

**PLANNING COMMISSION RESOLUTION NO. 25-009**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRENTWOOD APPROVING AN AMENDMENT TO DESIGN REVIEW NO. 07-002 AND DESIGN REVIEW NO. 07-015 (AMD 25-002), AND THE MASTER SIGN PROGRAM FOR THE STREETS OF BRENTWOOD TO ACCOMMODATE THREE NEW BUILDINGS AND ADDITIONAL MONUMENT SIGNS, LOCATED GENERALLY NORTH OF SAND CREEK ROAD AND WEST OF SHADY WILLOW LANE (APN 019-910-006).**

**WHEREAS**, Brentwood Property Owner I, LLC (the “Applicant” and “Owner”) submitted an application to the City of Brentwood requesting approval of an amendment to Design Review No. 07-002 and Design Review No. 07-015 (AMD 25-002), and the master sign program for The Streets of Brentwood to accommodate three new buildings and additional monument signs, located generally north of Sand Creek Road and west of Shady Willow Lane; and

**WHEREAS**, AMD 25-002 constitutes the “Project”; and

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

**WHEREAS**, on October 3, 2006, the Planning Commission adopted a Mitigated Negative Declaration (MND) for The Streets of Brentwood, which analyzed impacts for up to 460,000 square feet of building area. The proposed buildings and signs fall within the overall footprint evaluated in the MND and; therefore, no further environmental review is required pursuant to the California Environmental Quality Act (CEQA); and

**WHEREAS**, this Project is consistent with the General Plan and zoning for the site, and pursuant to CEQA Guidelines Section 15183 and the court’s holding in *McCorkle Eastside Neighbor Group v. City of St. Helena* (2019) 31 Cal.App.5th 80, the City is limited to reviewing the potential site-specific environmental impacts of the project, and there is no evidence that the Project will have any such site-specific impacts; and

**WHEREAS**, the Planning Commission of the City of Brentwood considered this amendment at its regular meeting of April 1, 2025, and considered the staff report, all accompanying information, and testimony received from the applicant and other interested parties.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Brentwood:

1. Hereby finds that:

A. The City previously prepared and adopted a Mitigated Negative Declaration (MND) for the overall development of The Streets of Brentwood, in

conjunction with the approval of DR 06-008 on October 3, 2006. The MND identified and adequately discussed potential impacts associated with the proposed project in accordance with the requirements of the California Environmental Quality Act (CEQA).

This Project is consistent with the General Plan and zoning for the site. Pursuant to CEQA Guidelines Section 15183 and the court's holding in *McCorkle Eastside Neighbor Group v. City of St. Helena* (2019) 31 Cal.App.5th 80, the City is limited to reviewing the potential site-specific environmental impacts of the project. There is no evidence of site-specific environmental impacts beyond those that were analyzed in and mitigated by the MND or the General Plan EIR. The new buildings and their proposed use are consistent with the General Plan designation, as well as the requirements of PD-6. The Project meets all applicable development standards. The Project would not exceed the height limits or otherwise be out of scale or character with the surrounding buildings or overall center.

Further, the proposed buildings and signs are within the scope of the MND that was approved by the Planning Commission in 2006. When a Mitigated Negative Declaration is adopted for a project, CEQA Guidelines Section 15162 states that no subsequent environmental review is required unless there are: changes to the project requiring major revisions to the MND, changes to the circumstances under which the project is undertaken which will require major revisions to the previous MND, or new information of substantial importance that was not known when the previous MND was adopted shows that there are more significant or new effects, or that mitigation measures or alternatives that were infeasible are now found to be feasible, or that mitigation measures or alternatives that are different than those adopted would reduce one or more significant impacts but the project proponents decline to adopt them. The proposed project does not implicate any of the CEQA Guidelines Section 15162 provisions. As a result, no further environmental review is necessary.

- B. With respect to the Design Review findings pursuant to Section 17.820.007 of the Brentwood Municipal Code, the Planning Commission further finds that those findings can be made, as follows:
- i. *The proposed development shall create a well-composed urban design, harmoniously related to other facilities in the immediate area and to the total setting as seen from key vantage points in the community.*

The proposed development would be complimentary to The Streets of Brentwood and would create a well composed urban design harmoniously related to the other facilities in the immediate area. The new buildings incorporate compatible architectural features with the rest of the center, including colors and materials, and are an integrated part of the overall design of The Streets of Brentwood.

- ii. *Elements of design which have significant relationship to the exterior appearance of structures and facilities shall be given special consideration; these elements include but are not limited to height, arrangement on the site, texture, lighting, material, color, signs, landscaping, size, bulk and scale, and appurtenances.*

Special consideration is given to the proposed buildings to ensure that they complement the existing development at The Streets of Brentwood. This includes low single-story profiles with flat roofs to ensure they blend in with the existing buildings and preserve the view of the theater façade as much as possible. The largest building (B-8) is situated adjacent to the theater with a similar location and footprint as the building that was originally approved in 2007, while the two smaller buildings (PV-10/20 and PV-40) are situated strategically in the central plaza area to maximize pedestrian activity. Each building also includes a significant canopy for not only shading and visual interest, but to provide seating opportunities for customers. The use of stucco, tile, and colors complement those found on existing buildings at The Streets of Brentwood. Finally, the design, size, and location of the proposed monument signs are all appropriate and will serve to enhance both the viability and customer experience at The Streets of Brentwood.

- iii. *The proposed development shall be of a quality and character appropriate to, and serving to protect the value of, private and public investments in the immediate area.*

The proposed buildings and signs complement not only the existing development at The Streets of Brentwood, but serve as a catalyst for other improvements and investments in the center. The project will protect and increase the value of the adjacent private and public investments in the immediate area by continuing to develop available space within the center, similar to what was originally envisioned with the original approval of The Streets of Brentwood in 2006.

- iv. *Where the proposed development is located in an area for which a specific plan, planned development, neighborhood plan or precise plan has been adopted by the City Council, the design of the development shall conform in all significant respects with such plans.*

The project site is within the Planned Development 6 (PD-6) zoning district, and is further defined as both "Office Commercial" and "Regional Commercial." The site is also part of The Streets of Brentwood development and is designed to conform to the existing center as well as the applicable development standards of PD-6.

- v. *The proposed development shall conform with all requirements for landscaping, screening, parking, usable open space and off-street loading as set forth in this title.*

Landscape and hardscape improvements around the three buildings were approved by staff in February 2025, so no additional improvements are needed. There are approximately 2,000 existing off-street parking spaces within The Streets of Brentwood, and as the floor area of the proposed buildings was contemplated with the original approval of the overall project in 2006, no new parking is needed.

vi. *The site development criteria set forth in Section 17.820.008.*

1. *The siting and internal arrangement of all structures and other facilities on the site, including the land uses, internal circulation, off-street parking and loading facilities, lighting, signing and access to and from public rights-of-way, shall be conducive to an orderly, attractive, efficient and harmonious development.*

The project has been routed to all applicable City departments to ensure an orderly, attractive, efficient, and harmonious development. The project's internal arrangement is conducive to an orderly development, as the three new buildings will be located in areas originally contemplated for such use. Additionally, there is sufficient off-street parking, no new lighting is proposed, the proposed monument signs will complement the existing signs within the center, and the proposed buildings are complementary to the existing buildings at The Streets of Brentwood.

2. *The proposed development shall not have adverse environmental effects on adjacent developments, existing or potential, by reason of conflicts in land use, topography or traffic.*

The project has been reviewed by City departments and no existing or potential adverse effects on the environment are anticipated by reason of land use, topography, or traffic impacts. The project is within The Streets of Brentwood and was contemplated as part of the original project approval in 2006. The building architecture is designed to be complementary to The Streets of Brentwood, and the project conforms to all zoning requirements and development standards.

vii. *The City of Brentwood Design Guidelines and any other applicable specific design criteria or standards set out in this title or other city ordinances.*

The project is consistent with the City's Commercial & Industrial Design Guidelines and with the existing buildings at The Streets of Brentwood.

- viii. All applicable regulations of the zoning ordinance and other city ordinances, policies or resolutions.*

The Project is consistent with all applicable regulations of the zoning ordinance and other City ordinances, policies, or resolutions. The Project complies with parking, landscaping, and development requirements for PD-6. The Project is also conditioned to meet all applicable Building, Engineering, and Public Works codes and regulations.

- C. The amendment to the master sign program is appropriate and complies with the following findings, pursuant to Brentwood Municipal Code Section 17.640.008.B.2:
1. The program is of integrated and harmonious design and designed to be a part of or blend with the buildings proposed.
  2. The program has been prepared and endorsed by a licensed architect or building designer.
  3. The signs within the program are compatible with the surrounding area.
  4. The program is consistent with the city's Commercial and Industrial Design Guidelines, adopted by the city council, and as they may be amended over time.
- D. Hereby approves an amendment to Design Review No. 07-002 and Design Review No. 07-015, and an amendment to the master sign program for The Streets of Brentwood, subject to the additional conditions of approval listed in Exhibit "A," attached hereto and made a part of this resolution, and all City standards applicable to this project.
- E. This permit shall terminate on April 1, 2027, unless actual construction or alteration under valid permits has begun and is diligently pursued within said period. However, such period of time may be extended by the Planning Commission upon application filed at any time before said period has expired.
- F. This action is final unless an appeal is filed pursuant to Chapter 17.880 of the Brentwood Municipal Code within ten (10) calendar days following Planning Commission action.

**ADOPTED** by the Planning Commission of the City of Brentwood at its regular meeting of April 1, 2025, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**RECUSE:**

APPROVED:

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Rod Flohr  
Planning Commission Chairperson

ATTEST:

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Erik Nolthenius  
Planning Manager

**EXHIBIT "A" TO  
PLANNING COMMISSION RESOLUTION NO. 25-009  
AMENDMENT TO DR 07-002, DR 07-015, AND MASTER SIGN PROGRAM FOR  
THE STREETS OF BRENTWOOD  
CONDITIONS OF APPROVAL**

1. The Permittee, including all successors in interest (collectively "Permittee") shall comply with each and every condition set forth in this Permit. This Permit shall have no force or effect and no building permit shall be issued unless and until all things required by the below-enumerated precedent conditions have been performed or caused to be performed.
2. The Permittee shall comply with all applicable Standard Conditions of Approval for Commercial and Industrial Projects, dated May 2005, hereby incorporated by reference, unless modified by any of the conditions below.
3. The Project shall be built substantially in conformance with the plans prepared by RMW Architecture & Interiors, dated received March 25, 2025 and the monument sign details prepared by CenterCal Properties LLC, dated received March 25, 2025, unless otherwise amended by the conditions of approval contained herein.
4. Any significant alteration of the building colors or materials from the approved plans, as determined by the Director of Community Development, shall be approved by staff prior to building permit issuance.
5. The Permittee shall obtain approval of an administrative sign permit by the Community Development Department for all signage associated with the Project, including the additional monument signs.
6. All improvements shall be designed and constructed; all permits issued; all fees paid; and all securities submitted pursuant to applicable Federal and State laws, the Subdivision Map Act, the Brentwood Municipal Code, the City Engineering Department's Standard Plans and Specifications, and the City Engineering Department's Engineering Procedures Manual.
7. Permittee and all construction plans and maps shall comply with Brentwood Municipal Code Title 8 "Health and Safety," Title 9 "Public Peace and Welfare," Title 12 "Streets, Sidewalks and Public Places," Title 13 "Sewers," Title 14 "Water," Title 15 "Building and Construction," and Title 16 "Subdivision and Land Development." In particular:
  - a. Solid waste service shall comply with Brentwood Municipal Code Chapter 8.16 "Solid Waste."
  - b. Construction and demolition work shall comply with Brentwood Municipal Code Chapter 8.40 "Construction and Demolition Debris Recycling."

- c. Permittee shall comply with Brentwood Municipal Code Chapter 9.32 "Noise Regulations."
- d. Permittee shall comply with the encroachment permit requirements pursuant to Brentwood Municipal Code Chapter 12.08 "Street Encroachments."
- e. Sewer backflow prevention, interceptors, and other health and safety requirements shall be incorporated into the project pursuant to Brentwood Municipal Code Chapter 13.04 "Sewer System – Rules and Regulations."
- f. Brine-discharging self-regenerating water softener systems are prohibited pursuant to Brentwood Municipal Code Section 13.04.022.B.
- g. Water service shall comply with Brentwood Municipal Code Chapters 14.01 "Municipal Water System" and Chapter 14.10 "Cross-Connection Control." In addition and to comply with both health and safety requirements as well as the City's Engineering Design Standards, all projects serving more than 25 units shall design and construct at least two independent points of potable water supply to the Project.
- h. Contractors requiring construction water shall obtain a temporary water permit and shall only take water metered at a location specified by the City Engineer pursuant to Brentwood Municipal Code Section 14.01.340 "Contractors."
- i. Permittee shall comply with the Federal Clean Water Act, the Municipal Regional NPDES Permit, and Brentwood Municipal Code Chapter 14.20 "Stormwater Management and Discharge Control."
- j. Fire access and aerial apparatus access shall comply with the requirements of the Fire District and Brentwood Municipal Code Chapter 15.06 "Fire Code."
- k. In addition to the indemnification obligation set forth below, Permittee shall indemnify the City pursuant to Brentwood Municipal Code Section 15.52.160 "City Held Harmless."
- l. Permittee shall obtain all required permits including, but are not limited to: buildings; sewer connections; encroachment; grading; use; business license; water connection pursuant to Brentwood Municipal Code Section 16.120.050 "Procedures."
- m. Utilities shall be installed underground pursuant to Brentwood Municipal Code Section 16.120.120 "Undergrounding – Electric, Communication, Street Lighting and Advanced Technology Systems."



8. Prior to issuance of any Building Permits:
  - a. Permittee shall pay all Development Impact Fees pursuant to, or otherwise comply with the latest City of Brentwood Development Impact Fee Program.
  - b. Permittee shall provide documents signed by a licensed engineer on building pad elevation, compaction, and appropriate remediation from unsuitable soils.
9. The building construction drawings shall indicate that the top of all rooftop equipment is below the height of the parapet or otherwise screened from view to the satisfaction of the Director of Community Development prior to building permit issuance. No rooftop equipment shall extend above the roofline on any of the buildings.
10. The building construction drawings shall reflect that all roof drainage downspouts and scuppers be interior to the building. All roof drainage shall be designed to be contained within the building walls so as to not be visible from any vantage point to the satisfaction of the Director of Community Development prior to building permit issuance.
11. Permittee will indemnify, defend with counsel of the City's reasonable choosing, and hold harmless City and its City Council, its boards and commissions, officials, officers, employees, and agents (the "Indemnified Parties") from and against any third party claim, action, or proceeding against City and/or the Indemnified Parties to attack, review, set aside, void, or annul the City's approval of the project approved herein, including adoption of this Permit, and any environmental determination made with regard thereto. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, reasonable attorneys' fees, and other reasonable expenses incurred in connection with such claim, action, causes of action, suit or proceeding. The Permittee shall pay to the City upon demand or, as applicable, on a monthly basis to counsel of City's reasonable choosing, amounts owed pursuant to the indemnification requirements prescribed in this condition. City shall promptly notify the Permittee of any claim, action, or proceeding and shall engage in reasonable efforts to cooperate in the defense.