

CITY COUNCIL RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD AMENDING A VESTING TENTATIVE SUBDIVISION MAP (VTSM 9610-A1) TO ALLOW THE SUBDIVISION OF TWO PARCELS TOTALING 20.90 ACRES INTO 63 SINGLE-FAMILY RESIDENTIAL LOTS, ONE BIO-RETENTION BASIN, ONE OPEN SPACE LOT ADJACENT TO SAND CREEK, AND OTHER RELATED IMPROVEMENTS FOR TRUMARK TRAILSIDE, LOCATED AT 1777 APRICOT WAY (APNS 019-092-013 AND 019-092-034) AND MAKING CEQA FINDINGS OF EXEMPTION PURSUANT TO STATE CEQA GUIDELINES SECTION 15183.

WHEREAS, Trumark Homes (the "Permittee") has requested that the City approve a vesting tentative subdivision map (VTSM 9610) for two parcels totaling 20.92 acres into 63 single-family residential lots, one bio-retention basin, one open space lot adjacent to Sand Creek, and other related improvements; and

WHEREAS, the Permittee concurrently submitted a request for design review approval (DR 22-006); and

WHEREAS, collectively, VTSM 9610 and DR 22-006 set forth above constitute the "Project;" and

WHEREAS, the Project is proposed to be located on a 20.90-acre site located on two parcels at 1777 Apricot Way (APNs 019-092-013 and 019-092-034) (the "Project Site"); and

WHEREAS, the City referred the Project to various departments and agencies for review and recommendations; and

WHEREAS, on July 22, 2014, the City Council certified an Environmental Impact Report (EIR) that was prepared and certified as part of the Brentwood General Plan (SCH# 2014022058) in accordance with the California Environmental Quality Act ("CEQA"), codified at Public Resources Code §§ 15000, et seq., and as further governed by the State CEQA Guidelines, found at 14 CCR 21000, et seq. Cumulative impacts associated with full development and buildout at a density consistent with the mid-range within the R-LD range of 1.1 to 5.0 units per acre, including the proposed project site, were fully addressed in the EIR; and

WHEREAS, the Project is consistent with the General Plan and General Plan EIR and would not result in any Project-specific significant effects to the environment, and is therefore determined to be exempt per California Environmental Quality Act Section 15183 ('Consistent with Community Plan, General Plan, and Zoning Code'); and

WHEREAS, the City distributed a Notice of Public Hearing to all property owners of record within 300 feet of the Project Site and published it in the Brentwood

Press on June 9, 2023, in accordance with City policies and Government Code Section 65090, and a public hearing notice sign was posted on the site during this same timeframe for the June 20, 2023 Planning Commission hearing; and

WHEREAS, on June 20, 2023, the Planning Commission held a public hearing, reviewed said Project, studied the compatibility of this request with adjacent land uses, and considered this request, as well as considered the staff report, all accompanying information, and testimony received from the Applicant and other interested parties; and

WHEREAS, on June 20, 2023, the Planning Commission approved the requested vesting tentative subdivision map (VTSM 9610), by Planning Commission Resolution No. 23-024; and

WHEREAS, on June 29, 2023, City Council member Jovita Mendoza timely filed a Call for Review of the Planning Commission's action approving VTSM 9610 and DR 22-006; and

WHEREAS, the City distributed a Notice of Public Hearing to all property owners of record within 300 feet of the Project Site and published it in the Brentwood Press on July 28, 2023, in accordance with City policies and Government Code Section 65090, and a public hearing notice sign was posted on the site during this same timeframe; and

WHEREAS, the City Council considered the call for review of the Project at its regular meeting of August 8, 2023, and considered the staff report, all accompanying information, and testimony received from the Permittee and other interested parties; and

WHEREAS, at its August 8, 2023 meeting, the City Council adopted Resolution No. 2023-99, approving VTSM 9610; and

WHEREAS, on September 24, 2024, the City Council considered a review of VTSM 9610 for the limited purpose of clarifying the conditions of approval attached thereto and incorporated therein pertaining to the maintenance of stormwater treatment areas; and

WHEREAS, on September 24, 2024, the City Council considered this limited revision to VTSM 9610, and considered the staff report, all accompanying information, and testimony received from the Permittee and other interested parties.

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

- A. Hereby restates and incorporates in full the findings set forth in Resolution No. 2023-99.

- B. Modifies Condition 21(d), as set forth in Exhibit 'A' to Resolution No. 2023-99, to read as follows (deleted text ~~struckthrough~~; new text underlined):

~~Permittee shall provide for an adequate private funding mechanism for the perpetual maintenance of all stormwater NPDES treatment areas and other similar clean water facilities to the satisfaction of the City Engineer. Permittee shall dedicate parcels with said facilities to a Homeowners Association or similar private entity in fee Reserved.~~

- C. Finds that the remainder of Resolution No. 2023-99 shall remain in full force and effect except as modified above.

ADOPTED by the City Council of the City of Brentwood at its regular meeting on September 24, 2024, by the following vote:

AYES:
NOES:
ABSENT:
RECUSE:

APPROVED:

Joel R. Bryant
Mayor

ATTEST:

Amanda McVey
Interim City Clerk