

SUBJECT: An application for Bridle Gate, including a Revised Environmental Impact Report, Vesting Tentative Subdivision Map, and Design Review

DEPARTMENT: Community Development

STAFF: Alexis Morris, Director of Community Development
Erik Nolthenius, Planning Manager

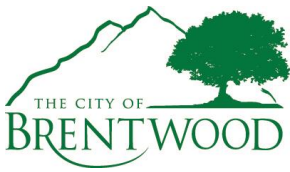
TITLE/RECOMMENDATION

The City Council has two options:

1. Deny the appeal, upholding the Planning Commission's action to deny the project, by adopting a resolution based upon direction and proposed findings provided by the City Council; or
2. Approve the appeal, reversing the Planning Commission's action to deny the project. Three resolutions are included in the packet that would approve the alternate version of the project proposed by the Applicant by: (1) certifying the Revised EIR (REIR) and making CEQA findings, (2) approving the Vesting Tentative Subdivision Map (VTSM 9586), and (3) approving the Design Review (DR 21-010). In the alternative, if the Council so desired, it could choose to approve the project as originally proposed at the August 27, 2024 Council meeting.

The proposed project includes two maps for the City Council's consideration, the Vesting Tentative Subdivision Map (VTSM) originally submitted with this application ("Proposed VTSM"), and an alternate version of the VTSM submitted by the applicant on September 9, 2024 to address the concerns noted at the public hearing on August 27, 2024 ("Alternate VTSM"):

- The Proposed VTSM includes the development of 272 single-family detached residences, two parks, open space, stormwater detention and treatment areas, utility connections, and construction of an internal roadway network on approximately 92.96 acres. As noted in the applicant's December 3, 2024 email to the City Council (Attachment 17), the applicant has not withdrawn the Proposed VTSM.
- The Alternate VTSM includes the development of 269 single-family detached residences, as well as associated improvements within the project site, including one park, open space, stormwater detention and treatment areas,



**CITY COUNCIL AGENDA ITEM NO. H.1
12/10/2024**

utility connections, and construction of an internal roadway network on approximately 92.96 acres.

The 36.82 acres of land located north of Sand Creek Road are on a separate legal parcel shown as a designated remainder on both VTSMs and is therefore not proposed to be developed as part of this application. The project site is bounded by Sand Creek Road to the north, State Route (SR) 4 to the east, a single-family residential development (Brentwood Hills) to the south, and the edge of the Brentwood Planning Area and the City of Antioch's city limits to the west (APNs: 019-082-009 and 019-082-010).

The City prepared a Revised Environmental Impact Report (REIR) for the Proposed VTSM 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 proposed to reduce those impacts to less-than-significant levels. The Alternate VTSM revisions do not modify this analysis.

FISCAL IMPACT

The applicant, WCHB Development, LLC, has paid approximately \$368,000 to process the application. These fees fully cover staff and consultant's time spent processing the application, including preparation of the REIR.

BACKGROUND

AUGUST 27, 2024 CITY COUNCIL HEARING

On August 27, 2024, the City Council held a public hearing on the appeal filed by the project applicant of the Planning Commission's denial of the Bridle Gate project. During the hearing, the City Council raised a number of issues, including concerns about traffic circulation and impacts on adjacent/surrounding neighborhoods, CEQA impacts related to Vehicle Miles Traveled (VMT), a preference for providing one large park instead of two smaller ones, compliance with PD-36 Sub Area C standards, deterioration of ridgelines, and noise. Based on public comments and concerns raised by the City Council, a motion to deny the appeal and uphold the Planning Commission's denial of the project was unanimously passed by the City Council, but no final action was taken on that date. A draft resolution based on the City Council's August 27, 2024 action is included as Attachment 1.

ALTERNATE VESTING TENTATIVE SUBDIVISION MAP

After the August 27, 2024, City Council meeting, the applicant submitted the Alternate VTSM to address several of the concerns raised by the City Council (Attachment 5). The Alternate VTSM (Figure 1 below) maintains consistency with the General Plan and the PD-36 Sub Area C development standards, but includes three key modifications:

1. Elimination of the proposed project access at St. Regis Avenue and San Jose Avenue, leaving emergency vehicle access (EVA) only;
2. A second access point (right-in/right-out only) on Sand Creek Road near SR 4; and
3. One large park, located south of Sand Creek Road at the west boundary of the project site, rather than two smaller parks.

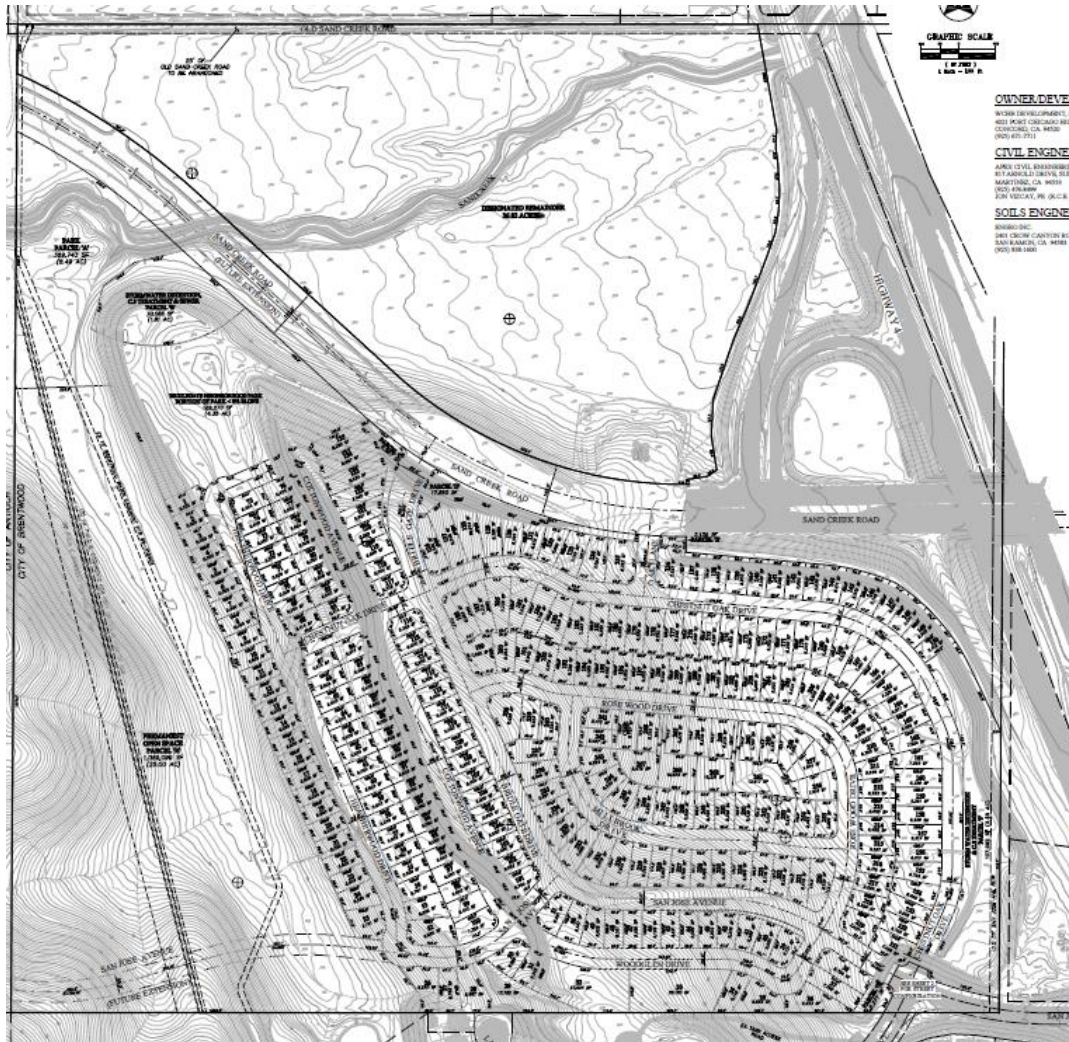


Figure 1: Alternate VTSM 9586

#2: Secondary Access on Sand Creek Road (Oak Lane)

In order to maintain two access points for the subdivision per City standards, a second access on Sand Creek Road (right-in/right-out only) is included near SR 4. The additional Sand Creek Road access (the new Oak Lane) is shown in Figure 3 below.

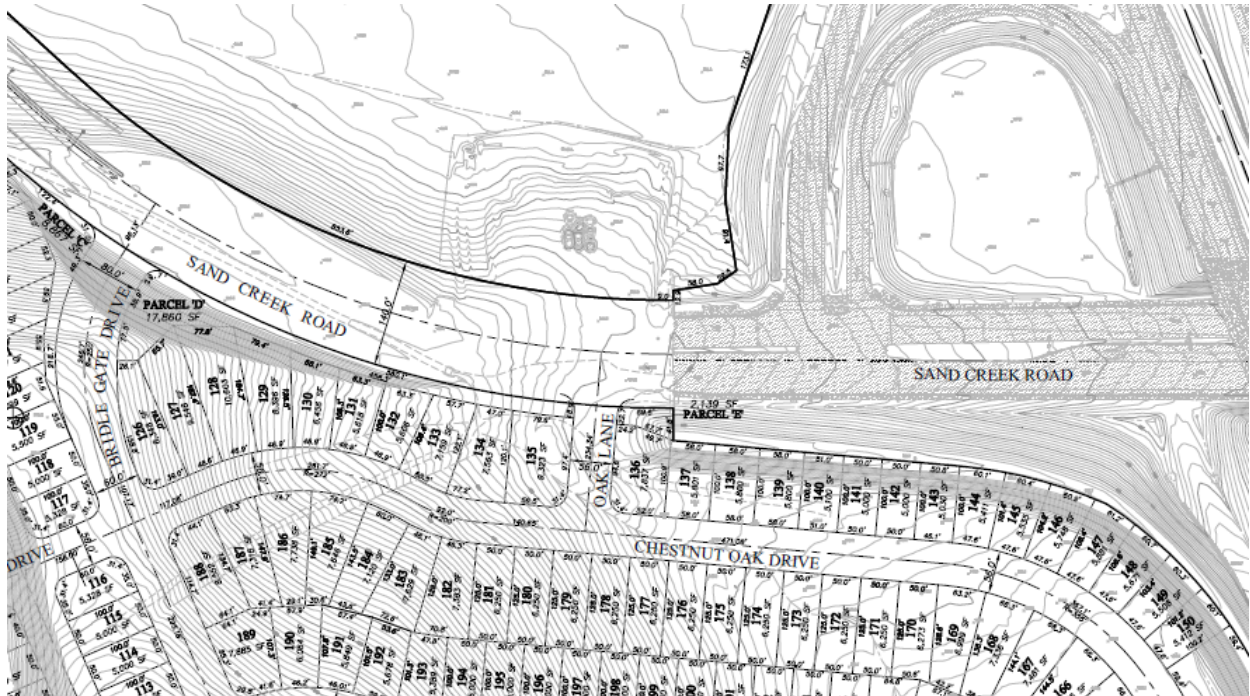


Figure 3: Secondary Access on Sand Creek Road (Oak Lane)

#3: Single Park

The Alternate VTSM combines the two original parks (6.0-acre Parcel A and 2.49-acre Parcel G) into one 8.49-acre parcel (Parcel A) in the northwest corner of the subdivision. The proposed single large park results in 4.35 acres of useable park space with less than three percent slope, consistent with the amount of parkland required based on the population expected to be generated by the project. The single park is shown in Figure 4 below.

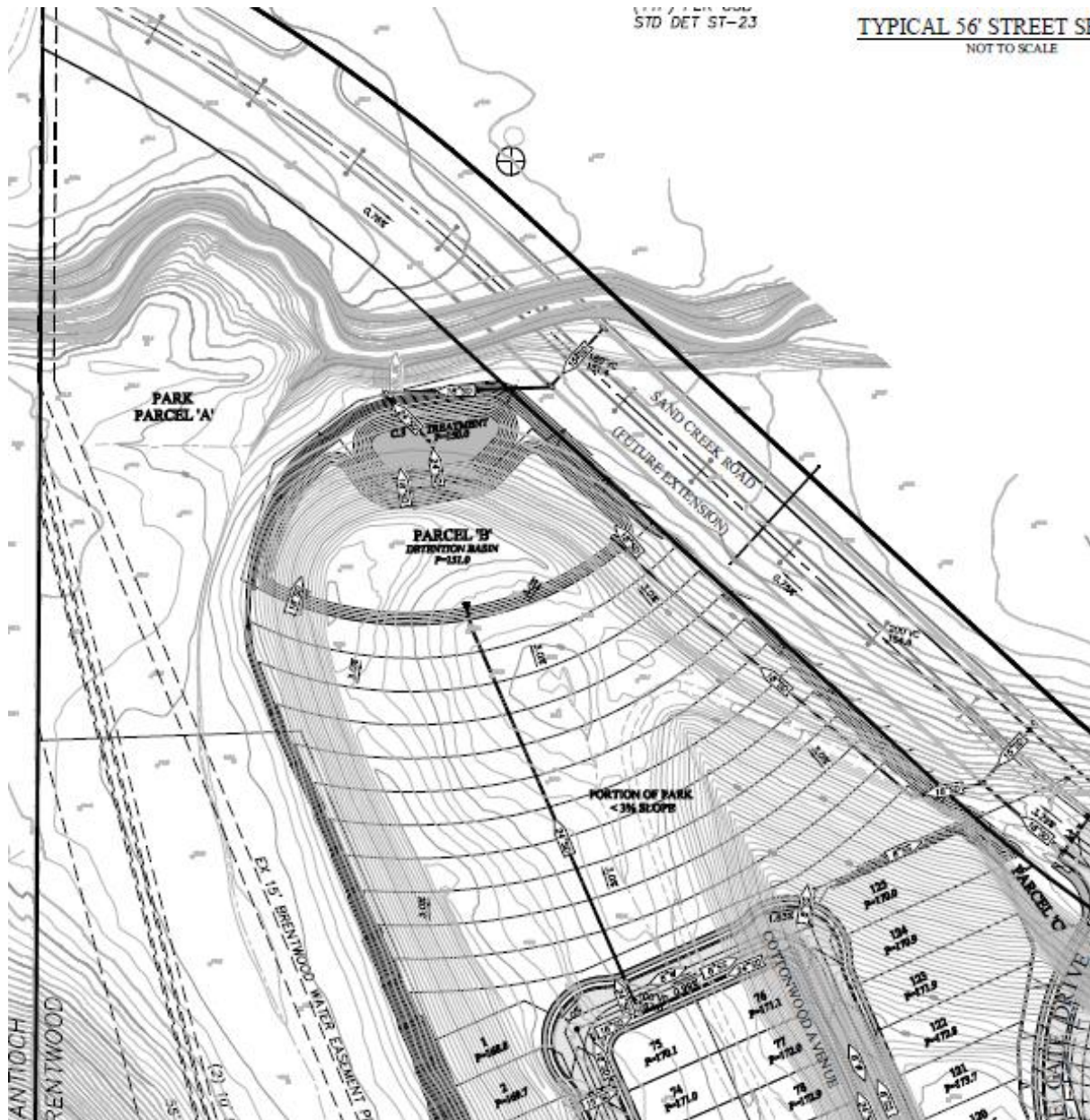
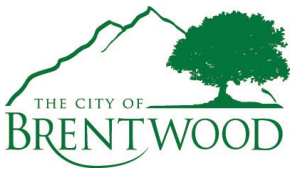


Figure 4: Single Park



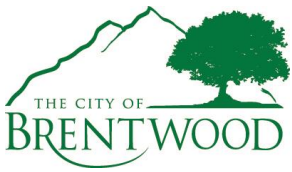
Other Modifications

The Alternate VTSM results in a slight reduction in the overall number of residential units from 272 to 269, each of which is on a lot at least 5,000 square feet in size. As part of the Alternate VTSM, the applicant submitted an updated project description (Attachment 6) and a description of the proposed affordability levels, as well as a Master Plotting Plan that shows the preliminary locations of the affordable units (Attachment 7). The Alternate VTSM eliminates the two proposed 3-story homes in compliance with PD-36 Sub Area C standards. In addition, the applicant further defined the proposed affordability levels for the project. It should be noted that the applicant has not applied for a density bonus or requested any concessions or waivers. Proposed affordability levels are as shown below:

Income Level	City Requirement ¹		Provided by Project ²		
	Required %	Resulting Units	SF-D	%	
Very-Low	3%	8	14	5%	
Low	4%	11	5	2%	
Moderate	3%	8	8	3%	
total		27	27		

1. City's affordable housing requirements are per Ordinance No. 1014, which provides for 3% at very-low, 4% at low, and 3% at moderate.
2. To meet City requirements, Project is providing 14 very-low-income SF detached homes (6 of which are used to meet the low-income requirement) plus 5 homes at low-income.

As shown above, the project proposes to offer 5% of the units as affordable to very-low income households and 2% as affordable to low-income households. These units would meet the City's affordable housing requirements set out in Ordinance No. 1014 (Attachment 16), which for this project are to provide 3% very-low income units and 4% low-income units. Ordinance No. 1014 defined 'low-income household' to mean "a household whose annual income does not exceed the qualifying limits set for 'lower income households' in [Health & Safety Code] Section 50079.5." Under that section, 'lower income households' includes very-low income households. Thus, for this project, units that are affordable to very-low income households can be offered to satisfy some of the project's low-income affordable unit requirement. The applicant proposal for 5% very-low income units counts toward the City's 3% very-low income requirement and the additional 2% count toward the City's low-income requirement, bringing that total to 4%, consistent with the City's ordinance.



Review of Alternate VTSM

The Alternate VTSM was routed to City staff in the Parks and Recreation, Police, and Engineering departments, as well as the Contra Costa County Fire Protection District and Caltrans. Caltrans identified two items of note:

- Caltrans: Vehicles turning right from the proposed access point (Oak Lane) would have a limited distance to merge into the proposed left-turn pocket at the intersection (on- and off-ramps serving Sand Creek Road).

Staff has included the following condition of approval to the VTSM resolution (Condition No. 9(i)) to address this item: "Construction plans shall meet all design requirements including measures to prevent access to east-bound State Route 4, if warranted, to the satisfaction of the City Engineer."

- Caltrans: The location of the proposed bus stop (west of the new proposed access point) may also obstruct the view of drivers exiting onto Sand Creek Road, creating a potential conflict with vehicles approaching from the Sand Creek Road eastbound direction.

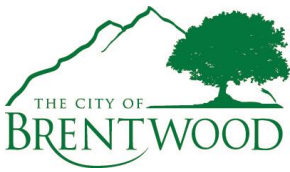
Staff has included the following condition of approval to the VTSM resolution (Condition No. 9(x)) to address this issue: "Construction plans shall incorporate roadways and driveways that provide adequate sight distance pursuant to City and Caltrans design requirements. All landscape areas required to have restrictions to comply with sight distance requirements shall be shown on applicable Construction and Plot Plans."

Thus, the draft conditions of approval for the Alternate VTSM (Attachment 3) address Caltrans' concerns, should the City Council want to approve the Alternate VTSM. The Contra Costa County Fire Protection District confirmed that the emergency vehicle access (EVA) is acceptable and a draft condition of approval is included in Attachment 3 to ensure the EVA is built to the District's standards and requires its review prior to recording the final map.

CITY COUNCIL OPTIONS

Several resolutions are attached that provide the City Council with options for the proposed Bridle Gate project.

- **Option 1:** Attachment 1 is a draft resolution that would deny the appeal and uphold the Planning Commission's denial of the project. The resolution denies



CITY COUNCIL AGENDA ITEM NO. H.1 12/10/2024

the proposed VTSM and the design review. The resolution further notes that CEQA is not required for denial and therefore takes no action related to the REIR. The required findings for these actions are included in the resolution based on the direction provided by the City Council at the August 27, 2024 public hearing. In addition, as the Alternate VTSM has been submitted, the findings also separately reflect the alternate project features.

- **Option 2:** Attachments 2 through 4 are draft resolutions that would uphold the appeal, overturn the Planning Commission's decision and approve the Alternate VTSM and design review. Attachment 2 certifies the EIR. Attachment 3 approves the Alternate VTSM, including findings of fact and conditions of approval. Attachment 4 approves the design review, including findings of fact and conditions of approval.
 - In the alternative, if the Council so desired, it could choose to approve the project as originally depicted in the Proposed VTSM, as noted above. In that event, staff could prepare these resolutions for Council action at the December 10th meeting during a brief recess.

CITY COUNCIL STRATEGIC INITIATIVE

Not Applicable.

PREVIOUS ACTION

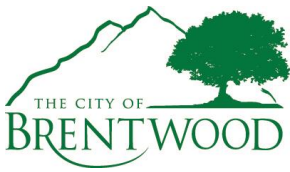
Previous Actions are included as Attachment 9.

DATE OF NOTICE

The City of Brentwood published a notice of public hearing in the Brentwood Press on November 22, 2024 and November 29, 2024. Said notice was also mailed to all property owners within 1,000 feet of the project site on November 22, 2024.

ENVIRONMENTAL DETERMINATION

The Bridle Gate Project has been previously proposed and evaluated in past EIRs. A new project-level REIR has been prepared for the proposed project. In order to differentiate this analysis from previous EIRs, although an REIR is not a technical CEQA term, this analysis has been labeled as such in order to further denote that the Bridle Gate Project has been revised and is now subject to new analysis. The REIR



**CITY COUNCIL AGENDA ITEM NO. H.1
12/10/2024**

(SCH #2022120683) for this project was prepared in accordance with the requirements of CEQA. 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 recommended conditions of approval. The Draft REIR was available for review and comment from May 26, 2023 to July 10, 2023. Several comments were received and addressed in the Final REIR. The Draft REIR and Final REIR may be reviewed by clicking [here](#).

In addition, the City's CEQA consultant, Raney Planning & Management, Inc., prepared a memorandum (Attachment 8) to analyze whether the Alternate VTSM would alter the conclusions of the REIR. Attached to the memorandum is an updated VMT memo, a memo explaining the VMT methodology, and an updated noise memo. The proposed Alternate VTSM, including the EVA, additional Sand Creek Road access, and combining the two parks into one, does not modify the conclusions in the REIR or create any new significant impacts. Therefore, the REIR remains adequate, and recirculation is not required.

ATTACHMENTS

1. Draft City Council Resolution Denying VTSM 9586 and DR 21-010
2. Draft City Council Resolution Certifying the REIR
3. Draft City Council Resolution Approving Alternate VTSM 9586
4. Draft City Council Resolution Approving DR 21-010
5. Alternate VTSM 9586 and Preliminary Grading & Utility Plan
6. Applicant Revised Project Description
7. Applicant Proposed Affordable Housing Breakdown
8. Raney CEQA Memorandum on Alternate VTSM 9586
 - Exhibit A – Updated VMT Memo
 - Exhibit B – VMT Methodology Memo
 - Exhibit C – Updated Noise Memo
9. Previous Actions
10. August 27, 2024 City Council Staff Report (without attachments)(full report available by clicking [here](#))
11. Planning Commission Resolution No. 23-032 (adopted July 16, 2024)
12. July 16, 2024 Planning Commission Staff Report (without attachments)
13. Draft Revised EIR and Final Revised EIR (available by clicking [here](#))
14. Bridle Gate Design Review Booklet
15. Raney Memorandum on Traffic Calming Options (July 9, 2024)
16. City Council Ordinance No. 1014
17. Email from Doug Chen to City Council (December 3, 2024)