

PREVIOUS ACTIONS

Previous City Council actions related to this agenda item 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 to research references to the Brentwood Municipal Code and search by the code section(s) cited.

On April 19, 2005, the Planning Commission held a public hearing on a request for a General Plan Amendment (GPA 01-01), a Rezone (RZ 05-04), a Development Agreement (DA 04-02), a Vesting Tentative Subdivision Map (VTSM 8606) for 166 residential lots, and a Design Review (DR 01-02) for the first iteration of the Bridle Gate project ("2006 Project") and continued the item to a date uncertain.

On April 27, 2005, Discovery Builders appealed the Planning Commission continuance to the City Council.

On May 24, 2005, the City Council continued a public hearing on the appeal to its meeting of June 14, 2005, due to noticing requirements.

On June 14, 2005, the City Council held a public hearing on the appeal and referred the project back to the Planning Commission for additional consideration.

On November 1, 2005, the Planning Commission held a public hearing on a General Plan Amendment (GPA 01-01), a Rezone (RZ 05-04), a Development Agreement (DA 04-02), a Vesting Tentative Subdivision Map (VTSM 8606) for 166 residential lots, and a Design Review (DR 01-02) for the 2006 Project and requested staff to prepare the necessary resolution for denial of the general plan amendment and rezone.

On November 15, 2005, the Planning Commission adopted Resolution No. 05-82 denying General Plan Amendment No. 01-01 and Rezone No. 05-04.

On January 10, 2006, the City Council held a public hearing to consider the appeal by Discovery Builders and directed staff to prepare the necessary resolutions for approval of the appeal.

On May 23, 2006, the City Council held a continued public hearing on the appeal and approved the mitigated negative declaration, General Plan amendment, and introduced and waived the first reading of the ordinance for the Rezone, by Resolution Nos. 2006-124 and 2006-125 and Ordinance No. 827, respectively, and referred the development agreement, vesting tentative subdivision map, and design review application back to the Planning Commission for action.

On June 6, 2006, the Planning Commission held a public hearing and approved Development Agreement No. 04-02, Vesting Tentative Subdivision Map No. 8506,

and Design Review No. 01-12 by Resolution Nos. 06-47, 06-48, and 06-49, respectively for the 2006 Project.

On July 22, 2014, the City Council adopted a resolution amending the City's General Plan and designating the project site as R-LD (Residential Low-Density).

On November 10, 2015, the City Council adopted Ordinance No. 960, which among other things replaced the Planned Development map for the project site, PD-36, which map previously denoted the various subareas within PD-36, with a map that outlined the entire area of PD-36 and did not include any internal subarea boundaries.

In June 2017, Discovery Builders, Inc., submitted an application to the City of Brentwood seeking approval of a General Plan amendment (GPA 17-001), a rezone (RZ 17-004), a vesting tentative subdivision map (VTSM 8506), design review for 252 single-family homes (DR 17-007), and design review for up to 258 multi-family homes (DR 17-008) (the "2020 Project"), along with the required environmental review pursuant to the California Environmental Quality Act.

In 2019, West Coast Home Builders, Inc. ("WCHB"), submitted an application to the City of Brentwood seeking approval of a Development Agreement (DA 19-001) as a further element of the 2020 Project, as a co-applicant with Discovery Builders, Inc.

On August 18, 2020, the Planning Commission was scheduled to hold a public hearing to consider the applicant's request for certification of a Final Environmental Impact Report, General Plan Amendment No. 17-001, Rezone No. 17-004, Development Agreement No. 19-001, Vesting Tentative Subdivision Map No. 8506, Design Review No. 17-007, and Design Review No. 17-008 for the 2020 Project. However, on August 18, 2020, the City received notice that Pacific Gas & Electric had planned for potential rolling blackouts in and around the city of Brentwood on that day. Given that the Planning Commission meeting was being conducted remotely as a result of the COVID-19 pandemic, and the possibility that a blackout could disrupt a remote meeting, City staff and the applicant agreed to request that the item be continued to the Planning Commission's September 1, 2020 meeting. The Planning Commission voted unanimously to continue the public hearing on the matter to its meeting of September 1, 2020.

On September 1, 2020, the Planning Commission held a public hearing on the 2020 Project and voted unanimously to recommend that the City Council deny General Plan Amendment No. 17-001, Rezone No. 17-004, Development Agreement No. 19-001, Vesting Tentative Subdivision Map No. 8506, Design Review No. 17-007, and Design Review No. 17-008 for the 2020 Project, as well as take no action to certify the Final Environmental Impact Report prepared for the project.

The City Council was scheduled to hold a public hearing on the 2020 Project at a special meeting set for September 15, 2020, and all requisite public hearing notices were provided accordingly. However, on that day, the applicant notified the City

that it wished to continue the City Council's public hearing on the matter to February 9, 2021.

In December 2020, the Applicant notified the City that it wished to modify the 2020 Project by no longer including a request to include multi-family uses. The Applicant ultimately submitted a revised proposed VTSM 8506 on January 29, 2021, formally amending the application for the 2020 Project. As a result of this amendment, the applicant and City agreed to move the City Council's planned public hearing on the 2020 Project, as revised, from February 9, 2021, to March 9, 2021.

On March 9, 2021, the City Council held a public hearing on the revised 2020 Project and voted unanimously to direct staff to prepare a resolution to deny the project.

On March 23, 2021, the City Council adopted Resolution No. 2021-36 denying applications for a General Plan Amendment (GPA 17-001), Rezone (RZ 17-004), Development Agreement (DA 19-001), Vesting Tentative Subdivision Map (VTSM 8506), and Design Review for Single-Family Development (DR 17-007) for the 2020 Project, and taking no further action on the Environmental Impact Report prepared for the 2020 Project.

On June 7, 2021, Discovery Builders, Inc. filed a lawsuit challenging the City's denial of the 2020 Project, and also alleging constitutional violations based on the City's denial ("2020 Project Litigation").

On October 22, 2021, WCHB Development, LLC submitted an SB 330 preliminary application and formal development applications seeking approval of a vesting tentative subdivision map and design review to develop the Bridle Gate site with a 292-unit residential project ("Current Project").

On June 3, 2022, the City provided notice that WCHB Development, LLC's application was complete, and that City staff would notify them of any inconsistencies with applicable standards within 60 days in accordance with state law.

On August 2, 2022, as required by state law, the City provided staff's written assessment of the Project's inconsistencies with applicable standards for PD-36 zoning and additional regulations.

On August 31, 2022, Discovery Builders, Inc, and WCHB filed a lawsuit regarding the City's processing of the current project application, among other things, requesting the court to require the City to deem the Project consistent with applicable regulations ("Current Project Litigation").

On November 1, 2022, the 2020 Project Litigation was resolved with the Court entering judgment in the City's favor.

On April 27, 2023, the Court held a hearing on the Current Project Litigation, where the court rejected Discovery Builders and WCHB's contention that none of the PD-36 standards, specifically the subarea C standards, apply. Although the City prevailed on this point, the lawsuit is still active, with certain claims against the City still pending.

On September 5, 2023, the Planning Commission held a public hearing to consider the Revised EIR, VTSM 9586, and DR 21-010. After closing the public hearing and deliberating, the Planning Commission continued the item to an unspecified future meeting.

On July 16, 2024, the Planning Commission held a public hearing to consider the Revised EIR, VTSM 9586, and DR 21-010. After closing the public hearing and deliberating, the Planning Commission adopted Resolution No. 23-032, denying VTSM 9586 and DR 21-010, and taking no further action on the Revised EIR.

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. After closing the public hearing and deliberating, the City Council unanimously passed a motion to deny the appeal and uphold the Planning Commission's denial of the project, but no final action was taken.