negative Declaration for the project (SCH#2023100339); consider Resolution No. 23-039 recommending that the City Council approve the Vesting Tentative Subdivision Map application (VTSM 9597); and consider Resolution No. 23-040 recommending that the City Council approve the Design Review application (DR 22-005), subject to certain findings and conditions.

The project includes a Vesting Tentative Subdivision Map (VTSM 9597) to create 36 single-family residential lots, including a duet with a 5-bedroom shared housing building, a public park, a new private internal roadway system, and other related on-site and off-site improvements. The project qualifies for a density bonus pursuant to [State Density Bonus Law \(SDBL\)](#), but is not seeking to develop above the density allowed by the General Plan. Rather, the applicant seeks waivers or reductions from certain City standards, as allowed by the SDBL. The project also includes a design review application (DR 22-005) for the homes to be constructed on the 36 lots. The project is located at 7590/7650 Lone Tree Way (APN 018-060-006/007)

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

Seecon Financial & Construction Co., Inc.



GENERAL PLAN

Residential-Very Low Density (R-VLD)

ZONING/SURROUNDING LAND USES

Single Family Residential (R-1-12)

Surrounding Land Uses

North: Single family residential (rural)

East: Single family residential (rural)

South: Religious institution, single family residential (across Lone Tree Way)

West: Single family residential (rural)



2023 Aerial Photograph of Project Site

PREVIOUS ACTION(S)

Attachment 1

BACKGROUND

The applicant has proposed a residential subdivision that includes single-family homes, two affordable duet units, and (in one of those duets) a new housing product



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type: a shared housing unit. As will be explained below, the applicant's proposal assumes that the City would be willing to accept its offer of dedication of this shared housing unit. This report analyzes that proposed project, as well as offers potential variations on the project that include housing types more commonly found in Brentwood (e.g., an additional duet or a triplex) in lieu of the City's acceptance of the offer of dedication of the shared housing unit.

The 16.32-acre project site includes two parcels and is located at 7590/7650 Lone Tree Way, north of Lone Tree Way (APNs 018-060-006/007) and just east of O'Hara Avenue. The site is currently open grassland and was previously improved with three residential buildings, two of which were located on the southwestern portion of the site and a third on the southeastern portion of the site. All three of these residential buildings, and corresponding accessory buildings, were demolished in July, 2022. There are scattered trees which are primarily clustered on the southwestern and southeastern portions of the site, as well as the perimeter of the site. The General Plan designates the site as Residential-Very Low Density (R-VLD) and the site is zoned Single Family Residential (R-1-12), with a 12,000 square foot minimum lot size. The R-VLD designation provides for fairly large lots for single-family residences in an identifiable, suburban residential neighborhood.

APPLICABLE STATE HOUSING LAW

The applicant submitted a preliminary application for this project under [Senate Bill \(SB\) 330](#); that preliminary application was deemed submitted to the City consistent with the requirements of [Government Code §65941.1](#) in April 2022. This law made numerous changes to the Permit Streamlining Act and the Housing Accountability Act. SB 330 requires that, if the application complies with the applicable objective general plan, zoning, and subdivision standards and criteria, including design review standards, that are in place at the time that the preliminary application was deemed submitted (i.e. April 12, 2022), 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\(j\)](#)).

Additionally, 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 previously directed that this policy be removed from the General Plan.



PROJECT DESCRIPTION

The applicant, Seecon Financial & Construction Co., Inc., is requesting approval of an Initial Study/Mitigated Negative Declaration (IS/MND), a Vesting Tentative Subdivision Map (VTSM 9597), and Design Review (DR 22-005) for a new 36-lot development including 34 detached units, two affordable duet units (with one of the units being intended for single-family occupancy and the other intended to contain shared housing for 5 different households within the same shared housing building), a 0.58-acre park, an internal private roadway system, on-site stormwater retention facilities, and related on-site and off-site improvements.

Procedurally, per [Section 2.44.070\(D\)](#) of the BMC, when an application is combined with another application requiring legislative action (such as a zoning amendment, general plan amendment, exception under general plan *density transition action* LU 2a, or development agreement), the Planning Commission’s action is advisory to the City Council, which becomes the decision maker. Since the applicant is seeking a waiver from the density transition policy, as further detailed below, the City Council would be the approving body for this application and the Planning Commission’s action will be advisory to the City Council.

Proposed Subdivision

The proposed project would include the subdivision of the 16.32-acre property to develop 34 detached single-family residences on lots ranging from 12,000 square feet to 23,941 square feet, and two duet units on lots of 5,979 square feet and 6,055 square feet, respectively.

Floor Plans and Architecture

The project includes three varying floor plans for the detached single-family homes that would be distributed across 34 lots and a single floor plan for the duet units that would be situated on two lots. The project design includes four distinct architectural styles.

Table 1: Floor Plans

Plan Number	Units Size	# of Lots	% of Total
Plan 1	One story, 2,924-sf residence with four bedrooms, covered patio, porch, three car garage	14	38.8%
Plan 2	Two story, 3,490-sf residence with four bedrooms, covered patio, porch, three car tandem garage, with a	10	27.7%



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Plan Number	Units Size	# of Lots	% of Total
	loft/five bedroom option, and a JADU option.		
Plan 3	Two story, 3,834-sf residence with five bedrooms, covered patio, porch, three car garage, with a loft/ six bedroom option, and a JADU option.	10	27.7%
Duet Plan "A" Lot #11	Two story, 1,950-sf residence with four bedrooms, porch and two car garage.	1	2.7%
Duet Plan "B" Lot #36	Two story, 2,165-sf shared housing building with 5 shared-housing units, porch and two car garage.	1	2.7%

Proposed Shared Housing Building/Units

The applicant proposes 34 single family homes and two duets. As of January 2023, the SDBL allows for applicants to provide “[f]ive percent of the total units of a housing development, including a shared housing building development, for rental or sale to very low income households, as defined in Section 50105 of the Health and Safety Code” ([Section 65915\(b\)\(1\)\(B\)](#)). For this particular project, the applicant is seeking to utilize half of the proposed duet as a shared housing building, which is “...a residential or mixed-use structure, with five or more shared housing units and one or more common kitchens and dining areas designed for permanent residence of more than 30 days by its tenants. The kitchens and dining areas within the shared housing building shall be able to adequately accommodate all residents” ([Government Code Section 65915\(o\)\(7\)\(A\)\(i\)](#)).

Within this shared housing building, the applicant is proposing five shared housing units, which are defined as “...one or more habitable rooms, not within another dwelling unit, that includes a bathroom, sink, refrigerator, and microwave, is used for permanent residence, that meets the “minimum room area” specified in Section R304 of the California Residential Code (Part 2.5 of Title 24 of the California Code of Regulations), and complies with the definition of “guestroom” in Section R202 of the California Residential Code.” ([Government Code Section 65915\(o\)\(7\)\(B\)](#)).

Shared housing buildings are a new concept and have not been previously proposed or constructed in Brentwood.

ANALYSIS



GENERAL PLAN CONSISTENCY

Residential Very Low Density

The subject property has a General Plan land use designation of R-VLD. The R-VLD designation is designed predominantly for fairly large lots for single family residences. The permitted density range is 1.1 to 3.0 units per gross acre (du/ac), and the proposed project would result in a density of 2.45 du/ac (40 units/16.32 acres = 2.45), consistent with the General Plan. As noted above, the City cannot impose the “mid-range” policy currently identified in the General Plan.

Consistent with the General Plan, this development would 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, with two bus stops within 0.5 mile of the site (Policy LU 2-6).

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. If approved, the project would be conditioned to comply with the Noise Element so that construction activities would be regulated to the allowable hours, construction vehicles would be required to use operating mufflers, and loud stationary noise sources would be positioned away from sensitive receptors (Noise, Action N-1). Continued compliance with the Noise Element under operational conditions would also be required. Seismically sound construction designs and practices would further comply with the Safety Element (Goal SA-1).

Goals and Policies

In addition to applicable State laws, the City’s 2014 General Plan and 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:



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Action LU 2a: Density Transition

Action LU 2a requires that new developments utilize density transitions in order to protect the integrity of existing land use patterns and minimize the impacts on existing uses and residents. Therefore, it is City policy that proposed lots facing or abutting existing residential lots of one acre or more generally have a minimum lot size of 20,000 square feet.

The subject site is surrounded on three sides (north, east, and west) by six lots that are larger than one acre (and one that is 0.5 acre), and is therefore subject to the density transition policy. The applicant has identified the City's density transition requirement as a standard from which they are seeking relief through a density bonus waiver (see additional explanation below). The applicant's initial application, without the request for waivers, proposes to meet this requirement by using two of the lots (#20 and #33) to buffer the development from the adjacent large lots. These lots would have "wings," as shown in Attachment #6. These wings are best described as six-foot wide projections that would buffer the new, smaller lots from the existing large lots surrounding the proposed development.

As mentioned above, the project was submitted under Senate Bill (SB) 330; and therefore the applicant is only required to comply with the applicable objective General Plan criteria, including the transition policy. As also mentioned above, 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. Given that the City has no objective standard for lot shape or configuration, the project with the wing lots, would be in compliance with the density transition policy, in that they are both a minimum of 20,000 square feet in size.

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.

The project includes a land use pattern that would provide for a diverse and self-sufficient community that would offer a total of 34 detached single-family residences, with 33 market rate units and one moderate income unit. In addition, the project would provide two duet units, of which one would be low income and the other would be a shared housing building that contains five very-low income 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.



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The project would provide a diversity of housing opportunities by including 33 single-family market rate homes, a moderate income home, and two duet units, one half of which would provide one low income unit, and the other half of which would contain five very low income shared housing units. The market rate homes would range in size from 2,924 sf to 3,834 sf. The duet units would be 1,950 square sf and 2,165 sf, respectively, with each of the five shared units being approximately 100 square feet and having their own bathrooms.

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

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

ZONING CONSISTENCY – SINGLE FAMILY RESIDENTIAL (R-1-12)

The project site is zoned R-1-12. As shown in the table below, the project satisfies the required height and parking standards for this zoning district.

In terms of lot size, the R-1-12 zone allows for single-family detached residential uses on lots with a minimum size of 12,000 sf. The two duet lots would be 6,055 sf and 5,979 sf, respectively. Though the duet lots are smaller than what the R-1-12 zone allows, [Section 17.7253.003\(F\)\(1\)](#) of the BMC provides that:

residential developments, with very low density zoning designations, the affordable unit may be smaller in size than other models in the residential development. The minimum permissible affordable unit size is one thousand six hundred square feet on a three thousand square foot parcel. As a means to provide massing and lot proportions consistent with the residential development, a duet unit will satisfy the city's affordable housing requirement. For example, a duet unit can be located on a corner with each duet unit being one thousand six hundred square feet on two separate three thousand square foot parcels.

As allowed under the SDBL, the applicant is requesting a waiver or reduction of certain R-1-12 development standards, which are discussed below.

Table 2: R-1-12 Development Standard Compliance



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	R-1-12 Development Standards	Proposed	Complies?
Minimum Lot Area	Market rate lots: 12,000 sf	Detached lots: 12,000 sf minimum	Yes
	Affordable duet lots: 3,000 sf	Duet lot #11: 6,055 sf Duet lot #36: 5,979 sf	Yes
Minimum Lot Width	90 feet + 90 feet measured 30 feet from front property lines for lots on the "bulb" of curvilinear street.	90 feet minimum and 45 feet on curvilinear lots Duet lots: 35 feet	Detached lots comply Waiver requested for duet lots
Maximum Lot Depth	150 feet	210 feet on lots #20, 24 and 33. All other lots meet this requirement.	No, waiver requested
Minimum Front Yard Setback	20 feet	15 feet	No, waiver requested
Minimum Side Yard Setback	12 feet, sum of both sides 30 feet	All detached lots: 12 feet, sum of both sides 30 feet Duet lots: 0 feet	Detached lots comply Waiver requested for duet lots
Minimum Rear Yard Setbacks	20 feet	All detached lots: 20 feet minimum Duet lots: 5 foot setback	Detached lots comply Waiver requested for duet lots
Minimum Off-Street Parking Spaces	2	2	Yes



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	R-1-12 Development Standards	Proposed	Complies?
Maximum Building Height	30 feet	28 feet, seven inches	Yes
Density	1.1-3.0 dwelling units per acre	2.45 dwelling units per acre	Yes

State Density Bonus Law

Under the SDBL, an applicant may obtain additional density, as well as a relaxation or elimination of applicable development standards (i.e., concessions and waivers) in exchange for providing certain levels of affordable housing. The proposed project would provide five units affordable for very-low income households, which meets the SDBL 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 General Plan and, as a result, the applicant is not requesting to utilize any of the allowed bonus units (i.e., the project is not requesting additional density). The project is, however, requesting to utilize the waivers allowed under the SDBL with respect to some of the zoning criteria.

Under the SDBL ([Government Code § 65915 \(f\)\(2\)\(B\)\(1\)\(b\)](#)), the project is required to provide at least five percent (5%) of the units for very-low income households in order to qualify for waivers listed above. SDBL allows projects to “double dip,” or to allow units required by the City’s Affordable Housing Ordinance to also qualify as affordable units for purposes of the SDBL.

As further analyzed below, this project satisfies the requirements of both SDBL and the City’s Affordable Housing Ordinance (if the City accepts certain offers of dedication). For purposes of SDBL compliance (which the project requires in order to obtain waivers of certain development standards), the project is providing the affordable units required to comply with the Affordable Housing Ordinance (1 moderate single-family, 1 low-income single family, and 1 duet unit with half of the duet for very low-income), as well as affordable units in excess of the Affordable Housing Ordinance requirements (5 shared housing units in the other half of the duet). Based on the proposal, staff has provided more detailed calculations below illustrating how the project qualifies under the provisions of both the SDBL and the City ordinance.

Table 3: State Density Bonus Law



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Affordability Level	Minimum number of units required	Proposed	Does the project meet minimum qualifications for SDBL eligibility?
Very-low	5% (2 units)	5/40 = 12.5 % (5 shared housing units in half of duet)	Yes

City Affordable Housing Ordinance Requirements

The project application was deemed complete in April 2022, and therefore is subject to the City’s Affordable Housing Ordinance that was in effect at that time. That ordinance provides that:

- Required percentage. Projects of this size must provide ten percent (10%) of total units as affordable units. For ownership units, this breaks down to 3% of the units being affordable to very-low income households, 4% being affordable to low income households, and 3% being affordable to moderate income households.
- Calculation methodology. In calculating a project’s affordable housing requirement, any decimal fraction less than 0.50 dwelling unit is disregarded and any decimal fraction equal to or greater than 0.50 dwelling unit must be construed as one dwelling unit (for projects of ten or more units).
- Dedication of units. An applicant may propose an “alternative equivalent” to constructing 10% of the units as affordable. One of the potential “alternative equivalents” listed in the ordinance is the dedication of affordable units to the City’s rental housing program. In the event the City accepts this offer of dedication, “each unit dedicated to the city shall equate to the construction of two affordable units that would otherwise be required...” (BMC Section 17.725.004.D.) Here, the applicant proposes to dedicate one duet unit (Lot 36) and have it count as two of the project’s obligations met per this provision. The unit the applicant seeks to dedicate to the City is the duet on Lot 36 that would contain the five shared housing units. Staff notes that the City has not previously accepted any offers of dedication of affordable units.

Table 4: Local Affordable Housing Ordinance Requirements



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Affordability Level	Required (ownership)	Proposed	Does the project meet requirement?
Very-low	3% (1.2 units rounded to 1 unit)	1/40 = 2.5% (duet on Lot 36)	Yes
Low	4% (1.6 units rounded to 2 units)	2/40 = 5 % (duet unit on Lot 11 + credit for dedication of the duet unit on Lot 36)	Yes, if the City agrees to accept the offer of dedication of the duet unit on Lot 36. If the offer is rejected, the proposed project does not comply.
Moderate	3% (1.2 units rounded to 1 units)	1/40 = 2.5% (single-family home on Lot 7)	Yes
Total	10% (4 units)	4/40 = 10%	Yes, if the offer of dedication is accepted

If the City Council does not accept the offer of dedication of the duet unit on Lot 36, the applicant would not meet the City’s Affordable Housing Ordinance requirements, as it would be short one unit. In that event, the project could potentially be modified to meet these requirements in another fashion, while still allowing the applicant to utilize the SDBL. For example:

- **Option 1:** In addition to constructing duets on Lots 11 and 36, the applicant could construct another set of duets, with both units restricted to affordable households. To comply with BMC Section 17.725.003.F, which requires affordable units to be dispersed throughout residential developments in order to avoid their concentration, these new duets would need to be located in another part of the proposed subdivision.
- **Option 2:** Rather than constructing duets on Lots 11 and 36, the applicant could instead construct a triplex, and restrict all three units as affordable housing at ratios sufficient to meet City requirements. The City’s Affordable Housing Ordinance contemplates the allowance of triplexes on corner lots. (BMC Section 17.725.004.D.)



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Neither of these options would need to include the shared housing development the applicant currently proposes. The Planning Commission may wish to discuss these options with the applicant.

The draft resolutions accompanying this item have been framed in terms of the proposed project (which would require the City to accept dedication of the duet on Lot 36). If the Planning Commission desires to make an alternative recommendation, the resolutions will be modified to reflect the Commission's direction.

State Density Bonus Law Waivers Requested

Waivers

Under the SDBL, a project that is entitled to a density bonus may request waivers of development standards such as lot sizes, lot dimensions, or setbacks if application of any such standard would physically preclude the construction of the project as designed at its permitted density with any concessions allowed under the law. As with incentives and 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.

Under the SDBL, a requested waiver may be denied if:

- (1) there are 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 specific, adverse impacts on public health or safety on any real property listed in the California Register of Historical Resources; or
- (3) the requested waivers is contrary to state or federal law.

The following table provides a summary of the five waivers requested by the applicant. Staff notes that if the Planning Commission decided to recommend one of the options listed above in lieu of the proposed project, these waivers may need to be adjusted to reflect that.

Table 5: Waivers Requested



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	Standard	Waiver Requested	Analysis
1	Transition Lots: Lots facing or abutting existing residential lots of one acre or more have a minimum size of 20,000 square feet	Elimination of the transition lot requirement for lots along the perimeter of the project.	Providing 20,000 sf transition lots would physically preclude construction of 6 of the proposed units. This would reduce the overall density of the project as proposed. Staff recommends granting this waiver.
2	Lot Width: Minimum lot width is 90 feet	Narrowest width of a duet lot is 40 feet and would be out of compliance with the 90 foot lot width requirement.	Adherence to this standard would prevent the duet lots from being constructed in the proposed layout. Staff thus recommends granting this waiver.
3	Lot depth: Maximum 150 feet.	Waiver of the maximum lot depth to accommodate lots #33, lot #20 and lot #24	The project could not be constructed at the proposed density in the proposed layout if the maximum lot depth requirements are applied to these lots. Staff thus recommends granting this waiver.
4	Front Setbacks: Minimum 20 feet	Waiver for the minimum setback to be 10 feet to accommodate duet units and for encroachments of front porches on 24 detached lots.	Duet lot #11 is proposed with a 15 foot setback, and the project could not be constructed at the proposed density if the 20-foot standard is applied to this lot. Staff thus recommends granting the requested waiver as to this lot. Additionally, there are 24 detached homes that are proposed with front porches with a 15 foot setback. The project can be constructed at the proposed density even if it complies with this standard for the 24 detached homes without reducing the requested density or unit count. Staff therefore recommends that the



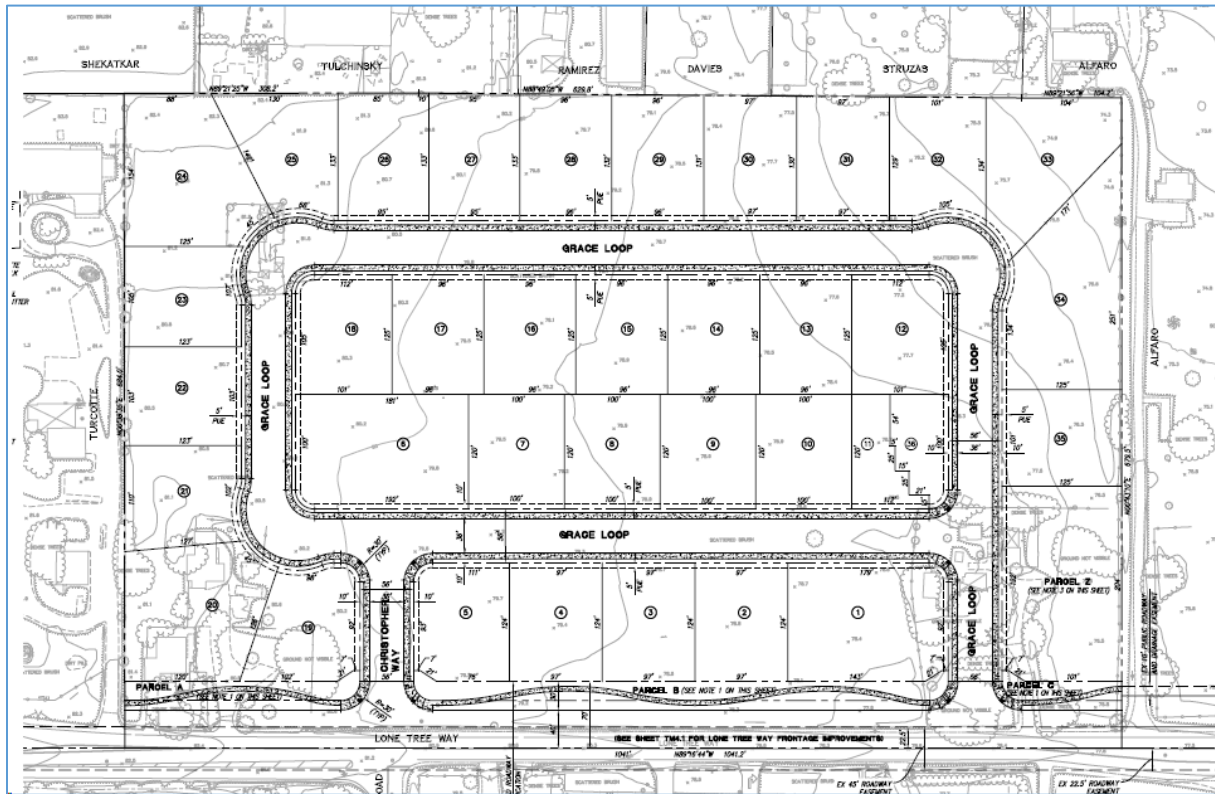
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	Standard	Waiver Requested	Analysis
			requested waiver only be granted as to the duet lots. A draft condition of approval is included in Resolution 23-040 requiring all non-duet lots to meet the 20' front setback standard.
5	<p>Side yards and rear yards.</p> <p>Side yard: 12 feet with an average of 30</p> <p>Rear Yard:20 feet</p>	Waiver for the duet lots to be at 0' side yard and 0' rear yard.	The project could not be constructed at the proposed density if these standards are required, as construction of the duet units would be impossible. Staff thus recommends granting this waiver.

VESTING TENTATIVE SUBDIVISION MAP



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The subject site is rectangular in shape and includes two parcels totaling 16.32 acres. The proposed vesting tentative subdivision map includes 36 residential lots, 34 of which are proposed to be a minimum of 12,000 sf, two duet lots (#11 that would be 6,055 sf and #36 that would be 5,979 sf), a 0.58-acre public park, and three lots would be dedicated to the City for frontage improvements (Parcels A, B, and C). The bioretention proposed for the project would be provided as pervious surface on the private internal road and on the side-yards of each residential lot. This method of bioretention is unique but is permitted through the County's C.3 guidelines, which were adopted by the City. The project would be conditioned to establish a Home Owners Association (HOA) in order to maintain the private roadways and bioretention areas.

In accordance with laws allowing cities to require the dedication of parkland in conjunction with new residential subdivisions, General Plan Policy CSF 2-2 directs the City to "[a]chieve and maintain a minimum overall citywide ratio of 5 acres of park land per 1,000 residents." The Parks and Recreation Department uses 3.2 as the average number of persons per dwelling unit for this calculation, consistent with the General Plan.

$$\text{Average Number of Persons/unit (3.2) X .0050} = .0160 \text{ acre per unit}$$



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40 units x .0160 acre = .64 acre

Based on this, the project would be required to provide a total of 0.64 acre in land to be dedicated or to pay a fee in-lieu of dedication. The application currently proposes a single parcel totaling 0.58-acre that would be dedicated to the City for park purposes and; therefore, this application would be conditioned to increase the park area by 0.06-acre.

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 would be established as pervious surfaces on the internal private street pursuant to Contra Costa County and State Water Control Resource Board regulations. A draft condition of approval would also require improvements to Lone Tree Way along the project frontage.

Access and Circulation

Site access would be provided by two points along Lone Tree Way. The project's western entrance will align with Smith Road for a 4-way intersection that is proposed through the City's Lone Tree Widening (LTW) Capital Improvement Project. LTW includes a traffic signal at this location and therefore the western entrance of the project site would be a signalized intersection. The east project entrance will be right in right out, due to the proposed center median as part of the LTW project. The project's frontage along the northern portion of Lone Tree Way would be widened as part of the proposed project. This would include widening of roadway, bike lane, street lighting, sidewalk, landscaping, irrigation, median islands and traffic signal, subject to reimbursement and the City's Development Fee Program and the Project's fair-share dues . Each residence would include a two-car garage with a 20-foot driveway and street parking would be provided throughout the site. The internal private streets are approximately 36 feet in width and are designed to loop around and connect with Lone Tree Way. Improvements would be constructed within the internal street, including utilities, curb, gutter, and a sidewalk. 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).

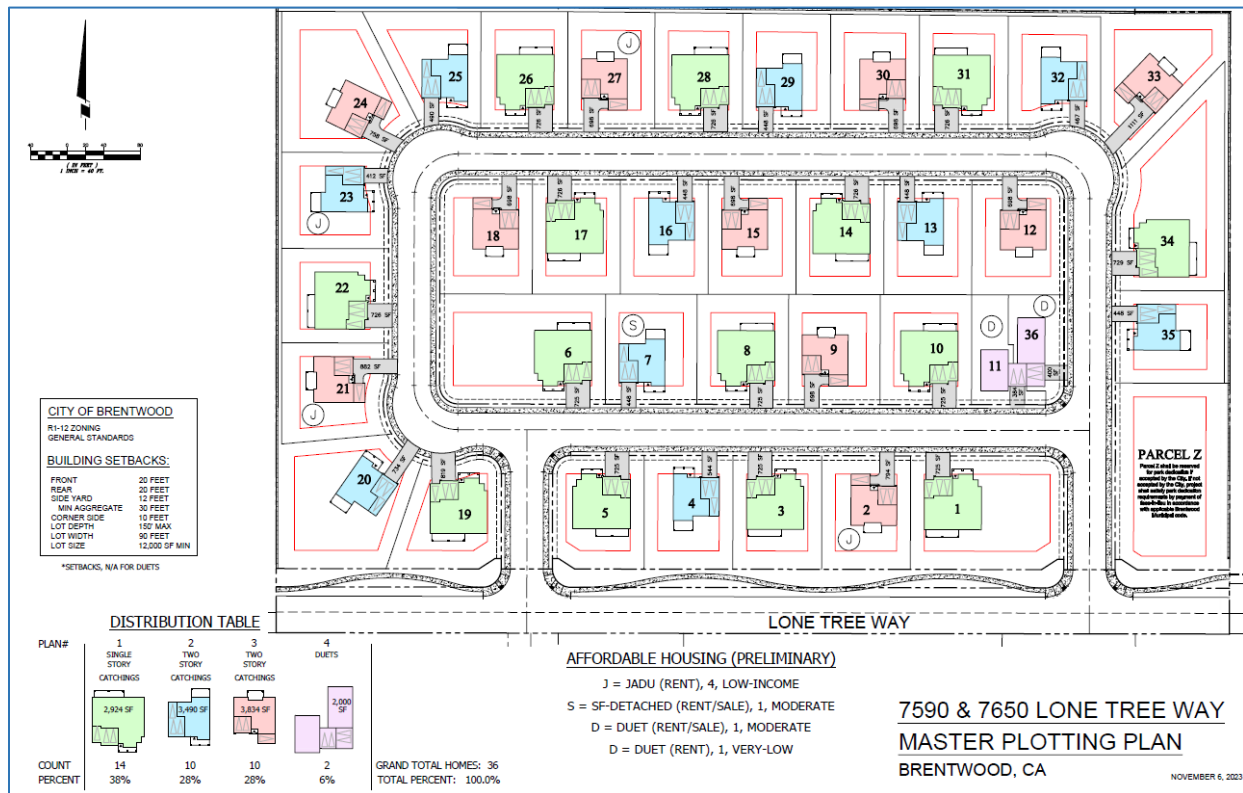


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An analysis of the expected vehicle miles traveled (VMT) by the proposed residential development was prepared by Abrams Associates Traffic Engineering, Inc. The proposed development is expected to generate 449 daily vehicle trips, including 38 AM peak hour trips and 39 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.



Architecture

The proposed homes are aesthetically cohesive and consistent with design approaches used in the existing neighborhoods and as identified in the City's 2001



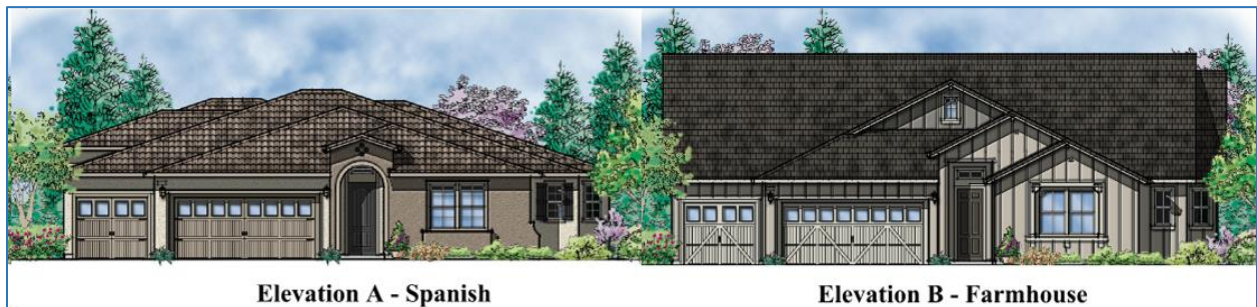
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Residential Design Guidelines that the project was vested under. Three home plans are provided for the 35 single family homes and one for the duet. A summary of the proposed home plans are as follows:

Table 6: Architecture

Plan #	Home Size (SF)	Bed/Bath	Garage Spaces	Stories	Maximum Height*
Plan #1	2,924	4/3	3	1	23' 4"
Plan #2	3,490	4 with a loft/5 th bedroom option/ 3.5 bath	3	2	28' 10'
Plan #3	8,834	5 with a loft/6 th bedroom option / 4.5 bath	3	2	28' 10"
Duet Lot #11	1,950	4/3.5	2	2	27'
Duet Lot #36	2,165	5/5.5	2	2	27'
*Note: maximum main building height in the R-1-12 zone is 30'					

Four distinctive elevation styles are provided for each house plan, which include Spanish, Farmhouse, Craftsman, and French Country. The duet units would be the Farmhouse style. The four elevation styles offered are as follows:

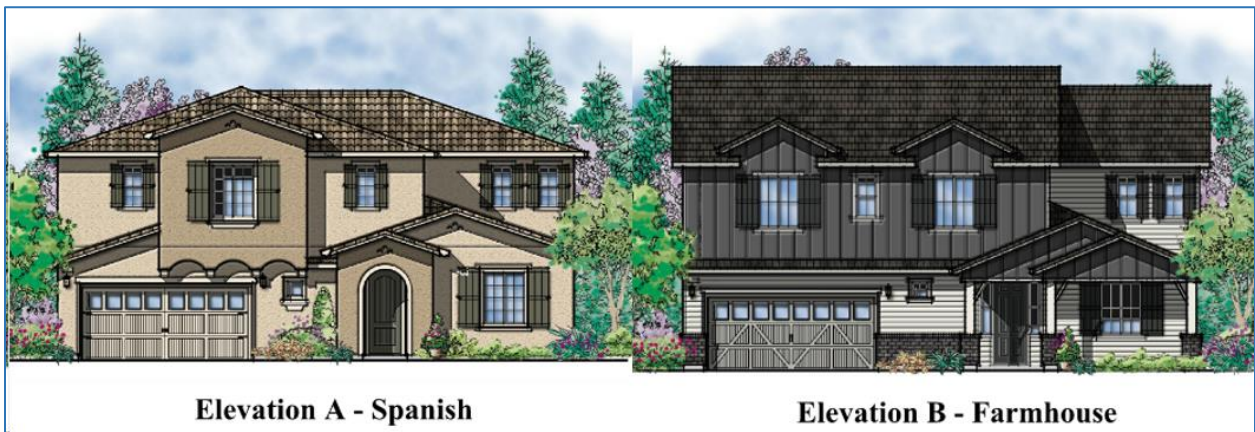




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Plan 1



Plan 2





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Plan 3



Duet Plan

Spanish - The Spanish style incorporates villa tile roofing, hip and gable end roofs, a stucco body, stucco trim, mock tile vents, mock shutters and a roll-up garage doors with window tiles. The Spanish style incorporates 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 styles incorporates flat tile roofing, hip and gable end roofs, stucco body, board and batten, stucco trim, foam corbel and roll-up garage doors with window tiles. The two-story elevations would include the above in addition to simulated brick veneer and wood kicker. The duet unit would incorporate all of these architectural features.

Craftsman - The Craftsman style incorporates flat tile roofing, cable end roofs, stucco body, lap siding, shingle sidings, foam corbels, simulated stone veneer, and roll-up garage doors with window tiles.



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French Country - The French Country incorporates flat tile roofing, gable end roofs, stucco body, board and batten, mock vents, mock shutters, wood column, wood corbels, simulated stone veneer, roll-up garage doors with window tiles.

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 are objective and 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.*

Thirty-six lots require two floor plans each with four elevations. The applicant is providing three floor plans with four elevations each and 24 color schemes (six options per elevation). The streetscape would be varied by the incorporation of four elevations for each of the three home plans, therefore the project would provide 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.*

The application proposes 14 single-story units that would be scattered throughout the development, or 38.8% of all units within the development.

- *Ten percent of all units within a subdivision must have side-loaded garage configuration.*

The application proposes 10 units with side-loaded garages that would be scattered throughout the development, or 25.6% of all units within the development.



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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 façades. 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.

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 draft condition of approval is 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

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



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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 size, however the Residential design guidelines requires a minimum of 24-inch boxes, therefore a draft condition of approval included in the draft Design Review resolution requiring the applicant to replace the 15-gallon trees with 24-inch box trees when they submit their landscape plans. 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 CMU masonry wall with split-face finish and precast stone cap would be constructed on the southern boundary of the site adjacent to Lone Tree Way. The wall would be eight feet high and the wall plain would be broken up with stone veneer pilasters at ten-foot intervals. These pilasters would project twelve inches from the wall face. Each property would be provided a six-foot high wood good neighbor fence along side and rear property lines for privacy.

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 November 24, 2023, and the project site is posted with the required signage.

On May 24, 2023, the applicant held a neighborhood outreach meeting as a courtesy to the neighbors. The applicant indicated that invitations were sent to the neighbors using a 300 foot radius that was provided to them through their title company. Six residents attended that meeting. The applicant has also indicated that they held a second neighborhood meeting on November 29, 2023. Staff has not received any written comments from the public as of November 30th.

ENVIRONMENTAL DETERMINATION

The City prepared a mitigated negative declaration (SCH# 2023100339) 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 were identified; however, mitigation measures are incorporated to reduce those impacts to less than significant levels. The public review period for the proposed IS/MND began October 13, 2023 and ended November 2, 2023. Staff



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did not receive any comment letters during this public review period. The IS/MND may be reviewed by clicking on the link below and scrolling to "Lone Tree Residential Project:"

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

ATTACHMENT(S)

1. Previous Actions
2. Draft Resolution No. 23-038, MND
3. Draft Resolution No 23-039, VTSM
4. Draft Resolution No. 23-040, DR
5. Project Plans
6. Wing Lots Graphic
7. Alternate Preliminary Lotting Plan Exhibit.