14

VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT
Memorandum

TO: Carl Morchouse, Planning DATE: December 20, 2005

FROM: Alicia Stratton AS

SUBJECT: Request for Review of Draft Environmental Impact Report for the Agoura Hills Village Specific Plan, City of Agoura Hills (Reference No. 05-011-1)

Air Pollution Control District staff has reviewed the subject project, which is proposal for adoption of a Specific Plan to guide future development within a portion of the City of Agoura Hills. Full buildout of the specific Plan would result in the development of 235-293 residential units; a total of up to 576,458 sq. ft. of building area, which could include office, retail, restaurant, community center and hotel development; and redevelopment of the existing 372,042 sq. ft. of office and retail space. The 135-acre site is located in the southern portion of the City of Agoura Hills in Los Angeles County.

Because the project is located in Los Angeles County, air quality issues related to the project are under the purview of the South Coast Air Quality Management District. We therefore have no comments on the project.

If you have any questions, please call me at 645-1426 or email me at alicia@vcapcd.org.

Letter 14

COMMENTER: Alicia Stratton, County of Ventura Air Pollution Control District

DATE: December 20, 2005

RESPONSE:

Response 14

The commenter notes that because the project is located in Los Angeles County air quality issues related to the project are under the purview of the South Coast Air Quality Management District. Therefore, the commenter has no comments on the project.

15

January 2, 2006

Allison Cook
Senior Planner/Environmental Analyst
City of Agoura Hills, Planning and Community Development Department
30001 Ladyface Court
Agoura Hills, CA 91301

RECEIVED
JAN 03 2006
BY: A. Cook

Subject:
Agoura Village Draft EIR Comments

Dear Ms. Cook:

The Cornell Preservation Organization has received the City of Agoura Hills Draft Environmental Impact Report (**DEIR**) for the Agoura Village Site Specific Plan. We appreciate the City of Agoura Hills' early efforts to meet with members of the Cornell Preservation Organization on the development of this proposed project and to solicit input from our members as wells as the whole community on the village concept. We have reviewed the proposed project and **DEIR** and have the following comments.

Comments regarding public input:

A

We believe that the city should extend the January 2nd deadline for another 30 days. It is unfortunate that the release of the DEIR coincided with the holiday season. Given the magnitude of the project and its' importance to the future of the City of Agoura Hills we believe an extension is warranted. We'd also recommend that staff contact the presidents of each of the homeowners associations within the City limits and solicit their input.

Biological Resources:

B

The federally listed endangered lyons pentachaeta exists within the project boundaries. The lyons pentachaeta survey and methods should be included within the DEIR. The DEIR clearly shows development which will impact the species onsite and further examination must happen at this level and not be put off to a later date. Surveys of adjacent projects sites have identified populations of the species which have been referred to by CDFG staff as "highly genetically diverse" and "critical to species survival". A much more detailed examination of the population on site is required. We refer the City to the TM 52419 DEIR for the County of Los Angeles as an example of the extent of information required. Issues of fuel modification, introduction of more competitive plant varieties, etc must be addressed. Lyon's pentachaeta, specifically, is not a candidate for replanting. Relocation cannot be considered a mitigation option. The County of Los Angeles has placed a high value on protection of the lyon's pentachaeta on the Triangle Ranch site immediately to the south of the Agoura Village site and directed the project applicant to site all development to avoid the species. The City should direct all Agoura Village applicants to do the same.

C

According to Fig 4.3-2 of the DEIR the Lyon's pentachaeta is the only known example within the City limits of a federally endangered plant species. It is inconsistent with the Conservation Element of the City's General Plan to approve any project which would result in damage to the species. The lyons pentachaeta and dudleya species to the West of Kanan

Road are adjacent to Riparian habitat and should be protected. This can be done with the removal of the Residential units to the extreme south of the West of Kanan portion of the project site.

The DEIR lacks a sensitive species avoidance alternative. The alternative should include at a minimum, preservation and adequate buffers for the endangered lyons pentachaeta, threatened Dudleya's onsite as well as preservation of the riparian habitat within the project boundaries.

Traffic

D

Cornell lies to the immediate south of the Project site and is accessed via Kanan Road. The vast majority of Cornell residents access the City of Agoura Hills and the 101 freeway using this busy route. Our members continue to have concerns regarding the round-about design. The DEIR did not specifically address the effect the round-about will have at critical times. Specifically, we requested inclusion of the effect of the inability of drivers unfamiliar with a round-about (there are very few in LA County) to navigate the Kanan/Agoura Road intersection. This is a 'hot button' issue due to beach and Malibu traffic. This is not addressed. In his December 28th letter Chester Yabitsu lays the issue out in great detail, of which we support.

E

We further voiced concerns about the effect of a round-about on emergency services to the areas south of the project site. What does the addition of a round-about and other 'traffic calming' devices do to response times south of the project site? How does it affect evacuation routes and fire protection in the communities of Cornell, Malibou Lake etc? Are alternative routes likely to be utilized and will traffic be impacted along these roads as well?

F

The Cornell Preservation Organization continues to be concerned about the timing of road improvements in the area and would like to see a 'buildout' schedule included in the DEIR for the road improvements. There is no clear indication in the DEIR that the Kanan Interchange project and the Agoura Village project are being coordinated or even take each other into account. We do not feel that a project of this importance to the city can be properly executed without early and substanitive conversations with Caltrans. This project is unique in it's importance to the city, it's proximity to the interchange and it's timing so close to the interchange project. The DEIR must include consideration of both the short and long term effects on traffic.

Aesthetics/Landscaping

G

Landscape design consideration for the Agoura Village is critical. A conceptual overview should be considered even at this stage in the process, to bring connectivity to the overall project. The consideration of plant material palettes ensuring that plants that are in keeping with the ambiance are utilized. Plants that are not apart of this palette should not be allowed i.e. palm trees. Although it may not be fully appropriate in all cases, native materials should be incorporated especially as the projects "feather" out into the surrounding native environment. Destination points in the gardens, utilizing of our existing natural environment, local history, should all be incorporated into this project to assure visitors of a pleasant ambience that is unique only to Agoura Hills. The Agoura

Village is already a treasure based on its location. A convergence of several blue line streams, view sheds, hills, knolls, oak trees, equestrian/hiking trails give it a captivating environment. It is critical that these natural resources are maintained and enhanced for the visiting public to appreciate. It is also critical that we value these enough that we can show other communities how to correctly address these environmental issues while still developing a large project. This is the last chance that Agoura Hills will have to create an environment that will truly define Agoura Hills.

Trails

H

It is important that the defining of trails is adequately portrayed. Connecting of Old Agoura to Agoura should be apart of the Agoura Village Concept. This trail is already in existence now and should be mandatory as a part of our local history and fees can be put into place to keep these trails maintained. Zuma Ridge Trail is adjacent to this project from the equestrian facility.

I

CPO believes that the City of Agoura Hills has the opportunity before them to put into place an environmental deposit fund within the Village to show people that by donating we can help maintain our creeks, our wildlife, and our trails. People can go to the Village to donate to keep the surrounding environment in its natural state, this would truly be visionary and would be a creative way to show people locally and regionally, how to put their donations to good use.

Density

J

CPO agrees in principal with the original discussions of use concerning the density issues of Agoura Village. It appears that compromising is occurring too early. We believe that having a mixed use residential is the best use of the project. Notable destination locations that are viable and interesting involve a "mixed use" of commercial and residential. Examine cities that already have shown that this idea works well (i.e.new Mammoth Village, San Luis Obispo,Portland, Oregon, etc). But to allow additional density of condominiums and isolated residential units not only will impact traffic and safety, but will impact the sensitive environmental surroundings already discussed above. Density may seem important to the developer at this stage, but if the project is designed less cramped and more compatible with its natural surroundings, the developer will be creating a captivating destination point for consumers. People and tenants will want to come there. Don't overwhelm the site by allowing too high of density.

If you have any questions regarding these comments, please contact Colleen Holmes, President of Cornell Preservation Organization at (818) 597-9788.

Sincerely,
Colleen Holmes
President, Cornell Preservation Organization
cc: Mike Kamino

Letter 15

COMMENTER: Colleen Holmes, President, Cornell Preservation Organization

DATE: January 2, 2006

RESPONSE:

Response 15A

The commenter suggests that the City should extend the public review period for an additional 30 days and that City staff should contact the presidents of each of the homeowners associations within the city limits and solicit their input.

The comment is noted; however, the City has provided notice on the availability of the Draft EIR to the public as required under CEQA and circulated the DEIR for public review on November 18, 2005. The 45-day public review extended from November 18, 2005 to January 3, 2006. During that time the DEIR has been available at City Hall, the Agoura Hills Library, and the City's webpage. Additionally, the City continued to accept public comments on the DEIR after the January 3rd deadline, through the end of January 2006. A Notice of Availability was sent to all Home Owner's Associations in the City.

Response 15B

The commenter states that a much greater detailed survey of the Lyon's pentachaeta should be performed and that the survey and methods should be included within the DEIR. Additionally, the commenter states an opinion that Lyon's pentachaeta is not a candidate for replanting.

This issue was previously addressed in Responses 3A-3C; please refer to Response Letter 3. In addition, Mitigation Measures BIO-1(a), BIO-2(b) and BIO-2(c) (pages 4.3-32 through 4.3-38) have been revised to more clearly reduce the potential for impacts to sensitive areas south of Lindero Canyon Creek. Specifically, BIO-1(a) was revised to prohibit (=avoid) development within that area of Zone B located south of Lindero Canyon Creek. Additionally, each measure was revised to read "avoidance shall be required unless the applicant proves that avoidance would cause undue harm for the remaining project." Further, if avoidance is shown to be infeasible, other mitigation in the form of rectification (restoration or replanting) is required, along with a monitoring plan to measure the success of restoration. The required level of success for Santa Monica Mountains dudleya, Agoura Hills dudleya, and Lyon's pentachaeta shall be defined at a minimum as a demonstration of three consecutive years of growth of a population equal to or greater than that which would be lost due to the project. This level of success shall be achieved prior to removal of the impacted population. With this revision to the mitigation measures, if the applicant is unable to successfully replant Lyon's pentachaeta, they would be prohibited from removing the impacted population.

Response 15C

The commenter states an opinion that the DEIR treatment of Lyon's pentachaeta is inconsistent with the Conservation Element of the City's General Plan. The commenter further notes that

protection of these sensitive resources could be accomplished with the removal of the residential units to the extreme south of the portion of the Specific Plan area west of Kanan Road.

Please see responses to comments 3A-3C, and to 15B above. Further, according to the Conservation Element of the General Plan, the goal to preserve existing sensitive plant and animal habitats within Agoura Hills is supported by two policies.

Policy 1.1: Preserve Agoura Hills' two significant ecological areas (SEA) through City policies and coordination with Los Angeles and Ventura Counties to protect sensitive plants and animals habitats.

Policy 1.2: Ensure the development and environmental review process shall be sensitive to the preservation and protection of wildlife corridors, significant ecological areas, riparian habitats, and areas which contain chaparral, oak woodlands, individual oak trees and street trees.

As indicated in the DEIR, the Specific Plan is consistent with each of these policies and would, therefore, be consistent with the General Plan. In regards to the removal of residential units, several alternatives examined the impacts, including biological, for a Specific Plan without or reduced residential uses. Additionally, as mentioned above, mitigation measure BIO-1(a) was revised to include prohibition of development in Zone B, south of Lindero Canyon Creek. If this mitigation measure is adopted by the City, no development would be allowed south of Lindero Canyon Creek.

Response 15D

The commenter states that the EIR did not specifically address the effect the roundabout would have at critical times. The commenter specifically requests inclusion of the effect of the inability of drivers unfamiliar with the roundabout to navigate the intersection.

The traffic and circulation section, Impact T-3, shows that the roundabout would operate at LOS A during peak demand periods. The lay out of the roundabout that was used for the traffic analysis is preliminary in nature. Further detailed engineering design will be completed before implementation of the roundabout to assure sufficient capacity and safety conditions for motorists, bicyclists and pedestrians alike.

The effectiveness of the roundabout is determined by the geometric design, striping and signing. When properly applied, these parameters will provide sufficient guidance to the inexperienced motorist to navigate the roundabout.

Response 15E

The commenter voiced concerns regarding the effect of the roundabout on emergency services access; response times, and emergency evacuation routes for the communities of Cornell, Malibou Lake, etc.

Section 4.11, Traffic and Circulation, Page 4.11-30, of the DEIR explains the effects of the proposed roundabout on emergency services.

With the scheduled improvements and identified mitigations in place, the street network would operate at LOS C or better, indicating moderate delays during peak travel periods. It is not expected that the Specific Plan would have an adverse effect on emergency evacuation. Additionally, the following text with respect to emergency vehicles and the proposed roundabout at the Kanan Road/Agoura Road intersection is included in the traffic and circulation section of the DEIR:

"Additionally, as mentioned in Section 4.10, *Public Services*, the proposed roundabout at the intersection of Kanan and Agoura Road has the potential to restrict access to safety personnel and emergency vehicles. Public education should include information on driver behavior in the event of an emergency vehicle, which is similar to the driver behavior required at conventional intersections. All approaches to the roundabout would contain two lanes. Vehicles in queue in front of an emergency vehicle would either move to another lane or move through the roundabout to facilitate passage of the emergency vehicle. The design of the roundabout includes a mountable apron on the island and mountable splitter islands. In the event of blockage of the circulatory roadway, these elements would provide for sufficient width within the roundabout for passage of emergency vehicles." Emergency vehicles would be able to utilize the roundabout in the case of an emergency; thus, alternative routes are not anticipated to be necessary.

Response 15F

The commenter notes concern regarding the timing of road improvements in the area and would like to see 'build out' schedules and an indication of coordination between the projects included in the DEIR.

The improvements on the Kanan Road Interchange are currently underway and are expected to be completed in the near future, likely by the end of 2006. Therefore, any Specific Plan project development would likely occur after the interchange improvements. The City has indicated that construction on the Reyes Adobe Interchange would not start until 2007; the funding and construction schedules are not completed.

Response 15G

The commenter notes that a conceptual overview for the landscape design and plant palette should be considered at this juncture in the planning process.

The Specific Plan includes landscape recommendations, complete with design guidelines and a plant palette for street trees, accent trees, shrubs and gateways. Figures 6.2 and 6.3 of the Specific Plan illustrate typical streetscape improvements, such as landscape plantings, furnishings, and pavings. As noted on page 6-93 of the Specific Plan "plants have been selected to provide opportunity for shade, ease of maintenance, and climate compatible planting. The landscaping will establish a visual integrity for the area, and promote pedestrian and vehicular safety by clearly distinguishing walkways and access points." The use of native plants is encouraged.

Additionally, the EIR addresses landscape plants in Section 4.3, *Biological Resources*. Mitigation Measure BIO-2(b) requires that "no species identified as invasive on the CNPS, Channel Islands Chapter Invasive Plants List (1997) shall be utilized in the landscape plans." Measure BIO-6(b) requires that "landscaping within fire clearance zones shall include native species indigenous to the area of disturbance…No species identified as invasive on the CNPS, Channel Islands Chapter Invasive Plants List (1997) shall be utilized in the landscape plans and all landscaping plans shall be approved by the City and the County Fire Department." Thus, the Specific Plan and EIR have considered landscape design and a plant palette.

Response 15H

The commenter notes an opinion that the Old Agoura should be connected to Agoura through the Agoura Village, and suggests that fees as part of the Specific Plan should be utilized to maintain such trails.

As discussed in Section 4.10, "the City currently provides an equestrian trail leading from Old Agoura Park to the intersection of Agoura Road and Cornell Road. This equestrian trail is utilized as an access point to the Santa Monica Mountains and would be improved by the proposed Specific Plan. Additionally, a public trail and restoration landscaping shall be designed and installed along Cheseboro, Medea, and Lindero Canyon Creeks." Further, as discussed under Impact BIO-7, based on the City's land dedication requirements developers within the Specific Plan area would be required to provide a minimum of 2.64 acres of land for parks or in lieu fees.

Response 15I

The commenter notes an opinion that City has an opportunity to put into place an environmental deposit fund within the Village to show people that by donating money they can help maintain City creeks, wildlife, and trails.

The Specific Plan identifies several mechanisms which would allow community members to contribute funds to support maintenance of public facilities and benefits within the Specific Plan area. These include a landscape maintenance district, business improvement districts, and voluntary property owners association. However, although this comment presents an innovative concept to generate funding for environmental resource management, it does not address a specific environmental concern and does not address the adequacy of the EIR. The comment is noted, but does not require further analysis under CEQA.

Response 15J

The commenter concurs with the proposed mixed-use concept described in the AVSP and cites examples of how this concept has worked well in other areas. The comment cautions against allowing too high of density but does not address the adequacy of the EIR. Therefore the comment is noted, however, no specific response is required under CEQA.

16

RECEIVED
DEC 01 2005
BY: CC - Planning

Mary Altmann 1857 Lookout Drive, Agoura CA 91301

December 1, 2005

Agoura Hills City Council
30001 Ladyface Court
Agoura Hills, CA 91301

RE: Draft EIR for Agoura Village Specific Plan

HAND-DELIVERED AND EMAILED

Dear Agoura City Council:

A The Draft Environmental Impact Report ("EIR") for the Agoura Village Specific Plan is completely inadequate to gauge the environmental impact of this zone adoption. This document is primarily design specifications. An EIR has data on the existing environment including but not limited to the type and amount of each animal and plant species on the site(s), mineral resources, geologic data, watercourses and flows, historical and archeological information. It lists all species, in particular endangered species located on the site. It includes traffic studies, air quality studies, and in this case should have an emergency evacuation study as well, as this zone adoption would drastically affect the surrounding community.

B Specifically relating to this EIR, it is difficult to understand the maps in that on page 45, section 1:37 the area near Lady Face Mountain is identified as Zone E. On page 57, section 1:49, it is identified as Zone B. Also should be noted, this document was not available at the Agoura Hills City Library, as stated in your report.

C This EIR should, in detail, describe each of the parcels and vacant land. The politics of this project, a joint venture using public funds to plan and design private development, is disturbing, and should be investigated to clarify if any Brown Act violations occurred. This Draft EIR ignores California State and U.S. Federal environmental laws applicable to this project.

D

Sincerely,

Mary Altmann

Letter 16

COMMENTER: Mary Altmann

DATE: December 1, 2005

RESPONSE:

Response 16A

The commenter states her opinion that EIR is inadequate, and should have data on the existing environment including, but not limited to:

1. type and amount of each animal and plant species on the site,
2. mineral resources,
3. geologic data,
4. watercourses and flows,
5. historical and archeological information.
6. all species, in particular endangered species located on the site
7. traffic studies,
8. air quality studies and
9. emergency evacuation studies.

The above mentioned subjects are discussed in detail within the Specific Plan. The following is a guide to those sections discussing items 1-9 above.

1. Section 4.3 - *Biological Resources*
2. Section 4.4 – *Geology*
3. Section 4.4 – *Geology*
4. Section 4.7 – *Hydrology and Water Quality*
5. Section 4.6 – *Historic and Archaeological Resources*
6. Section 4.3 - *Biological Resources*
7. Section 4.11 – *Transportation and Circulation*
8. Section 4.2 – *Air Quality*
9. Section 4.11 – *Transportation and Circulation* and Section 4.5 – *Hazards and Hazardous Materials*

The commenter is also referred to Sections 4.1 - *Aesthetics,* 4.8 – *Land Use*, 4.9 – *Noise*, and 4.10 *Public Services* which address other potential effects of the proposed Specific Plan.

Response 16B

The commenter notes her opinion that it is difficult to understand the maps on page 45, section 1:37 and page 57, section 1:49.

The commenter's difficulty is noted; however, the commenter does not refer to sections or page numbers that correspond to the sections and page numbers indicated in the EIR. Without the

proper page or section number references it is not possible to provide a clearer explanation of the maps or commenter's concerns.

Response 16C

The commenter noted that "this" document was not available at the Agoura Hills City Library as stated in the report.

It is unclear what document the commenter is referring to and it is unknown why the commenter was not able to locate the DEIR at the City of Agroua Hills City Library. The City provided the DEIR, related appendices and reference documents, as outlined in the EIR, at the public library at the beginning of the public review period in November 2005 for review throughout the 45 day public review period. The DEIR was also made available online on the City's website and at City Hall.

Response 16D

The commenter states her opinion that the EIR should, in detail, describe each of the plan related parcels and vacant lands; politics regarding public funding of the plan; and any Brown Act violations that have occurred. She goes on to state that the EIR ignores California State and U.S. Federal environmental laws applicable to this project.

Pursuant to CEQA Section 15204, the reviewer of the EIR "should be aware that the standard for adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation." Further, CEQA states that "lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR." CEQA does not require a lot-by-lot analysis for a Specific Plan Project.

Further the reviewer should note that the EIR has been prepared as a "Program EIR". The CEQA Guidelines state that:

> *"Where individual projects are, or a phased project is, to be undertaken and where the total undertaking comprises a project with significant environmental effect, the Lead Agency shall prepare a single program EIR for the ultimate project as described in Section 15168. Where an individual project is a necessary precedent for action on a larger project, or commits the Lead Agency to a larger project, with significant environmental effect, an EIR must address itself to the scope of the larger project."*

Since the proposed project is the adoption of a Specific Plan, it is appropriate that the EIR document examine the proposed action on a program level. This CEQA section follows the principle that the EIR must show the big picture of what is involved. If the approval of one particular activity (such as the approval of the AVSP) could be expected to lead to other activities being approved in the same general area (such as individual projects that may be proposed within the AVSP area), the EIR should examine the expected effects of the ultimate

environmental changes. Thus, the EIR is consistent with the applicable State environmental law.

Section 15168 of the *State CEQA Guidelines*, further define when it is appropriate to prepare a Program EIR. This section states that:

> A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:
>
> *(1) Geographically,*
>
> *(2) A logical parts in the chain of contemplated actions,*
>
> *(3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or*
>
> *(4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.*

The AVSP project meets all of the above criteria, which further confirms that preparation of a Program EIR is the appropriate approach for CEQA compliance for the AVSP, a long range planning project.

Lastly, the commenter requests information regarding any Brown Act violations that may have occurred within the Specific Plan area. Hazardous related impacts are discussed in Section 4.5, *Hazards and Hazardous Materials*. Specifically, subsection 4.5.1(b) **Hazardous Materials** lists properties within or adjoining the project area that are listed in environmental databases as currently or previously having involved hazardous materials, use, storage, or a release.

17

Mary Altmann 1857 Lookout Drive, Agoura CA 91301

2005 DEC 27 AM 10:02

December 21, 2005 HAND-DELIVERED AND EMAILED

Agoura Hills City Council and Planning Commission
30001 Ladyface Court
Agoura Hills, CA 91301

RE: Draft EIR for Agoura Village Specific Plan

Dear Agoura City Council and Planning Commission:

These comments are in addition to my comment letter dated December 1st, 2005.

A 1) How many cubic yards of grading will this plan allow for each of the parcels included, and what kind and amount of dust will it create? How will this affect the air quality, and traffic pattern and flow during construction?

B 2) Are there any birds of prey that utilize the site? What other birds live there?

C 3) Please list all species and numbers of species presently occupying the site(s) including plant, animal, and mineral kingdoms, paying particular attention to endangered species, trees, plants flowers and animal populations.

D 4) What fire zone(s) is the project area in? How does this plan address the fire concerns of the zone? Please include the Fire Department's comments.

E 5) Is this land in the Santa Monica Mountains National Recreation Area? Please include correspondence from National Parks, State Parks, The Conservancy and SMM Resource Conservation District into the EIR.

F 6) How will beach traffic, and commuters to and from Malibu be affected?

G 7) How will emergency evacuation be effected for the surrounding areas?

H 8) If the 101 Freeway closes temporarily, and motorists seek to use Agoura Road as an alternative route, as they do presently, how will they be affected?

I 9) What is the seismic data of Lady Face Mountain? Where are the soils reports? Please include them in the EIR. The landslides of La Concheta, California killed people because government officials did not perform due diligence before allowing building at the base of the cliff there. Already on the Kanan side of Lady Face Mountain someone has built a house and caused considerable slide damage which is visible from Cornell Road.

J

10) How will this project affect the viewshed of Lady Face Mountain? Please include realistic elevation drawings.

K

11) Please address these issues, and the issues raised in my letter dated December 1, 2005 to each particular parcel of land included in this zone change, as well as the cumulative effect on the entire parcels to be considered, and how this cumulative effect would affect the surrounding area.

Thank you in advance for obtaining necessary reports to evaluate this specific zoning change.

Sincerely,

Mary Altmann

Mary Altmann

Letter 17

COMMENTER: Mary Altmann

DATE: December 21, 2005

RESPONSE:

Response 17A

The commenter requested that the total cubic yards of grading be broken down into parcels and accompanied by measurements of dust and a discussion of related air quality and traffic impacts.

Grading projections for the Specific Plan area are discussed in detail on page 4.2-8. This section (4.2, *Air Quality*) also discusses potential dust and air quality impacts related to such grading. Construction related traffic is also discussed in this section, as well as Section 4.11, *Transportation and Circulation*.

See Response to Letter 16D above. The EIR has attempted to provide a good faith effort at disclosing the full impacts associated with buildout of the Specific Plan.

Response 17B

The commenter questioned whether there are birds of prey that utilize the site and what other birds live within the Specific Plan area. Section 4.3, *Biological Resources*, discusses the potential for wildlife species to be present onsite. Of species noted in the CNDDB as having the potential to be within the Specific Plan area, the Golden Eagle was noted as lacking suitable nesting habitat, but as having suitable foraging habitat onsite. Although previous biological studies at the site did not indicate the presence of nesting raptors, Impact BIO-1 addresses the potential impacts to, and requires mitigation to protect, nesting raptors and migratory birds onsite.

Response 17C

The commenter recommends the EIR list all species and numbers of species presently occupying the site, including plant, animal and mineral kingdoms, paying particular attention to endangered species.

As discussed in Section 4.3, *Biological Resources*, the latest version (2005) of the Rarefind Database was utilized to inventory sensitive and potentially sensitive species within the area. Further, responses to the Notice of Preparation for the EIR were also used as sources for sensitive species which should be included in the EIR. Additionally, it is important to note that the lead agency is required by CEQA to respond only to significant environmental issues.

Response 17D

The commenter questions how the EIR examines fire safety issues related to the project.

Section 4.5, *Hazards and Hazardous Materials* examines the potential wildland fire hazards of the Specific Plan. This section discusses the fire zones, fire department comments, and how the plan addresses fire-safety related concerns.

Response 17E

The commenter asks whether or not the Specific Plan area is within the Santa Monica Mountains National Recreation Area. The commenter further requests inclusion of correspondence with national parks, state parks, The Conservancy and SMM Resource Conservation District into the EIR.

In reference to the location of the project, the Specific Plan location is discussed in detail in Section 2, *Project Description*. As mentioned in this section, the Specific Plan area is located in the City of Agoura Hills and is not included within the boundary of the SMMNRA. Regarding correspondence with parks and conservancy groups, the Santa Monica Mountains Conservancy response to the Notice of Preparation (NOP) for the AVSP EIR. Responses to all comments submitted during the NOP period are on file at the City Planning Department for public review.

Response 17F

The commenter asks how beach traffic and commuters to and from Malibu will be affected by the project.

It is expected that the Specific Plan would not affect beach traffic because recreational trips typically occur on weekends and are outside peak commute travel periods, during which it is expected that the area street network would operate acceptably.

Commuters on Kanan Road would travel during the peak travel periods. The DEIR traffic and circulation section shows that with the scheduled improvements and identified mitigations in place, the street network would operate at LOS C or better under cumulative conditions, indicating moderate delays for commuter traffic. The project's impact to commuter traffic after mitigation would be less than significant.

Response 17G

The commenter asks how emergency evacuation will be effected for the surrounding area.

This is discussed in Section 4.11 – *Transportation and Circulation* and Section 4.5 – *Hazards and Hazardous Materials*. Also please see response to comment 15E.

Response 17H

The commenter asks how motorists would be affected if the 101 Freeway was temporarily closed and traffic was routed to Agoura Road.

This would not be considered a reasonably foreseeable condition and the EIR is not required to analyze all future potential scenarios. Pursuant to CEQA Section 15204, reviewers of an EIR "should be aware that the adequacy of an EIR is determined in terms of what is reasonably

feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation." Further, CEQA states that "lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR." The EIR has attempted to provide a good faith effort at disclosing the full impacts of the project and it need not examine or speculate the outcome of every possible traffic related scenario.

Response 17I

The commenter requests seismic and soils data for Ladyface Mountain and questions the safety of development in the nearby area.

Geologic data is discussed in detail in section 4.4, *Geology*. As discussed in the EIR, six geologic studies of the area were used to analyze the safety of development within the Specific Plan area.

Response 17J

The commenter asks how the project will affect the viewshed of Lady Face Mountain and requests inclusion of elevation drawings.

Alteration of views is discussed in detail in Section 4.1, *Aesthetics*. Specifically, Impact AES-1 discusses the views of Ladyface Mountain from U.S. 101, Kanan Road and Agoura Road. The DEIR identifies impacts from this vantage as significant but mitigable and offers a list of development standards and other mitigation requirements for future development. Also please see response to comment 16D, which describes the standard for adequacy of an EIR and the level of detail that is appropriate for a program EIR.

Response 17K

The commenter states her opinion that the EIR should, in detail, describe each of the plan related parcels and vacant lands.

This comment was also included in the commenter's December 1, 2005 letter and was addressed under Response 16D. Please see response to Comment 16D.

18

RECEIVED
DEC 16 2005
BY: A. Cook

SHARYN HAMMOND

Dec 15 ,2005

Open Letter to:

City of Agoura Hills
Council Members
Planning Commission
Planning Department

Dear Allison,

After reviewing The Agoura Village Specific Plan I want to strongly object to the concept of the Roundabout at Kanan and Agoura Rd. and at Cornell and Agoura Rd.

The traffic using Kanan to the beach is made up of tourists, emergency vehicles, delivery trucks, teenagers as well as local citizens. I believe that mix of drivers and driving skill will cause a dangerous combination at a Roundabout. The tourist has enough trouble finding their way without being presented with a unfamiliar road condition. The teenage drivers have enough problems learning to drive, controlling speed and using wise judgment in right of ways situations with out giving them the option of speeding around a roundabout. With the about driver, as well as an aging population in general, the most responsible thing for a city to do is provide clear, controlled intersections to aid all drives a safe environment.

Our citizens have had enough trouble with the increase in traffic, to purposely create a new obstacle for controlled of traffic movement and turns at one of the busiest intersections in the city is wrong.

Sincerely

Sharyn Hammond

Sharyn Hammond

28930 Fountainwood Street
Agoura Hills CA 91301
818-706-1721

Letter 18

COMMENTER: Sharyn Hammond

DATE: December 15, 2005

RESPONSE:

Response 18A

The commenter notes her objection to the concept of the roundabout at Kanan and Agoura Road and at Cornell and Agoura Road, due to safety issues related to use by tourists, emergency vehicles, delivery trucks, teenagers and local citizens.

There are more than 300 documented roundabouts at both rural and urban locations throughout the United States *(State of the Art in U.S. Roundabout Practice, Kittelson&Associates, ITE 2005 Annual Meeting and Exhibit, Melbourne).* Research of before and after conditions have shown that these roundabouts have resulted in significant decreases of crashes, especially injury crashes, compared to the original signalized and stop controlled intersections. Due to less conflict points in the intersection and lower approach and circulating speeds, a roundabout typically provides more safety than standard intersections. When the key parameters such as geometric design, striping and signing are properly applied, inexperienced driver confusion will be limited.

It is noted that the intersection design that is proposed for the Cornell/Agoura Rd intersection is not a roundabout or traffic circle, but rather a circular intersection with an island and stop signs on the minor approaches. The above text with respect to safety does not apply to this location.

19

Allison Cook

From: Arthur Hurt [achurt@earthlink.net]
Sent: Thursday, December 29, 2005 3:08 PM
To: Allison Cook
Subject: Agoura Village

RECEIVED
DEC 29 2005
BY: A. Cook

December 29, 2005

Dear Planning Commission:

Regarding the proposed development, Agoura Village, I would like to express my opinion.

A I do understand the city wanting to develop areas of Agoura to enhance the city and to bring in more revenue. However, as with so many proposals, I do hope that a compromise can be reached between no development and OVERDEVELOPMENT. I strongly reccomend that of all the plans being considered, that Alternate 5 be selected. To add 293 RESIDENTIAL units in this area will do nothing but increase that already congested traffic area on Kanan Road. One has only to travel in that area during the summer when it seems as though half of the population of Los Angeles is returning home from the beach. I have seen traffic lined up as far south as Troutdale on Kanan Road. Add to that the traffic from the restaurants and gas station already there, and there is a HUGE problem now. I can't imagine how emergency vehicles will be able to reach a crisis, (ie: an early morning fire in the summer in the mountains south of Kanan, and all of the beach, commercial and RESIDENTIAL traffic blocking Kanan) Please, please, leave out the additional traffic by not allowing 293 residential to be built.

B

C Also, I am asking that you extend the deadline of January 2 for at least another month. The January 2 date is far too close to the Holidays and people are exhausted. Let us catch our breath for at least a month.

Would you also contact the presidents of all Home Owners Associaltions in Agoura. So many people seem unaware of this proposed development and I'm sure would want to give some community input.

Thank you for your time and consideration.

Carol Hurt
Agoura, CA

Letter 19

COMMENTER: Carol Hurt

DATE: December 29, 2005

RESPONSE:

Response 19A

The commenter notes her understanding of the City wanting to develop areas of Agoura to enhance the City and to bring in more revenue. However, she also notes that with so many proposals, she hopes that a compromise can be reached between no development and overdevelopment. The commenter strongly recommends that of all the plans being considered, that alternative 5 be selected.

This comment is noted.

Response 19B

The commenter notes that to add 293 residential units in the Specific Plan area would do nothing, but increase the already congested traffic on Kanan Road.

This comment is noted. In addition, traffic impacts are discussed in greater detail in Section 4.11, *Transportation and Circulation* of the DEIR. The commenter further notes his request that the residential component of the project be abandoned in order to prevent congested traffic conditions on Kanan Road.

Response 19C

The commenter suggests that the City should extend the public review period for an additional 30 days and that City staff should contact the presidents of each of the homeowners associations within the city limits and solicit their input.

The comment is noted; however, the City has provided notice on the availability of the Draft EIR to the public as required under CEQA and circulated the DEIR for public review on November 18, 2005. The 45-day public review extended from November 18, 2005 to January 3, 2006. During that time the DEIR has been available at the Agoura Hills City Library and was also available on the City's webpage. Additionally, the City has continued to accept public comments on the DEIR after the January 3rd deadline, through the end of January 2006.

Response 19D

The Notice of Availability of the DEIR was distributed to all Home Owner's Associations in the City.

20

1/3/2006

RECEIVED
JAN 0 3 2006
BY: A. Cook

FROM: Howard I. Littman
5933 Kanan Road
Agoura Hills, CA 91301

TO: City of Agoura Hills, Planning
ATTN: Allison Cook - via email - hard copy to follow

RE: Agoura Village

SUBJECT: Review of DEIR, SP and Hoffman marketing study

Dear Allison:

Further to our dialogue this past month, I have enclosed various notes that I have accumulated relative to the DEIR, the SP itself, and the underlying Hoffman marketing study. To date, it is my understanding that Attachment A to the Hoffman marketing study is not in your hands and has not been made available for public review. I will reserve my right to forward additional comments based on Attachment A. Please let me know when it becomes available.

Attached are two documents – one with notes on the DEIR and SP, and one with notes on the Hoffman marketing study. They have been compiled on a 'stream of consciousness' basis, as time has allowed, and are 'resident/citizen' comments. The opinions expressed are 'citizen-level', reflect my thoughts as of today (subject to further review/information) and are not intended as a professional report. Because I have only been able to review the materials in my spare time, I have not been as comprehensive as I would like. I have tried to be as accurate as my time permitted, but I may not have been able to adequately 'discover' and 'cross-check' all relevant report matter during my review. The comments may be somewhat duplicative, and are not fully edited. To the extent I have missed something, I hope that you will be able to fill in my 'gaps'… and I trust you will be able to point out any areas where I appear to be incorrect, or to have misinterpreted the base documents. I am happy to be corrected as to any wrong impressions I may have, and look forward to any questions you might have regarding my notes. Feel free to call at any time.

My purpose in forwarding the attached is not to suggest that development in the Village area should not proceed, in a reasonable manner. However, as I reviewed the DEIR/SP/marketing study I could not help but begin to question whether or not those documents represent an objective look at the actual scope/extent of what could result from adoption of the SP, whether or not the authors and evaluators (to date) have adequately considered all of the relevant technical aspects, and whether or not the SP (at full build-out) would be consistent with the City's oft-repeated objectives - preserving its semi-rural character, views, etc.

A

I believe the Hoffman report is seriously outdated, is incomplete or in error in various aspects, and contains what appear to be unsupported (or unsupportable) recommendations and conclusions. There appears to be a gap in the 'logic' that leads from Hoffman to SP, and little relationship between the Hoffman study and the resulting SP. The Hoffman report also seems 'disconnected' from the City's SP vision – for example the one concrete suggestion it offers, as to a target tenant, calls for a big box building that exceeds (by a multiple of three) the standard maximum building size allowed by the SP.

B The SP, if adopted as published, will significantly increase densities throughout the SP area, and would forever change the overall character of the City. The DEIR evaluates and then characterizes the development as urban (not semi-rural), and concludes that certain traffic impacts can only be mitigated if the City downgrades its current standards for service levels. I presume that some changes in the SP will be made to ensure that its impacts, aggregated with the potential impacts of other area developments, will not in the foreseeable future result in any service levels below the current City standard. It is unclear if the DEIR traffic analysis has included consideration of future projects that lie outside city boundaries, but which the City has separately stated were 'of concern' – i.e. Heschel, etc.

C There appear to be inconsistencies between the SP and what is 'concluded' in the DEIR. For example, the SP purports to preserve views along the 101 corridor. The DEIR in one section states that views will be enhanced (as a result of new landscaping, etc. along Roadside Drive and project-wide). The DEIR also concludes there are no non-mitigable impacts from noise sources… BUT, almost as an aside the DEIR notes that in order to mitigate noise from the freeway, it may be necessary to construct a 10 foot tall noise wall along the edge of the 101. Not only would a sound wall contradict the DEIR's 'improved view' analysis, but it would virtually eliminate views of the SP area, and the hills beyond. A sound wall would clearly contradict community standards, and so should not be considered an acceptable mitigation measure. Appropriate guidance to the DEIR reviewers (from City staff) may be needed.

D On review, the DEIR appears to be foundationally flawed. The SP does not define/control how the total permittable SF of commercial space might be proportionally divided among various allowed uses. Traffic and other impacts are, at least in part, a direct function of the specific uses that will be constructed on any given parcel. If the actual/final 'split' of uses is not defined in the SP, the DEIR cannot fully or objectively evaluate the potential impacts of the 1 million+ SF of commercial space that would lie within the SP area upon full build-out.

E The SP does not place defined limits on the amount of development that could occur at various 'currently-developed' properties (exempts them from certain limitations that would apply to currently-vacant parcels). The DEIR authors thus have no way of predicting the resulting impacts.

The SP provides no restrictions on the complexion of the residential component, other than an upper limit on the number of dwelling units. EIR impacts would vary significantly depending on SF and bulk of units, whether rental or owned, number of bedrooms in each, whether free-standing or vertically integrated with commercial, etc. The SP would also allow discretionary substitution of a hotel for family-based housing – uses that obviously have distinctly different potential operational and environmental impacts.

F As an overall concept, the SP purports to be a major potential commercial/economic engine. The City's 'vision' is ultimately to generate bottom line economic benefits to the City. But in pursuing economic growth, we must at the same time look to the changes that the SP will bring to the community, and ensure they are consistent with its residents' perceptions. Entirely missing from the Hoffman study, the SP or the DEIR is a reasoned, detailed look at how the extent of new commercial development in the SP area might negatively impact existing neighborhood commercial centers. The Hoffman study is distinctly incomplete in its analysis of existing commercial businesses. The DEIR makes no attempt to discern the accuracy of the Hoffman report, and does not appear to reflect any independent study of the potential 'flight' or 'shift' of patron dollars away

A

from existing businesses – which itself would have significant negative environmental and neighborhood impacts. I understand from our dialogue that even the City does not currently have an accurate reading on the size/type of all existing businesses within its borders – and so may not itself have the tools with which to perform this analysis.

The SP as written has the makings of a commercial center that is almost three-quarters of a mile in length, is denser than existing zoning would allow, and will be virtually indistinguishable (in its tenant mix) from any other upper middle class themed commercial development (as can be seen throughout the state/region). Moreover, the underlying Hoffman report never provides any strong or convincing support for the proposition that such an extensive development is either needed or economically viable. I would find it hard to believe that a developer, receiving the Hoffman report, would embark on a project the size of the SP (based on the weakness of the data, its incomplete analysis, inability to identify strong tenant targets that could fill the amount of space being created, reliance on dilution or shifting of dollars from existing businesses, etc.).

While Hoffman notes that creating a 'unique' identity will be a critical factor in the success of the Village, nothing suggested in the report is really 'unique'. The Hoffman report is also based on a smaller physical acreage than the SP… and extending the Hoffman data 'support' to a much larger project than he envisioned would seem to further weaken its conclusions. Based on the delta in the project area and permittable SF alone, the Hoffman report and SP are inconsistent. The Hoffman report would have to be 'expanded' (consistent with acreage and total permittable SF envisioned by the SP) before it could be considered as a 'foundation' for the SP. Among other things the SP and Hoffman 'focus' on the concept of a pedestrian-friendly development wherein the components are linked and patrons move from one area to another on foot. This concept may be entirely disavowed as viable (by Hoffman) if the overall SP area and 0.7 mile extent is incorporated in the analysis. (Also, will the DEIR traffic analysis change if Hoffman concludes patrons will probably make 'internal' vehicle trips during the time they are visiting the SP area?)

E

The physical bulk and activity level that could result from full build-out of the SP, as published, appears to go far beyond characterizations that have been used in the past when publicizing the Village concept. The SP first states that the maximum building size will be 30,000 SF, then gives the Council discretion to approve buildings of 60,000 SF, and fixes commercial side yard setbacks at zero (setting the stage for what could visually could turn out to be continuous runs of uninterrupted three-story buildings along both sides of Agoura Road). While some might argue that the current Council and the Planning Commission have a more modest vision of what will be approved (and so they will 'protect' us against 'maximizing' of the parcels), the SP document MUST be taken at its face value. After all, the SP will be in place for perpetuity, the SP build-out will occur over many years, and the personal perspectives of those bodies will change in time. Only the letter of the document will remain in place.

G

When over-viewing the mechanism by which the City hopes to move forward toward successful development of the SP area, the question arises as to why the City proposes to certify a single EIR that would cover multiple projects that are not yet defined. The City could certainly pursue its design guidelines (as now expressed in the SP) using the current overlay system. Each separate project could then undergo an appropriate EIR review, at a time when it's Owner/developer has fully defined its proposal. Basic analytical format and data can be 'shared' by the various proposers, which would allow for some cost- and time-efficiency. Unless the SP can be reformulated to more accurately predict the final complexion of the SP build-out, it is doubtful an 'overall' EIR could withstand scrutiny.

H

Key to the entire discussion, of course, is the issue of whether increased density (over and above what is currently permittable) is a goal that is consistent with the City's public position in which it repeatedly asserts it wants to preserve its semi-rural character. In publicity to date, I have not seen any mention that the Village concept includes 'increased density'. Perhaps the discussion should be whether currently-permitted densities should be held steady – or even reduced. I think it would be appropriate for any future public materials or discussion to plainly disclose (and compare) how the SP varies from current zoning, in terms of density, heights, setbacks, etc.

These are only a few of the many questions/concerns that arose in my mind after reviewing the DEIR, the SP document and the underlying Hoffman report. I have articulated many other issues in the attached notes. I hope they will provide some impetus for further examination of any that you and the DEIR authors have not yet focused on. My objective is simply to bring to your attention all of the items that I believe are deserving of some further consideration. If in fact you and others have already addressed some (or all) of these issues, I would be happy to see some more detailed publication of the analysis that has been performed.

As noted above, I hope the attached will prompt further review of any aspects of the SP and DEIR that have not yet been analyzed by city staff and the DEIR authors. Ultimately the SP area will be developed – a fact on which we all agree. I think it is incumbent on the City to ensure that any new zoning/development ordinance be as 'tight' in its construction as it can be – and, more importantly, consistent with a semi-rural community character (frequently mentioned by our elected officials as the most important positive attribute of Agoura Hills). I do not think it appropriate to 'give up' on the idea of Agoura Hills being a less urban animal than its neighbors east and west. The SP, as currently configured, appears to be pointed firmly in the direction of a decidedly urban, high density development strung out along almost 3/4 miles of Agoura Road. In my view, and I think in the view of others, this could not be considered 'semi-rural' in character.

Respectfully submitted,

hil

enclosures: as stated

(submitted via email on 1/3/06, with hard copy to be hand-delivered)

GENERAL COMMENTS:

The Specific Plan (SP) and Draft EIR (Study) are, of necessity, companion documents, and appear to be somewhat 'premature' as 'final drafts'.

The SP has been gestating for approximately 8 years. It will ultimately define the complexion (and detail) of development in the City's key remaining significant developable area. It proposes various tightened land uses, revised zoning, increased density… and attempts to define the 'look' of affected properties stretching close to three quarters of a mile along Agoura Road. In some aspects it is well-defined… but in others it is vague. In many areas it presents 'concepts' that are not adequately fleshed out – but which are nevertheless presented as appropriate for adoption as law. It leaves important matters for further 'study', defers key decisions for future action, and allows for significant discretionary approvals that could alter uses, density, bulk, height, and visual aspects. Once adopted it will commit the City to a long term action plan with significant implications, but does not appear to have been based on complete analysis of certain foundational issues.

Although the idea of a Village center may be supportable, if the final product of the SP will be a high density urban development, the City may not be getting what it set out as its objective 8 years ago. While inferring that it will result in a development that will uniquely fit with our semi-rural community, and fit well-established community image factors, the details of the SP are decidedly urban and relatively indistinguishable from any number of other modern upscale commercial centers. The specific design parameters outlined in the SP are so common among planners that they could have appeared (and probably have) in studies for other suburban areas throughout California.

The City already has in place an overlay plan, and could amend it to further define uses and objectives. Under that scenario, each individual property owner in the district would be free to propose and construct projects that 'fit' the overlay parameters. In this instance, the City has elected to adopt a Specific Plan – which arguable would rely on impact analyses prepared under a master environmental and community impact study (EIR).

However, certifying a single EIR to 'cover' the entire SP area – as opposed to the process of preparing an EIR for each individual project at the time it is proposed – can be valid only if the overall SP document fully defines (in adequate detail) the maximum possible build-out that might occur over the long term. The Agoura Village SP, as issued to date, does not appear to fulfill that requirement.

The SP defines initial land uses, overall FAR limits, and numerical dwelling unit parameters - but then allows for significant subjective interpretation as well as discretionary increases (which in some cases appear to have no upper limitations). In that regard it is impossible to determine (from the SP content alone) what the possible maximum build-out will be.

Within the broad envelope of allowed commercial uses, the distribution of SF is not defined as to specific use. Because various commercial uses result in sometimes vastly different environmental and community impacts, the Study cannot be considered accurate.

Within the broad envelope of allowed residential components, the SP does not define what portion may be rental or owned, nor does it define dwelling sizes or overall maximum building size. Because neither the bulk, nor the potential number of occupants is defined, the Study cannot accurately predict the resident population, or assess potential environmental and community impacts.

Perhaps more troublesome is that the Study appears to have 'backed in' to the pre-ordained SP concept, and tailored the dialogue so that the SP could be 'supported'… rather than objectively studying the SP to determine whether its 'concepts' were desirable or achievable. By way of example: the Study concedes that full build-out (to the extent it is defined) will impact traffic at the soon-to-be-improved Kanan/101 interchange, and suggests that this is OK as long as the City revises its General Plan to 'accept' a lower level of service as the community standard.

Because the SP and the Study both appear to raise a number of issues – and in the interest of closing the 'gaps' and allowing the development to move forward – a review of both documents was undertaken. The notes below attempt to raise for discussion various 'unclear' or 'incomplete' aspects of both the SP and the Study. They were prepared on a voluntary, concerned-citizen review basis, and under admitted time constraints. Because there are so many facets to the overall plan, these comments are not necessarily comprehensive and are not in the same order as the SP or Study. Hopefully they will assist in furthering dialogue among interested parties as to the merits of the SP, and as to whether it might be appropriate to reconsider certain of its provisions.

(NOTE: A review of the SP's underlying Marketing Feasibility Analysis by Hoffman Associates was separately undertaken, and a companion comment document has been prepared addressing questions relating to that Analysis. As of this date, the foundational material used by Hoffman has not been located, so has not yet been reviewed.)

NOTES on specific topics or portions of the SP and/or DEIR

section or subject	text or paraphrase	comment/concern
Definitions herein		SP = Specific Plan document Study = Draft EIR document Hoffman = Marketing Analysis by Hoffman Associates
Acoustics, project overall and internal noise	The Study mentions only in passing various noise sources that would affect residents.	There are inherent conflicts between commercial and residential uses, relating to acoustics. While a 'reduced quality' acoustic environment may be acceptable to (or accepted by) residents in an urban setting, it is unclear whether residents in what is perceived as a 'semi-rural' community would agree. The Study assumes that residents would be receptive to a noise level that is academically considered to be the 'maximum allowable by statute'. Although legally this may withstand scrutiny, as a practical matter, the SP should attempt to achieve an environment that is 'better than' what is the minimum required by law. In addition to ambient traffic noise, and noise of proposed shuttle busses and Metro busses, there are internal noise sources that may not be mitigable – such as commercial customers at late hours (coming and going from entertainment venues, as well as at outdoor eating or recreational sites), music at outdoor plazas (as well as at outdoor dining and entertainment areas), busses (public or shuttle), commercial heating and air conditioning units on roofs near residences, idling trucks (especially refrigerated trucks), off-loading equipment and traffic control noise (at major commercial merchants and particularly at building industry merchants), frequent trash pickups required at commercial properties, trash bin lids, property alarms at commercial sites, late night noise associated with commercial property maintenance (both indoors and out), commercial property maintenance at early/odd hours (landscaping, power washing and steam cleaning of paving, etc.), parking lot vacuum trucks, and other such noise sources. The Study assumes, as foundational, the suitability of including mixed use residential occupancies, based on the SP, but presents no discussion as to whether the inherent conflicts between commercial and residential uses would be appropriate at THIS location in THIS community, consistent with semi-rural community standards and expectations.

	section or subject	text or paraphrase	comment/concern
K	Acoustics, residential and commercial standards, sound wall	Study suggests that freeway noise can be mitigated by installation of a sound wall.	There is an inconsistency between this proposed mitigation, and the aspects of the Study that address the freeway view corridor (see comments elsewhere re view analysis). Although not discussed in the Study, freeway noise may also inhibit successful 'quiet enjoyment' use of certain desired SP features – i.e. outdoor plazas, dining and other similar uses. The SP outlines a physical development program that would result in a 'pervious' first and second level building pattern, allowing freeway noise to be channeled to the 'use areas' adjacent to Agoura Road. Thus the SP and Study present an inconsistency that must be addressed – after which conclusions drawn in the EIR may need to be altered as regards either the acoustic conditions, or the visual impacts, or both (see comments elsewhere).
L	Acoustics, residential standards, windows and construction envelope.	Study suggests that although predicted noise levels are at or above preferred (or even accepted) standards, the acoustic impacts are mitigable. The proposed mitigation is that windows and doors of residences be kept closed, and thus reduce noise to an acceptable level.	The noise standard used in the Study is a 'statistically maximum tolerable' level - not one at which most residents are comfortable with on a long term basis – a factor not discussed in the Study. The proposed 'closed window' mitigation is also NOT consistent with the concept of developing 'livable' and 'enjoyable' residences that are in keeping with the supposed semi-rural nature of the community. Requiring residents to keep windows closed at all times – simply to achieve a tolerable interior noise level - is contrary to prevailing community standards, and is contrary to healthful living (both of which would require opening of windows for fresh air and general enjoyment of the mild local climate). Keeping windows closed would at least in part prevent residents from taking advantage of the mild local climate in regulating indoor temperatures – thus increasing reliance on heating and air-conditioning equipment. Keeping windows closed also increases utility, maintenance and capital costs: in order to adequately circulate air in a closed residence, mechanical equipment must run longer hours. Increased use of mechanical equipment is not environmentally friendly. The proposed balconies would not be conducive to enjoyment by residents and thus a 'wasted' architectural feature, even though they would add significant cost to each unit. They would likely become visually unkempt (unused balconies in residential properties most frequently revert to storage use and are seldom maintained in a clean and neat condition, are not furnished well, and do not fulfill their intended purpose). In whole, the acoustic environment as outlined in the Study, and as would result from the SP, runs contrary to the supposed semi-rural standards of the community – and thus are not mitigable.

	section or subject	text or paraphrase	comment/concern
M	Acoustics, special paving treatments	The Study notes that acoustic impacts to residents, from street traffic, will be threshold even under favorable review assumptions. The Study suggests that use of rubberized paving may help mitigate traffic noise.	The Study contains a direct contradiction, in that the SP calls for textured paving in the streets at key locations (as an essential design element needed to help create the 'sense of place' and ambience needed for success). The SP design guidelines note that textured paving results in 'noise and vibration'. Thus it follows that textured paving will tend to 'increase' noise from traffic, not 'decrease' it - as is required by the Study's mitigation measures.
N	Acoustics, vehicular	The Study presents presumed acoustic field conditions.	The study appears to use as a foundation acoustic studies performed some years ago for a project on the north side of the 101 Freeway. It is unclear if the readings taken at that time would equal readings on the south side, in that the geography is not the same. It is also unclear if the old readings would be verified in light of changing vehicle sizes/types generally in the past few years (larger vehicles, larger tires, more weight).
D,E	Architectural, massing concept, building size	The SP calls for a maximum single building size of 30,000 SF. The SP (section 4) shows that the city is allowed to approve buildings of 60,000 SF on a discretionary basis, without requiring a further EIR evaluation.	Given the Village's semi-rural, pedestrian-friendly 'vision', it would appear that buildings of 60,000 SF are inconsistent with the SP's objectives. There is no discussion of why the maximum is set at 30,000 SF, but then allowed to double on a discretionary basis. There is also no assurance that 60,000 SF buildings will not become the 'standard' as opposed to 30,000 SF. City staff has verbally indicated that the 60,000 SF maximum is not intended to be subject to further discretionary increases (as outlined in SP Section 9). However this is not clear in the SP Section 9 language, and appropriate clarifications should be made. Section 9 language also states "Limitation on individual building size shall not apply to an individual building consisting of multiple tenant spaces as determined by the Director." This language appears to vest in city staff the ability to permit buildings of unlimited size, so long as they are 'intended' for occupancy by multiple tenants – v. a single tenant. Using this language a building could (by way of example only) be 200,000 SF, and have one office use tenant of 195,000 SF and one retail tenant of 5,000 SF. The language should be revised to accurately reflect the SP's foundational objective – a firm maximum 30,000 SF structure size (or even less, consistent with a semi-rural village), with visual and circulation 'breaks' between them.

section or subject	text or paraphrase	comment/concern
L Architectural, massing concept, decks and balconies	The SP and Study assumes second- or third-level decks and balconies will provide essential articulation to the street scene.	The Study does not acknowledge that (as a practical matter) where sound levels are high, most residents will not use, nor furnish attractively, their private decks/balconies, as depicted in the SP, page 1-9. Commonly such areas become 'storage' space and are unsightly – hardly enhancing the street scene as envisioned. The ability of the City to ensure (enforce) long term attractiveness of such features is problematic. The ability of individual developers to ensure (enforce) long term attractiveness also will vary depending on whether the dwelling units are rentals or individually owned.
O Bicycle lane, safety, Agoura Road	Study accepts the assumption that there will be a bicycle lane behind angled parking on Agoura Road.	It would appear that some discussion of the safety of this concept is warranted. Anecdotally, drivers parking and 'pulling out' of stalls are not fully attentive. When 'backing out' views are often constrained or nil (i.e. small car parked next to a large vehicle, pulling out without the benefit of any view of oncoming vehicles, pedestrians or bicycles). If this aspect has been studied, the reports or opinions on which safety has been evaluated should be cited in the Study, so that readers can review same.
P Community impact, economic and environmental	The Study notes that 'flight' of business (from existing, aging commercial centers, to this new location) is a possible impact. The Study does not propose any further analysis or offer any mitigating measures.	The Study does not further address impacts on the community at large (i.e. on the existing business community), or flow-down effects on environmental or environmentally-related factors (flight of businesses from existing locations to new locations, downturn of business at existing locations, visual 'depreciation' at existing locations, shift of traffic flow from old to new business locations, net shift of city revenue stream, etc.) The Study appears to be inadequate with respect to this category of analysis. This issue should also have been addressed as a key, threshold issue in the Hoffman report, but was not. The local Chamber of Commerce states that it was not a part of the effort to define the SP, and that its input relative to business community impacts was not sought by the SP task force or the Study authors. This oversight should be corrected, since impacts on the existing business community affect merchants and commercial entities city-wide and regionally. Other regional Chambers should also be involved. The SP and the Study should address overlaps, propriety of business types, potential business flight, and resulting impacts on existing/aging retail centers and office buildings.

section or subject	text or paraphrase	comment/concern
Community impact, economic motivation	An un-stated, but presumed key underlying motivation for the SP is improvement of the City's economic bottom line.	The Study does not appear to include any evaluation as to whether the SP promises to significantly improve the City's balance sheet either short or long term. The SP's success is predicated on the full development of the 'new areas' – since it relies in part on shared use of parking and other infrastructure and public use features – as well as the 're-development' of existing portions. The City has already invested heavily in pre-SP studies. In the short term, the City may be required to front significant infrastructure costs throughout the overall development area – portions of which will eventually be paid back by developers as their component portions proceed to fruition. There is no analysis of the total estimated costs that will be incurred by the City, the funding mechanism for same, a time frame, or the potential that all of these funds may not be repaid at all (because the various land owners decide not to develop their properties, or do not develop them in the 'maximized, fully built out' manner contemplated). There also does not appear to be any analysis of potential ongoing costs to the City as an outgrowth of the SP, the revenues that are expected to flow from the SP area, or what happens to the balance sheet if the SP area is 'under-developed' or not developed at all (in various portions). To the extent that the SP might be under-funded as to any component, the City may not have adequate resources to fully implement the public portions, or may not have adequate funds to fully maintain all of the public features. Under-funding would likely lead to less than optimum build-out (i.e. street and public way hardscape features and landscaping), or to less than optimum maintenance over time (which in turn would have corresponding environmental impacts).

section or subject	text or paraphrase	comment/concern
12 Community need, foundational issues	The SP assumes there is a strong 'need' for the amount of development allowed by the SP – and 'up-zones' the entire area in order to achieve what could be a 'doubling' of total building mass (when compared to existing zoning).	The SP and Study observe there are some local commercial and residential sectors that are under-served. But apart from the Hoffman study (which is weak in this regard) they do not identify specific unmet needs, or strongly focus SP 'allowed' projects on those unmet needs. The Hoffman study ultimately identifies only one specific suggested new business – an ice skating facility akin to the Ice Station in Valencia. That project is a non-starter, since it does not meet any of the 'village vision' objectives of the SP, and its overall size far exceeds even the discretionary building maximum. The SP offers broad latitude for developers to propose and construct projects that may be commercially profitable (although competitive with other existing local or regional businesses), but may do nothing to ensure satisfaction of the community's genuinely unmet needs. No certainty is offered by the SP in that regard. The SP relies on the Hoffman report – yet there are inconsistencies between the Hoffman report and the SP's assumptions. The SP appears to project a stronger 'need' for both commercial and residential components than is outlined by Hoffman – and downplays constraints and potential community impacts. The Study accepts the SP's assumptions as accurate – and does not appear to include independent research or a critical analysis of the underlying Hoffman report. No section of the Study addresses the foundational issue of whether there is a need for additional businesses of the types being promoted by the SP, whether local population can reasonably support both existing and additional business SF and types, etc. No section of the Study considers, as 'alternate' projects, the specific incorporation of unmet community needs. (For example… emergency medical care, developed public parks, day care, etc.) Information flowing from city outreach efforts, designed to obtain 'needs' assessment information from residents, does not seem to be included as reference material, and is not discussed in the SP or the Study. The Study should address long term impacts if the 'assumptions' of the SP are foundationally inaccurate. Hoffman, for example, suggests that the existing community is already well served by existing retail space, and that only a small amount of additional retail is actually 'needed' – but the SP calls for expansive new retail components. The SP area will comprise significant 'public spaces and features' all of which will require a high degree of maintenance, to ensure an attractive appearance. If the SP area in effect becomes overdeveloped with retail projects, which experiences high vacancy rates or failures, will the overall SP area maintenance decline, will the area become unattractive to new merchants, will remaining viable businesses find the costs of area maintenance too high, will the City be the default source of maintenance funding, etc.? The SP and/or Study should at least address these potential factors.

	section or subject	text or paraphrase	comment/concern
S	Concept, SP v. EIR, foundational inconsistency	The SP 'concept' and 'objective' center on language noting preservation of a semi-rural community environment.	The EIR points out that the development that will result from the SP parameters is clearly not semi-rural. The EIR repeatedly observes that the nature of the SP is urban. The EIR notes that in order to find the SP impacts non-critical, the city (and community) would have to relax certain existing key community values – traffic, sound, urban quality, etc. Yet, the EIR does not point out that the SP details themselves are inconsistent with the stated SP overall objective. At a minimum, the inconsistency should be addressed. If the project that would result from the SP provisions is inconsistent with the SP 'concept' or 'objective', then the EIR should clearly state this, and send the project back to the drawing board.
T	Construction impacts, time line, impacts, interim funding	Study assumes that the entire SP will be built out within 8 years.	The study does not explain the basis upon which this foundational assumption is made. Since the time line involves a final EIR approval, SP implementation and entitlement actions, multiple owners, aggregation of property, approval of designs, financing and other activities (all of which also rely on the health of the property development economy), moving new development forward throughout the SP area cannot be accurately predicted. Moreover, those aspects of the SP that involve 'redevelopment' or 'upgrading' of existing properties cannot be predicted. Certain owners may not move forward in the predicted time frame. Construction impacts such as traffic, noise, dust, etc. - and in particular their ongoing effects on early-phase residents – should be addressed only using assumptions that can be fully supported (or at least assumptions the basis for which are adequately explained in the Study - as to source, reliability, etc.). The City will incur significant costs during early phases, and ongoing during construction of individual projects, and will not recoup same unless and until the SP is fully built out. An analysis that includes estimated short and long term costs to the City, source of funds, recouping of funds and alternate solutions if the SP is not fully built out are all valid concerns that have an impact on the community overall. The manner in which financing will be addressed should be clearly explained in the SP using supportable methodologies – not left to chance after the SP has been put into motion. These issues do not appear to be adequately addressed.

	section or subject	text or paraphrase	comment/concern
U	Construction impacts, within SP area, permanent	The SP calls for improvement of Roadside Drive and Cornell, along with Kanan and Agoura Roads.	The SP and Study do not address how those improvements may affect existing businesses. For example: Roadside Lumber relies on the existing road configuration, with a parkable shoulder, to facilitate standby of trucks delivering goods to its property; other retailers fronting Roadside may lose available head-in street parking for their customers even while these individual properties may not undergo redevelopment themselves – thus resulting in 'negative' parking counts for those businesses. Some of the businesses thus affected are identified in the Hoffman study as providing significant tax revenue to the City. The Study should identify potential permanent impacts on existing businesses that may choose NOT to redevelop. The SP restricts hours of truck deliveries, so as to be more consistent with the proposed residential occupancies (primarily to mitigate acoustic impacts in the early AM). However, existing businesses in the construction industry services sector – on both Roadside and Agoura Roads, may rely on early AM deliveries, pickups and customer traffic. The EIR does not address how alteration of the existing delivery hours may negatively impact existing businesses. These businesses are key tax revenue contributors, so impacts on their operations should be taken into account. State law allows truck staging and deliveries on-street. To the extent that businesses will have to rely on trucks parking in the street while making deliveries, this needs to be taken into account – that is, trucks 'holding' and 'delivering' in the street, even with appropriate traffic safety control, will impact traffic flow. The Study does not address this likelihood.
V	Construction impacts, within SP area, temporary	The SP suggests that development of the SP area would begin shortly after approval of the SP… with large public works improvements in the short term, but with project construction ongoing for eight years.	The Study does not address impacts of either short-term or long-term construction on existing businesses within the SP area. Public works projects will disrupt all of the major routes in and out of the SP area, and will affect access to individual properties on a case-by-case basis. Even 'short term' public works projects will actually extend, perhaps, for a year or more, during which time existing businesses may suffer significant disruptions. The Study should address the extent of physical disruptions, the costs of disruptions to the individual businesses, potential costs to the city should businesses make reimbursement claims, the potential that some existing businesses could fail due to disruptions, service sectors that will not be active during certain portions of the work, etc. The Study should include projections of economic impacts (to existing businesses) from dust and noise, traffic delays, disruptions of utilities, etc. (during short and long term construction). The Study should address the potential loss of tax revenue from existing businesses (some of which are key tax revenue providers) during the short- and long-term construction periods.

section or subject	text or paraphrase	comment/concern
W Density, at existing properties	The SP (page 9-121) exempts existing properties fronting on Agoura Road from the FAR maximums. The Study does not acknowledge that as a result of exercise of this exemption the total buildable SF may exceed what is projected in Table 4.2.	If these properties are exempt from FAR limits, then the total permittable SF is not fixed or predictable. Although the SP states the exception is intended to 'spur' development of the subject properties, the rationale for granting an 'unlimited' exception is not addressed. Because the total allowed building area floats, with no fixed upper limit, the Study has no basis for evaluation of impacts (visual/density, parking, traffic, noise, etc.), and is therefore incomplete.
X Density, build-out	Existing zoning allows a build-out of 952,870 SF total (Study, page 2.7). (Existing maximum allowable is not discussed in the SP.) The SP states the maximum build-out is 1,270,500 SF commercial, **plus either** 293 residential dwelling units **or** 231 residential dwellings and a 120-room hotel (Table 4.2). The residential component is not 'estimated' in terms of SF, but would likely gross in the area of 400,000 – 500,000 SF, and possibly more. Taken together the gross SF permittable is in the range of 1,700,000 – 1,800,000 SF, and possibly more... before taking into account discretionary increases. SP Section 9 provisions also exempt from FAR requirements the existing developed parcels that front Agoura Road. If this exemption is utilized by proposers, there will be a further increase in the total allowed SF/mass within the SP area. There is no projection in the SP or the EIR relative to how large such an increase might be, or what impacts may result.	The SP will roughly double the amount of building SF that can be placed on the available land (as opposed to existing zoning). If an objective of the City is to retain its semi-rural character, the density 'increase' allowed under the SP seems inconsistent. There is nothing in the SP or the Study that discusses, rationalizes, or questions the doubling of the allowed density. The differing impacts of the 120 room hotel, as opposed to 62 residential units, is not addressed in the Study – they are several, including that a hotel operates as a commercial enterprise, with an employee staff, 24/7 operations, etc. In practical terms, the hotel, if included as a permitted project, should be classified as commercial space, even though under building codes it is considered a residential use. Thus the built and operated commercial space total potential is actually greater than what is stated in the Study. The Study does not discuss the 'discretionary' increase provisions in the SP. To the extent the SP sets no firm, absolute upper limit on total building size or coverage on any particular parcel, the Study does not (and cannot) assess and categorize all of the potential environment impacts (that could result from discretionary approvals). It is not clear whether total build-out could exceed Table 4.2 using 'discretionary' approvals, although that would appear to be the case. The 'discretionary' clauses allow for approval of large individual buildings (up to 60,000 SF each, with no stated upper limit on how many such buildings may be approved). This discretionary increase (to 60,000 SF) is not consistent with a semi-rural Village environment, which is a stated City objective. There are also provisions allowing for discretionary increases in height, and for decreases in parking. There is no assurance as to how discretionary approvals will be granted. Using the same reasoning that appears elsewhere in the study, there should be an absolute building size limit of 30,000 SF, since larger buildings would be inconsistent with the SP's foundational objectives. It is also unclear whether the 'discretionary' language would allow the City to lift the 60,000 SF maximum individual building size limit. Larger buildings would appear to further conflict with the City's purported objective of maintaining a 'semi-rural' environment… BUT so long as discretionary approvals are allowed, there is no assurance that such larger buildings will not be ministerially approved. **(CONTINUED BELOW)**

section or subject	text or paraphrase	comment/concern
	Neither document states if parking will be in structures, but the SP suggests that this will be the case, to fulfill all SP requirements. Garage SF and mass do not seem to be directly addressed as controlled components, for either commercial or residential components… and it appears the overall size/mass of structures will increase when structured parking is added. The SP also illustrates a central parking structure, but parking facilities are not clearly defined as part of the commercial FAR – so this appears to represent an additional building mass. OF NOTE: The SP, on page 4.42 allows lot coverage increases (with no stated upper limit) and building size increases (to 60,000 SF each). The SP, on page 9-118, includes a provision allowing for discretionary increases in coverage, building SF and building size. Other provisions of Chapter 9 of the SP allow for discretionary actions that could revise or amend various design/planning constraints. It is not clear whether discretionary approvals could result in lifting of the overall maximum build-out total – but varying interpretations of the 'discretion' clauses would leave the door open in that regard.	There is also no assurance that multiple 60,000 SF buildings in close proximity would not be approved (since setback requirements would allow cheek to jowl arrangements), visually approximating high-bulk, urban development inconsistent with the stated SP objectives. The ultimate result could be a virtually 'unlimited' continuous building mass constrained only by the FAR and coverage restrictions. Thus, until the 'discretionary' language is clarified or amended, the Study cannot be used as the basis upon which to make 'findings' that can be relied upon. In order for the study to be valid long term it must be based upon fixed upper limits that cannot be altered at the Council's sole discretion.

section or subject	text or paraphrase	comment/concern
Density, overall increase over existing	Study acknowledges that under the SP overall density will increase over what can currently be entitled. Study uses SF as measurement basis for commercial property, and # of units for residential. No SF target (or cubic foot projection) is given for the building mass resulting from the residential components.	Some of the key impact analyses must be based on overall SF or cubic foot envelopes (i.e. visual, massing, construction impacts, community character). The Study does not provide data on the projected sizes of the residential units (and therefore also does not indicate the number of parking spaces required). Using reasonable current market parameters for mixed use projects (and considering local demographics as to residential), it can be inferred that the total SF build-out under the SP would be roughly twice that allowed under current zoning (taking into account both commercial and residential components). The SP's final, maximum projected area/mass impacts should be clearly addressed. There is an important, but under-stated contradiction raised by the SP's proposed density and massing projections. The SP as a whole appears inconsistent when viewed against the community's purported desire to maintain its traditional character (semi-rural, as frequently affirmed by the City). Even the SP repeatedly acknowledges the SP as creating a 'downtown' that is urban in nature. The underlying issue thus is whether the SP is consistent with community sentiment – once it is clear that the overall density will be significantly increased, and the character of the SP will be anything but semi-rural. As to targets for the SP density overall, there is no discussion in the Study as to why the density is 'increased' from the current zoning, rather than 'decreased', or at least held consistent. If the only argument for increasing density is so that the SP will be financially more attractive to developers and existing land-holders, then this should be reviewed as a foundational issue – and it deserves appropriate attention. The Study also 'selects' various alternative developments for evaluation as to impacts, but provides no information as to how those 'alternates' were formulated, by who, or why the alternates should not, for example, include one that is significantly smaller in overall total density. To the extent the Study does evaluate 'alternates' it concludes that the reduced projects are environmentally more desirable BUT should not prevail BECAUSE they will not produce the pre-determined SP result. This appears to be circular reasoning, and perhaps not appropriately objective.
Design standards, ADA	The SP design guidelines include several that suggest use of either textured paving or 'loose' material (i.e. decomposed granite)	All paving must comply with ADA requirements, so use of these materials may be limited. A review of the guidelines should be performed to ensure that all design recommendations are consistent with applicable codes.

	section or subject	text or paraphrase	comment/concern
AA	Design standards, commercial signage	The SP design guidelines (page 5-72) call for minimal use of commercial signage. Pages 5-85 and 5-86 appear to provide for a wider variety of signage, and more prominent size and placement.	Although cosmetically signage proliferation does present challenges, the wording of the guideline on page 5-72 may present unintended consequences. To commercial tenants, 'minimal' signage is anathema – for obvious reasons. The use of clear, visually obvious identifiers is usually one of the most critical considerations to the success of a commercial venture. The guidelines and illustrations on pages 5-85 and 5-86 appear more favorable, although they seem inconsistent - promoting (at the same time) both variety and uniformity. The Hoffman study does not address signage, but it would seem appropriate for either Hoffman or the Study to address whether 'minimal' signage would serve as an enticement or a detriment toward attracting potential retail merchants. Incentives to merchants, such as the ability to install signage that will 'draw' customers, including 'unique' signage, will probably be critical to initially attracting tenants, as well as their continued success. Minimized signage also makes it difficult for potential customers in vehicles to quickly and easily identify what retailers are in the SP area, and specifically where they are located – which is essential to determining where to park, etc. Traffic flow and safety are also impacted when drivers must 'crane' (to identify business locations) while they are driving. As written the SP guidelines are not well-defined… giving the city broad discretion as to the nature and placement of signs. The SP should more clearly define a specific sign program or parameters within which all signage will be allowed, so that property owners can comment on the restrictions before the SP is approved. The Study should include analysis as to the economic impacts of whatever sign parameters are included in the SP.
AA	Design standards, graphics/signage	The SP includes general signage design standards in Chapter 5.	The SP and Study should address mechanisms for ensuring compliance with signage standards post-construction. Despite current code sections that are intended to control ongoing quality of appearance at retail merchants, at existing commercial centers there is a proliferation of permanent and temporary unapproved signage both exterior and visible through windows. Such signage detracts from the appearance of those existing centers. The 'concept' will rely on maintaining a high-end village ambience that is attractive and decidedly 'superior'. The SP language should incorporate specific, stringent control mechanisms, and CUP approvals should incorporate language that will ensure developers and tenants alike are 'on board' as to compliance. The City will have to police the public portions of the project, and ensure that violators posting unapproved signage are heavily discouraged on a timely basis. This will be a part of the ongoing maintenance requirements, and will bear a dollar cost that must be either budgeted for by the City, or reimbursed by property owners or merchants.

	section or subject	text or paraphrase	comment/concern
AA	Design standards, lighting poles and fixtures	The SP (pages 5-67 and 6-90) specify the actual lighting fixtures to be used for street lighting, and for sidewalk lighting. The two fixtures shown at page 6-90 are of different architectural styles, and do not appear to be compatible/consistent. On page 5-70 the SP states that 'building' architectural design, and light fixtures, should complement the fixtures shown on page 6-90. It appears to reference the 'craftsman' fixture, not the street pole. On page 5-81 the SP calls for use of 'gooseneck' fixtures for lighting of exterior store-front elements.	Taken at face value, the guideline on page 5-70 would restricting all building design to the Craftsman style. Elsewhere in the SP a stated objective is design flexibility. There appears to be a contradiction… either there is one distinct style for all buildings, or developers will be permitted to construct a variety of styles. The guideline on page 5-81 calls for fixtures that are not compatible with either the street light pole or the sidewalk light pole. The illustrations in the SP depict various architectural styles, including Southwestern Spanish or Mission heritage, east coast and mid-west small town traditional, California Craftsman (sort of), contemporary false Disney-esque, mixed European revival (modernized), etc. The SP should be reviewed for consistency. If flexibility is intended (as would be suggested by various illustrations), the item on page 5-70 should be revised, and the SP should be clear in stating that designs are not restricted. If, alternately, the SP intends to 'require' only one particular architectural style, then this should likewise be made clear, and all illustrations in the SP that show other styles should be omitted.
AA	Design standards, mailboxes	SEE page 5-85.	Please say this is not the 'best' design we can expect.
AA	Design standards, parking area trees, views	The SP design guidelines (page 5-68) call for parking lot trees each fourth car (about 34 feet), with each tree having a canopy of 30-40 feet.	The result of this standard would be 100% coverage of parking areas with large shade trees. While this would be attractive by itself, it may be inconsistent (over time) with the objective of preserving views of the open spaces and hills to the south. A fully developed continuous canopy (with trees that would probably also be 30-40 feet high) could obviate views from within the parking areas. It might also might inhibit easy, mid-to-long distance identification of smaller project merchant locations – as hinted at by the photo on page 5-68, showing landscaping that has not yet matured. SEE guideline G on page 5-68, right column.
AA	Design standards, parking areas	The SP design guidelines (page 5-72) call for separate parking areas for various uses in mixed use developments – and even to separate parking area entrances.	This would seem to contradict other standards that call for shared parking. The various standards and guidelines need to be reconciled so that they are consistent.

	section or subject	text or paraphrase	comment/concern
AA	Design standards, parking stall locations	The SP design guidelines state that all residential parking stalls should be within 200 feet of the residences served (page 5-67).	The SP and Study do not articulate how this would be achievable given the objective of shared parking. The SP allows for granting parking reductions for shared parking, including for residential use. If so, it is unlikely that the residential spaces could be 'assigned'. Thus it would not appear that this design objective could be achieved in situations where shared parking is employed. The SP separately allows for off-site parking, within 700 feet of served uses. It is unclear how the two concepts would be reconciled. Where the SP allows either 200 feet, or 700 feet as a 'distance' from building to parking stalls, the method of establishing the distance is not defined. The SP should clearly note how the distance would be measured (i.e. from the doorway of the served use to the actual parking stall… versus from the property being served to the property on which the parking stalls are located). If parking is not assigned, implementation could be problematic.
AA	Design standards, paving	The SP notes the importance of using environmentally friendly practices.	The SP does not appear to require use of pervious concrete or other similar materials, wherever feasible. Inclusion of requirements for pervious paving materials should be considered.
M	Design standards, paving material	The SP design guidelines, page 6-92, call for use of colored and textured pavers.	The SP notes that textured paving creates "…noise, and vibration." This may be inconsistent with the need to minimize noise levels as perceived at residential components.
AA	Design standards, street beautification	The SP design guidelines in Chapter 6 are specific as to the exact furnishings, colors and other details.	The specificity in Chapter 6 demonstrates a fully-developed street design scheme (most likely a 'copy' of specifications originally developed for another project). (NOTE that 'or equivalent' language should be employed, since the specified top-of-line items may prove too costly.) However, other key aspects of the SP have not been similarly developed, and are so broadly undefined that they do not ensure any particular result. All of the SP area's design components, including street and project signage, monument designs, roundabout treatment, etc. should be developed to a similar level of detail and included in the SP, so that their complexion is not subjective/discretionary.

	section or subject	text or paraphrase	comment/concern
AB	Design standards, street tree 'lighting'	The SP design guidelines, page 6-93, call for electrical service at ALL street trees, for holiday lighting.	??? semi-rural… or downtown Beverly Hills This provision hints at what can be expected as the ultimate complexion of the SP area upon full build-out. The 'facts' of the SP appear to contradict its stated objectives, including "Design the Village to reflect the unique character of Agoura Hills and quality of life; do not replicate similar pedestrian-oriented centers in the region." As confirmed by language in the Study, the SP project, to the extent it is articulated, will result in an 'urban' shopping district. The design guidelines and illustrations depict a commercial development that is not unique to Agoura Hills, and in fact could be 'transplanted' to (or from) any other suburban location without significant modification.
AC	Design standards, trash enclosures, utility areas	The SP design guidelines, page 5-84, call for enhanced treatment of utility areas, and include an illustration of an open trellis-type covering (although the guideline does not call for covering).	Buildings will be multi-story, with office and/or residential uses on upper floors. Buildings at higher elevations will also look down, to some degree, on those at lower elevations. The guidelines should require that all utility and trash areas be effectively screened from view from any other portion of the SP area. A similar requirement should be included for roof-top mechanical equipment (not just a screen wall). The SP could provide specific height exceptions where needed to permit appropriate overhead view screening of objectionable features.
AA	Design standards, visual	The SP calls for street furniture and a banner program.	The SP should clarify that no 'advertising' may be made a part of the street furnishings program or bus stops, etc. The SP does not articulate how the banner program will be managed, what types of communications will be permitted (or not permitted), whether it will be reserved for the use of area merchants only (or be open to advertisers city-wide), etc. Additional definition should be provided so that property owners understand how the banner program will function.
AA	Enhancements	The SP does not address wireless service.	The trend is toward development of wireless services. Addition of wireless service throughout the SP area would be an additional draw for businesses and customers alike, and should be considered as a part of the SP infrastructure. Capital costs, ownership and management of wireless system should be part of the analysis. The City could potentially own the system, and retain positive revenues that result from its use by individual property owners, tenants and customers.

	section or subject	text or paraphrase	comment/concern
AD	Enhancements	The SP does not mandate energy savings, or alternate source development.	The trend is toward 'green' developments, as well as toward inclusion of alternate energy sources (i.e. solar). The PS 'suggests' energy measures in the design guidelines, but does not require them. Consideration might be given adoption of specific standards or enticements, as a part of the SP requirements. If an SP area-wide system is incorporated, it could result in positive economic benefits to area owners and tenants, and could possibly provide surplus power to the City for consumption in the public portions of the SP. HOWEVER, where solar panels are employed, the possible impacts of same on residential developments at higher elevations should be analyzed (as to glare, reflection).
AE	Equestrian facility	The SP calls for development of an equestrian facility, along with equestrian trails. The SP does not appear to further define this project component.	The SP does not define the nature/size and functional parameters for the equestrian facility. The equestrian facility is not shown on the list of approved land uses (Table 4.3, pages 4-40 and 4-41). It is unclear if the facility is physically part of Zone A, Zone D or Zone G (open space). The SP states the facility will be constructed by the City, but does not state whether it will be operated by the City, or transferred to a private owner. Economic details do not appear to be addressed in the SP or Study. The Hoffman marketing study does not appear to address whether there is adequate demand for an equestrian facility in this area (which is already regionally served by several facilities, and numerous trail head locations), or whether this is an appropriate location. No operational information is provided – scope of the building program, day use v. stabling, need for a resident stable-master, number of daily users, vehicle access/parking, hours of operation, etc. The Study does not mention horse trailers as a factor in its traffic/road analysis. If the scope is not defined, then the Study obviously cannot objectively analyze its potential impacts – either on the community at large, or on other SP-area components or residents.

section or subject	text or paraphrase	comment/concern
AE Equestrian trail	The Study assumes enhanced public equestrian trails and related infrastructure are appropriate, and that impacts of noise, dust and odors are mitigable. The Study assumes that a private equestrian facility will be a part of the build-out.	Historically the City has protected its equestrian property owners, has devoted significant funds to development of equestrian facilities, and has required private developers to build and maintain trails, including along Agoura Road. The Study does not directly address whether the equestrian facilities are environmentally appropriate in close proximity to the commercial and residential uses. The Study only mentions odors as a passing consideration (saying odors are mitigable, but without addressing extent of effort, costs or responsible parties). Experience suggests that even aggressive cleanliness will not fully mitigate the unmistakable small of horses on trails, or those emanating from stables or corrals… especially in hot, breezy weather conditions. Prevailing downdrafts from the hillside will ensure odors will drift toward the central project area. Those odors would be obvious to residents, as well as to commercial customers, including those at outdoor plazas and eating areas. The trail could interface directly with pedestrians crossing Agoura Road (a keystone to the SP concept), but there is no indication this was studied as a potential impact as to health (walking over trails and unintended spread of detritus throughout the SP area, including to eating facilities), or safety (increased interaction between pedestrians and horses). The SP and Study do not analyze whether the proposed equestrian trail will result in horse 'traffic' that might have negative safety or operational impacts – i.e. horses v. pedestrians, horses v. vehicles, horse crossings delaying traffic, etc. The Study does mention, but downplays, a current and projected shortfall of non-equestrian public parks and recreational facilities. Although perhaps not in the final purview of the Study, but certainly worth at least a mention, would be the fact that even if the City builds the trail infrastructure there is no assurance that an equestrian facility will be built, or would be successful in the long term. The SP presumes there is a demand for additional trails, connecting Old Agoura with open space accessed from the SP area. Despite the existence of trails along Agoura Road - which arguably benefit only a small percentage of property owners from Old Agoura - anecdotal evidence indicates little or no use of those trails on a regular basis. The Study does not, but perhaps should, address whether the equestrian uses are compatible with the overall goals of the mixed use SP. A review of the need for incorporation of the equestrian components should be balanced against the need for general recreational facilities to serve the community at large. As an 'alternate' the EIR might consider two options: elimination of the equestrian components; inclusion of equestrian components only if funded by the private facility operator (or by trail users), and conditioned upon NO valid complaints by other uses long term (as to odors, cleanliness, etc.).
Equestrian trail, adjacent to stream	The SP shows equestrian trail development alongside stream bed(s).	The SP and Study should address the need to effectively separate equestrian trails from stream beds, as regards drainage and waste matter control.

	section or subject	text or paraphrase	comment/concern
AF	Existing use, flea market, farmers' market, seasonal sales, similar	The SP and EIR seem to be silent on these existing uses	These outdoor land uses apparently do not show up in the Hoffman study, nor in the EIR. Will these existing uses continue? If so, shouldn't the EIR include consideration of their impacts?
Refer to D, E, H	Lot coverage	The SP zoning allows for coverage of up to 60%. The SP appears to also allow for further discretionary increases, with no defined upper limit.	60% or higher lot coverage is decidedly urban in nature… and so appears to be inconsistent with the stated SP objectives – and the General Plan objectives. The illustrations in the SP do not provide a visual 'picture' of what 60% lot coverage would yield. The Study does not appear to address the 'community' characteristics of high lot coverage, or potential visual or other impacts. Example illustrations showing 60% lot coverage should be included in the Study, along with analysis addressing likely impacts of high lot coverage – i.e. increased visual mass, reduced landscape, expanded visible rooftops (mostly from higher elevation projects looking down on rooftops of lower elevation projects), etc. Incidental impacts may be increased 'collected' storm water load (which must be 'piped'), higher roof ridge lines (at sloped roofs, larger structures dictate higher ridges, per SP design guidelines at page 5.77), high overall reflectivity (if light roof colors are used as per SP design guidelines at page 5.78), etc.
Refer to A & R	Market Feasibility Study	The SP relies heavily on the Market Feasibility Study prepared by Stanley R. Hoffman Associates, dated March, 2002.	The EIR appears to accept the statements made in the SP itself as to the validity of the underlying Hoffman study – without presenting an independent analysis, or questioning the SP's reliance on that study. The Hoffman study appears to be outdated in certain regards, inaccurate in certain specifics, and does not appear to fully support the 'assumptions' upon which the SP has been formulated. To the extent the Hoffman study is incomplete, outdated or inaccurate, the SP assumptions may be unsupportable. The Hoffman study is based on a smaller 'area' than the SP – a significant delta especially when considering the important 'pedestrian-friendly' atmosphere that the SP assumes will motivate patronage. To the extent the SP does not reflect certain Hoffman study conclusions, the SP may be unsupportable (and the EIR would be moot as to the same issues). *SEE separate review notes relative to the Hoffman study of March, 2002.*

section or subject	text or paraphrase	comment/concern
Mass and size, hotel Refer to G, X, D, E	The SP and Study show the potential for a 120-room hotel	The hotel component is not addressed in the Study, as to size and visual impact. The SP sets a limit of 30,000 SF for commercial buildings, with discretionary increases to 60,000 SF. However, a 120-room hotel would far exceed even that size. Thus there is an apparent contradiction in the SP that has not been picked up in the Study. It is unclear whether the intent of the SP is to provide a specific increase to the maximum building size for the proposed alternate hotel component. This would not be consistent with the objectives of the SP, or with the City's purported goal of retaining a semi-rural community environment. The hotel would also likely be 3 stories in height, would likely be located near the 101 (for visibility) and thus could be the most visible structure in the SP area. Because the hotel would also operate as a commercial venture, even though it is categorized in the SP as residential, the Study must consider its impacts in the same vein as any other commercial use. Impacts for traffic, noise, etc. of a hotel are different from those of a residential dwelling. NOTE that if the SP does not intend an increase in maximum building size for the hotel component, then there could ultimately be several smaller hotel buildings comprising the 120 rooms (each up to 60,000 SF in size). Ironically, the SP zoning allows for zero side yard setbacks, which would allow for a series of 60,000 SF buildings with no 'break' between them. The ultimate result could be a virtually 'unlimited' continuous building mass constrained only by the FAR and coverage restrictions.

section or subject	text or paraphrase	comment/concern
AG Parking, projections, reduced requirements	The Study notes that parking projections have been modeled traditionally, and that the SP presumes a reduction in parking stalls in consideration of shared uses. The SP (pages 9-117 and 9-118) also allows parking counts to be reduced at the discretion of staff/PC/Council.	Traditional parking formulas, and the City's parking standards, may not adequately address actual parking demands if the SP proves successful. Anecdotal evidence at recently-developed commercial centers indicates that even 'code-level parking' is insufficient to handle demands, even when there is a genuine sharing of parking (for varied uses, such as theater v. 'day' retail). We need only look to Calabasas and Westlake Village (in addition to the existing Mann project) for examples – where parking stalls are frequently 'hard to find'. The results are 'cruising', off-site parking (a negative for neighboring uses), slow or stalled traffic movement, etc. Granting 'shared use' reductions assumes there will be no change in use over time – an unsupportable proposition. If shared use is allowed, there must then be a 'backup' plan for increasing parking counts in the event future uses differ from those at the time of initial approval. The SP also assumes a reduction of total spaces where there are mixed commercial/residential uses – but no explanation or support for this (in fact, for both rentals and owned units in an upper middle class area, occupants usually own more cars than are accounted for in the parking code). There is also no way to ensure that residents' parked cars will leave the parking area, freeing stalls, at the same time there are commercial demands. From a marketing standpoint, a lack of dedicated parking spaces for residents/owners will also be a negative factor. An SP provides an opportunity to review sizes of parking stalls and aisles, to accommodate the actual mix of vehicles in the community (regionally it is likely that we trend toward larger vehicles, and that stalls should be larger, with less compact spaces, and no 'reduced aisle' widths). Basing parking demands on traditional models (assuming a semi-rural use pattern, and before the 'SUV era') should be re-examined. A parking ratio, dimensions, etc. should be based on a current field study taking into account actual stall use at local, successful concentrated commercial ventures. This is especially important in that the SP does not provide for any 'fallback' position (i.e. land reserved for parking for 'x' years pending determination based on actual use, or significant amounts of street parking). If users are 'circling' or 'jockeying' for available space in street stalls, it will exacerbate the overall traffic service level problem on Agoura Road and throughout the SP area, including backup into the Kanan roundabout. How will the City enforce 'short term' use of street stalls… will we see prolific ticketing by the Sherrif… parking meters?

	section or subject	text or paraphrase	comment/concern
AG	Parking, shared parking, safety, other aspects	The Study accepts the SP assumption that shared parking among projects is viable. The Study notes that implementing shared parking arrangements could be problematic, but provides no mitigating alternates. The SP and Study are silent on collateral issues.	Aside from the difficulties in establishing the legal cross-sharing of parking facilities, if the developments are under separate ownership it will be difficult to enforce if there are future disagreements among owners, or if one or more ventures is unsuccessful (and go out of operation). The shared parking concept would also require that all 'sharers' entitle and construct their projects in the same time frame – which is far from a certainty. The SP allows use of off-site parking, but the Study does not address its impacts - such as the possible need for valet parking, etc. that affect parking efficiency and traffic local to the SP. The SP and the Study are silent as to the practical issues involved. Consideration should be given to the potential that proposed cross-sharing of parking, and off site parking, may not be workable. There should be a Plan B under consideration as part of the SP. Off site parking, in concert with recreational and entertainment venues that operate into late night hours, may also present certain safety issues that are not addressed in the SP or the Study. These may dictate additional police services – and this should be contemplated in the EIR and by the City as to methods of financing. Late night operations, for safety reasons, may also dictate parking lot lighting that exceeds current city standards, and which may impact residents – also not addressed in the Study. Enhanced parking lot lighting may also produce an overall 'glow effect' that will spill over to the view corridor (101 Freeway), which cannot be fully mitigated. City staff advises that subterranean parking will be encouraged, and is the preferred solution for much of the parking load. Public underground parking presents a separate set of security issues in the context of a commercial or mixed use development, especially with late night operating hours. If the underground parking is mixed use (not dedicated), and supports senior housing, that population requires special considerations.
AH	Parks, public use	The Study's Impact PS-7 analysis contains mitigation actions to address the acknowledged shortfall in public parks and recreation programs. The Study elsewhere notes that the residential development in the SP is physically 'divorced' from the parks facilities on the north side of the Freeway. The Study notes there will be 32 acres of open land resulting from the SP. The mitigation calls for either park land or funds for parks use. The Study concludes no additional mitigation is required.	The mitigation does NOT note that the 32 acres of open land is steep hillside, largely unusable as parkland for most persons (or for most common parks uses). The Study does NOT note that if developers offer funds rather than land the final result will be no usable parks for residents south of the freeway. It is not only important that the City begin to catch up on its deficit of parks for use of its families/children, but that the parks are located in reasonable proximity to housing. Provision of funds only, plus un-usable open/steep hillsides, will NOT mitigate the lack of usable parks for residents in the SP or nearby housing south of the freeway. The mitigation should include a requirement for development of suitable park facilities either within the SP, or on an adjacent parcel easily accessed by residents – ideally within easy walking distance.

	section or subject	text or paraphrase	comment/concern
AI	Pedestrian movement	The SP, Hoffman and Study discuss the 'disconnect' between the north and south sides of the freeway, and specifically the difficulties of promoting pedestrian movement to/from and around the SP area. The Study mentions a possible 'underpass' beneath the 101 freeway, but does not further analyze it. The Study states there 'may' be a shuttle bus system, but this is not further defined.	The SP does not mention that pedestrian movement across the 101 freeway at Kanan may be problematic because the new interchange does not contain safeguards for pedestrian crossings at its new on-ramp, which are not signal controlled. Whether or not there is an 'underpass' would seem to be an important question in assessing potential movement, economic impacts, safety impacts, etc. This should be defined in the SP, and analyzed in the Study. Whether or not there is a 'shuttle bus' system would seem to be an important question in assessing potential movement, parking requirements/impacts, safety impacts, economic impacts, etc. This should be defined in the SP and analyzed in the Study. To the extent the final project complexion is not defined, the Study cannot analyze potential impacts.
AI	Pedestrian movement, street crossings	The SP notes that easy pedestrian circulation in and about the SP area is key to success of the 'concept'.	The SP does not provide criteria for distances between crosswalks. Short distances between crosswalks would be necessary to promote ease of circulation, and at the same time ensure that crossing only occurs at designated cross-walks – not mid-block – a safety issue. At the same time, multiple cross-walks, closely spaced, will reduce the amount of potential angled parking in the central zone(s), and will also further impair traffic movement through the area. If signals are introduced, this would seem to run contrary to the theory of installing traffic circles (for the purpose of promoting smooth, non-platooned traffic flows). The SP and Study should address distances, and how multiple crossings might potentially impact traffic flow, how much parking will ultimately be achieved, whether that parking will be adequate to satisfy the 'concept', and whether the traffic flow (as calmed by all proposed elements) will be able to operate at an acceptable level for through-traffic). The study should also address whether pedestrian signals will be needed to assure safety.

	section or subject	text or paraphrase	comment/concern
AJ	Police services impact	The Study notes there will be an increase in demand on police services.	The Study does not project what the increased demands will be. The Study does not identify the potential costs involved in providing increased services. The Study does not identify a source of funding. City coffers are impacted. The City will be in a negative position with respect to the SP during its early phases – including demands during construction phases, which the Study states will be 8 years (probably an optimistic view). Service demands will increase well in advance of when the SP will generate significant tax or BID revenues that can be used for police services. It would appear that additional analysis of demands, costs and revenue sources is warranted before this can be categorized as 'mitigable'. The Study does not show input from the local police services provider.
AK	Project approval process	The SP states (page 9-116) states that component projects will be processed for approval using the CUP method.	However, it is important to also note that because the EIR for the entire SP area will have already been approved, public scrutiny will be limited to a review of whether the proposed plans generally conform to the Specific Plan. The City's staff, the Planning Commission and the City Council are granted considerable latitude in interpreting both the intent and specific requirements of the SP… and will be allowed broad discretion to grant exceptions or modifications to any of the SP's provisions. Thus, it is likely the public review and hearing process for any of the component projects will be truncated… and that swift approval for plans that have been pre-processed between the developer and staff/PC/Council is assured. The overall concept of whether the public review process should be truncated in this fashion – particularly where the EIR is unable to address the various 'unknowns' built into the SP – should be carefully evaluated. It may be that the EIR (covering the entire SP area, but lacking a defined final project complexion) may be later challenged as incomplete or inadequate – which would lead to protracted delays in implementation of the SP.
AL	Proposal processing	SP page 8-103 discusses 'incentives' to private developers. One 'incentive' mentioned is "…timely processing…" of development applications. The incentives mentioned also include "…flexibility to development standards, and/or possible fee adjustments".	ALL proposed projects in the City of Agoura Hills are entitled to, and should receive timely processing (whether in the SP area or elsewhere). ALL applicants are also entitled to equal consideration relative to the development standards and fee adjustments – based only on the merits of their proposed projects. It is unclear how the City could provide additional 'timeliness' incentives to developers that staff or Council determine are 'more friendly' to SP objectives than others. The language implies that developers or owners who more easily bend to pre-determined personal preferences of staff or Council might receive preferential treatment (i.e. discretionary approvals), expedited timeliness in the approval process and/or dollar subsidies (in comparison to other applicants NOT appearing as friendly). This entire notion (and any existing policies along these lines) should be firmly disavowed, and the language removed from the SP.

	section or subject	text or paraphrase	comment/concern
AN	Redevelopment authority, aggregation of property	Study does not address how properties would be aggregated, or a time line for aggregation. Study assumes use of Redevelopment authority as a tool for ensuring aggregation.	The study does not analyze whether or not the SP could be implemented successfully if the City's Redevelopment authority is determined not viable. Existing state law contains restrictions on declaration of 'blighted' areas, and the activities of municipal agencies under the guise of such a finding. Those laws are currently undergoing even more detailed scrutiny as to the underlying conditions needed to justify a finding of 'blight'. It is questionable whether the properties included in the SP qualify as 'blighted' as defined. Even if such a finding is justified there is a likelihood that governing statutes will be tightened in the near term. It seems appropriate to discuss whether the City has, or will continue to have, the necessary 'clout' to ensure aggregation of all the SP property portions (when addressing SP viability and time frames). Even in best circumstances, the time line for completing all negotiations/agreements needed for aggregating properties - so as to ensure successful development of the various 'shared use' features - would be indeterminate. Not addressed is the fact that certain existing property owners may elect to continue their current use over an extended period of time – or even in perpetuity. If Redevelopment authority is affirmed as a viable tool, any reluctant property owners could still render timely development of portions of the SP doubtful – through legal challenges. Should Redevelopment Authority be found not viable, it would raise the issue of whether or not all City expenditures are recoverable from property owners or developers, as is assumed in the Study. The documents mention RA debt (to the City) in the $10M dollar range, but does not articulate whether that debt is all related to the Village area, or other projects. Invalidation of the Redevelopment authority may also moot requirements for inclusion of affordable housing in the residential component.
AN	Redevelopment authority, tax revenue	Study does not address tax increment issues.	If the SP projects are considered part of a Redevelopment Area, then how will tax revenues be allocated. Aren't there regulations that restrict use of taxes obtained from such properties. If taxes do not go into the general fund, how does this affect the overall cost/revenue picture of the City, with respect to the Specific Plan area and the City overall?

AO

section or subject	text or paraphrase	comment/concern
Residential, type, varying impacts	Residential development is allowed to include as many as 293 attached dwelling units… OR alternately, up to 231 attached dwelling units PLUS a 120 room hotel. The SP and the Study contain no constraint or further definition as to housing type or ownership.	The SP and Study do not identify or set limits on housing unit size (i.e. single occupant studio apartments versus 5 bedroom residences). The SP therefore would allow for significant swings in the total resident population, and resultant impacts. The Study does not explain how the 'population' was projected for environmental analysis purposes – and since the SP is silent on this point, any assumptions made in the EIR may not be supportable, or reflect eventual entitlements. The Study does not discuss or question whether the housing will be rentals or 'owned units'. The environmental impacts of rental housing vary from those of owned housing. Anecdotally, the number of vehicles varies for rental versus owned housing. The number of vehicles also varies significantly based on size of dwellings – especially for rental housing (apartments or condominiums), and for affordable rental units. Rental units (and condos rented out by distant owners) are sometimes occupied by large numbers of adults, each owning a car (i.e. at residential projects on the north side of the freeway). Maintenance quality varies for rentals versus owned units, and visual appearance is impacted accordingly. Anecdotal experience also suggests an association between rentals (and rented condos) and other community impacts – i.e. noise, trash – and input on such impacts should be obtained from the local policing agency.

section or subject	text or paraphrase	comment/concern
AP Roof-top equipment, and other commercial acoustic and visual impacts on residential uses.		Significant roof-top equipment will be required for commercial spaces. Buildings are staggered in height, and the presumption is that commercial structures will be lower than residential structures. The geography places residential/mixed uses at a higher elevation than strictly commercial uses. The Study does not discuss mechanical equipment, or other noise or odor sources, at existing businesses that will remain in place during build-out, and perhaps permanently. The Study should identify noise and odor sources at existing businesses and determine what impacts may exist on new proposed projects. Commercial roof-top equipment creates significant noise (which can also vary over time, depending on use/maintenance factors), which will exacerbate acoustic problems for residents. This does not seem to be addressed in the Study. Commercial roof-top equipment will be operational and create acoustic impacts on residential uses at hours not consistent with residents' need for quiet – specifically early AM and late PM, when residential dwellers are more sensitive to noise and vibration. Cumulative noise generated by commercial equipment does not appear to be addressed in the Study. Noise of commercial HVAC equipment may also become problematic at vertically stacked mixed use projects, where major equipment may need to be located on roofs above residential spaces (potential impacts re both noise and maintenance). Other commercial noise-generating equipment or features at site level, such as compactors, trash bin lids and gates, music, parking lot noise, alarms (premises and car), idling trucks (especially refrigerated trucks), etc. do not appear to be specifically addressed in the study, and may be non-mitigable. For example, refrigerated trucks (which are per the SP allowed to idle for some time), often create noise well above the acceptable threshold level for residences that will be located nearly or above the commercial use being served. Commercial roof-top units will require special consideration as to visual screening, and possibly complete enclosure on sides and above - traditional low screen walls will not suffice to eliminate views of same from residential uses as currently envisioned in the SP – also not addressed in the Study. Residents likely would not have the 'quiet enjoyment' of their premises that the SP envisions. Cumulatively, the impacts of commercial activity on residential uses may not be mitigable, and run contrary to the supposed semi-rural standards of the community – and the stated objective of the SP. It would seem that additional consideration/analysis of the 'view aspects' and the 'acoustic travel path' as relates to roof-top equipment – by way of cross-sectional studies of the site – would be appropriate. Similar consideration should be given re possible commercial odor impacts (i.,e. restaurants).

section or subject	text or paraphrase	comment/concern
AQ Schools impact	The Study concludes there will be a need for public schools to support 181 new students. The Study notes that there are upper limits to the funding that can be obtained from developers. The Study notes that local public school populations are already impacted.	The SP and the Study do not contain any rationalized analysis showing sizes of residential units. The SP allows for development of a range of dwelling unit sizes. It cannot be determined from the SP how small or large the dwelling units will be, and whether they would be rental or owned units - and thus there is no accurate gage of how many school-aged children might occupy those units. The Study states that it used information from the LVUSD in estimating the student load that would result from the proposed SP build-out. The Study assumes 181 new students. The LVUSD uses a standard formula for projecting student populations resulting from new residential development. That formula is derived from an outdated survey of only a small portion of the residential product in place in 1998. Nevertheless the LVUSD confirms that the formula has proven relatively accurate. The LVUSD's formula, applied to the SP's 293 dwelling unit projection (attached housing types only), would project an increase of 205 students. LVUSD confirms that housing 205 new students on a phased basis - even with some starting in 2006 - could be accomplished. However, the discrepancy between the Study and the LVUSD formula should be resolved. The analysis should also be amended to show there could be a significant potential 'swing' of student populations – either up or down - based on the range of dwelling sizes permittable under the SP. If the swing trends 'down' because the units are small and largely populated by adults, the impacts will be reduced. However, if the units trend larger, and are populated by young up-coming families, the impacts will be increased. Local school district facilities are already impacted. Funds needed to build new school facilities far outstrip funds obtained from developers. The mitigation section does not provide any actual solution for funding shortfalls. Further analysis should be provided. The potential shortfall should be identified. State government funding for school construction is currently impacted. In the event the public does not agree to additional bond funding to cover the SP student population increase, it may not be possible for the district to provide new or upgraded existing facilities for the new students, either absolutely, or at least within the time frame in which the SP is envisioned to be built out. There is a lag between the time new facility needs are identified and when facilities can be brought on line, even if funding is available. The design, funding and construction sequence can take several years, as was seen with the Yerba Buena project now under construction. The SP, if approved in 2006, would result in at least partial impacts by the end of 2006 or during 2007 – with full impacts aggregating by the time of full build-out (projected by the Study at 8 years). For the above reasons, the Study should address the possible 'high' and 'low' student population that could result from the 293 new units (and address differences for rental and owned housing, and small v. large units) – and obtain concurrence from LVUSD that the 'high' number can be housed without significant impact.

section or subject	text or paraphrase	comment/concern
AR Specific Plan v. Overlay	The city apparently takes the position that the SP is the only mechanism through which the planning objectives can be achieved.	The SP process relies on a single EIR for all component projects. Because the final complexion of the SP is not accurately defined (or reasonably predictable), the single EIR is inappropriate. It appears the same ultimate objectives could be achieved through amendment of the existing overlay district zoning (updated, refined design and planning requirements) - and the public better protected if individual component projects were analyzed through separate EIR's (based on 'known' project parameters), and the full CUP process. Since individual EIR's could share underlying data, their production could be streamlined, and recycled EIR data costs 'shared' among beneficiaries.
AS Traffic, Agoura Road, 101 'alternate'	The Study includes a statistical analysis of traffic based on common academic principals – but only as respects the scheme that is assumed by the SP.	The Study does not discuss several key issues, and errs in at least one key underlying assumption. Agoura Road is a major arterial road, and smooth traffic flow will be essential as it approaches its long term design goal of serving fully-developed properties along its length, and nearby. Reducing a major artery to single lane traffic is questionable. The Study does not address the unique characteristics of Agoura Road, including that it serves as the only 'alternate' regional vehicle route in the event of disruption on the 101 Freeway. Portions of Agoura Road have already been widened with this in mind - but the SP conceives of the central SP project portion in an entirely different light. Because Agoura Road is cast as serving, at once, as both a regional arterial and a local, 'calmed' shopping street with significant pedestrian cross-traffic, the SP presents an apparent contradiction. In the event of 101 disruption, Agoura Road would be impacted even under a 'best' traffic management scenario. The intentional calming design features would simply exacerbate the delays. This should be studied accordingly.

AT

section or subject	text or paraphrase	comment/concern
Traffic, Agoura Road, calming on central portion	Study presumes a single traffic lane and angled parking are viable tools for achieving the conceptual ambience for the pedestrian-oriented Village concept. The SP establishes dimensional criteria for angled parking on Agoura Road – and they are inconsistent with the existing City parking design standards as well as standard practice.	The Study assumes that there would be little disruption caused by the angled parking (only conceding minor hesitation when cars are seeking spaces, and suggesting no hesitation when cars are pulling out of spaces). Little analysis is included as to 'backing up' of traffic into the proposed Kanan roundabout. Practical experience with similarly-developed angled parking indicates that shoppers actually cause significant 'stoppages' in single-lane roads of this design while 'seekers' slow down (and even at times stop while waiting for a car to pull out and vacate a good spot) – despite inconvenience to others, and even honking horns (another source of noise to residents). The SP assumes (and the Study fails to analyze or question) that only 16 feet is required for the 45 degree angled parking stalls, and further assumes that cars 'backing out' of spaces can do so using only the 8 foot wide bicycle lane (thus not disrupting passing traffic). This 24 foot overall dimension does not appear to be viable. Although there is some variation among jurisdictions, standard parking design configurations using 45 degree angled stalls, with one way traffic, generally require between 19 and 21 feet for the stalls, and a total of between 32 and 35 feet (some even more) as the minimum safe required overall dimension. Standard 'backing out' aisle dimensions alone are customarily about 13 feet. The existing City parking design code (Municipal Code Part 2, Div 4) requires a minimum of 19 feet for 45 degree stalls, and 14 feet minimum back-out space for 45 degree stalls – a total of 33 feet. The SP and EIR allow only 24 feet… a clearly unacceptable configuration. In our 'high demographic' region we have higher-than-average ownership of oversized vehicles, which may dictate longer stalls and more maneuvering room. The SP and Study do not address whether commercial vehicles may also use the angled parking (both as customers of merchants, and during pickup and delivery activities). Commercial vehicles are often longer than passenger vehicles – and also tend to block views of cars backing out of stalls. These factors would impact bicycle lane safety, and possibly traffic flow. Because underlying assumptions are invalid, the conclusions should be re-examined. Either the rights of way would have to be increased to allow the plan to work as conceptualized, or the angled parking scheme would have to be omitted. Restrictions might also be required relative to commercial vehicle activity. Such factors should be included in the SP and Study. The SP states that it relies on the angled parking, at least in part, for creation of the 'village atmosphere', so omitting the angled parking runs contrary to the 'concept'. If the angled parking remains, the Class III bike lane will not really exist at all. As conceptualized, the reality is that the inherent conflicts between stalls, bikes and traffic flow will cause backups that will extend back into the Kanan roundabout – and create a non-mitigable 'gridlock' impact). If the main intersection remained a standard signalized configuration, the angled parking would still back up and create an unacceptable service level.

	section or subject	text or paraphrase	comment/concern
AU	Traffic, Chesebro interchange w/101, impacts not discussed	The City has recently taken the position that traffic generated by the Heschel development will impact the Chesebro interchange. The City has also recently approved a number of other projects affecting the Chesebro interchange.	The Study does not appear to specifically address Heschel impacts – as additive to the impacts of other commercial projects and the proposed SP traffic loads. If the Heschel impacts are significant concern, then the impacts of this SP, when aggregated with Heschel, would be further magnified. If all impacts have not been included in the Study, then additional analysis is needed.
AV	Traffic, Kanan interchange w/101	The SP notes that upon build-out at least the northbound Kanan lane at the 101 will be impacted and the service level reduced below existing community standards.	The Study concludes that the impact of level D traffic can be mitigated – by formally reducing the community's standards. This is hardly an acceptable action, and would fly in the face of many years' effort and millions of dollars currently being spent to upgrade the same interchange. The SP should more appropriately conclude that the impact is not acceptable – period! If no other mitigation measures are feasible, then the only reasonable course is to restrict future traffic loading to a level acceptable under existing community standards. The Study does not address 'back-up' impacts that could result from level D service at the 101 interchange. If level D exists, it appears at least possible that at times the traffic will back up for the length of the one block between the freeway and Agoura Road. If that occurs, the roundabout will be affected. In a roundabout design, when traffic is impeded in any one 'outbound leg', the entire roundabout becomes impacted. An analysis of that potential is appropriate, but not yet included in the Study. ~~The SP assumes an emphasis on increased pedestrian traffic in the project environs. The Study does not mention that the new and improved Kanan/101 interchange does not make accommodation for pedestrian crossings… which may slow on-ramp traffic. The crossing pedestrians will also not be protected by safety devices. This should be addressed.~~

	section or subject	text or paraphrase	comment/concern
AW	Traffic, Kanan roundabout design, bicycle and pedestrian safety	Study concludes the roundabout design is appropriate.	The 'conceptual' plan of the roundabout that is included in the Study does not accurately reflect the SP, or the narrative of the Study itself. The concept plan does not show a bicycle lane. The concept study concludes that pedestrian safety will be enhanced over a traditional intersection (this would be key to the development of pedestrian traffic east-west among the SP components). Roundabout design proponents state that pedestrian crossings at roundabouts are safer than at 'non-signalized' intersections – but do not appear to make that claim with respect to a comparison with 'signalized' intersections. There does not appear to be any pedestrian crossing design information – or other information – in the Study, upon which an objective pedestrian safety review was based. Thus it is unclear if the Study authors have fully studied the roundabout design issues. If they did not, the Study is incomplete.
AX	Traffic, Kanan roundabout design, overall concept	The Study appears to conclude that the roundabout design is appropriate, and would allow traffic flow and service levels superior to a traditional intersection. Study does admit to a potential for backup from the angled parking portion of Agoura Road, but minimizes this as an issue.	The Study appears to accept on its face the presumption that the roundabout will function better than a signalized intersection, with necessary adjustments/modifications. There is no information in the Study that suggests traffic flow was studied so as to allow a comparison of resulting service levels using a traditional design (with proper lane and signal modifications) versus the roundabout scheme. The Study does not fully address the realities of 'standstills' caused by 'seekers' of spaces along Agoura Road, or from cars 'backing out' of stalls into the single traffic lane. The Study does not appear to address how traffic flows differ in this location on weekends versus weekdays. On weekends, particularly during warm weather months, traffic at Kanan/Agoura differs substantially (significantly increased through-traffic to and from the shore, and slowed in/out traffic at gas stations and restaurants on either side of Kanan Road near the roundabout, as well as at building supply merchants and other retail properties in that area).

	section or subject	text or paraphrase	comment/concern
AY	Traffic, Kanan roundabout design, pedestrian safety and bicycle safety	The Study does not specifically address a specific roundabout design – only addressing the overall concept as included in the SP. The SP does not contain a specific roundabout design. Illustrations in the SP show a bicycle lane on Kanan Road beyond the roundabout… but the illustration of the roundabout itself does not show a bicycle lane. The SP states (p 4.38): "Kanan Road… is a heavily traveled road that is unlikely to be easily or desirably crossed by pedestrians."	The SP states that pedestrian crossings at a roundabout are 'safer' than at non-signalized intersections. However, there is no analysis in the SP or the Study as to whether pedestrian crossings would be safer than at a signalized intersection (which would be the alternate condition). There is no plan showing how the bicycle lane would be incorporated into the roundabout design, and there is no discussion of bicycle safety in roundabouts generally. Roundabout design and success varies based on specific traffic flow conditions, counts, queuing space, differential speeds at entering and departure points, visibility, etc. Roundabouts are generally used to slow traffic. Given that the Kanan roundabout is in a major arterial that flows at relatively high speeds, will continue to be near a major Freeway entry/exit, that there is often so much traffic on Kanan Road that vehicles currently have problems finding 'gaps' into which they can enter or cross… it would seem that more specific consideration of the roundabout concept would be appropriate before this key component of the SP is considered, or deemed 'safe' for pedestrians and bicyclists. With the additional considerations of significant pedestrian crossings (and an aging population), and a bicycle lane, it would seem that accepting the roundabout as a key component of the SP would first require a fuller design disclosure, as well as fuller analysis in the Study. Uncontrolled crossings of children, elderly, slow or disabled pedestrians (day or night) may poise the City on a dangerous precipice - where it should not be. The Study does not appear to address these factors, so is incomplete.
AZ	Traffic, Kanan roundabout, lighting	The City traditionally has emphasized and required limited, very low lighting levels, in an effort to maintain a semi-rural ambience. The existing lighting at the Kanan roundabout intersection results in relatively poor night visibility at the boundary of the commercial properties. Currently, the intersection is signalized, providing some crossing protection for pedestrians.	The Study does not consider pedestrian safety with respect to the lighting levels that will be needed at night – to ensure that approaching drivers are acutely aware of the need to slow or stop. If lighting levels are increased to enhance safety of pedestrians, that lighting will probably exceed current city policy, and will require acceptance of a night-time streetscape that is inconsistent with the City's 'semi-rural' character. The Study also does not address impacts of any lighting that may be installed at the roundabout, in connection with the objective to create a project or city gateway feature promoting the SP area. That lighting may also be inconsistent with current City policy, although the ultimate result may be a 'positive' factor that warrants a one-circumstance policy change.

	section or subject	text or paraphrase	comment/concern
BA	Traffic, Kanan roundabout, overall design concept	The EIR assumes the roundabout is feasible and a 'best choice', because it is represented as such in the SP. The SP contains only a vague 'concept plan' that inaccurately portrays how a roundabout would actually work at the Kanan/Agoura Road intersection.	At a minimum, and before the EIR assumes the roundabout would function as represented, a similar functioning roundabout that can be seen/evaluated by the public should be cited as an 'example' of what would be constructed in this location. The SP does not identify any such 'example'. The 'example' should include lanes and traffic flows approximating what is expected for this SP area, and should also incorporate pedestrian crossings and bicycle lanes as would be incorporated in this SP. Unless the City and the EIR reviewers are on the same page as to what is being proposed, it does not appear logical that either the SP or the EIR could conclude that the roundabout will function as intended, or be the 'best choice'. This is particularly important in that the SP relies on the roundabout as a key 'defining' feature of the SP area. NOTE: a web search of pre-SP public documents pulled up only one cited roundabout example, in Santa Monica, and it does not approximate the design parameters applicable to this SP. NOTE: follow-up with the city (12/9) suggests that no 'example' was used as a comparative standard during the SP design process.
BB	Traffic, Kanan roundabout, overall design concept, limited right-of-way	The SP indicates that the available right-of-way is 100 feet.	Preliminary research on roundabout designs suggests the available 100 foot wide right of way may not be consistent with 'best practices' for this key feature. The Study should include an evaluation of roundabout designs, pedestrian crossing design/impacts, bicycle lane component, overall size to achieve safe traffic entry/exit, etc… <u>before</u> concluding that it is the 'superior choice' for the Kanan/Agoura intersection. The center island (including any paved apron) must have a diameter adequate to allow traffic to flow easily and safely at the 'assumed minimum through-traffic speed' of 15 MPH. In parking lots with an 8 MPH maximum speed the usual minimum acceptable maneuvering radius is 20 feet, so it would be reasonable to assume the center island would be at least 40 feet across. If there are two 15-foot traffic lanes surrounding the island, they would consume 60 feet. Beyond that, there would be a curb, sidewalk and landscaping. Not included is provision for the bicycle lane. Aggregated, it may not be possible to create a fully functioning roundabout feature in the available right-of-way. Research relative to roundabout design standards suggests that the inscribed circle should be roughly 150 – 180 feet. When landscaping and a combined pedestrian and bicycle hardscape path is added around the full circle, the resulting ROW would be roughly 180 – 210 feet. The conceptual plan in the SP does not appear to accommodate this requirement. If that is the case, it must be determined how much additional space is needed, so that property owners will know what portion of their property must be dedicated to the city as part of the roundabout construction. The physical layout will have to adjust accordingly, with revised approach angles or other accomodation.

	section or subject	text or paraphrase	comment/concern
BC	Traffic, Kanan roundabout, pedestrian impact on flow	The Study adopts the assumption that there will be increased pedestrian traffic crossing in all directions at the roundabout. The Study assumes traffic will flow better using the roundabout concept, as opposed to a signalized intersection.	The Study does not discuss how increasing numbers of pedestrians crossing at the roundabout, will impact the flow of traffic. The Study does not assume there will be 'crosswalk protection' of any kind (signals alerting drivers to 'crossers'). Pedestrians are presumed to have the right of way over vehicles. If there is no 'control' as to flow of pedestrians across the roadway - and if the SP is successful - the flow of pedestrians could impede traffic frequently, creating queues. The Study does not address this potential impact, which would further degrade the service level overall at the roundabout and potentially back up as far as the freeway overpass area (not very far, indeed).
BD	Traffic, loading, commercial	The SP does not address the ultimate possible mix of commercial properties – i.e. retail v. office v. restaurant v. entertainment v. hotel, etc.	Each of these use types creates different traffic loading. They vary as to number of employees, number of customer vehicle trips generated, time distribution of trips, etc. The SP does not explain what assumptions were used (as to ultimate build-out mix) in postulating the traffic loading used for analysis. Unless the 'mix' is firmly established in the SP, the EIR's conclusions as to traffic loading and impacts are really a floating target. The Study already concludes there will be an unacceptable service level. If traffic loads in the SP are based on a mix that is not accurate, impacts may be even greater than predicted.
BE	Traffic, loading, residential	The SP does not limit the size and type of residential dwellings. The Study assumes 'typical' residential traffic impacts.	Traffic loading can vary significantly depending on residential type and size – including substitution of a 120-room hotel for 62 dwellings. Dwellings could range from single-resident studios to 5 or more bedrooms. Dwellings could be rentals or ownership. Rentals could be 'maxed out' with adult sharers, each owning a car. (This already occurs in a neighborhood north of the freeway.) The Study does not appear to address what the varying traffic loads may be, in view of the extreme latitude offered by the SP. Thus, the 'assumptions' used may not be valid.

	section or subject	text or paraphrase	comment/concern
BF	Traffic, overall, level of service impacts, adjacent intersections	Study concludes traffic impacts are NOT mitigable… and concludes the City can 'get around' this problem by re-writing its community standards for traffic flow.	The proposed 'ostrich' approach is NOT appropriate. Writing a 'finding' (or 'altering' the community standard) in order to 'get around' the fact that traffic service will be negatively impacted, is NOT in the best interest of the community. The message attached to this approach is that 'anything' is acceptable so long as it allows the SP to move forward. The function of the EIR review is to evaluate potential impacts and determine whether or not they are mitigable. Using ministerial actions to overcome the non-mitigable traffic impacts would be an 'abdication' of responsible community planning principles. Unless the traffic impacts can be altered so that they result in a level of traffic service that exceeds the current community minimum standards, the SP should be re-evaluated with respect to the components that are causing the impacts, and should be revised to eliminate the negative impact. HOWEVER, because the traffic impacts are a direct result of the very Village concept that is at the heart of the SP, reducing the impacts may be eviscerating (thus rendering the concept unachievable in its present complexion).
BG	Traffic, road design configurations	The SP illustrates several 'cross-sections' showing the dimensions of travel lanes, parking stalls, bicycle lanes, medians, etc.	A review of the dimensions on the various illustrations reveals a number of mathematical errors – and in at least one case the error renders the proposed design unachievable. Specifically there are computational errors in Figures 3.3, 3.4, 3.6, and 3.7. These errors in SP key project design elements cannot help but cast some doubt on the thoroughness with which the SP has been prepared and reviewed. The angled parking configuration is also not achievable as shown (SEE comments elsewhere herein).
BH	Transient workers	The SP does not mention the existing transient worker situation along Agoura Road in the project area. The Study is also silent on this issue.	The transient workers that present themselves along Agoura Road are attracted to this area because (in part) there are several businesses serving the construction industry. Those businesses will remain in place (per the SP) unless the owners elect to redevelop their properties. The SP and Study are silent on how to address the existing transient worker situation long term – i.e. will the congregations of workers remain a visible part of the SP street scene along Agoura Road, or will they 'shift' to another location within the SP area, etc. If they remain in the area, and the streets are improved as proposed, it may result in increased safety and traffic impacts. The SP and Study should address this issue.

	section or subject	text or paraphrase	comment/concern
B7	Transit 'shuttle' bus, parking off-area	The SP and Study discuss operation of a shuttle bus that would allow transport of customers to the SP area from remote locations.	The SP and Study do not analyze the implications of this concept, or the potential negative impacts on properties that serve as the 'remote' locations. The presumption is that some customers would park at remote locations, then take the 'shuttle' to the SP area. The remote locations must then have parking for customer vehicles. Unless the City will construct new parking lots in remote locations, the vehicles in question would have to park at commercial lots designed for customers of businesses at the remote locations. If the SP 'shuttle' plan proves successful, the remote businesses would be 'subsidizing' merchants in the SP area. In effect, distant businesses would provide off-area parking capacity – but the customers would be patronizing SP-area merchants. At the same time, the number of stalls available to off-area businesses would be reduced below what is required by code. These and other possible negative impacts on existing businesses should be analyzed in the Study. To facilitate the necessary analysis, the SP should include details about how the proposed shuttle would function, costs involved, where 'stops' would be located, possible traffic impacts at 'stops' both in and out of the SP area, whether the 'shuttle' is essential to the economic success of the SP area, what the results would be if the 'shuttle' was not instituted (or was discontinued), potential short- and long-term commitments that would have to be made by the City, responsibility for management and maintenance of the system, allocation of start-up and operational costs, etc.

	section or subject	text or paraphrase	comment/concern
C	Visual corridor v. sound wall	The Study notes that the 101 Freeway is a key visual corridor. The City has long opined on the need to protect views of the southern hills as a key visual feature of the community. The Study also opines on the 'improved' visual aspect of the entire development area, as seen from the Freeway, by virtue of the new buildings and improved landscaping. The Study further notes that freeway noise is problematic for residents.	The Study discusses, at least to some degree, acoustic impacts on residential occupancies. It does not seem to address freeway noise as a key issue for commercial properties – i.e. plazas, outdoor eating spaces, etc. - even though the 'pervious' building lines along the freeway will allow penetration, and perhaps channeling of sound (and 'echo chambering') at the interior portions. As an acoustic mitigation measure, the Study suggests a continuous 10 foot high sound wall (above freeway road level) may be needed. This sound wall would obviate (for freeway travelers) the view of the immediately adjacent buildings (and probably most of the mid-development properties). Thus the Study's conclusion/finding that views from the Freeway would be enhanced by the SP seems unfounded, and directly contradictory. In fact, the sound wall would create a 'tunnel' through Agoura Hills that would be anything but attractive to the freeway traveler. Additional studies showing lines of site would be needed as respects the impact of the sound wall on views of the projects on higher ground - as well as impacts on views of the hills. On its face, the use of a sound wall to mitigate freeway noise would be contrary to the City's stated desire to preserve and enhance views of the natural land forms on either side of the freeway. The sound wall, if constructed, would also obviate the SP's assumption that the SP will be an attractive area, easily viewed from the freeway… and that the attractiveness of the SP itself will become a 'draw' upon which the success of the venture hinges. Thus the acoustic mitigation and the SP are in direct conflict. That being the case, the acoustics do not appear to be mitigable.
BJ	Visual impacts, building heights	The SP (page 9-117) gives discretion to the Council to allow increases in building heights. The discretionary increase would have to be 'consistent with' the objectives of the SP, but there is no further definition, and the objectives of the SP are 'subjective' in nature. The SP does not appear to define any 'maximum' height that could be approved by the city under the 'discretionary' clause.	To the extent the maximum heights of buildings are not firmly fixed, it suggests that the EIR analysis of visual impacts created by building mass/height is incomplete. The SP should incorporate; specific limitations on height; justifications for which increases would be allowed; what maximum portion(s) of a building could considered for discretionary increases; etc. Thereafter the Study could address the potential visual impacts. At a minimum, it should be made clear that height increases can be granted, and that there could be additional visual impacts resulting from such increased heights. Increased height of features may be positive or negative – since the impact is in the 'eye of the beholder' – but should be part of the public disclosure in the Study.

section or subject	text or paraphrase	comment/concern
Visual impacts, continuous building frontages	The SP zoning allows for zero side yard setbacks, which would allow for a series of buildings, each up to 60,000 SF, with no 'break' between them.	The ultimate result could be a virtually 'unlimited' continuous building mass constrained only by the FAR and coverage restrictions. This visual mass appears wholly inconsistent with the stated objectives of the SP, as further illustrated by graphics in the SP. If the objectives are to be achieved, the SP should establish maximum 'running' building lengths and relationships that encourage visual circumstances similar to what is illustrated in the SP graphics. The SP objective would also appear to require standards that call for frequent 'breaks' that permit pedestrian movement between street frontages and rear parking lots/garages.
Visual impacts, from Agoura Road W, X	The SP promotes a more or less continuous row of buildings along Agoura Road. The SP allows three story construction – up to 45 feet high (or higher if the city gives discretionary height increases), and zero setback requirements between buildings.	If properties along Agoura Road are developed to the extent permitted by the SP, there could be a continuous 'building wall' along that street, 45 or more feet in height, with no setbacks between buildings. It is unclear how this would affect views of the southerly hills, as seen from within the Village itself – i.e. from streets/sidewalks and plazas – or from adjacent properties. The length of Agoura Road through the SP area - potentially developable with 3-story buildings is approximately 0.7 miles. While in that 'zone', users and through-vehicles may have restricted or obviated views. The Study does not address whether that may be contrary to the SP 'objectives' or the General Plan objectives. Three story buildings along Agoura Road will affect views by cars and pedestrians on Kanan Road. They will also affect views of at least portions of the hillsides as seen from adjacent properties, altering the existing ambience. The Study should review appropriate sight line studies and address these view impacts. The question of whether those impacts are acceptable may be subjective, but the Study should at least objectively address the issue and present findings for consideration.

section or subject	text or paraphrase	comment/concern
Visual impacts, residential component undefined Refer to D, E, G	The SP allows for inclusion of up to 293 residential dwelling units, OR alternately 231 units plus a 120 room hotel. The SP does not define or limit the size of units than can be constructed. The Study does not address the potential size or impact of a 120-room hotel.	The Study does not directly address the varying visual impacts that might result from the range of residential components permittable under the SP. For example: small multi-unit rental projects with low ceilings and flat roof with parapets might generate one magnitude of building 'volume' or 'mass', and use on-site parking lots … while freestanding or townhouse ownership dwellings with 5 bedrooms, high stories, sloped roofs, and with 2 or 3-car garages might generate a vastly different building 'volume' or 'mass'. The variation in total building mass could be highly significant, from lowest to highest. The visual impacts of these masses would vary. The visual impacts will also be significantly different for housing above commercial spaces, as opposed to housing built at site level. Using an 'upper middle class' projection, it appears the full 293 dwelling unit residential build-out could reasonably generate 8 - 10 million cubic feet of building mass – more than half of the projected mass of the commercial component (1.3 million SF w/13 foot story height = 17 million CF). Residential components are for the most part located on parcels that comprise the 'high ground' and are likely to have the most significant impacts on visual perceptions of the area in general, and the hillside land forms in particular. Components on the high ground will also be most visible to the scenic corridor traffic (101 Freeway). Residences that are free-standing (not mixed use in nature) are likely to be two story with full roofs and partially subterranean parking (around 25 - 35 feet in height on sloped sites), whereas single story commercial buildings trend to single story (around 15 – 20 feet in height). The SP allows 60 percent coverage, and it is reasonable to assume developers will attempt to maximum the 'buildable envelope' on their respective properties. Unless the SP more specifically defines the sizes and locations for the residential components, the Study should assume the worst case potential. Use of massing studies, sight line analyses, and composite view photos would provide more information about the possible impacts of the housing elements on views both inside and outside of the SP area.
END		

General overview:

The Hoffman study, titled "Market Feasibility Study, Agoura Village" is dated March, 2002. The information utilized as a foundation to the Study is generally of five types: census or similar data, widely available to the public; data provided by the City; data from marketing firms; area 'observations'; other 'distant' sources. It is unclear what data, if any, was derived directly from local businesses or chambers of commerce… or from resident 'surveys' conducted at city level.

Hoffman refers to an Appendix A, which contains underlying data that is critical to the analysis. As of 1/2/06, a copy of that document has not been made available for public review – in fact city staff indicates that it does not have this document and has been unable to obtain a copy. It is not clear, therefore, whether city staff or Council members have reviewed the underlying data for accuracy or relevance.

The Study addresses a Project Area that is NOT consistent with the SP. The Study addresses a project only to the east of Kanan Road, on a smaller number of acres. The Study never states or analyzes how much SF of retail or non-retail space is permittable under the SP… and never concludes how much retail or non-retail SF could be supportable (economically viable) in the SP area. The Study never makes a 'recommendation' as to how much retail or non-retail SF should be considered for development – based on market conditions - and it never presents a 'recommendation' as to whether the 'life-style' business palette it recommends could ever successfully tenant the amount of SF that is being proposed in the SP.

The commercial market data in general is hopelessly outdated (now 4 - 8 years old), and is of little value in assessing market conditions in 2005/2006, and forward. Moreover, data in 'charts' is selective, incomplete or inaccurate. With respect to certain analysis, there appears to be somewhat of a disconnect between what is in the Study and actual community conditions.

The study (even assuming the underlying data was accurate in 2002) never concludes that market conditions would be capable of supporting the additional nearly 1 Million SF of new commercial development envisioned in the Specific Plan (or additional re-development). It likewise does not conclude that the 'vision' described in the SP is achievable or would be economically successful. Because the study does not conclude the SP concept is more than likely to be a resounding success that is 'needed' to fill existing gaps in regional retail services, it can only result in raising the question as to why the Hoffman study is seen as supportive of the resulting SP document.

The study concludes with only marginal support for selected service sectors, and does not suggest that those sectors would flesh out a development the size of what is allowed under the SP. The SP (in its current complexion) expands significantly the amount of development that would occur in the project area (beyond existing zoning parameters), but nothing in the market study indicates that density over and above what is currently allowed is needed.

The Study notes numerous commercial developments in the 5 mile 'circle', and just beyond, that would directly compete with the SP in the various proposed categories, and does not propose any specific, unique marketing methodology that would ensure that 'similar' businesses in this SP would prevail over their counterparts just minutes away. The business types (and specifics) listed as potential tenants are, for the most part, already represented in the SP area, the City or the surrounding area. Additional 'branches' of these businesses would be 'self-competing' (not a

recommended strategy), and substantially similar operations would compete with existing businesses. The Study never addresses the issues of 'competition' with existing businesses, or the potential negative impacts if new SP retailers dilute the customer base upon which existing retailers rely.

The study does not address whether the SP concept - which revolves around a 'pedestrian' concept, with remote parking and long distances between project components (the SP area stretches 0.7 miles along Agoura Road) – would be an attractive alternative to other available retail experiences regionally. The SP concept seems to contradict current consumer preferences for one-stop shopping experiences, proliferation of parking close to destinations, etc., but the Study does not address this apparent 'perception' obstacle.

In perspective… the Specific Plan will allow for approximately 1.3 million SF of commercial sector businesses (consisting of new plus re-developed properties), plus 293 dwelling units. This is a very significant 'volume', when taken in context with existing commercial activity in the community – particularly retail sectors. The Study, even using outdated and incomplete information, does not seem to conclude there is a strong 'unmet need' for development of this density in the local area.

As a preface to the Study, it is assumed there is a 'need' for a "…mix of uses that offer a town center ambiance and a pedestrian-friendly environment…". However, the 'need' for such a development does not seem to be demonstrated by the Study itself. Rather than examine the marketplace in an objective framework, it appears Hoffman accepted the Village premise as a foregone conclusion, and simply provided economic data that would appear to 'second the notion'.

The Study notes "…an appropriate mix of tenants… has the potential to increase retail and services activity in the Agoura Village project area." Presumably the primary purpose of the Study was to identify the "appropriate mix" of retail and services that would fulfill the 'vision' upon which the SP is based. The Study (while interesting) does not provide, bottom line, any analysis as to what would be the 'mix' that will fulfill the 'vision' – and certainly not in the quantity/density proposed by the SP.

The Study concludes the area retail marketplace in most categories is already adequately served (with mostly positive sales capture) and that there is not a significant shortfall locally. Exceptions are in apparel and general merchandise sectors (and auto dealers/parts, which would not be a 'fit' for this SP area in any case). The SP would allow an increased density overall, and new retail and commercial activity in a wide variety of sectors that are not noted in the Hoffman report as sectors with an 'un-met need'.

The Study acknowledges there are certain retail sectors not being served as well as they could be… and summarizes (in Tables 1.1 through 1.4) various 'good fits'. The list includes various 'duplications of type', and some uses that might compete with existing retailers. Several of the listed targets are chain operations already well-represented in the nearby communities (and so would be ruled out as viable targets). Some listed businesses may also be seen as 'contradicting' community sensitivities (residents that do NOT want Agoura Hills to become another 'typical' retail area with cookie-cutter chain merchants). Many listed businesses are well-represented nearby and not viable on the basis of 'self-competition'. The entire list (including all duplications of type) totals 310,700 SF.

In 'other development' categories, the Study offers only a single concrete example of a business that should be targeted as a potential key tenant… the 92,000 SF Ice Station Valencia project (a typical big-box building). Ironically it would be impossible to justify considering that project as an appropriate candidate for the SP – it would diametrically oppose 'objectives' of the SP, namely a semi-rural village atmosphere, pedestrian-oriented, with no big box buildings, etc. (and would violate code). Thus the 'example' is not a viable model, and suggests a disconnect between the Study and the actual SP 'objectives'. The Study also does not note that an ice skating facility in the region was shuttered some years ago in the face of inadequate business (suggesting the recommendation may have been included in the Study based on someone's wish list, but without adequate analysis.)

The Study clearly identifies one other unmet local need that should be included in the SP: services to support the various, significant office building projects that have been constructed locally in recent years (a continuing trend). However, those types of service businesses would also not appear to promote the SP's 'objectives' or 'vision', or the Hoffman suggestion of an entertainment-trended lifestyle center. Further, the trend in office support services is virtual retailing and big-box merchants – with only limited 'small merchant' capacity. The leading business of this type that still remains viable as a 'walk-in' retailer is existing in the SP area (copy/print/mail/etc), with others nearby – so this would not likely represent either an un-met need or a new merchant facility.

As to the hotel sector, the data used is simply no longer relevant – approved hotel capacity has significantly changed from Study data, both in Agoura Hills and regionally. The Study does note that there is some supportive relationship between hotels, offices and eating establishments… but the Study does not conclude there is a significant shortage of eating establishments that would serve transient customers, or negative sales capture in that sector. Although eating establishments may be a good target, the analysis is weak and the Study does not define the type and supportable potential SF of such businesses. The Study also does not identify/recognize numerous existing restaurants in the nearby area that would be negatively impacted through dilution of their customer base.

Regarding finer eating establishments… the Study suggests various upper-scale eating establishments would be a welcome addition, and would draw out-of-area customers. Elsewhere the Study suggests the restaurant sector is not under-served and has a positive revenue capture rate. Although new upper-end eating and entertainment establishments might be a welcome addition to the area, the Study does not adequately address type, size and an economically supportable 'ceiling' for such facilities. Not addressed is whether a proliferation of new restaurants would cannibalize available consumer dollars now being spent at other local restaurants. It should be noted that within the local area there have been a number of unsuccessful ventures in recent years in the mid- to upper-level restaurant arena, despite market vacuums and high demographics. The failure rate should be taken into consideration, as they may reflect 'community habits' that are not consistent with Hoffman's assumptions.

The Study notes that a residential component would likely be highly successful for developers – a 'no-brainer' conclusion given the demographics of the area and the lack of available housing products. However, it also concludes the proposed 293-unit residential component would only marginally support new retail sector development (to the tune of 'up to' 20,000 SF) – indicating that it should not be viewed as an economic 'driver' for the SP area. Because there are significant 'quality of life' constraints working against residential in this SP area - including noise, odors, traffic, etc. – there remains a vacuum as to why the SP views residential development as essential to the success of the commercial components.

The Study also suggests that senior housing would be a probable residential component. However, it does not discuss whether senior housing would in fact provide the presumed economic 'driving' benefits to the retail components. As a demographic component, senior residents would have curtailed spending power when compared with the average household data being used by Hoffman as the basis of analysis. Although they would provide some support to the retail sector, the level of support is not explored.

Missing from the Study is an overview of input from the community. There is no indication local chambers of commerce were contacted for source material. There is no discussion of 'needs' as expressed by local residents via city outreach efforts. There is no indication an independent survey of residents or individual business owners was conducted by Hoffman. It would appear important that the market study take community habits and sentiment into account.

Overall, the Study does not appear to provide strong economic justification for the density proposed in the SP… and provides little specific marketing direction that would result in the SP's retail components being 'unique' among other life-style centers regionally. The question then becomes… if Hoffman is the 'basis' for the SP, how did we get from 'here' to 'there'? If the initial drafting of the Village SP 'preceded' the Study, then the Study may not be wholly objective – a case of the report trying to fit the conclusions.

The Study suggests that a 'themed' development is what is needed, and is the most likely to succeed. If a 'themed' approach is what is needed, wouldn't the SP need to more tightly control the types of occupancies that would be permitted? However, because the development area is under so many ownerships, restricting occupancy types to only a narrow band of uses may be both impractical (and/or legally difficult to achieve) and unenforceable. The SP contains a wide range of businesses (in its approved zoning list), far more extensive than the Hoffman focus list… so it is unclear how the SP will achieve emphasis in any one business sector. The Study does not advise on how that objective can be achieved - and the SP does not seem to contain any 'plan' for how this will be achieved. (Is there a mechanism by which the SP can be more narrowly tailored – by physical sector or otherwise – so as to result in the themed development suggested in the Study and the SP?)

The Study at no point addresses the totality of the SP concept, the amount of SF proposed, whether that SF is economically justifiable (or viable), etc. If the purpose of the marketing study was to determine the economic viability of the SP – and to outline specific business parameters that could guide the City to a successful development – it appears the Study has not met that intended objective.

Because this Study is the document upon which (at least in part) the merits of the Specific Plan are based, it is important that it be updated to reflect current conditions. Each area of the Study should be updated to reflect current data, and reviewed with a critical eye as to matching study data with on-the-ground intelligence (to include upcoming/proposed activity, local business conditions, local consumer attitudes and habits). It would be counter-productive for the City to approve the SP only to discover that its 'presumed success' was predicated on weak or unsupportable underlying economic market assumptions.

COMMENTS BY PAGE NUMBER

page I	The project area is described as 'east of Kanan Road'.	The project area analyzed in this Study is NOT consistent with the SP. All analysis in the Study that relates to existing businesses, existing conditions, etc. is inaccurate in that it does not address the same project area or constraints as the SP document. The Study does not address a key assumption of the SP: that a 'stretch' of 0.7 miles along Agoura Road (both east and west of Kanan Road) could successfully operate as a single 'concept center', or promote the type of cross-property pedestrian traffic that is a keystone element of the SP concept. The Study was not based on an understanding of the overall build-out SF that the SP proposes. For the Study to be relevant it would have to include some understanding of the total retail and non-retail SF being entertained, whether or not that amount of SF is viable in the marketplace, whether or not proposed uses could potentially fill up the proposed SF of the SP area, etc. The Study never states 'proposed SF' of the SP area… nor does it ever postulate the SF that could be successfully developed and operated (i.e. how much SF of retail business of the types proposed in the market study or SP could actually be constructed in the SP and remain viable, based on either current or projected market conditions). If the purpose of the marketing study was to determine the economic viability of the SP – and to outline parameters for its successful development – it appears the Study has never met that intended objective.
page vii	Bullet 3 notes that city retail is adequately served in all but three categories.	The 3 'noted' categories are general merchandise, auto dealers and apparel. The Study concedes that general merchandise potential is limited because it generally comprises big box merchants that would be inconsistent with the SP concept (as well as city code). The auto dealer category is not further explored for obvious reasons (already fully served, and inconsistent with the SP concept). The only remaining category is retail apparel (which has a limited SF potential, and is already being served with numerous apparel specialty locations within the city and the 5-mile circle, and just beyond). The Study does not further suggest that apparel be a focus for the SP area. Thus, the Study does not appear to claim there is a 'need', in the SP area, for significant new retail in any of these three categories.

page viii	Bullet 1 provide specific SF statistics, and a breakdown of retail v. non-retail, within the SP area. Bullets 2 and 3 break out businesses in the surrounding area. Bullet 3 provides data on 'new' retail – but this data is outdated for current review purposes. The term "broader market area" is undefined.	The city (as of 12/27/05) indicates it does not have statistics that would provide a break down or total SF number for businesses in the city… and Hoffman's underlying materials are unavailable for review. Elsewhere in the Study charts that purportedly list the businesses appear to be significantly in error or incomplete. Without supporting materials, the baseline statistics used here are suspect. All of the data is outdated (up to 8 years old), and should be refreshed and reconsidered.
page x	The Study states "If the project area can distinguish itself from its competitors, it has the potential to attract shoppers, businesses, residents and quality retailers. Themed retail provides the best opportunity to do this."	Because the Study never addresses the overall density and magnitude, it is uncertain whether Hoffman believes that the businesses he does on to cite could conceivably populate the SF that would be developable under the SP document – or if the 'concept' would be viable when stretched out along a 0.7 mile distance. The Study does not further provide guidance or specifics as to how the Village could "…distinguish itself…". Neither does the Study offer up as an 'example' any similar project that the City or residents might look to as a 'model'… for confirmation that the SP concept is achievable, vibrant, pedestrian-friendly, semi-rural, and economically successful.
page xi	The full paragraph mid-page, and Table 1-1, addresses suggested retail uses/tenants that would be successful, and consistent with the SP concept. The Study states that a life-style center "…is not currently present in the market area."	Contrary to the statement made, the majority of listed businesses are chain or similar operations that would hardly be 'unique' to the Village. Many listed types (or specific named retailers) are already well represented in the 5-mile circle, or just beyond, and would not be viable because this new location would simply be 'self-competing'. Several types (or specific named retailers) are represented in the 1.5-mile circle, or already exist within the SP area. Several existing retail centers within minutes of the SP area 'simulate' a similar pedestrian-friendly format, have the same (or similar) mix of retailers, include 'public plaza/sitting and socializing opportunities', and would be in direct competition. Those compact retail centers may present a severe obstacle to the SP as envisioned if patrons ultimately continue to prefer near-store parking as opposed to the longer access distances that are the hallmark of the SP.
page 1	The Study notes "… the tenant mix and physical configuration of the existing retail centers in the project area also need to be addressed in order for the town center to differentiate itself from competitive venues in nearby Calabasas and Westlake Village."	The Study does not seem to provide any further analysis on this important point, or offer any concrete guidance as to how the City should (or could) achieve this objective. Because the project area examined is not consistent with the SP project area, significant existing business locations were not included in the Study.
page 1	The Study notes "Key to the analysis is the identification of competitive retail and entertainment centers."	Subsequent charts and discussion show significant gaps in data, and a failure to identify and/or analyze existing businesses that would compete with proposed SP area development. To the extent data is analyzed, it is outdated and does not reflect the current marketplace.

page 3	Section 2.1 describes the SP project area, but the description is inconsistent with the SP document.	Therefore, the analysis that follows, in Sections 2.2 and Table 2.1, is also inaccurate.
page 5	Table 2.1 shows "Building Materials" uses at only 2,352 SF.	Clearly there is a disconnect. Although enclosed building areas in this category may be accurate based on source materials (although even this seems 'impossible'), the 'retail area' is far more expansive (i.e. the sales and inventory areas of these businesses comprise literally their entire land parcels. The numbers are deceptive. The Table also needs to be revised to reflect the actual SP project area.
page 6	Section 2.3 discusses property tax component.	This data appears moot, in light of the passage of time, the significant rise in property values and high rate of sales/turnovers in the local area. The figures should be update for analysis purposes.
page 7	Section "Transient Occupany Tax" outlines hotel tax revenue as of 2001.	This data is moot, due to passage of time, increased hotel room availability, and increased room rates since 2001.
page 7	Section "Redevelopment Tax Increment" discusses the debt position of the RA.	? Is there an update to Table 2.3 showing actual revenue picture since 2001? What portion of the $10.8 million is associated with the SP project area and related activities? How does the SP development play into the RA repayment picture… what funds are expected to be generated to the RA from the SP, and will they be adequate to repay the 'debt'. (Alternately, is the city ultimately providing a subsidy to the SP area project developers?)
page 9	The Study suggests inclusion of "…traveler-oriented…" and "…drive-through…" uses in the SP area.	This is not further discussed, but would seem contrary to the stated Village 'vision'. No concrete suggestions are later made as regards to businesses of this type.
page 9	Table 2.4 shows projected traffic loading used by Hoffman for analysis.	Compare with current data, and determine if differences are significant, and would affect analysis/conclusions. Not discussed by Hoffman is how traffic impaction negatively affects business performance. If traffic loads increase, and service levels decrease, the result will be a 'less than ideal' experience, which will undermine the goal of enticing shoppers to the Village.

page 12	Section 3.2 discussion notes "… barriers exist for development in the Agoura Village project in drawing from residential areas north of the freeway."	This is not further discussed. No specific suggestions are offered as to how the 'barriers' can be, or will be overcome. Nevertheless the Study assumes that northerly residents will comprise the 'target consumer group' that will be spending its money in the SP area. The Study does not suggest how consumers will be enticed to abandon the several existing retail centers directly to the north, in favor of SP merchants offering similar products and services… nor does it discuss negative community impacts if that does come to pass. Pedestrian movement is not discussed, but a significant pedestrian barrier exists in that the 'future' Kanan/101 interchange does not provide for pedestrian movement north/south (no signalized or protected crosswalks at the new freeway entrance ramps, increasing safety concerns). The SP discusses creating an 'underpass' beneath the 101, as well as the possibility of local transit vehicles… but the SP and this study do not discuss how efficacious these might be, or what costs would be involved.
page 12	Section 3.2 "Ring Data for Market Area", assumes that the 5-mile ring defines the area from which 80% of customers will be drawn.	This may be an unrealistic assessment, given the proliferation of other major shopping centers and 'life-style' centers both east and west of the the SP area, along the 101 corridor. A more realistic assessment might be that customers will be drawn primarily from an area east-west that 'splits' the driving distance between the SP area and other centers that have similar characteristics and businesses. Thus… from the east, half-way between central Calabasas and Kanan Road… and from the west halfway between Westlake Boulevard and Kanan Road. Beyond those distances, where 'access' is equalized, customers will likely patronize the more easily reached merchant – particularly where the types of services offered are similar. It would be prudent to assume that only 'unique' business concepts and truly 'unmet needs' will easily draw customers from beyond those distances. Thus the underlying customer base assumptions used in section 3.2 may need to be re-evaluated. If the 'available resident HH income base' analysis is restricted to a more conservative ring distance (i.e. $1.6 billion v. $3.6 billion), conclusions elsewhere in the Study may not be supportable.

page 19	(top of page) The number of office workers is outdated, and appears may also be inconsistent from section to section. On this page, total area employment is pegged at 6,815 (based on SCAG 1997 estimates). (There is no explanation of why data for offices only south of the 101 was used… this does not represent total employee population in the area.) On page 20, total area employment is pegged at 10,873 (using SCAG estimates for year 2000), with new growth expected to reach 12,011 in year 2020. The inconsistency should be addressed. On page 19, sales of $200/SF is used as the benchmark for support of new merchant space. This number is too low for the local demographic. Table 4.4, on page 30, shows $/SF generation numbers for 'typical' businesses (per ULI parameters) based on average demographics – not equal to that in Agoura Hills, which is on the higher end of the national market.	Significant additional office projects have been constructed, or are approved for construction, since 1997. The purchasing power of those additional workers should be factored into projections as to what types of service business will likely survive. The projected office component of the SP should also be added into the analysis, since it will also support SP retailers. The combined worker population should be used in determining the level of office-support SF that might be fruitful. Conversely the Study does not observe that a large portion of the worker expenditures commonly made consist of gasoline, auto services, dry cleaning, and other categories already being met in the SP area or adjacent. To the extent the new needs could be met by existing merchants, any new SF might fail (or would cannibalize existing merchants). A more detailed review of existing office-support businesses, unmet needs, and potential new needs would be appropriate in determining how much new supportable sector SF is warranted.
page 23	Section 4.1, Retail Supply… existing business information is outdated, and selective inclusion of information in Table 4.1 is questionable (a number of local shopping centers are not included). Total retail SF in the project 'region' (5 mile circle) is shown as 1.7 million, with 1.1 million outside Agoura Hills. In Table 4.1, and on page 26, retail SF in the city is pegged at 558,297 SF. HOWEVER… this INCLUDES the Oak Park shopping center, which is not in Agoura Hills. Omitting that center from the figures drops the SF within Agoura Hills to 438,000 SF.	Comparing the total existing retail in the Agoura Hills area, versus the potential 1.3 million SF of commercial/retail mixed uses in the SP, the density and scope of the Village proposal is highlighted. If the Study's figures are accurate, the Village (at build-out) will contain, in 2 and 3 story buildings, SF that more than doubles (and perhaps triples?) all of the existing retail SF currently in place within city limits. (This is exclusive of the 293 dwelling units, which would add several hundred thousand additional SF). By comparison… The Oaks (called a 'super-regional center') contains 1.1 million SF (see page 23 para 4). While the SP narrative calls this semi-rural, pedestrian-friendly, etc. the sheer mass of the proposed development is clearly urban. The Draft EIR also uses the 'urban' label in its analysis. It is doubtful that even sophisticated architectural and landscape 'tricks' used to mask building masses will reduce the visual impacts to a level that conforms to the SP's purported Village 'vision'.

page 24	"Retail SF in Market Area"... existing businesses, table 4.1 is missing numerous significant business centers or key individual businesses, as well as those that are directly impacted by the SP, but are beyond the arbitrary 5 mile circle... when discussing regional impacts why are Janss Mall and TO Mall excluded (they would be direct competition for many of the businesses envisioned for the SP area)	the 5 mile circle is not meaningful in a community like Agoura Hills where residents are accustomed to driving longer distances – unlike an urban development area – and more specifically there is no reason to arbitrarily 'cut' the line just short of Janns and The Oaks, which two major centers that would compete with the SP in various categories
page 26	"Retail Centers in Agoura Hills" ... businesses at Kanan and TO are called "...well outside of the SP area..."	although separated by distance, this characterization demonstrates a disconnect with local community patterns... these shopping areas are the direct, local competition for any new retail going into the SP area... see comment re page 24
page 26	Section 4.2 "Tenant Mix in the Market Area"... is outdated/inaccurate.	For example, Home Furnishings is now a much larger, key component locally. Building Materials retailers and wholesalers are also not confined to the project area, as stated. (Also, the SF shown for building materials merchants, also shown in Table 2.1, is inaccurately portrayed... see comment at 'page 5'.)
page 27	Section 4.3 "Planned Commercial Projects in the Market Area" mentions Selleck project likely to be proposed as of report date, and says "...direct impact...". What about other projects nearby? What is the status of the Selleck proposal? Also shown as a new project is Expo, which appears to be referring to an existing building currently vacant...so not really a new development projecct. In any case, the data is outdated, and the analysis should be re-evaluated using current information.	? no project has been proposed or submitted by Selleck (since 2001)... which begs the question "why hasn't this property been included as part of the SP area?... a similar question arises re other property in the immediate project-adjacent area... why were the SP boundaries fixed in this fashion, rather than to include other vacant parcels that would make an obvious consistent addition
page 28	Table 4.2 "Planned Commercial Projects in the Market Area", is significantly outdated	Information on existing and proposed projects as of 2005 end of year should be used for feasibility study purposes. Use of outdated data renders the analysis moot.
page 30	Table 4.4 figure for sales/SF appears to be too low for this demographic.	SEE comments re page 19 and 20 same subject.
page 32	Table 5.1 re Taxable Sales...	Does this include wholesale sales made from merchant locations that are not taxed as retail, but which are later taxed when sold to consumers... i.e. building materials or appliances, etc., sold to contractors for resale to home owners? Those sales may be significant, and it is unclear how much of this is ultimately 'sold and taxed' in Agoura Hills v. other municipalities.

page 35 – 36	Section 5.3 and Figure 5.3 and 5.5 show top 25 tax producers by category only. The information should be shown by actual business and dollar amount in order to be helpful for analytical purposes. The information is outdated, not reflecting businesses that opened in 2002 – 2005, or performance of businesses since 2001. The categories do not in all cases appear to accurately reflect the actual business (another disconnect?)	what were the actual tax revenue dollars for the top 25 businesses in 2004, the latest full year for which data is available… and for 2005, projected based on data to date
page 37	Section 5.4 "Capture of Taxable Retail Sales"… Hoffman concludes "Food Stores, Eating and Drinking Places and Other Retail all show positive capture, indicating that neighborhood shopping needs are being met.	If so, how does this justify launching the SP in its current form?
page 37	Table 5.6… property tax revenues outlined here are outdated	
page 38	Section 5.5 "Household Retail Expenditures"… Hoffman concludes that the residential component would create demands of 3,600 – 7,200 SF for each 100 new residences.	Extrapolating, the proposed 293 new residences would only generate a need for 20,000 SF of new retail services. If so, how does this justify launching the SP in its current form? The SP cites the new residential component as a key driver for the health of the commercial component. This study indicates that the 293 dwelling units would have only a marginal positive effect - unless the new SP commercial projects cannibalize existing retail projects by way of 'customer flight', to the detriment of the existing retail centers. Hoffman only briefly touches on the issue of new v. existing businesses, but this significant issue warrants serious consideration.
page 40	"Local Office Support Uses" is the first category of commercial activity that Hoffman strongly suggests is needed to support an identified sector not being served.	This is an example of how office uses ultimately produce tax revenue, even if they are not the 'initial' tax source. However, Hoffman's suggested categories are at least partially served by business already in the SP area or adjacent… another possible disconnect.
page 40 – 41	"The Hotel Marketplace" is seriously outdated. (Also the AAA is not a reliable source of information… it does not always list every hotel facility in a given region, and does not necessarily reflect actual room rates in the open market.)	This affects other analysis as well, including the tax revenue picture.

page 42	Section 6.3 "Recreation/Family-Oriented Uses"… Hoffman makes the first specific suggestion for a business that would not compete with existing uses, and would satisfy an unmet community need.	The Ice Station in Valencia (not Santa Clarita) is a successful enterprise, and would satisfy an unmet community need. However, this single concrete suggestion provides scant justification or motivation for the scope of the SP in its current form. Moreover - and more importantly in this context - the Ice Station facility is a typical large, imposing 'big box' building with one key elevation only, large blank walls, few doors/windows, and exceeds the allowed maximum SP building size. For all of these reasons, it would be inappropriate for a 'semi-rural, village development'… even though it may be appropriate elsewhere in the City. That Hoffman would suggest a similar project for this SP area again demonstrates a disconnect.
	what is the $10.8 million debt owed by the RA to the City??? is there a 2004/2005 fiscal review or audit of the Redevelopment Authority, with supporting documents showing nature of this debt	

Letter 20

COMMENTER: Howard Littman

DATE: January 03, 2006

RESPONSE:

GENERAL RESPONSE TO COMMENTS

The commentor has offered over 50 pages of comments on the Draft EIR, Specific Plan, and Hoffman Associates market study that was used as a resource in the development of the Specific Plan. This section provides a background for the more detailed responses that are provided in the following sections.

In order to properly respond to the comments, it is important to provide background on the purpose, intent, and development of the Specific Plan and the process that was used to develop the Plan. In addition, it is important to describe the EIR process and how the process has been applied to this planning program.

There are also provisions of CEQA that need to be explained in order to understand the nature and depth of the responses included herein. Key provisions of CEQA that relate to the AVSP EIR are described below.

Explanation of CEQA Requirements

Purpose of the EIR. This EIR has been prepared in accordance with the California Environmental Quality Act (CEQA) and the *State CEQA Guidelines*. In accordance with Section 15121 (a) of the *State CEQA Guidelines* (California Administrative Code, Title 14, Division 6, Chapter 3), the purpose of an EIR is to serve as an informational document that:

> ***"will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project."***

Program EIR. This EIR is intended to fulfill the requirements for a Program EIR for the Specific Plan. The Guidelines state that:

> *"Where individual projects are, or a phased project is, to be undertaken and where the total undertaking comprises a project with significant environmental effect, the Lead Agency shall prepare a single program EIR for the ultimate project as described in Section 15168. Where an individual project is a necessary precedent for action on a larger project, or commits the Lead Agency to a larger project, with significant environmental effect, an EIR must address itself to the scope of the larger project."*

Since the proposed project is the adoption of a Specific Plan for the project area, it is appropriate that the EIR document examine the proposed action on a program level. This section follows the principle that the EIR must show the big picture of what is involved. If the approval of one particular activity (such as the approval of the AVSP) could be expected to lead to other

activities being approved in the same general area (such as individual projects that may be proposed within the AVSP area), the EIR should examine the expected effects of the ultimate environmental changes.

Section 15168 of the *State CEQA Guidelines*, further define when it is appropriate to prepare a Program EIR. This section states that:

A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:

> *(1) Geographically,*
>
> *(2) A logical parts in the chain of contemplated actions,*
>
> *(3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or*
>
> *(4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.*

The AVSP project meets all of the above criteria, which further confirms that preparation of a Program EIR is the appropriate approach for CEQA compliance for the AVSP, a long range planning project.

<u>Standard of Adequacy.</u> The *CEQA Guidelines* provide the standard of adequacy on which an EIR is based. The Guidelines state:

> *An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but, the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure.*

<u>EIR Analysis of Economic and Social Effects of the AVSP.</u> The commentor shares several concerns about the accuracy of the Hoffman Associates market study. While this marketing study was an important part of the Plan development stage of the AVSP project, and the concerns are noted for the public record on the project, comments on the Hoffman study do not pertain to the adequacy of the EIR and thus; no specific response is warranted under CEQA.

Section 15131 of the *State CEQA Guidelines* addresses how economic and social effects are to be examined in an EIR. This section indicates that economic or social information may be included in an EIR or may be presented in whatever form the agency desires. However, the analysis in the EIR is focused on the physical effects on the environment. Specifically, this section states that;

> *"Economic or social effects of a project shall not be treated as significant effects on the environment…..The focus of the EIR analysis shall be on the physical changes to the environment."*

Where applicable, the EIR addresses physical changes in the environment that may be caused directly or indirectly by social or economic changes associated with the project.

Agoura Village Specific Plan Project (AVSP)

Several of the commentor's comments pertain to the AVSP and not the EIR. It is common during the CEQA review process for commentors to provide comments on the project (in this case the AVSP) that is being evaluated and to express their opinions as to the ways in which the project should be modified or improved and as to whether or not a project should be approved or denied. While, these comments are important to inform decision makers of the range of public opinion that exists on any particular project, the comments often times do not pertain to the adequacy of the EIR or the EIR analysis. In these cases, the comments are noted and become part of the public record. CEQA requires responses to comments related to the adequacy of the EIR but does not require response to comments pertaining to an opinion on the project itself.

The above situation is even more common for long range planning projects, such as the AVSP, where the exact details of project development are not yet known but will be developed and evaluated in greater depth once project specific plans are developed and undergo the permit approval process. The following discussion, excerpted from Section 2.0, Project Description, of the EIR summarizes the history of the AVSP development and is intended to provide insight as to how the project description was developed for the EIR.

The proposed project involves adoption of a Specific Plan (the Agoura Village Specific Plan) to guide future development within an approximately 135-acre area in the southern portion of the City in an around the intersection of Agoura Road and Kanan Road. The proposed land uses within the Specific Plan area are shown in Figure 2-5, Specific Plan Map contained in the EIR. The proposed Specific Plan has been developed to guide the implementation of the vision described in the Agoura Village Strategic Action Plan (AVSAP). The AVSAP planning process involved a comprehensive public and stakeholder program that ultimately led to development of the Specific Plan itself. The AVSAP involved three volumes as follows: 1) Agoura Village Strategic Action Plan Opportunities and Constraints Analysis; 2) Agoura Village Strategic Action Plan Urban Design Guidelines; and 3) Agoura Village Strategic Action Plan Architectural Design Guidelines.

Under the proposed Specific Plan, the northern developed 32 acres of the project area would ultimately be revitalized in accordance with the land use development standards and design guidelines contained in the Specific Plan. This area includes the Whizin's Shopping Center, Mann Theater complex, self-storage facilities, and building supply facilities. Future development that could occur on the 103 acres of undeveloped property within the Specific Plan area would be subject to the provisions of the Specific Plan.

Upon adoption, the "Specific Plan" designation would become the underlying General Plan designation for the project area. While future projects within the Specific Plan area would be required to be processed through the City's development review and approval procedures, no

future General Plan Amendments or zone changes would be required to implement subsequent development, provided that such development was consistent with the provisions of the Specific Plan. While the Specific Plan would change the current Commercial-Retail Service (CG), Ladyface Mountain Specific Plan, and Business Park - Office/Retail (BP-O/R) land use designations to Agoura Village Specific Plan designation, it is important to note that the proposed Specific Plan is intended to focus and enhance the development within the project area as compared to the current General Plan land use designations. The proposed AVSP does not allow for an increase in the level of development over that which is currently identified in the City's General Plan for the project area. While this is an important distinction to understand, it does not affect the CEQA analysis, which requires evaluation of impacts generated from full buildout of the project area.

It is also important to emphasize that all development applications within the Specific Plan area must follow the requirements and provisions of the City's Agoura Village Development Permit (AVDP) process. Appeals will be regulated pursuant to the City of Agoura Hills Municipal Code. The Agoura Village Development Permit is designed and intended to provide for the orderly development of land in conformance with the vision contemplated by the Agoura Village Specific Plan.

Any future development would undergo individual project review in accordance with locally adopted City policies and procedures and State law. Area-specific development standards, design guidelines and policies are further defined and illustrated in the Specific Plan.

<u>AVSP Project Buildout Forecast.</u>

In order to examine the environmental effects of the AVSP, it was necessary to develop and describe a reasonable buildout forecast for the project area. Section 2.4.1, of the EIR describes the Specific Plan Development Potential. Full buildout of the proposed Specific Plan would result in buildout of the project area with a mixed-use "village" development comprised of residential, office, retail, entertainment and restaurant uses within the project area.

As a planning document, the Specific Plan provides a framework that would guide future development within the project area. Based on land use designations and development standards within the Specific Plan, full buildout of the Plan is projected to involve new development of between 235 and 293 residential units; a total of up to 576,458 square feet of new office, retail, restaurant, community center, and hotel building area; and revitalization of the existing 372,042 square feet of office and retail space with a higher density development within the same footprint. Total new commercial development within the study area is estimated at 948,500 square feet (includes new development on vacant land and potential increased square footage in currently developed areas that may be revitalized). Therefore, full buildout under the Specific Plan would involve an estimated 948,500 sf and up to 293 residential units.

As described in Section 2.4.1 of the EIR, in order to more effectively plan and analyze the effects of the Specific Plan, the project area was divided into six analysis zones. Figure 2-4 of the DEIR shows the allowable land uses for each of the seven zones (Zones A-G) in the study area. Figure 2-5 of the DEIR illustrates the buildout potential for each analysis zone.

For the purposes of the EIR, it has been assumed that each zone illustrated in Figure 2-4 would be developed at a maximum floor area ratio (FAR) of 0.35. An FAR is a ratio used to identify onsite building intensity. A 0.35 FAR assumes that onsite building area would total 35% of the total site area. Note that this does not assume 35% lot coverage if multiple story buildings (in this case up to three story) are allowed. Table 2-3 of the DEIR summarizes the potential buildout under the Specific Plan by zone. Specific uses that are allowed under the Specific Plan are summarized in Table 2-4 of the DEIR.

SPECIFIC RESPONSE TO COMMENTS

Response 20A

The commenter notes his opinion that the Hoffman marketing study is seriously outdated, is incomplete or in error in various aspects and contains what appear to be unsupported recommendations and conclusions. The commenter further notes his opinion that there appears to be a gap in the logic that leads from the Hoffman study to the Specific Plan.

The commenter's position is noted for decision maker consideration. However, since the comment does not pertain to the adequacy of the EIR, no specific response is necessary. Please refer to the general response to comments for an explanation of the CEQA process and how it has been implemented for this project. The purpose of the EIR is to analyze the physical impacts of a project (i.e. the Specific Plan) and it is beyond the scope of the EIR to critique or revise the Hoffman economic study.

Response 20B

The commenter notes his opinion that it is unclear if the EIR traffic analysis has included consideration for future projects that lie outside the city boundaries, but which the City has separately stated were 'of concern' – i.e. Heschel, etc.

Section 3.0, *Environmental Setting*, provides a list of the planned and pending projects nearby in the City. The list was prepared at the time the Notice of Preparation for the Specific Plan area and was submitted to responsible agencies. Further, Appendix D, Traffic Study and Traffic Technical Appendix includes a cumulative projects location map and trip generation table. The cumulative traffic volumes developed by Austin-Foust using the Agoura Hills Traffic Model include a list of approved and pending projects within City limits. Additionally, the cumulative traffic volumes include 30% background regional growth. The Herschel and the Triangle Ranch projects were not included as separate cumulative projects, but rather were considered as a portion of the 30% background regional growth factor.

Response 20C

The commenter states his opinion that there appears to be inconsistencies between the Specific Plan and what is 'concluded' in the DEIR. As an example, the commenter notes that the Specific Plan purports to preserve views along the 101 corridor; however the DEIR in one section states that views will be enhanced (as a result of new landscaping, etc. along Roadside Drive and project wide), but then notes that it may be necessary to construct a 10 foot tall noise wall along the edge of the 101 Freeway. The commenter further notes that the sound wall

would contradict the DEIR's 'improved view' analysis and would virtually eliminate views of the Specific Plan area and adjacent hills.

This comment is noted; however, the mitigation measure that the commenter refers to, N-2(b), does not state that it may be necessary to construct a 10 foot tall noise wall along the edge of the 101 Freeway. The measure states that "if traffic-related noise problems from U.S. 101 arise within the Specific Plan area, the City shall investigate and, if feasible, implement appropriate measures to reduce noise impacts at the affected receptor locations." As an example, the mitigation notes, "such measures may include, but are not limited to, the use of a sound wall." The mitigation then provides an estimate for the level of noise reduction equated with a 10-foot sound wall. One of the purposes of the Specific Plan is to ensure that the project area maintains visual continuity (through consistent design standards) and has visual appeal in order to help define the village area and to ensure its success. The visual effects associated with the use of sound walls, if needed to mitigate noise impacts, will need to be balanced against the other Plan goals and objectives. Detailed review of features such as sound and retaining walls will be performed during the project-specific review of individual projects that are proposed within the Specific Plan area.

<u>Response 20D</u>

The commenter states his opinion that the EIR appears to be foundationally flawed as it does not define/control how the total allowable square footage of commercial space might be proportionally divided among various allowed uses. The commenter further notes his opinion that if the actual/final 'split' of uses is not defined in the Specific Plan, the EIR cannot fully or objectively evaluate the potential impacts of the 1 million + square feet of commercial space that would lie within the Specific Plan area upon full build out.

Please see the general response to this letter. The CEQA Guidelines Section 15146 states that "the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR. An EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the construction can be predicted with greater accuracy. An EIR on a project such as the adoption or amendment of a comprehensive zoning ordinance or a local general plan should focus on the secondary effects that can be expected to follow from the adoption or amendment, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow." Therefore, the specificity provided in the AVSP EIR, and the use of full buildout estimates and assumptions outlined in the EIR, is consistent with the intent of CEQA.

Further, CEQA discourages speculation in attempting to forecast impacts associated with a project. It would be speculative at this time to try to predict the exact distribution and location of uses allowed within the Specific Plan area. The EIR's examination of a range of potential uses and a reasonable worst case scenario based on full buildout of the Specific Plan illustrates the EIR's attempt at full disclosure in light of factors such as the magnitude of the project at issue and the severity of its likely environmental impacts.

Response 20E

The commenter states that the Specific Plan does not place defined limits on the amount of development that could occur at various 'currently-developed' properties (thus exempts them from certain limitations what would apply to currently-vacant parcels).

The commenter is mistaken. As noted in Section 2.0, *Project Description*, based on the Specific Plan, the EIR assumes that each zone would be developed at a maximum floor area ration (FAR) of 0.35. The FAR consists of the total lot area divided by the total building square footage (including multiple stories). A 0.35 FAR assumes that onsite building area would total 35% of the total site area. Note that this does not assume 35% lot coverage if multiple story buildings (in this case up to three story) are allowed. Table 2-3 summarizes the potential buildout under the Specific Plan by zone, and illustrates the maximum build out potential of each. Thus the Specific Plan and EIR limit the potential buildout of of existing and future development.

Further, the commenter notes that the Specific Plan states that the maximum building size will be 30,000 sf, then gives the Council discretion to approve buildings of 60,000 sf. The commenter further notes that City staff has verbally indicated that the 60,000 sf maximum is not intended to be subject to further discretionary increases; however, this is not clear in Specific Plan Section 9 language. The commenter feels appropriate clarifications should be made within the Specific Plan.

Although this comment is noted; it is beyond the scope of the EIR to define the project. Further, for the purposes of analyzing the physical impacts of a project, it is presumed that the City would respect the intent of the underlying document and their verbal indications of future actions. As this is not a physical impact of the project, no further analysis within the EIR is necessary.

Response 20F

The commenter states his opinion that the Hoffman study, the Specific Plan and the DEIR do not provide a reasoned, detailed look at how the extent of new commercial development in the Specific Plan area might negatively impact existing neighborhood commercial centers. Specifically, the commenter states that the DEIR makes no attempt to discern the accuracy of the Hoffman report and does not appear to reflect any independent study of the potential 'flight' or 'shift' of patron dollars away from existing businesses – which itself would have significant negative environmental and neighborhood impacts.

See general response to this letter. It is important to note that the proposed Specific Plan involves development of the project area at similar development intensity and with similar uses to those currently allowed in the City's General Plan (with the exception of the addition of limited residential development). Because the Specific Plan does not involve a substantial departure in land use from the current General Plan, a citywide market impact study was not deemed to be necessary and was not performed as part of the Specific Plan development process. For this same reason, it is not anticipated that the Specific Plan will result in physical effects to other built out areas of the City nor will it cause secondary physical effects to other commercial areas of the City. The Plan area is an older area where businesses naturally are going through transition. However, the Agoura Village Specific Plan encourages smaller

tenants through its design and land use guidelines and standards. Also, as part of Resolution No 02-1233 the gross floor area of a retail store in the City is limited to 60,000 sf.

Further, CEQA Section 15131(a) states that "economic or social effects of a project shall not be treated as significant effects on the environment…The focus of an analysis shall be on the physical changes." Therefore, the EIR need not examine the details of the Hoffman Market study and its use in formulating the Specific Plan.

Response 20G

The commenter questions why the City would propose to certify a single EIR that would cover multiple projects that are not yet defined.

See general response to this letter. As discussed above, the EIR is a program EIR intended to identify programmatic mitigation. As defined in the CEQA guidelines, Section 15168 (a)(3), "a program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related…in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program." This approach was chosen pursuant to CEQA guidelines as it allows "the Lead Agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, and allow reduction in paperwork."

Thus, the Agoura Village Specific Plan is intended to contain flexibility to accommodate a broad range of uses and densities that may be proposed for the project area, to include, but not be limited to, densities that would accommodate the pending developments within the project area.

Pending development applications for the area were described in detail in the EIR to provide full disclosure of possible build out scenarios that could occur within the area. The EIR examined the Specific Plan based on a "worst case" or maximum build out scenario in order to fully address the maximum buildout that could be allowed under the Specific Plan. Therefore, the EIR provides a more conservative analysis by examining impacts that could be greater than those for the pending projects.

Each project specific application will require detailed CEQA review that would be performed as part of the individual project entitlement process. To the extent that the projects are consistent with the Specific Plan and the Program EIR, subsequent environmental documents would focus on more detailed project specific issues.

Response 20H

The commenter feels that public materials have not adequately addressed the increased density proposed under the Specific Plan as compared with what is currently permitted under the General Plan. The commenter requests that future public materials discuss and compare how the Specific Plan varies from the existing General Plan designation and zoning.

In reference to density, the commenter is referred to Tables 2-2 and 2-3 of the DEIR. Table 2-2, *Projection of Full Buildout Potential Under Current General Plan Land Use Designations*, provides a detailed analysis, by Zone, of potential buildout. This table can then be easily compared with Table 2-3, *Maximum Buildout Potential for the Agoura Village Specific Plan*. Further, Section 2.0, *Project Description*, notes that for the analysis of the potential buildout under the General Plan a buildout density of 0.35 was chosen as an average of the General Plan and General Plan EIR buildout densities. Although the General Plan allows for a buildout density of 0.55 FAR, the General Plan EIR used a buildout density of 0.15 FAR. Therefore, a more realistic density is an average of the two; however, it would be allowable for the General Plan area to buildout at an FAR of 0.55 under the current permitted density. The Specific Plan assumes development would not exceed an FAR of 0.35.

Response 20I

The commenter notes that there are inherent conflicts between commercial and residential uses relating to acoustics. The commenter further notes that while a 'reduced quality' acoustic environment may be acceptable to residents in an urban setting, it is unclear whether residents in what is perceived as a 'semi rural' community would agree. The commenter cites numerous potential noises which may be associated with commercial development and that would be a potential nuisance to neighboring residential uses.

In terms of the objectives of the project, the commenter should refer to section 2.6, *Project Objectives.* As noted in this section, the City's primary objective for the proposed project is to achieve the community's vision for the project area. This vision involves a transition from the area's current state toward a pedestrian-oriented "Village" center with retail shops, restaurants, theaters, entertainment uses and complementary residential uses that serve the City and the larger Conejo Valley region. The list of project objectives does not mandate the retention of a "semi-rural" atmosphere, but rather encourages a "Village" concept. Thus, it is the objectives listed within this section that were used as the basis for the environmental analysis (Refer to page 2-24).

Further, as noted in the general response to this letter, CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation. Additionally, the EIR need not list every possible source of noise in the project environment. Rather, the EIR should focus on the overall noise environment. The EIR has assessed the overall noise environment for the project, including consideration for the potential conflicts related to residential use versus commercial use (See page 4.9-15, Onsite Activity Noise). Potential conflicts are discussed under Impact LU-2, *Land Use and Planning*, and N-1 through N-3, *Noise and Vibration*. Thus, the EIR has fully addressed potential noise related impacts of a mixed-use village. It is also important to note that the future land uses will be required to comply with existing City Noise Ordinance provisions. In addition, if during the review of individual projects noise incompatibilities are identified, appropriate site use restrictions or project specific mitigation may be required.

Response 20J

The commenter states his opinion that the EIR does not discuss the inherent conflicts between commercial and residential uses and whether it would be appropriate at THIS location in THIS community.

The EIR specifically addresses the potential land use conflict between planned new commercial and residential land uses under Impact LU-2, *Land Use and Planning*.

Response 20K

The commenter feels there is an inconsistency between proposed mitigation for freeway noise and the aesthetics analysis of the EIR. This comment was addressed under Response 20C.

Response 20L

The commenter states that proposed mitigation requires that windows and doors of residences be kept closed in order to reduce noise to an acceptable level. Additionally, the commenter notes that because of such noise conflicts, most residents will not use, nor furnish attractively, their private decks/balconies, as depicted in the Specific Plan, page 1-9. The commenter feels that the neither the City nor developers will be able to ensure the long-term attractiveness of these outdoor amenities.

In regards to the first comment, the EIR does not require that windows and doors of residences be kept closed. Impact N-3 of Section 4.9, *Noise and Vibration*, has outlined several mitigation measures aimed at reducing noise related to onsite commercial activities. These measures include restrictions on commercial operating hours and delivery truck schedules, location of loading docks relative to residential uses, ventilation noise reduction, parking lot noise, and the use of mechanical equipment. In addition to these measures, a minimum standard development requirement was made such that all on-site structures be equipped with air conditioning or a mechanical ventilation system so that windows and doors may remain closed; double-paned windows and sliding glass doors mounted in low air infiltration rate frames (0.5 cubic feet per minute, per ANSI specifications); solid core exterior doors with perimeter weather stripping and threshold seals; and roof and attic vents facing away from Highway 101. In regards to the second comment, as mentioned above, the EIR does provide mitigation to reduce exterior noise levels as well as interior noise levels; however, it is beyond the scope of the EIR to attempt to predict the behavioral response of residents. Thus, the EIR cannot speculate as to the long-term behavior of residents and use of outdoor balconies and private decks. As the EIR has fully disclosed the potential noise impacts (interior and exterior) for residential and commercial uses, no further analysis is required.

Further, the commenter questions the use of the noise standards outlined in the EIR. As discussed in the regulatory section of Section 4.9, *Noise and Vibration*, the City identifies the State Office of Noise Control land use compatibility guidelines as the standards for development within the City. Figure 4.9-1 shows the ranges of noise exposure, for various land uses that are considered acceptable, conditionally acceptable, or unacceptable under the State Office of Noise Control guidelines. The threshold of significance for operational roadway noise impacts is based on City standards for noise exposure, the standards from the State Office of Noise Control, and the recommendations of the Federal Interagency Committee on Noise (FICON). Thus, the EIR analysis utilizes currently acceptable standards as adopted by the City.

Response 20M

The commenter notes that Section 4.9, *Noise and Vibration*, provides for mitigation, N-2(a), which requires the use of rubberized asphalt in potentially noise impacted areas, if feasible. The commenter feels that this measure conflicts with the Specific Plan guidelines which state that textured paving results in noise and vibration.

This comment is noted; however, the textured pavement that the commenter has mentioned is not the same as rubberized asphalt. These are two different types of paving. The rubberized asphalt has been shown to reduce noise by 2 to 5 dBA (Acoustical Analysis Associates, Inc., 1992). The Specific Plan discusses optional enhanced paving materials to "improve the pedestrian experience, both in visual appeal and safety. Colored pavers in the street are helpful to raise awareness through increased visibility, noise, and vibration." The enhanced paving materials would be used in somewhat limited areas (i.e. a pedestrian crosswalk), while the rubberized asphalt is proposed for use for the length of a roadway (i.e. Agoura Road between Kanan and Cornell).

Response 20N

The commenter notes that the EIR noise analysis is based upon studies performed some years ago on the north side of the 101 Freeway. The commenter questions the use of past noise studies and whether or not the readings are truly indicative of conditions to the south of the Freeway, given that the geography may differ. The commenter also questions whether or not the readings would be applicable given the changing vehicle size/type since the study was performed.

This comment is noted; however, the noise measurements listed in Table 4.9-2 were used only to provide an idea of the existing conditions within the project area. Existing conditions within the Specific Plan area, as noted in Tables 4.9-5 and 4.9-6, were modeled using current traffic data for each roadway.

Response 20O

The commenter notes a concern for safety regarding the inclusion of a bicycle lane along Agoura Road. The commenter requests a safety study be performed or if one has been performed that it be included in the EIR.

Anywhere where vehicles and bicyclists share space there is potential for conflict, regardless of whether vehicles are parked parallel or angled. As with any traffic situation, drivers and bicyclists alike should pay attention to potential conflicts when on the road. The street section of Agoura Road provided in the AVSP document (Page 3-30) indicates that the bike lanes would be unstriped (Class II). The 8-foot buffer between the parking stalls and the travel lane, that has been incorporated into the Specific Plan, was recommended by the City Traffic Engineer as an acceptable area for bicycles.

Response 20P

The commenter states that the EIR does not further address impacts on the community at large (i.e. on the existing business community) or flow-down effects on environmentally-related factors (flight of business from existing locations to new locations, downturn of business at existing locations, visual depreciation, shift of traffic flow from old to new business locations, net shift of city revenue stream, etc.). The commenter feels that the study is inadequate with respect to this category of analysis.

See response to 20F. The EIR examines visual changes resulting from the project; these are discussed in Section 4.1, *Aesthetics*. The EIR also discusses traffic related impacts of the project; these are discussed in Section 4.11, *Transportation and Circulation*.

Response 20Q

The commenter states that the EIR does not appear to include any evaluation as to whether the Specific Plan promises to significantly improve the City's balance sheet either short or long term.

This comment is addressed in the general response to this letter and under Response 20F and P above. Study of economics and fiscal effects of the proposed project is beyond the scope of the EIR and is not required under CEQA. It should be noted that the Specific Plan does not call for the City to front significant public facility and infrastructure costs; those will primarily be borne by the individual project developers.

Response 20R

The commenter states his opinion that the EIR accepts the Specific Plan's assumptions (regarding appropriate land uses which meet the community's needs) as accurate, and does not appear to include independent research or a critical analysis of the underlying Hoffman report. he commenter further notes, that there is no section which addresses the foundational issue of whether there is a need for additional businesses of the types being promoted by the Specific Plan, and whether the local population can reasonably support both existing and additional business square footage and type.

See general response to this letter. As noted above, CEQA Section 15131(a) states that "economic or social effects of a project shall not be treated as significant effects on the environment…The focus of an analysis shall be on the physical changes." Therefore, the EIR need not examine the details of the Hoffman Market study and its use in formulating the Specific Plan. Although the EIR does not treat economic or social effects of the project as significant effects, Section 5.0, *Growth Inducing Impacts*, does provide a detailed examination of population, housing and job growth estimates for the City, (Refer to Table 5-1). As noted in Section 5.1.2., "Agoura Hills is a predominately residential community and has significantly more housing than it does jobs (Housing Element, 2001). Therefore, the large introduction of jobs as part of the Specific Plan would be beneficial in helping to balance the existing difference between housing and work levels. "

Response 20S

The commenter states that the EIR points out that the development that will result from the Specific Plan is clearly not semi-rural and that the EIR repeatedly observes that the nature of the Specific Plan EIR is urban.

As discussed in Response 20I, in terms of the objectives of the project, the commenter should refer to section 2.6, *Project Objectives* of the DEIR. As noted in this section, the City's primary objective for the proposed project is to achieve the community's vision for the project area. This vision involves a transition from the area's current state toward a pedestrian-oriented "Village" center with retail shops, restaurants, theatres, entertainment uses and complementary residential uses that serve the City and the larger Conejo Valley region. The list of project objectives does not mandate the retention of a "semi-rural" atmosphere, but rather encourages a "Village" concept. Thus, it is the objectives listed within this section that were used as the basis for the environmental analysis (Refer to page 2-24).

Response 20T

The commenter states that the EIR does not explain the basis for assuming that the Specific Plan would build out within 8 years.

Section 2.4.3, *Phasing Schedule*, explains that buildout of the *undeveloped* portions of the Specific Plan area, along the south side of Agoura Road, is anticipated to occur within 1 to 8 years. This is noted along with details of financing mechanisms which are already in place. However, the section goes on to point out that in the mid-term vacant property on the north side of the Village, as well as the adjacent sites would likely be developed or redeveloped. Longer-term improvements would be subject to funding sources and project prioritization relevant to other City projects. Funding sources for public improvements five to twenty years in the future may include general obligation bonds, redevelopment tax increment and additional traffic improvement fees. Further, the EIR notes that "priorities for the phasing of roadway improvements, sidewalks, median, landscaping and streetscape improvements have not been defined. The phasing and successful buildout of Agoura Village is a dynamic process and requires continued involvement between the City and development community."

Further, as noted in CEQA Section 15146, the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR. Thus, as the project is a Specific Plan and an exact timeframe for implementation can not be delineated at this time, the Specific Plan and EIR attempt to provide a reasonable assumption for use in analyzing impacts of the project. As noted in the EIR, these are assumptions.

Response 20U

The commenter notes that the Specific Plan calls for improvements to Roadside Drive, Cornell Road, Kanan Road, and Agoura Roads. The commenter feels that the Specific Plan and EIR do not address how those improvements may affect existing businesses.

While economic effects of a project are not required to be addressed by an EIR, Impact T-3 has been modified to clarify that "*Individual projects within the Specific Plan area have the potential to*

result in short term construction impacts to adjoining land uses and roadways". In addition, the following mitigation measure has been added to the Final EIR.

> ***T-3(f)*** *Construction Impacts. Prior to individual project approval, short-term construction impacts shall be examined. Where necessary, a construction vehicle management plan shall be developed and implemented. This plan shall include measures to avoid conflicts with nearby businesses and other land uses (such as construction activity notification and timing so as to minimize conflicts) and to minimize the effects on the local street network.*

Response 20V

The commenter states that the EIR does not address impacts of either short-term or long-term construction on existing businesses within the Specific Plan area. The commenter further states his opinion that the EIR should address the extent of physical disruptions, the costs of disruptions to individual businesses and to the City, potential for businesses to fail due to disruptions, and service sectors that will not be active during construction. The commenter feels that the EIR should include projections of economic impacts from dust and noise, traffic delays, disruptions of utilities, as well as the potential loss of tax revenue from existing businesses.

See Response 20U. In addition, the following is a list of impacts identified in the EIR which include discussions and/or mitigation related to construction: AES-1, AES-3, AQ-1, AQ-2, BIO-1, BIO-2, BIO-3, BIO-4, BIO-6, GEO-3, GEO-4, GEO-5, GEO-6, HYD-1, N-1, VIB-1, and PS-6.

Response 20W

The commenter notes that page 9-121 of the Specific Plan exempts existing uses fronting Agoura Road from FAR maximums. The commenter further questions, if the total permittable square footage is unlimited then the EIR can provide a reasonable analysis.

As written on page 9-121, properties that front onto Agoura Road in Zone A may add additional mixed use development including retail at the ground floor, office and/or residential space above along the Agoura Road frontage subject to the design guidelines development standards in the Specific Plan, and review and approval of an Agoura Village Development Permit. This section further exempts compliance with Plan provisions regulating non-residential and mixed-use FAR maximums on a parcel basis. However, the overall FAR of 0.35 for Zone A cannot be exceeded, nor can the maximum building square footage outlined in the EIR (Table 2-3) be exceeded.

Response 20X

The commenter reiterates that the Specific Plan will increase the building density within the Specific Plan area, as compared with the currently permittable buildout potential and notes his opinion that the EIR does not discuss, rationalize, or question this increase in density. Further, the commenter reiterates his concerns regarding discretionary provisions of the Specific Plan, and the potential for unlimited development under such provisions.

See general response to this letter. In addition, these comments are further addressed in under Responses 20D, 20E, 20H and 20R. Under the Specific Plan and EIR, in no case (even with an AVDP and discretionary approvals) can the buildout in each zone exceed the overall square footage maximum outlined in EIR Table 2-3. Discretionalry approvals will be handled as described on page 9-116 of the Specific Plan. Per Resolution 02-1233, the City does not allow single retail stores to exceed 60,000 gross floor area.

The commenter also notes that the Specific Plan allows for an option of a 120 room hotel, or 62 residential units. The commenter feels the impacts of the 120 room hotel are not addressed in the EIR and recommends that the hotel be classified in the estimate of buildout potential as a commercial space, even though under the building codes it is considered a residential use.

As described in Section 2.0, *Project Description*, the Specific Plan provides a framework that would guide future development within the project area. The EIR cannot presume to exactly forecast the size and extent of future development. Therefore, the Agoura Village Specific Plan is intended to contain flexibility to accommodate a broad range of densities that may be proposed for the project area, to include, but not be limited to, densities that would accommodate either option of a hotel or residential use. As such, the analysis of environmental impacts considered a "worst case" scenario, or maximum build out as allowed under the Specific Plan, in order to capture the maximum, reasonably likely, impact of the project. Assumptions made for each analysis are included within the EIR. In addition, each project specific application will require stand-alone CEQA review that would be performed as part of the individual project entitlement process. To the extent that the projects are consistent with the Specific Plan and the Program EIR, subsequent environmental documents would be able to focus on project specific issues not already addressed in the Program EIR.

Response 20Y

The commenter states that neither the Specific Plan or EIR specify as to whether or not parking would be in structures. The commenter feels that the Specific Plan suggests that structures would be used, but that garage square footage and mass do not seem to be directly addressed as controlled components for either commercial or residential uses.

Parking structures, including underground parking, may occur in the Specific Plan area. The structures would need to comply with the land use development and design guidelines of the Specific Plan. The 0.35 FAR is a building, not a parking structure, density.

Response 20Z

The commenter notes that all paving materials must comply with ADA requirements, so use of these materials may be limited. A review of the guidelines should be performed to ensure that all design recommendations are consistent with applicable codes. This comment is noted. Review of individual projects will require that all projects comply with ADA and other building code requirements.

Response 20AA

The commenter states his opinion that it would seem appropriate for either the Hoffman study or the EIR to address whether 'minimal' signage would serve as an enticement or a detriment toward attracting potential retail merchants. The commenter further notes his opinion that the Specific Plan guidelines are not well defined and should be revised, to include an analysis as to the economic impacts of whatever sign parameters are included in the Specific Plan.

See general response to this letter. CEQA Section 15131(a) states that "economic or social effects of a project shall not be treated as significant effects on the environment…The focus of an analysis shall be on the physical changes."

Further, Pursuant to CEQA Section 15204, reviewers of an EIR "should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation." CEQA states that "lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR." The EIR has attempted to provide a good faith effort at disclosing the impacts throughout the Specific Plan area. Further, Specific Plan page 5-72 refers to clearly marking stalls for residential versus non-residential uses and states that the various uses shall have separate buildings, not parking, entrances.

Response 20AB

The commenter notes that the Specific Plan design guidelines (page 6-93) call for electrical service at all street trees for holiday lighting. The commenter feels that this requirement is an indication that the Specific Plan will result in an urban shopping district that is not unique to Agoura Hills and is a replicate of similar pedestrian-oriented centers in the region. This comment is noted. See general response to this letter.

Response 20AC

The commenter notes that buildings will be multi-story, with office and or residential uses on upper floors. The commenter suggests that all utility and trash areas be effectively screened from view from any other portion of the Specific Plan area. Additionally, the commenter adds that an additional requirement should be included for roof-top mechanical equipment.

This comment is noted. The Specific Plan has provided such guidelines on page 5-84 which require screening of utilitarian equipment, trash enclosures, stairs, utility panels, roof drainage, and mailboxes. Specifically, measure D on page 5-83 requires roof mounted mechanical equipment be screened from public view. Therefore, the commenter's requests have already been included in the Specific Plan design guidelines.

Response 20AD

The commenter notes that the Specific Plan suggests energy measures in its design guidelines, but does not require them. The commenter suggests that such requirements be adopted as standards or enticements under the Specific Plan.

This comment is noted. The Specific Plan and EIR have outlined numerous recommendations for reducing energy use. For example, Impact AES-4 of the EIR discusses considerations provided in the EIR to encourage the use energy-efficient technology. As noted on page 4.1-24, the Specific Plan encourages consideration of the following factors when designing roadway and pedestrian lighting:

- *The wattage or brightness of the light;*
- *The installation of the fixture and use of shields to minimize light spill;*
- *The type of light – sodium amber lights are softer than metal halide type; and,*
- *Placing lights on timers or motion sensors to limit their on-time as appropriate.*

Response 20AE

The commenter notes that the Specific Plan does not provide enough detail regarding the equestrian facility proposed for the Specific Plan area and requests additional information detailing the location and funding mechanisms that would be used to this element of the Plan.

See general response to this letter. CEQA Guidelines Section 15146 states that "the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR…An EIR on a project such as the adoption or amendment of a comprehensive zoning ordinance or a local general plan should focus on the secondary effects that can be expected to follow from the adoption or amendment, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow." Therefore, the specificity provided in the AVSP EIR, and the use of estimates and assumptions outlined in the EIR, is consistent with the intent of CEQA.

Response 20AF

The commenter notes that flea markets, farmers' market, and seasonal sales are existing uses of the Specific Plan area. The commenter states these uses are not discussed in the Hoffman Study or EIR and questions whether they will continue under the Agoura Village Specific Plan.

Page 1-10 of the Specific Plan clearly states that one defining principle of the mixed-use village will be to "incorporate a public plaza that serves as the center of community events and celebrations (e.g., farmers markets, picnics)." Thus, according to the Specific Plan, such events are intended to continue.

Response 20AG

The commenter notes that the parking study performed for the EIR utilized traditional parking formulas, which the commenter feels are no longer appropriate. Further, the commenter feels

that shared parking and the Specific Plan parking proposal will not be sufficient to meet long-term parking needs. The commenter lists the following concerns:

1) If developments are under separate ownership, it may be difficult to enforce shared parking if there are disagreements among owners.
2) The shared parking concept would require that all"sharers" entitle and construct their project in the same time.
3) There should be a plan B under consideration as part of the SP.
4) Off site parking that operate into late night hours may present certain safety issues and require additional police services.
5) Late night operations may require lighting that exceeds current City standars.
6) If subterranean parking is implemented (City staff recommendation) it provides a separate set of safety issues. Special consideration should be given to seniors in mix-use parking.

The traffic and circulation section does not contain a quantitative parking demand and supply analysis for the entire AVSP. Parking studies will be completed as the exact type of use, size and type of adjacent uses for each individual project is determined. The concept of shared parking can then be applied to separate clusters of development that share parking areas. Parking demands can then be estimated using parking rates from recognized sources or from parking studies at similar existing sites in the area. The following are responses to the itemized concerns above:

1) Comment noted. Shared parking would be applied to sites that are under the same ownership or have reciprocal agreements.
2) Comment noted.
3) The traffic and circulation section does not provide a parking study with specific numbers for each project component, but provides how shared parking and parking strategies can be implemented to reduce excess parking spaces. It depends on the exact type of use, size and type of adjacent uses how many spaces would be required for each development. The traffic and circulation section does therefore not provide an alternative to the current parking concept.
4) Comment noted.
5) Comment noted.
6) Comment noted.

<u>Response 20AH</u>

The commenter states that mitigation for PS-7 of the EIR does not note that the 32 acres of open land is steep hillside, largely unusable as parkland for most persons. Further, the commenter feels that the mitigation should include a requirement for development of suitable park facilities either within the Specific Plan or on an adjacent parcel easily accessed by residents.

The commenter is mistaken that Impact PS-7 does not mention the steep conditions of the 32 acres west of Kanan Road. Impact PS-7 states that "The proposed Specific Plan incorporates a large area of open spaces (Zone G), totaling about 32 acres at the base of Ladyface Mountain and south of Medea Creek. The open space west of Kanan Road will be preserved as such, but offers little

recreational utility for the community due to its steep slopes." Thus, the EIR has disclosed the conditions within this area.

Future developers will be required under current City of Agoura Hills regulations to either dedicate land for park facilities or pay an in lieu fee. As discussed in Section 4.10, *Public Services*, the current land dedication fee requirement equals the required acreage of local park space multiplied by the fair market value of the land, as determined by the last tax bill. These fees are collected by the City as a condition of the project approval process and shall be used only for the purpose of developing new, or rehabilitating existing, recreational facilities to serve the development for which the fees were paid. Based on the City's land dedication requirements, developers within the Specific Plan area would be required to provide a minimum of 2.64 acres of land for parks or in lieu fees. As discussed in the Specific Plan and the EIR, the open space area east of Kanan Road would provide an equestrian facility and equestrian trail. This would qualify as usable recreational facilities within the Specific Plan area and, thus, would satisfy the commenter's request, as well as the City's requirements.

Response 20AI

The commenter notes that pedestrian movement across the 101 Freeway at Kanan Road may be problematic and requests further clarification regarding measures to ensure the safety of pedestrians crossing the freeway. The commenter notes mention and requests clarification regarding an underpass beneath the 101 Freeway and the use of a shuttle bus as potential options to assist pedestrian movements.

Pedestrian crossings are provided on Kanan Road at both the northbound and southbound Ramps. As these intersections would be controlled by signals, the pedestrian movements would also be controlled by signals. The pedestrian crossing on the free southbound on-ramp for northbound traffic would not be signalized. The ultimate design of this on-ramp should include the typical features for such a location which would provide optimal sight from the roadway to the crosswalk, warning signs etc. Regarding an underpass beneath the 101, Chapter 8 of the Specific Plan provides a list of recommendations for future capitol improvement projects. As mentioned on page 8-102 preparation of a trail feasibility study for a new creek side trail between Agoura Road and Canwood Street on the north side of Highway 101. The study shall be undertaken to determine the potential alignment, design, costs, and timing. Additionally the Specific Plan recommends preparation of a transit study to consider establishment of an Agoura Village trolley with loop service to destinations south of Highway 101 and immediately north of Highway 101 with the intent of providing alternative transportation services to the Village area. The Specific Plan only proposes consideration for studies of these potential services. Implementation of these services is not a part of the project description as analyzed under the EIR. Any resulting services would require individual environmental review.

Response 20AJ

The commenter notes that the EIR does not identify the potential costs of increased demand on police services and requests additional information regarding the funding of such services.

Please refer to Responses 20F and 20Q. CEQA Section 15131(a) states that "economic or social effects of a project shall not be treated as significant effects on the environment…The focus of an analysis shall be on the physical changes." Therefore, the EIR need not examine the costs of providing additional police services as the physical impacts related to police services have been discussed (Refer to Section 4.10, *Public Services*). No further analysis is warranted.

Response 20AK

The commenter notes his opinion that with the approval of the Specific Plan and EIR, the public review process would be truncated such that public scrutiny would be limited to a review of whether the proposed plans generally conform to the Specific Plan. The commenter feels that due to its broad scope, the EIR may be judged inadequate.

This comment is noted; however, the scope and approach of the EIR was discussed in detail under an earlier response. Please refer to Response 20D and 20G as well as the general response to this letter.

Response 20AL

The commenter states his opinion that all proposed projects in the City of Agoura Hills are entitled to, and should receive timely processing (whether in the Specific Plan area or elsewhere). The commenter further notes that all applicants are also entitled to equal consideration relative to the development standards and fee adjustments – based only on the merits of their proposed projects. The commenter then notes his interpretation of Specific Plan language, in that it allows developers or owners who more easily bend to pre-determined personal preferences of staff or council to receive preferential treatment.

See the general response to this letter. This comment is noted; however, as mentioned above, the EIR involves an analysis of the physical effects of a project and the processing of future applications is not considered a physical impact.

The review process for individual projects in the Specific Plan area will be identical to that for other non-Specific Plan area projects with the exception that the program EIR has already been prepared. Projects that adhere to the Specific Plan will have a less complicated review process just like other projects outside the Specific Plan area that adhere to the zoning ordinance of other general City guidelines.

Response 20AM

The commenter notes that the EIR does not address how properties would be aggregated or a time line for aggregation. The commenter further discusses the viability of the City's redevelopment authority within the Specific Plan area given that existing development would not likely be considered blighted.

See the general response to this letter. The funding mechanisms for the Specific Plan are briefly discussed under Section 2.4.3, *Phasing Schedule*, of the *Project Description* and Chapter 8, *Implementation*, of the Specific Plan. The EIR need not analyze the viability of each potential funding mechanism. The Specific Plan area is already within the City's redevelopment area.

The Specific Plan is expected to be built out over time on a parcel by parcel basis as desired by the owners. Individual property owners may choose not to develop their parcels.

Response 20AN

The commenter questions if the Specific Plan projects are considered part of a Redevelopment Area, then how will tax revenues be allocated. Please refer to the general response to this letter and Response 20AM.

Response 20AO

The commenter states his opinion that the Specific Plan and EIR do not identify, or set limits on, housing unit size or specify ownership type. The commenter reiterates that the Specific Plan would therefore allow for significant swings in the total resident population and resultant impacts. The commenter then says that the EIR does not explain how the 'population' was projected for analysis purposes.

In reference to the size limit and type of ownership, Response 20D discusses in detail CEQA requirements for specificity and Response 20G discusses the rationale and CEQA requirements for programmatic EIR. The commenter should refer to each of these Responses for an understanding of what level of specificity is required for a program EIR, such as the one drafted for the Agoura Village Specific Plan.

In reference to the commenter's question of population estimates, Section 5.0, *Growth Inducing Impacts*, clearly states that population estimates for the project were based on an average of 3 persons per household, the average for the City of Agoura Hills according to the 2000 U.S. Census. All residential units in the Specific Plan area would be multi-family (apartments or townhomes), not single-family homes. This is noted in both the Specific Plan and EIR.

Response 20AP

The commenter states his opinion that the EIR does not discuss mechanical equipment, or other noise which will exacerbate acoustic problems for residents. The commenter feels that noise and visual impacts of such equipment have not been adequately addressed.

This comment is addressed in detail under Responses 20I, 20L, and 20AC.

Response 20AQ

The commenter suggests a revision to the analysis of potential students generated under the Specific Plan and provides a calculation for total student generation, which differs from that in the EIR. The commenter feels the analysis should be amended to show there could be a significant potential swing in the student population, either up or down and should obtain concurrence from the Las Virgenes Unified School District that the higher number can be housed without significant impact.

This comment is noted. Section 4.10, Public Services Impact PS-5 addresses the project's potential impact on local schools. The impact analysis was based on input provided by Las

Virgenes Unified School District (LVUSD). It is further noted that the LVUSD has not disputed the analysis contained in the DEIR. The student generation factors, per household, used in Table 4.10-5 of the EIR are averages, which account for variation in household size.

Response 20AR

The commenter states his opinion that because the Specific Plan is not accurately defined (or reasonably predictable) a single EIR is inappropriate. The commenter further notes that he feels the same ultimate objectives could be achieved through amendments to the existing overlay district zoning.

The specificity of the Specific Plan and EIR is discussed in the general response to this letter.

Response 20AS

The commenter feels that the EIR has not adequately addressed the results of narrowing Agoura Road and its use as a secondary access in case of an emergency or closure of U.S. 101.

The traffic and circulation section identifies that Agoura Road serves as a major arterial and that the proposed reduction of lanes would generate an unavoidable impact to capacity. The following text is provided in the DEIR with respect to the impact on Agoura Road:

> *"Successful accomplishment of the objectives of the project requires that a pedestrian oriented atmosphere be created to the extent possible within the project area. This includes traffic calming as proposed in the Specific Plan. Therefore, while traditional road widening approaches could be implemented to avoid or mitigate this project impact, these measures are considered infeasible in the context of the overall project objectives. Given the unavailability of road widening as a mitigation option, this is considered a significant and unavoidable impact of the proposed project. "*

In the case of freeway failure, through traffic could use Canwood Street and Roadside Drive, which would bypass the two-lane section of Agoura Road. The traffic and circulation section recognizes that the reduction of lanes within the Specific Plan area would create capacity issues based on average daily traffic volumes. In the event of traffic diversion from the U.S. 101, additional significant delays will be experienced. The commentor is correct by stating that even the best traffic management scenario would not be sufficient to alleviate the traffic demands resulting from freeway disruption.

Response 20AT

The commenter feels that the EIR does not adequately address parking needs. Specifically, the commenter feels that the 24 feet allowed for backing out of angled parking stalls is insufficient. This issue is addressed in the Section 4.11 on Page 4.11-31 of the Draft EIR. The commenter refers to the stall length requirement for 90-degree parking stalls, which is 19 feet. The typical parking stall dimensions that include vehicle projection of 19 feet under 45 degrees result in a linear length of 16 feet. This issue would be further examined and addressed in the parking policy plan that will be developed for the Specific Plan and/or each individual development.

Response 20AU

The commenter notes that the EIR does not appear to specifically address Heschel impacts, in addition to the impacts of other commercial projects and the proposed Specific Plan traffic loads. The commenter feels that the project should be revised to include consideration for the Heschel project. This comment is addressed under Response 20B.

Response 20AV

The commenter feels that reducing the City's acceptable LOS threshold level is not acceptable. The following changes were made to the EIR. The changes are also reflected in the Executive Summary and Alternative Analysis.

The traffic and circulation section of the EIR now identifies the impact at the Kanan Road and U.S. 101 Southbound Ramps intersection as Class II. Upon further analysis, it was determined that additional measures could be implemented at this intersection, which would result in the impact being reduced to a less than significant level (See Mitigation Measure T-2(g)).

Implementation of the proposed mitigation measures would provide for increased flows on Kanan Road, which would result in acceptable queuing south of the Kanan Road/U.S. 101 southbound intersection.

Response 20AW

The commenter feels that the conceptual plan of the roundabout that is included in the EIR does not accurately reflect the Specific Plan or the narrative of the EIR itself. The commenter notes that there is no pedestrian crossing design information in the EIR upon which an objective pedestrian safety review was based. Therefore, the commenter feels the roundabout has not been fully examined for safety.

The roundabout, designed by Ourston Roundabout Engineering, shows how the approaches would connect to Kanan Road and Agoura Road. The design and the traffic analysis determined that the roundabout would fit within the current right of way and would operate at acceptable levels of service with the cumulative and Specific Plan volumes. As noted in the study, the design is preliminary and further detailed engineering design is needed before construction. This would be the case for any new or revised intersection or roadway.

The preliminary design shows where crosswalks would be located within the splitter islands on the approaches. The concept design included in the Specific Plan document on Page 3-29 shows the crosswalks as well. It is noted that there are established design parameters for crosswalk design at roundabouts. These design parameters would be implemented at the Kanan Rd/Agoura Rd roundabout design.

Research of before and after conditions at roundabouts in the U.S. and outside the U.S. have shown that roundabouts are safer for pedestrians and bicyclists compared to the original signalized and stop-sign controlled intersections. This is due to less conflict points in the intersection and lower approach, circulating and exiting speeds, a roundabout provides more safety than standard intersections.

The traffic and circulation section has determined that the roundabout concept as currently proposed is viable with respect to vehicle capacity and safety.

Response 20AX

The commenter notes numerous scenarios which were not included in the EIR analysis comparing the roundabout with a signalized intersection. These include standstills caused by seekers of parking spaces along Agoura Road; stalled traffic due to cars 'backing out' of stalls into the single traffic lane; and weekends vs. weekday traffic levels.

Text that discusses potential queuing is provided in section 4.11, *Traffic and Circulation*, Page 4.11-32 of the Draft EIR. Traffic volumes are typically highest during the A.M. and P.M. commute periods during weekdays. These weekday commute peak hours were used as the design hour based on City staff direction and standard practice.

Response 20AY

The commenter notes that the Specific Plan states that pedestrian crossings at a roundabout are safer than at non-signalized intersections. However, the commenter feels there is no analysis in the Specific Plan or the EIR as to whether pedestrian crossings would be safer than at a signalized intersection. Further, the commenter notes that there is no plan showing how the bicycle lane would be incorporated into the roundabout design, and there is no discussion of bicycle safety in the roundabout generally.

The EIR provides an analysis of the roundabout versus a conventional intersection. Page 4.11-30 states "City of Agoura Hills Public Works Department staff reviewed the roundabout concept plan and noted that it will be an improvement over the conventional signalized intersection." Continued discussions within the text of the EIR further clarify that safety at the roundabout would be improved over that of an existing intersection. Page 4.11-30 of the DEIR states "The concept diagram (Figure 3-1) for the roundabout included in the Agoura Hills Specific Plan document (RRM Design Group, July 15, 2005) indicates that pedestrian crosswalks are proposed on all approaches. These crosswalks should be designed to conform to standards provided in the FHWA *Roundabouts: an informational guide*[1]. Design elements would include provision of ramps on each end of the crosswalk, a pedestrian refuge in the splitter island and a minimum distance of 25 feet between the crosswalk and the yield line to provide for vehicle storage between the circulatory roadway and the crosswalk." Additionally, the text notes "Research of accident rates at existing roundabouts in Europe has shown that roundabouts are safer for pedestrians and bicyclists compared to signalized intersections."

The mitigation measures PS-3(c), PS-4(b), and T-3(a) state "further detailed engineering design shall be performed for the proposed roundabout at the intersection of Agoura Road and Kanan Road. The study shall incorporate the applicable geometric features required to accommodate the forecast vehicular, bicycle and pedestrian movements, and safety personnel/emergency

[6] Roundabouts: An Informational Guide, U.S. Department of Transportation, Federal Highway Administration, June 2000.

access. The study should determine the sufficient capacity and safety at the roundabout for both pedestrians and motorists."

Response 20AZ

The commenter feels that night-time lighting levels necessary for pedestrian safety, to ensure that approaching drivers are acutely aware of the need to slow or stop, is not adequately addressed in the EIR. Further, the commenter notes that the EIR does not address impacts of any lighting that may be installed at the roundabout.

Although a detailed lighting plan has not been developed for the entire Specific Plan, the overall lighting concept and lighting guidelines have been developed for the Specific Plan area. Impact AES-4 contained in the DEIR notes that "site illumination provides safety for traffic movement and crossings, warns of hazards, and increases security" and lists development standards that would guide lighting installations throughout the Specific Plan, including at the roundabout. As noted in previous responses, these are broad standards that would be applied to such issues as lighting safety near the roundabout. As discussed under Response 20AY, additional engineering studies and designs will be required prior to installation of the roundabout. The intent of such a study would be to optimize safety at the roundabout for both pedestrians and motorists, of which lighting is considered an important component.

Response 20BA

The commenter feels that the EIR should provide an example of an existing roundabout that is currently functioning and notes that the Specific Plan does not provide such an example.

This comment is noted; however, providing an example for the public would generally be misleading, as the conditions of a current existing roundabout would likely be quite different from those of the proposed roundabout in the Agoura Village. It would be very difficult to provide an example of the same size and with the same levels of traffic (pre- and post-project). Thus, the EIR focused on engineering, expert opinion, and modeling of the proposed roundabout to provide the public with a clear idea of the impacts of implementing a roundabout. Additionally, as noted in the general response to this letter, the EIR "lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR." Sections 4.2, 4.9, 4.10, and 4.11, of the DEIR address impacts of the proposed roundabout. In any case, there are numerous examples of roundabouts functioning well throughout the United States. This data is readily available via an Internet search.

Response 20BB

The commenter states his opinion that the EIR should include an evaluation of roundabout designs, pedestrian crossing design/impacts, bicycle land components, overall size to achieve safe traffic entry/exit, etc., before concluding that it is the superior choice for the Kanan/Agoura Road intersection. The commenter goes on to note that he feels the existing roadways would not be large enough to install the roundabout. The commenter feels that if this

is the case, adjacent property owners should be notified as to how much additional space would need to be dedicated to the City as part of the roundabout construction.

The inscribed diameter of the roundabout is 165 feet, which is a standard dimension for an Urban Double Lane roundabout (150-180 feet). Final design studies will determine the ultimate dimensions of the roundabout and any additional land that may be necessary would be found in the existing City right of way.

Response 20BC

The commenter states that the EIR does not discuss how increasing numbers of pedestrians crossing at the roundabout would impact the flow of traffic. Additionally, he feels the EIR does not assume there will be crosswalk protection of any kind (i.e. signals alerting drivers to crossers).

The text that discusses pedestrian effects on capacity is provided in section 4.11, *Traffic and Circulation*, Page 4.11-31 of the DEIR. Crosswalks at the roundabout would be striped and vehicles are required by law to yield to pedestrians on the crosswalk.

Response 20BD

The commenter states his opinion that the EIR does not address the ultimate possible mix of land uses and their resultant traffic generation. The commenter further states that the Specific Plan does not explain what assumptions were used in postulating the traffic loading used for the analysis.

See general response to this letter for a discussion on the Specific Plan development process and how the project description was developed for the EIR. The traffic and circulation section developed trip generation estimates and distribution pattern for each of the eight zones within the Specific Plan. A land use mix or density change within a zone would affect the traffic volume on the roads or intersections immediately adjacent to the sites. However, these changes are not expected to result in any changes to the findings presented in the traffic and circulation section.

Response 20BE

The commenter notes his opinion that the EIR does not appear to address the range of traffic loads based on the ultimate mix of residential and commercial mix.

Please see general response to this letter. The DEIR has analyzed a reasonable "worst case" full buildout scenario rather than every possible scenario. Trip generation estimates were developed for the residential components of the Specific Plan based on rates in the ITE Trip Generation report for each type of unit. These rates were developed based on counts at multiple existing locations throughout the U.S.A. and are recognized as accurate estimates of traffic volumes for new developments.

Response 20BF

The commenter states his opinion that lowering the acceptable LOS threshold is inappropriate. Comment noted. Also see response 20AV.

Response 20BG

The commenter notes several mathematical errors in the Specific Plan and feels these errors would make certain proposed lane designs unachievable.

A review of the Specific Plan indicates that the lane widths cited in the traffic and circulation section (Figure 3.2, Page 3-30) of the Specific Plan are correct. It is noted that other dimensions provided in the Specific Plan will be corrected when the Specific Plan is finalized.

Response 20BH

The commenter notes that currently there are numerous transient workers that utilize the project site where they are solicited for construction work. The commenter feels that this arrangement would continue unless the owners elect to redevelop their properties. The commenter further notes that the EIR and Specific Plan are silent on this issue and questions whether such workers will become a visible part of the Agoura Village or will they shift to another location. The commenter further notes that if the workers were to remain, it may result in increased safety and traffic impacts.

Section 5.0, *Growth Inducing Impacts*, notes that "construction associated with build out within the Specific Plan area would directly generate temporary employment opportunities. Proposed new commercial uses would be expected to create some long-term opportunities. The new jobs provided within the project area would not be expected to induce people to relocate to the area to fill new job opportunities, as the majority of the jobs would be in the retail sectors. Such jobs are typically filled by the local labor force." Although transient workers would not be anticipated to fill many of the retail and commercial jobs provided under the Specific Plan, it is possible that such workers may be utilized during the construction phases of the project.

It is beyond the scope of the EIR to attempt to predict the long-term behavioral response of transient workers who currently utilize the Specific Plan area. Additionally, as noted in the general responses to this letter and several other responses, that social effects of a project shall not be treated as significant effects on the environment. Although the commenter feels that if the workers were to remain it may result in increased safety and traffic impacts, the mitigation provided in the EIR regarding safety and traffic is relevant to all pedestrians and motorists, including transient workers. No further analysis is necessary.

Response 20BI

The commenter questions the use of a shuttle bus to carry patrons from remote locations to the Specific Plan area. The commenter notes that if the shuttle plan were successful, the remote businesses would be subsidizing merchants in the Specific Plan area. At the same time, the number of stalls to off-area businesses would be reduced below what is required by code. The commenter recommends that the Specific Plan include details about how the proposed shuttle would function, costs involved, where 'stops' would be located, possible traffic impacts at 'stops' both in and out of the Specific Plan area, whether the shuttle is essential to the economic

success of the Specific Plan area, what the results would be if the shuttle was not instituted (or was discounted), potential short- and long-term commitments that would have to be made by the City, responsibility and maintenance of the system, allocation of start-up and operational costs.

See general response to this letter. This comment is noted. The viability and economic effects of implementing and managing a shuttle bus system for the project area have not been analyzed at this time because such a system is not a component of the Specific Plan.

Response 20BJ

The commenter states his opinion that the Specific Plan should include specific limitations on height; justifications for which increases would be allowed; what maximum portion(s) of a building could be considered for discretionary increases, etc. in order to examine the visual impacts of the project.

The comment is noted; however, Specific Plan Chapter 4, *Land Use and Development Standards*, clearly outlines specific limitations on height; provisions for exceedance of the maximum height; examples of architectural features that may exceed the maximum height; and additional development standards. Thus, these and other development standards and principles as outlined in the Specific Plan were used to evaluate the visual impacts of the Plan. A "continuous building mass," as indicated by the commenter, would be inconsistent with the development and design standards of the Specific Plan, and so would not be allowed.

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Via fax transmission and first class mail

December 12, 2005

Mayor Dennis Weber
City Council
City of Agoura Hills
30001 Ladyface Ct
Agoura Hills, CA 91301

Regarding: Conejo U-Stor It comments to Agoura Village Specific Plan DEIR

Dear Mayor and Council members:

As you know, for many years, my office has represented the two self storage facilities serving the residents of the City of Agoura Hills, one now situated within the proposed Specific Plan area at 29055 Agoura Rd., and Agoura Storage located at 29301 Agoura Rd, which is proposed to be included in the SP under the Alternative Project Analysis.

This letter serves as the required formal comments to the Specific Plan ("SP") and the Draft Environmental Impact Report ("DEIR") on behalf of Conejo U Stor It and Agoura Storage.

The consultant identified the Conejo U Stor It owner as the major stakeholder in the SP process, holding over 36.8% of the applicable land area,[1] with over 104,600 square feet [2] and because this property owner has a well-proven track record of working cooperatively with the City, I was honored to have been asked to serve as a member of the Task Force for the last couple of years. I wish to thank staff, the Task Force members and the consultant for their considerable efforts toward the orderly well-planned development and redevelopment of this Specific Plan area.

[1] See Figure 4.8-2 Existing Land Uses on DEIR page 4.8-3
[2] Actual square footage should include the office and residential unit along with 105 RV spaces.and leaseable square footage. Should City require structured coverage for RV's, boats, etc, obviously additional square footage is required.

I do wish to offer the following comments and clarifications to the DEIR and SP:

CONSIDER FULLY THE PRIVATE REDEVELOPMENT OPTION

During the Task Force process, at the direct request of the Task Force, the storage owners agreed to study and hired consultants to design the potential parameters of a voluntary redevelopment of their site to a multi-story 360 degree design facility with the intention of screening all outside RV spaces. The Task Force recognized that the construction and transition issues were difficult and complex and recognized that an increase in square footage of the self storage as well as additional incentives would be required as an incentive to private redevelopment on-site. As announced at the last public informational meeting, this design work has been done and preliminary plans for a potential voluntary redevelopment of the site have been reviewed with staff. Currently, these rough plans have been placed "on hold" due to staff's request to first have the Economic Development Committee review the plans, any appropriate incentives, waivers or concessions, as well a newly raised alternative option of potential relocation of the Conejo U Stor It outside of the Specific Plan area.

A

Our first comment to the DEIR/SP is that these two options (private redevelopment and/or private/public relocation) should be delineated for the public and should not be made more costly or arduous by virtue of the adoption of the proposed Specific Plan requirements; Since both options have been reviewed and appear to be reasonable, we would like to see them more explicitly included into the DEIR and SP; both as discussion items citing encouragement, at least. Perhaps this letter is all that needs to be part of the public record for this purpose. We wish to avoid later contentions that either option is contrary to the SP or was purposely omitted. As the SP is presently worded, either option may be deemed to ~~will~~ require a costly SP Amendment. It is important that the public is fully aware of these options, which are not new. In fact, the storage facilities' request to be relocated was made with the original redevelopment plan and is now many years old.

Without this clarification, and those requests hereinafter, we ask to have both facilities excluded from the Specific Plan area since the only effect is to devalue the property and the existing business.

MAKE STORAGE A PERMITTED USE WHERE IT EXISTS

B

This Specific Plan results (we believe inadvertently) in the taking away of value of the facility by changing the legal status: Under the proposal, storage uses are not permitted in any zone within the draft Specific Plan.[3] This is troubling not just because of the prior discussions, cooperation and design money spent, but because one storage facility, Conejo U Stor It, currently exists within the draft Specific Plan area, and the other is proposed to be included in the SP under the Alternative Project area study.

C

Conejo now appears on Figure 2-4 (and on other DEIR plans) to straddle both Zone A-North and Zone C. Storage uses ought to be added in the extremely limited areas of Zone

[3] This facility is a legally permitted use under the existing General Plan with a "Nonconforming Conforming Use Permit" issued to it in 1989.

A North and in Zone C as a "permitted use." The Specific Plan should address more explicitly the option of allowing additional square footage to the self storage for redevelopment (including the traffic studies) particularly since these self storage traffic impacts are known to be so much less than retail or residential, which have already been studied as a worst case scenario.[4]

There is simply no "down side" to this small request: permitted use status will not cause or "approve" any additional new storage uses to come into this limited area of the Specific Plan because these two areas do not have any vacant land available;This request will only allow for and encourage refreshment or redevelopment of the existing center and allow financing opportunities. On the other hand, if storage is not a permitted use where it currently exists, existing plans discussed over the last year with the Task Force will be negated unless and until an expensive Specific Plan Amendment is adopted later--for this already anticipated project. This seems a waste of City resources and a less than encouraging nod to voluntary private redevelopment since it requires a super majority vote.

While we understand City may ultimately prefer to fund relocation of the entire facility outside of the Specific Plan area, City should not limit its options by eliminating its ability to have voluntary redevelopment at no / low cost to the City. Nor should the property owner suffer a devaluation.

DISCUSS FLUIDITY OF ZONES/ AVOID CONDEMNATION ISSUES

D

Plans depicting Zone A-North and Zone C do not follow any topographic or legal lot lines, and appear to sever the storage facility, with perhaps 2/3rds of the facility lying in Zone A North and 1/3rd lying in Zone C.) Losing 1/3 or 2/3rds of its facilities has never been discussed by the Task Force and would not be a supportable business option, leaving open the issues of condemnation and severance damages.

This fluidity should be clarified for the public ie. that Zone A has no clearly fixed boundary to the north but was meant to reflect a desired frontage pedestrian retail element. In other words, there is meant to be some fluidity between Zone A North and C as to allowable square footages. Similarly, with the other zones, development opportunities not used in one Zone may and should be transferred into another zone.

FEE IMPACTS:

E

Traffic Mitigation and Specific Plan Reimbursement Fees should not apply to existing square footages which are merely being redeveloped. New development should pay its way (just as the storage facilities did when they developed.) Imposing 36.8 % of the $500,000.00 SP reimbursement fees on this property would not be legally supportable and further devalues the property and the business. Conejo and Agoura ask for clarification of this fee impact before adoption of the Specific Plan.

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[4] See attached preliminary plan reviewed with staff.

RESIDENTIAL AIR QUALITY NOISE AND SAFETY CONCERNS:

F

We wish to point out that there is a resident family living in the storage facility caretaker unit in Zone A North right on Agoura Rd., as well as employees working on a daily basis in the adjacent office; their health and safety needs to be ensured during any grading, blasting or construction activity. We believe this residence has not been taken into account within the underlying studies for the Specific Plan/DEIR. The prospect of street improvements in close proximity and also the referenced blasting of the knoll across the street is concerning to the residents and for the safety of the existing employees as well as the viability of the business. We are certain that the City will ensure that any grading, construction, or development complies with state and federal air quality, noise and other development / safety standards as relates to residential and office uses and that adequate mitigation measures are enforced.

In this regard, we ask that the City consider conditioning and revision of its Code from the current noise restricted hours between 8pm to 7 am Monday thru Saturday to conform with ordinary work day hours of 8am to 6pm Monday through Friday.

DUST IMPACTS:

G

Grading and construction activities will surely have an adverse impact on the center as the dust can be expected to travel onto parked RVs and onto the center: appropriate mitigation measures for off-site cleaning must be incorporated should this be a problem.

ACCESS CONCERNS

H

The proposed "pedestrian friendly median" needs to allow continued left turn access to the storage facility driveway. This driveway lines up directly across Agoura Rd with the driveway for the Adobe Cantina. Currently, it is estimated that over 90% of the storage tenants, with their rented moving trucks, Rv's and trailers, access the site from the Kanan interchange proceeding east on Agoura Rd and making a left into the center. (We suspect similar figures apply to the Cinema Center.) A left turn pocket must be provided at the of just east existing drive way in order to promote safety in the area and so as not to "double" the traffic counts along Agoura (not requiring U-TURN trips to pass the facility and turn around coming back along Agoura Rd westbound to make a right turn into the facilities.)

Thank you for your consideration of these comments. We look forward to review by the Economic Development Committee, once that body is designated.

Sincerely

K.C. McMenamin-Torres

Letter 21

COMMENTER: K.C. McMenamin-Torres, Law Office of K. McMenamin-Torres

DATE: December 12, 2005

RESPONSE:

Response 21A

The commenter notes that her law office represents two self storage facilities serving the residents of the City of Agoura Hills, one which is situated within the proposed Specific Plan area and one which would be included in the Specific Plan under the Alternative Project Analysis. The commenter further notes her involvement as a member of the City Task Force for the Specific Plan. Regarding the Specific Plan EIR, the commenter requests that the DEIR and Specific Plan delineate for the public two options (private redevelopment and/or private/public relocation) for existing businesses, such as the two self-storage businesses, which the commenter represents.

The commenter suggests that the Specific Plan be modified to reflect the two options noted and that the EIR should address this change in the Specific Plan. It is common during the CEQA review process for commentors to provide comments on the project (in this case the AVSP) that is being evaluated and to express their opinions as to the ways in which the project should be modified or improved and as to whether or not a project should be approved or denied. While, these comments are important to inform decision makers of the range of public opinion that exists on any particular project, the comments often times do not pertain to the adequacy of the EIR or the EIR analysis. In these cases, the comments are noted and become part of the public record. CEQA requires responses to comments related to the adequacy of the EIR but does not require response to comments pertaining to an opinion on the project itself.

The above situation is even more common for long range planning projects, such as the AVSP, where the exact details of project development are not yet known but will be developed and evaluated in greater depth once project specific plans are developed and undergo the permit approval process. The following discussion, excerpted from Section 2.0, Project Description, of the EIR summarizes the history of the AVSP development and is intended to provide insight as to how the project description was developed for the EIR.

The proposed project involves adoption of a Specific Plan (the Agoura Village Specific Plan) to guide future development within an approximately 135-acre area in the southern portion of the City in an around the intersection of Agoura Road and Kanan Road. As noted by the commenter, the Specific Plan area includes the Conejo U StoreIt property.

The proposed land uses within the Specific Plan area are shown in Figure 2-5, Specific Plan Map contained in the EIR. The proposed Specific Plan has been developed to guide the implementation of the vision described in the Agoura Village Strategic Action Plan (AVSAP). The AVSAP planning process involved a comprehensive public and stakeholder program that ultimately led to development of the Specific Plan itself. The AVSAP involved three volumes as follows: 1) Agoura Village Strategic Action Plan Opportunities and Constraints Analysis; 2)

Agoura Village Strategic Action Plan Urban Design Guidelines; and 3) Agoura Village Strategic Action Plan Architectural Design Guidelines.

Under the proposed Specific Plan, the northern developed 32 acres of the project area would ultimately be revitalized in accordance with the land use development standards and design guidelines contained in the Specific Plan. This area includes the Whizin's Shopping Center, Mann Theater complex, self-storage facilities, and building supply facilities. Future development that could occur on the 103 acres of undeveloped property within the Specific Plan area would be subject to the provisions of the Specific Plan. Note that a large portion of this area is also located within the City's Redevelopment Project area and, while no business relocation is proposed at this time, any such relocation would need to be consistent with the City's Redevelopment Plan and State Redevelopment Law.

Upon adoption, the "Specific Plan" designation would become the underlying General Plan designation for the project area. While future projects within the Specific Plan area would be required to be processed through the City's development review and approval procedures, no future General Plan Amendments or zone changes would be required to implement subsequent development, provided that such development was consistent with the provisions of the Specific Plan. The commenter is correct in noting that, if adopted, an amendment to the AVSP would be required in order to implement future land uses that may be inconsistent with the plan.

It is also important to emphasize that the EIR considered a reasonable range of alternatives to the Plan focusing on achieving the basic project objectives and minimizing or avoiding physical environmental effects.

Additionally, CEQA Section 15131(a) states that "economic or social effects of a project shall not be treated as significant effects on the environment…The focus of an analysis shall be on the physical changes." Therefore, the EIR need not examine the costs of private redevelopment and/or private/public relocation further. Additionally, the commenter notes her preference that both options be more explicitly included in the DEIR and SP, both as discussion items citing encouragement, at least. The commenter requests that if the above clarification is not provided, that both properties be removed from the Specific Plan. The commenter's opinion is hereby noted as part of the public record for this project.

<u>Response 21B</u>

The commenter notes her opinion that the Specific Plan would result in the taking away of value of the facility by changing the legal status of the property.

This comment is noted; however, as mentioned in Response 21A, above, economic or social effects of a project are not treated as significant effects on the environment. Therefore, it is beyond the scope of an EIR, to examine the change in property value associated with the project.

Response 21C

The commenter notes her opinion that storage uses should be added to the extremely limited areas of Zone A north and in Zone C as a "permitted use" and that the Specific Plan should address more explicitly the option of allowing additional square footage to the self storage for redevelopment (including traffic studies).

As part of the planning process the range of permitted uses that would accomplish the overall project objectives was carefully defined. While it is possible for decision makers to add additional uses into the Plan before its adoption, it is important to note that storage uses were not identified as uses that would further the objectives of the Plan. The purpose of the EIR is to analyze the physical changes resulting from a proposed project. It is not within the scope of the EIR to re-define the objectives of the project.

Response 21D

The commenter notes that the plans depicting Zone A-North and Zone C do not follow any topographic or legal lot lines, and appear to sever the storage facility, with perhaps 2/3rds of the facility lying in Zone A North and 1/3rd lying in Zone C. The commenter further notes that losing a portion of the facilities has never been discussed by the Task Force and would not be a supportable business option, leaving open the issues of condemnation and severance damages. The zones used in the evaluation and development of the Specific Plan and described in the EIR were developed to facilitate analysis of the Specific Plan and to allow the plan to focus future development in a way that would most effectively accomplish the Plan's overall objectives of creating an attractive and functional mixed-use village. The boundaries are not intended to follow individual property boundaries and are not intended to be rigidly interpreted so as to preclude future development of any particular property with the uses identified in the Plan. Analysis and decision maker approval of future projects that transcend two zones identified in the Plan would need to consider the importance and transitional nature of these areas in accomplishing the project's long term objectives. It is also important to note that re-defining the project and its analysis zones is beyond the scope of the EIR. Further, as mentioned in Response 21A and 21B, economic or social effects of a project shall not be treated as significant effects on the environment.

Response 21E

The commenter suggests that Traffic Mitigation and Specific Plan Reimbursement Fees should not apply to existing square footages which are merely being redeveloped. New development should pay its way (just as the storage facilities did when they developed). The commenter further notes that 36.8% of the $500,000 Specific Plan reimbursement fees on her representative property would not be legally supportable and further devalues the property and the business. All new development within the project area would be subject to the requirements of the Plan and existing citywide fee programs in place in time of project development. It is acknowleged that any new fee programs and project specific development fees would have to be derived from a legally supportable nexus. Further, as mentioned in Response 21A, 21B, and 21D, economic or social effects of a project shall not be treated as significant effects on the environment. Therefore, the comment is noted; however, but is beyond the scope of this EIR.

Response 21F

The commenter indicates that there is a resident family living in the storage facility caretaker unit Zone A North, on Agoura Road, as well as employees working on a daily basis in the adjacent office. The commenter notes that they are certain that the City will ensure that development complies with state and federal air quality, noise, and other development/safety standards and that adequate mitigation measures will be enforced. They further request more limiting construction work hours than that under the current City Code.

In response to the above comment, the residential unit was added to the list of sensitive receptors for the project in Section 4.9, *Noise and Vibration*. Impact N-3 addresses impacts related to future development actions with respect to noise for residential uses within the Specific Plan area. The impacts to this specific residence would be similar as that for the residence in Zone E discussed in the Draft EIR. As the EIR has already addressed potential increases in noise due to the Specific Plan impact on residential uses at a similar distance as the above referenced unit, no further noise analysis is warranted. The effect of blasting has also been discussed in the EIR. All construction blasting is conducted using strict safety precautions to avoid potential accidents. Because the purpose of blasting is to break rock, not to make noise, it is done in such a way as to minimize the potential for air blast and to direct the explosive energy into the rock rather than the air. Nonetheless, the sound and vibration associated with blasting can be substantial as stated in the EIR. If blasting is required, it would be performed only after securing the proper permits from the City. At that time, specific measures to minimize adverse effects of such activities would be incorporated into the project specific permit conditions.

The requested further limitation of construction hours (elimination of Saturday as a workday and further restricting weekday work hours from 7:00 AM up to 8:00 AM, and from 8:00 PM down to 6:00 PM) is referred to the decision-makers for their consideration. It is noted that the subject residence is already subject to substantial noise from adjacent roads and freeways at all times, and that it is located in a commercial zone rather than a residential zone and consequentially a greater amount of noise is permissible as shown on Figure 4.9-1 of the EIR. Further noise limitations may create difficulties in meeting other mitigation actions (such as reducing truck travel during peak hours on weekdays) and would also extend the timeframe that annoying construction noise occurs. Please note that a typical construction workday is from 7:00 AM to approximately 3-4:00 PM, though the existing City ordinance would allow for extended evening working hours.

In regards to the potential air quality impacts related to this residential use, the analysis provided in the Draft EIR is based on South Coast Air Quality Management District calculations of pollutant concentrations and health risk at a point 300 feet from the main grading operations (see Table 4.2-8). The residence of concern is at a similar distance to potential future grading activity as the residence along Agoura Road east of Cornell Road in Zone E and air quality impacts to this residence would be similar. As stated in the text, these impacts are considered significant and require the mitigation actions described in AQ-2. The location of this residence as a sensitive receptor has been added to the Section 4.2 text.

Response 21G

The commenter notes that grading and construction activities would have an adverse impact on the storage facility's dust would be expected to migrate to the parked vehicles onsite. The commenter requests consideration of mitigation measures for offsite cleaning to be incorporated into the EIR.

The EIR identifies standard dust control measures that have been effectively used in minimizing or avoiding the effects of construction dust on adjoining uses. The suggested measure goes beyond the standard measures normally used to mitigate typical construction activities, and is not required. The possible nexus to require this measure would be more appropriately examined at a time when a specific development plans are available, at which time, if warranted, the measure could be added as a condition of individual project approval.

Response 21H

The commenter requests that provisions for a pedestrian friendly median include allowance for a continued left turn access to the storage facility driveway. The commenter further notes that a left turn pocket be provided at, or just east of, the existing drive way in order to promote safety in the area and so as not to "double" the traffic counts along Agoura Road.

The lay-out of Agoura Road east of Kanan Road that is included in the Specific Plan (Figure 3.2, Page 3-30) is conceptual in nature and shows a 10-foot wide (landscaped) median. It is not indicated if left-turn pockets would be provided in the median. If left-turn movements are restricted, traffic to the subject site would use Kanan Road to Roadside Drive to Cornell Street, and turn right onto Agoura Road.

The text on Page 4.11-32, Agoura Road Median, that states: "The median would provide for left-turn pockets at driveways and intersection …" has been eliminated to reflect the conceptual nature of the Plan at this time. The commenter's position that a left turn pocket should be provided at or just east of the existing driveway is noted. Prior to implementation of future roadway improvements, this design provision would need to be examined against other Plan objectives to determine if it feasibly accomplishes the Plan objectives.

22

Law Office of
K. McMenamin-Torres
3075 East Thousand Oaks Blvd
Westlake Village, CA 91362
Telephone (805) 491-8434

Via fax transmission and first class mail

December 29, 2005

Mayor Dennis Weber
City Council
City of Agoura Hills
30001 Ladyface Ct
Agoura Hills, CA 91301

Regarding: Conejo U-Stor It comments to Agoura Village Specific Plan DEIR

Dear Mayor and Council members:

As you know, for many years, my office has represented the two self storage facilities serving the residents of the City of Agoura Hills, one now situated within the proposed Specific Plan area at 29055 Agoura Rd., and Agoura Storage located at 29301 Agoura Rd, which is proposed to be included in the SP under the Alternative Project Analysis.

This letter serves as the required formal comments to the Specific Plan ("SP") and the Draft Environmental Impact Report ("DEIR") on behalf of Conejo U Stor It and Agoura Storage.

The consultant identified the Conejo U Stor It owner as the major stakeholder in the SP process, holding over 36.8% of the applicable land area,[1] with over 104,600 square feet [2] and because this property owner has a well-proven track record of working cooperatively with the City, I was honored to have been asked to serve as a member of the Task Force for the last couple of years. I wish to thank staff, the Task Force members and the consultant for their considerable efforts toward the orderly well-planned development of

[1] See Figure 4.8-2 Existing Land Uses on DEIR page 4.8-3
[2] Actual square footage should include the office and residential unit along with 105 RV spaces.and leaseable square footage. Should City require structured coverage for RV's, boats, etc, obviously additional square footage is required.

this Specific Plan area. Development standards for new development have been made clear and should be encouragement for potential developers of the Village.

I do wish to offer on behalf of my clients the following comments and clarifications to the less specifically developed redevelopment scenarios in the DEIR and SP:

CONSIDER FULLY THE PRIVATE REDEVELOPMENT OPTION

During the Task Force process, at the direct request of the Task Force, the storage owners agreed to study and hired consultants to design the potential parameters of a voluntary redevelopment of their site to a multi-story 360 degree design facility(ies) with the intention of screening all outside RV spaces. The Task Force recognized that the construction and transition issues were difficult and complex and recognized that an increase in square footage of the self storage as well as additional incentives would be required as an incentive to private redevelopment on-site. As announced at the last public informational meeting, this design work has been done and preliminary plans for a potential voluntary redevelopment of the site have been reviewed with staff. Currently, these rough plans have been placed "on hold" due to staff's request to first have the Economic Development Committee review the plans, any appropriate incentives, waivers or concessions, and to consider a newly raised alternative option of potential relocation of the Conejo U Stor It outside of the Specific Plan area.

Our first comment to the DEIR/SP is that these two options (private redevelopment and/or private/public relocation) should be delineated for the public and should not be made more costly or arduous by virtue of the adoption of the proposed Specific Plan requirements; Since both options have been reviewed and appear to be reasonable, we would like to see them more explicitly included into the DEIR and SP; both as discussion items citing encouragement, at least. Perhaps this letter is all that needs to be part of the public record for this purpose. We wish to avoid later contentions that either option is contrary to the spirit of the SP or was purposely omitted. As the SP is presently worded, either option may be deemed to require a costly SP Amendment with need for a super majority vote. It is important that the public is fully aware of these redevelopment options, which are not new. In fact, the storage facilities' request to be relocated was made with the original redevelopment plan and is now many years old.

Without this clarification and careful consideration of the requests hereinafter, it appears the only effect of inclusion in the SP area is devaluation of the property and the existing business and the making more arduous of any potential redevelopment scenario for this owner, we must ask to have both facilities excluded from the Specific Plan area.

MAKE STORAGE A PERMITTED USE WHERE IT EXISTS

This Specific Plan results (we believe inadvertently) in the taking away of value of the facility by changing the SP designation and listing specific permitted uses: Under the

proposal, storage uses are not permitted in any zone within the draft Specific Plan.[3] This is troubling not just because of the prior discussions, cooperation and design money spent, but because one storage facility, Conejo U Stor It, currently exists within the draft Specific Plan area, and the other is proposed to be included in the SP under the Alternative Project area study.

Conejo now appears on Figure 2-4 (and on other DEIR plans) to straddle both Zone A-North and Zone C. Storage uses ought to be added in the extremely limited areas of Zone A North and in Zone C as a "permitted use." The Specific Plan should address more explicitly the option of allowing additional square footage to the self storage for redevelopment (including the traffic studies) particularly since these self storage traffic impacts are known to be so much less than retail or residential, which have already been studied as a worst case scenario.[4]

There is simply no "down side" to this small request: permitted use status will not cause or "approve" any additional new storage uses to come into this limited area of the Specific Plan because these two areas do not have any vacant land available; This request will only allow for and encourage refreshment or redevelopment of the existing center and allow financing opportunities. On the other hand, if storage is not a permitted use where it currently exists, existing plans discussed over the last year with the Task Force will be negated unless and until an expensive Specific Plan Amendment ("SPA") is adopted later-- for this already anticipated project. This seems a waste of City resources and a less than encouraging nod to voluntary private redevelopment since SPA's requires a super majority vote.

While we understand City may ultimately prefer to fund relocation of the entire facility outside of the Specific Plan area, City should not limit its options by eliminating its ability to have voluntary redevelopment at no / low cost to the City nor should the property owner suffer a devaluation.

DISCUSS FLUIDITY OF ZONES/ AVOID CONDEMNATION ISSUES

Plans depicting Zone A-North and Zone C do not follow any topographic or legal lot lines, and appear to sever the storage facility, with perhaps 2/3rds of the facility lying in Zone A North and 1/3rd lying in Zone C.) Losing 1/3 or 2/3rds of its facilities has never been discussed by the Task Force and would not be a supportable business option, leaving open the issues of condemnation and severance damages.

This fluidity should be clarified for the public ie. that Zone A has no clearly fixed boundary to the north but was meant to reflect a desired frontage pedestrian retail element. In other words, there is meant to be some fluidity between Zone A North and C

[3] This facility is a legal use under the existing General Plan with a "Nonconforming Conforming Use Permit" issued to it in 1989. While the SP at page 4-39 and 9-120 does allow some flexibility for unlisted uses, we request permitted use status be made more clear as to self storage.
[4] See attached preliminary plan reviewed with staff.

as to allowable square footages. Similarly, with the other zones, development opportunities not used in one Zone may and should be transferred into another zone.

FEE IMPACTS:

Traffic Impact Fees and Specific Plan Reimbursement Fees should not apply to existing square footages (and existing impacts) which are merely being redeveloped for aesthetic purposes, at City request. New development can and should pay its way. [5] Imposing 36.8 % of the $500,000.00 SP reimbursement fees on this property would not be legally supportable and further devalues the property and the business. Conejo and Agoura ask for clarification of this fee impact before adoption of the Specific Plan (Section 9-122).

RESIDENTIAL AIR QUALITY NOISE AND SAFETY CONCERNS:

We wish to point out that there is a resident family living in the storage facility caretaker unit in Zone A North right on Agoura Rd., as well as employees working on a daily basis in the adjacent office; their health and safety needs to be ensured during any grading, blasting or construction activity. We believe this residence has not been taken into account within the underlying studies for the Specific Plan/DEIR. The prospect of street improvements in close proximity and also the referenced blasting of the knoll across the street is concerning to the residents and for the safety of the existing employees as well as the viability of the business. We are certain that the City will ensure that any grading, construction, or development complies with state and federal air quality, noise and other development / safety standards as relates to residential and office uses and that adequate mitigation measures are enforced.

In this regard, we ask that the City consider conditioning and revision of its Code from the current noise restricted hours between 8pm to 7 am Monday thru Saturday to conform with ordinary work day hours of 8am to 6pm Monday through Friday.

DUST IMPACTS:

Grading and construction activities will surely have an adverse impact on the center as the dust can be expected to travel onto parked RVs and onto the center: appropriate mitigation measures for off-site cleaning must be incorporated should this be a problem.

ACCESS CONCERNS

The proposed "pedestrian friendly median" needs to allow continued left turn access to the storage facility driveway. This driveway lines up directly across Agoura Rd with the driveway for the Adobe Cantina. Currently, it is estimated that over 90% of the storage tenants, with their rented moving trucks, Rv's and trailers, access the site from the Kanan

[5] Just as the storage facilities did when they developed, dedicating public right of way and meeting County conditions.

interchange proceeding east on Agoura Rd and making a left into the center. (We suspect similar figures apply to the Cinema Center.) A left turn pocket must be provided at the existing drive way in order to promote safety in the area and so as not to "double" the traffic counts along Agoura (not requiring U-TURN trips to pass the facility and turn around coming back along Agoura Rd westbound to make a right turn into the facilities.)

Thank you for your consideration of these comments as well as our earlier comments found in the attached letter. We look forward to review by the Economic Development Committee of these important redevelopment scenarios, once that body is designated.

Sincerely

K.C. McMenamin-Torres

Cc: Mr M. Kamino
Ms Allison Cook
Distribution
Encl Letter dated 10-7-05 to Director P&CD

Law Office of
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3075 East Thousand Oaks Blvd
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Via fax transmission and first class mail

October 7, 2005

Director of Planning and Community Development
Mr Michael Kamino
City of Agoura Hills
30001 Ladyface Ct
Agoura Hills, CA 91301

Regarding: Stakeholder Conejo Storage L.P. Comments to the Draft Specific Plan

Dear Mr Kamino

On behalf of stakeholder Conejo Storage L.P., and as a fellow member of the Task Force, I submit the following suggested language changes to the Draft Agoura Village Specific Plan in order that the Specific Plan will have the flexibility to allow the existing storage facility to privately redevelop as recommended by the Task Force.

It is our request that these parameters be included and appropriate expanded square footages studied in the accompanying EIR documents so that 1.) Conejo can be assured as it continues the costly design process underway; 2.) private funding can be secured for redevelopment and maintenance purposes with no cloud of condemnation or severance on title and
3.) no later expensive and time consuming formal amendment to the Specific Plan is required for what has already been discussed and anticipated by the Task Force .

Page 4-41

To avoid the appearance to the public (and lenders) that the City is threatening inverse condemnation or severance damages, the City should add existing self storage uses to the list of permitted uses in both Area A North and C with a CUP/AVDP requirement. The existing self storage, Conejo Storage L.P. straddles both Area A North and Area C and will necessarily redevelop as an

entire site not in piecemeal fashion. It is intended that the redevelopment will continue self storage uses on both A and C in a more dense but expanded square footage.

This "permitted use" status is particularly requested given Council's positive comments regarding encouraging redevelopment of the existing self storage operations with a retail frontage component along Agoura Rd.

Page 4-42

Modify sentence that reads: "In no instance shall a building exceed 60,000 square feet" to "In no instance shall a **commercial retail sales** building exceed 60,000 square feet."

This confirms our understanding that redevelopment of existing self storage (currently @ 85,000 leaseable square feet plus 105 RV's) will necessarily exceed a 100,000 square feet figure[1] —perhaps before allowing adequate additional square footage for amortization of costs. This makes this language consistent with the current Village Overlay zoning sections now in the Municipal Code, (which clearly anticipated exceeding 100,000 square feet), as well as the language at Page 8-103 entitled, "Programs, Studies, and Initiatives" which states: "The Specific Plan provides specific regulations which allow exceptions to the FAR and development standards to encourage short term redevelopment of the Agoura Road frontage of these properties."

Page 4-43

The figures used here do not comport with what exists on areas A north and C and does not include necessary square footages necessary for private redevelopment. The City will require analysis of all potential relevant square footages in the Village, for its accompanying parking and traffic studies so as to solidify the environmental studies.

It is requested that, to adequately allow for redevelopment of the self storage and to avoid the need for a Specific Plan Amendment to accomplish this redevelopment, the figures for Area A North and C (and thereafter the EIR and all supporting studies) should reflect a 250,000 sq ft figure: the baseline self storage square footage of 85,000 square feet plus coverage for the 105 existing Rv parking area, the existing office and residence features which will be at least duplicated onsite, plus a reasonably estimated figure for the increase in square footage required to amortize privately funding this redevelopment, plus a figure for the new retail component which has a minimum sq footage of 30,000 under the CRS zone.

Page 8-106 (Figure 8-2)

This figure should be modified (or) note #10 deleted: It is a new figure; was not reviewed by the Task Force; and shows a very large public parking structure situated on the site of the self storage facility when the Specific Plan

[1] Consider that structuring the now multiple buildings will entail the addition of additional square footage with entrance features, hallways, stairs and other features to accommodate the now 85,000 square feet and the additional incentive square footage.

Letter 22

COMMENTER: K.C. McMenamin-Torres, Law Office of K. McMenamin-Torres

DATE: December 29, 2005

RESPONSE:

Response 22

The commenter forwarded a copy of her December 12, 2005 comment letter with an attachment regarding comments on the Specific Plan. The comment letter dated, October 7, 2005 specifically requests language changes for the Specific Plan and notes several parameters to be included in the EIR. The comments provided in the December 29th letter mirror those addressed under Response 21; therefore, please refer to Response 21 for responses to this letter. In regards to the October 7, 2005 attachment, the comments are specific to expansion of potential redevelopment square footage and costs associated with the Specific Plan and do not relate to the adequacy of the EIR. Therefore, no further analysis is necessary.

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29438 Mulholland Highway
Agoura, CA 91301
(818) 597-9447

2 December 2005

The City of Agoura Hills
Planning & Community Development Dept.
30001 Ladyface Court
Agoura Hills, CA 91301

RECEIVED
DEC 05 2005
BY: A. Cook - Planning

Subject: Agoura Village Specific Plan Draft EIR
Public Hearing, 1 Dec. 2005

Attention: Allison Cook,
Senior Planner/Environmental Analyst

Dear Ms. Cook:

Thank you for the opportunity to allow me to comment at the public hearing on the subject DEIR. My wife tells me I probably did not come across to clearly between my stammering and mispronunciation of key words. I was reading my written comments as rapidly as I could in order to stay within the 3-minute limit.

Therefore, I am submitting a written copy of my comments for the record to avoid any misinterpretations.

There are more specific issues concerning the contents of the DEIR on which I had no time to elaborate upon. Therefore there will be additional comments which I will submit to you at a later date.

Yours truly,

Chester T. Yabitsu

Enclosure (1)

23

1 December 2005

AGOURA VILLAGE SPECIFIC PLAN

The Specific Plan includes 235-293 residential units, a high density plan. I understand that the City requires additional sources of tax revenue, but why the residential units? The commercial aspects of this project will result in increased traffic on Kanan Road, but by the admission in the DEIR the residential units will compound the increased traffic problem on Kanan Road as well as on the Kanan bridge. The DEIR identifies this as a Class-I impact and states that this plan will add 17,593 new average daily trips onto this local circulation network. Of this there will be 804 morning peak hour trips and 1633 afternoon peak hour trips added to the intersection.

A The Report claims that the traffic and air quality issues were found to be significant but **not mitigable**. This is simply nonsense! Nothing is not mitigable; problems always have solutions. The solutions may not be cost effective and if it is not, then it logically follows that the proposed plans and projects are not viable.

B Of the 5 alternates considered to comply with CEQA requirements, it is my belief that Alternate 5 offers the optimum plan which will meet the City's Village objectives. Alternate 5 is like the proposed Specific Plan, but excludes the residential units. By the admission of the Report, this alternate will reduce traffic and air quality impacts. It is a win-win plan, the City wins and the community wins.

C Why then does the Plan insist on including residential units which the community has opposed in previous meetings? The Report recognizes that there are conflicts of issues between planned new commercial and residential land uses and between the proposed equestrian uses and residential uses. It is clear that the City's focus is on having residential units, not what is beneficial to the community and the people. This is particularly true of the communities south of the city limits where an estimated 700 households live. These people will be directly impacted on a daily basis, more so than the City residences who live north of the 101 Freeway since they do not have to deal with the Kanan traffic south of the 101 Freeway.

D

E Currently, there is another major housing development located adjacent to the southerly side of the Agoura Village. It is currently in review by the Los Angeles County Regional Planning Commission, but the developer is simply waiting to see what Agoura Village will do about the number of residential units. If the DEIR for the Village is approved, this developer will claim discrimination in that the Village will have high density housing but he will not be granted the same privilege. In fact, this developer has stated in front of the LA County Regional

Planning Commission that these developments will be the gateway to further developments on Kanan Road into the Santa Monica Mountains. This indeed is a scary vision.

F

The Plan is simply flawed because the Village objectives are flawed when community and people issues become non-mitigable as the Plan states. With all of the negative impacts recognized by the Report in its 5 alternate plans, why does the City continue to pursue the with residential units? What is hidden here? Alternate 5 will provide the tax revenue the City seeks, but with the minimum impact on traffic and air quality issues, such as the Traffic Round-About which is a hazardous concept

G

Please do not re-zone this project area to include residential units like it was done for the Jerry Snyder project north of the 101 Freeway. Always keep in mind that Kanan Road is 1 of 3 major PCH to inland roads. This area can ill afford to have grid locks on Kanan Road, which conceivably can extend for miles just like the Oxnard Main Street merger onto the 101 Freeway used to be.

Cheater T. Yabitsu
29438 Mulholland Hwy
Agoura, CA 91301
(818)597-9447

Letter 23

COMMENTER: Chester Yabitsu

DATE: December 1, 2005

RESPONSE:

Response 23A

The commenter expresses his opinion that the significant but not mitigable finding for traffic and air quality issues is nonsense and that there must be a solution, whether cost effective or not.

This comment is noted. The analysis in the EIR employs standard analysis techniques and compares the project effects to recognized standards or impact thresholds. For an issue where the impact threshold is exceeded, the impact is considered to be significant and mitigation is developed. In cases where feasible measures are not available to reduce the impact to below the recognized threshold, the impact is considered to be an unavoidable impact of a project. Decision makers may approve a project where an EIR identifies a significant and unavoidable impact, but CEQA requires that they adopt a Statement of Overriding Considerations.

It is also important to note that pursuant to CEQA Section 15204, reviewers of an EIR "should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. The finding that a project will have a significant and unavoidable impact for which no feasible mitigation has been identified does not render an EIR inadequate under CEQA.

Response 23B

The commenter notes that alternative 5 would be his preferred alternative. This comment is noted.

Response 23C

The commenter asks why the Specific Plan includes a residential component and states his opinion that it is not what is beneficial for the community.

The Specific Plan was developed as part of a comprehensive planning program that is described in Section 2.0, Project Description of the DEIR. This is also discussed in general response to comments to Letter 20.

Based on the Specific Plan planning effort, it was determined that inclusion of a residential component was an integral component in accomplishing the project objectives of creating an attractive and functional mixed use village for the project area.

It is also noted that the purpose of the EIR is to analyze the physical changes resulting from a proposed project. It is not within the scope of an EIR to modify the objectives of a project.

Response 23D

The commenter states that communities south of the plan area would be more affected by the project than those communities north of US 101, due to traffic conditions.

This commented is noted. Additionally, traffic impacts, including traffic impacts to neighboring communities, is discussed in detail in Section 4.11, *Transportation and Circulation*.

Response 23E

The commenter states his opinion that another housing development located adjacent to the southerly side of the Agoura Village is currently waiting to see if, and at what density, the Specific Plan would be approved, thus, leading to higher density development south of the Specific Plan area.

Section 5.0, *Growth Inducing Impacts*, discussed potential growth inducing impacts of the project, specifically the removal of any obstacles to growth. As stated in this section, 5.2, "Given that the areas adjoining the Specific Plan area either physically hindered by steep hillsides, are areas unsuitable to development, or are already developed, the infrastructure extensions that would be required for new development are not expected to cause significant inducement to new growth beyond that within the Specific Plan boundary. Additionally, the requirement for Open Space conservation easements along the southern boundary of the Specific Plan area would further serve to hinder expansion of development to the south."

Response 23F

The commenter notes his opinion that the Specific "Plan is simply flawed because the Village objectives are flawed when community and people issues become non-mitigable as the Plan states."

The commenter's opinion is noted. However, as mentioned above in Response 23A, CEQA Section 15204, "the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project." Thus, mitigation must be reasonable to be considered practical for use and consideration in the EIR. It is also noted, that the EIR is to provide a good faith effort at full disclosure the environmental effects of the proposed project and to identify measures where feasible to minimize or avoid environmental effects. To the extent that the EIR finds that the project will result in significant unavoidable effects, the decision makers are required to make a finding in the form of a Statement of Overriding Considerations prior to approving the project.

Response 23G

The commenter notes his concern regarding safety issues related to the proposed roundabout.

This comment is noted. The roundabout is discussed in detail in section 4.11, *Transportation and Circulation.* Also see response to Letter Nos. 15 (Responses D and E) and 24.

24

RECEIVED
JAN 03 2006
BY: a. Cal

29438 Mulholland Highway
Agoura, CA 91301
(818) 597-9447

28 December 2005

City of Agoura Hills
Planning Dept.
30001 Ladyface Court
Agoura, CA 91301

Subject: Agoura Village, DEIR
Round-about Interchange

Attention: Allison Cook, Senior Planner

Dear Ms. Cook:

A In this letter I would like to address the proposed traffic round-about (i.e. traffic circle) for the Agoura Village. As I studied the sketch of the round-about, it occurred to me that the Agoura Road/Kanan Road interchange is a typical size as interchanges go. That being the case, it is intuitive that there is not enough space to warrant a round-about on a major artery that is safe and efficient. For a round-about to be efficient in regulating and directing traffic, especially heavy traffic such as on weekends and rush hours, the round-about should have two full lanes circling with a third outside lane on Kanan dedicated for left turns from both directions; i.e., left turn from a major artery onto a minor artery.

The proposed sketch of the round-about in the DEIR does not favor the heavy through-traffic (in both directions) on Kanan Road. This lack of imbalance in directional flow will result in traffic congestion. The proposed 2 lane scheme assumes an equally balanced traffic flow in all 4 radial arterial directions. This requires the vehicles desiring to make a left turn to first get into the inside lane quickly then work onto the outside lane after passing two right turn exits, all this maneuvering without stopping (to stop would defeat the purpose of the round-about scheme) while traveling at a reasonable speed. I am not a traffic engineer but I can see that this intersection is too small to implement a sizable circle that will work. Emergency vehicles will have a difficult time at the congested roundabout.

B We are all aware that the objective of a traffic interchange design is to reduce the severity of potential conflicts between motor vehicles, buses, trucks, bicycles, and pedestrians. Therefore the EIR must specifically address the design considerations within the 4 basic elements which are listed below (but not necessarily limited to these):

A. Human Factors
1. Driving habits
2. Ability to make quick decisions
3. Driver expectancy
4. Decision and reaction time
5. Conformance to natural paths of movement
6. Pedestrian use and habits
7. Familiarity with common traffic control practices

B. Traffic considerations
1. Design and actual capacities
2. Design-hour turning movements
3. Size and operating characteristics of vehicles

4. Variety of movements (diverging, merging, weaving, crossing habits)
5. Secondary safety effects away from this point along all major and minor arteries (within and outside of the city limits)
6. Causes of traffic congestion (within and outside of the city limits)

C. **Physical Elements**

1. Character and use of abutting properties
2. Vertical alignments at the intersection
3. Sight distance and reaction distance
4. Angle of the intersection
5. Conflict areas
6. Speed-change lanes
7. Geometric features
8. Traffic control devices
9. Lighting equipment and compatibility to adjuring properties
10. Safely features
11. Bicycle traffic
12. Equestrian traffic when applicable
13. Effects of other developments along major arteries outside of the city limits

D. **Economic Factors**

1. Cost of implementation and cost effectiveness
2. Effects off controlling or limiting rights-of way on abutting residential or commercial business where channelization restricts or prohibits vehicular movements
3. Energy consumption
4. Effects of mixing high residential zoning with business zoning
5. Cost effects of handling weekend, holiday and rush-hour traffic
6. Noise effects on residential units

The study results and considerations for the 4 basic elements should be included in Table ES-1 Summary of Environmental, Mitigation Measures and Residential Impacts; the title of this table should also be changed to reflect these additions. Any issues that are deemed to be non-mitigable is simply not an acceptable position to take for this community

C

Aside from the traffic issue, the other significant issue is to address how the pedestrians cross the constantly flowing traffic. If the traffic has to stop, then a typical 4-way stop intersection may prove to be more efficient and practical. The round-about sketch included in the DEIR indicates cross walks crossing the 4 arteries. This implies (1) there are no stop lights since the purpose is to keep the traffic flowing continuously, and (2) vehicles must stop when pedestrians step onto the cross walks (DMV rules). This is not realistic; as a case in point, I dare anyone to cross the Kanan traffic when it is flowing.

The issue of what the drivers (who are not familiar with this area) will do when approaching the interchange with the 101 Freeway is in sight. How will the drivers react and how quickly when a strange round-about is upon them deserves serious analyses There will be many drivers not familiar with this area because Kanan Road is one of 3 major arteries between PCH and the 101 Freeway; this round-about will be a new surprise that they must deal with immediately.

I offer the following as an example of "driver expectancy": The City of Hawthorne once installed an unusual left turn lane crossing a divided major artery. One had to negotiate across the oncoming traffic to get into the left turn lane. Clever but it took me several attempts and cost me one traffic ticket before I figured out what had to take place. Unlike

Europe, the typical drivers of Southern California are **not** familiar with round-abouts and traffic circles.

There are a few small round-abouts in the "hills" of Woodland Hills. They are very small circles at typical residential intersections; the approaching traffic must yield to the left turn traffic in front of them before they can safely enter the circle. Therefore, nothing was really gained by implementing the round-abouts; the people I have talked to hate the round-abouts.

There is a traffic circle in Long Beach at the intersection of Lakewood Blvd. and PCH, 2 major arteries. It is a fairly large circle and is manageable but the drivers must be aggressive to get through it. It is not a popular intersection.

I have gone through the famous and very large multi-lane traffic circle in the center of Paris many times where seven to eight major boulevards ingress and egress from this circle The application to this situation is appropriate and works because the circle is very large and has multiple lanes. Even with these features, one has to be a very aggressive driver to maneuver in and out of this circle. Those that are either conservative or faint of heart usually make several trips around the circle before getting to the desired exit point; my fellow co-workers have done this many times.

"A Policy on Geometric Design of Highway and Streets" published by the American Association of State Highway and Transportation Officials (AASHTO) does not recommend traffic circles (and round-abouts) as intersections simply by its omission; the genesis of AASHTO goes back to 1914.

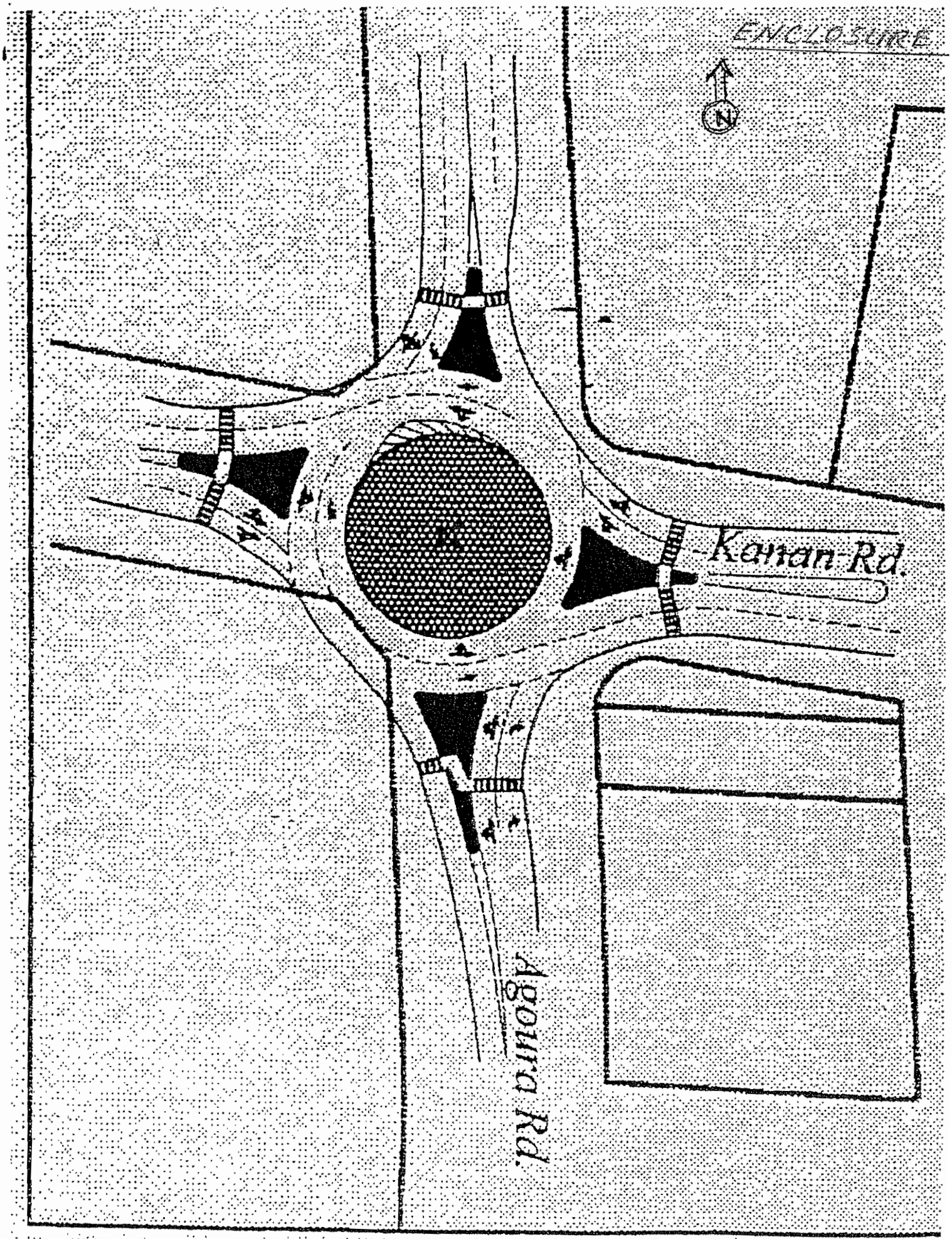
I truly believe that a round-about concept for the Agoura Road/Kanan Road interchange is not the practical application; it is simply **not safe.** I suggest staying with the 4-way stop concept and concentrate your efforts on the pedestrian problem such as underground passageways or overhead bridges. In one of the cities in Italy, I saw a 4-way pedestrian overhead bridge that architecturally blended in with the surrounding buildings and landscapes; I thought that was very cool. Imagine what the City could do with Christmas decorations on such a bridge!!

Yours truly,

Chester Yabitsu
Member of the Community.

Enclosure 1

ENCLOSURE



Letter 24

COMMENTER: Chester Yabitsu

DATE: December 28, 2005

RESPONSE:

Response 24A

The commenter expresses his opinion that intersection of Kanan and Agoura Road is not large enough to accommodate a roundabout that is safe and efficient. The commenter suggests that for a roundabout to be efficient in regulating and directing traffic the roundabout should have two full lanes circling with a third outside lane on Kanan dedicated for left turns from both directions.

The inscribed circle diameter of the proposed roundabout is 50 meters, or approximately 165 feet, which is within the recommended range for an Urban Double Lane roundabout (FHWA criteria) with two lanes on the approaches and two circulating lanes. The striping plan on the approaches and in the circulating lanes, as shown in the graphic that is referred to, would reduce the need to change lanes within the circulating roadway. The level of service calculations using the proposed design do not assume balanced flows from all directions, but instead used the turning volumes developed for the cumulative + project scenario. These flows account for the anticipated movements at the intersection during peak flow periods. As shown in the traffic and circulation section, the roundabout is expected to operate at LOS A with the proposed diameter.

The lay-out developed by Ourston Roundabout Engineering for the roundabout is preliminary in nature and sufficient for the purposes of the EIR. It is noted that the capacity and safety of the roundabout are determined by the geometric design elements. Further detailed engineering designs are necessary in order to provide sufficient capacity and safety conditions for pedestrians at the roundabout. Such detailed designs would occur at a later date, if the AVSP is adopted.

Response 24B

The commenter states his opinion that the EIR must specifically address the design considerations of the roundabout at Kanan and Agoura Road within four basic elements (human factors, traffic considerations, physical elements, and economic factors). As mentioned above, the purpose of the EIR is to examine the physical changes resulting from a project.

Traffic considerations were included in the analyses performed for the DEIR and can be reviewed in Section 4.11, *Transportation and Circulation*, or in the Appendix D, *Traffic Study and Traffic Technical Appendix*. In regards to the physical elements mentioned by the commenter, including character and use of adjacent properties, vertical alignments, sight distance, angle of intersection, geometric features, etcetera, these elements were included in the EIR, the traffic study and technical appendix. Also see response to Letter No. 15 (Responses D and E)

In regards to the commenters fourth proposed element, economic factors, CEQA section 15131 states that "economic or social effects of a project shall not be treated as significant effects on the environment. The focus of the analysis shall be on the physical changes.

Response 24C

Additionally, the commenter notes his concern regarding pedestrian safety at the proposed roundabout.

The roundabout and pedestrian circulation is discussed in detail in section 4.11, *Transportation and Circulation*. Also see response to Letter 15 (Responses D and E).

Response 24D

The commenter states his opinion that the roundabout concept for the Agoura and Kanan Road interchange is unsafe. The commenter further suggests that a 4-way stop should be maintained at the intersection and that underground or overhead pedestrian passes be installed.

See Response 24C. Roundabout and pedestrian circulation is discussed in detail in section 4.11, *Transportation and Circulation,* the comment is noted.

25

29438 Mulholland Highway
Agoura, CA 91301
(818) 597-9447

29 December 2005

City of Agoura Hills
Planning Dept.
30001 Ladyface Court
Agoura, CA 91301

RECEIVED
JAN 0 3 2006
BY: A. Cook

Subject: Agoura Village DEIR
Residential Units

Attention: Allison Cook, Senior Planner

Dear Ms Cook:

In this letter I would like to address the advisablility of including 235-293 residential units in the Agoura Village. The DEIR identifies the expected traffic magnitude of 17,539 new average daily trips will be added to the local circulation network by these residential units alone. This is a magnitude that clearly should be unacceptable and deemed to be not cost effective. The DEIR further identifies this increase as a Class-I impact and further concludes that this increase is not mitigable. Why is this?

This indeed is a strange off-the-wall, head-in-the-sand conclusion to state when the DEIR discusses 5 alternative approaches to the Village design, especially when Alternate 5 is offered as a potential approach without the residential units.

In the decision process to determine whether or not residential units should be a part of this development, the following basic elements must be considered and be included in the mitigation summary of the DEIR.

A. Community Impacts
   (1). Density break point
   (2). Social and economic enhancement (or degradation) within and outside of the city limits
   (3). Demand for schools, recreation,, law enforcement, emergency and other common services
   (4). Availability of essential commodities
   (5). City image versus community image as viewed by the outside world
   (6). Effects of day-worker gatherings and realistic solutions
   (7). Long term sustenance of quality of residential units based on minimum acceptable quality level

B. Traffic Impacts
   (1). Kanan Road as a major county artery between ocean and interior communities
   (2). Optimum Kanan Road/Agoura Road interchange
   (3). Freeway traffic seeking services
   (4). Impact on the Kanan/101 Freeway interchange
   (5). Impact on emergency vehicles and services (who gains and who loses)
   (6). Efficient traffic control

(7). Safety concerns at the multi-artery intersection of the Kanan/101 Freeway interchange
(8). Interaction of business and residential traffic
(9). Parking schemes and trade-offs
(10). Study of optimum traffic movement within the Village

C. Pedestrian Movement
(1). The Village is slipped into 2 major sections by a major artery (Kanan)
(2). Safety, habits and expectations
(3). Enhance local retail businesses
(4). Minimum impedance to Kanan Road traffic
(5). Rapid transit services

D. Village residences
(1). View shed protection
(2). Environment protection of local blue line streams
(3). Low income housing requirements and their negative impacts on a model commercial retail based village
(4). Effects of migratory residences on the sustenance of village quality
(5). Analyses and field studies on desirability of residences within the hub of retail businesses

E. Businesses
(1). Types
(2). Control ordinances
(3). Impacts on City and Community images
(4). Adequate parking trade-offs
(5). Compatibility with upstairs residential units
(6). Degree of dependency on revenue from 101 freeway traffic as well as neighboring community traffic versus local residential traffic and habits. Include expected revenue traffic from city residents living north of the 101 freeway to augment the local residences. (Hint: what are the incentives to cross over the Kanan/101 Freeway bridge to shop)
(7). Analyses of expected tax revenue from residential units and its sustenance
(8). Zoning based on optimum mix with residential units and office units

From this list, I clearly see several major issues. These are as follows:

(a). Traffic will be increased due to the inclusion of the residential units. This is an unnecessary increase because the net economic benefits do not appear to be significant enough to sway the tradeoff to favor the inclusion of the residential units.

(b)The city has grandeur visions and hopes that the village will become an established up-scale shopping Mecca similar to the ones in Calabasas and Westlake Village. The inclusion of residential units in the mix introduces potential risks that the demographics of these residences my degrade, thus pulling down the entire Village. Why? Realistically the City should study the whims of the middle to upper mid-income people. I cannot imagine that living above a retail store complex no matter how large the residence as a desirable thing to do. These people typically continue to seek the country atmosphere with isolation. The rich certainly will not live nor buy here. This leaves the lower income category. Granted there are many substantial citizens in this category; but it just takes a few to run down a building complex, especially transitory workers who follow the job market.

Once this occurs, desirable businesses will not come in. Keep in mind 2 things: eviction of tenants is a long drawn out process and recall what Hollywood Blvd. use to be.

(c). Mr. Ted Moore who owns the parcel located at the corner of Kanan Road and Cornell Way has visions of knocking down the knoll to build residential units as part of the Village complex. This will add traffic at a very problematic area for the residents living at Malibou Lake, along Cornell Road and Mulholland Highway. This intersection is going to cause safety problems when Street A of the Triangle Ranch is completed to Kanan Road. With Mr. Moore's development, its egress and ingress point at this interchange will make the traffic flow to and from Cornell Road an absolute nightmare and compound the safety issue. Mr. Moore's residential development along Medea Creek will also increase the risk of polluting this blue line creek; as it is, the City of Agoura Hills is in the gun sight of Heal-The-Bay as the source of the current pollution level which exceeds the state standard. Do not change the zoning of this parcel to allow residential units to be built.

(d). Adequate parking provisions have continued to be miscalculated by the city for new developments; (re: Islands, Chuy's, Mann Theater, Yamato Restaurant, the former Hamburger Hamlet commercial complex, just to name a few.) Following this pattern, parking is also an issue with residential units within the Village complex. As a mix with business units, drivers will be competing for the same available space. Business employees will take up a significant portion of the street space as it is (re: the Auto Mall in Westlake has zero street parking for the customers). This will leave potential shoppers hustling for the remaining parking space; this will not be an ideal incentive to shop here. It goes without saying that each residential unit will be provided with at least 2 parking stalls which is typical; the additional kids' cars will have to seek street parking. Now add to this, the quests the residential units seeking close-by street parking: I am sure all of you have experienced this dilemma.

(e). The potential for polluting the Medea Creek is quite high. This issue was touched upon earlier but I wish to add another perspective. Despite ordinances and convenience provisions, people will pollute their environment either through carelessness, habits, laziness, attitude or even culture. Pollution caused by shoppers and business owners are manageable. On the other hand most dwellers and quests of residential units realistically may not be manageable; especially reenters and short termers. As evidence of this the Cornell Preservation Organization (CPO), Heal-The-Bay, and the National Park Service clean up Medea Creek of accumulated debris twice a year. For reasons that are difficult to comprehend, the large dumpster is nearly full each time. The Medea Creek water under the 101 Freeway bridge is virtually a bacteria laden cistern. Therefore residential units must be a serious negative issue and must be addressed in the Village DEIR.

There are too many negative overtones to include residential units to the retail business complex. Therefore, if the city insists on a large retail complex despite the associated negative side effects, then I suggest that the Alternate 5 approach be adopted. This will be a win-win compromise for the city and the local communities at large.

Yours truly,

Chester Yabitsu
Member of the Community

Letter 25

COMMENTER: Chester Yabitsu

DATE: December 29, 2005

RESPONSE:

Response 25A

The commenter reiterates his opinion that a residential component is not what is beneficial for the community and requests a detailed explanation of whether or not residential units should be a part of the Specific Plan.

This comment is noted; however as mentioned in Response 23C, the purpose of the EIR is to analyze the physical changes resulting from a proposed project. The commenter goes on to provide a list of basic elements that should be considered in the EIR. Again, it is not within the scope of the EIR to redefine the objectives of the project. Therefore, the answer to this question is beyond the scope of the EIR and no further analysis is warranted.

Regarding the list of elements that the commenter states should be considered in the EIR, many considerations have already been included in the EIR (community impacts, traffic, pedestrian movement, aesthetic and biologic resources) while others do not qualify as physical changes and are not subject to consideration in the EIR (effects of day-worker gatherings, business control ordinances, analysis of expected tax revenue, etcetera). Many of these comments were also addressed in Mr. Yabitsu's earlier comment letters (Decemeber 02, and December 28, 2005).

The commenter goes on to state his disapproval with, and opinion of, subsequent impacts due to the inclusion of residential uses. These include increased traffic, low-income tenants, safety problems near Triangle Ranch, polluting of Medea Creek, and parking shortages. As mentioned above in Responses 23 and 24, traffic, parking, and safety related impacts are discussed in detail in Section 4.11, *Transportation and Circulation*. Water quality impacts were discussed in detail in Section 4.7, *Hydrology and Water Quality*. As noted in previous responses, social impacts are not treated as significant effects on the environment; therefore, speculation concerning the attrition of low-income tenants is not required to be addressed in the EIR.

COPY 26

30 Dec 2005

SILVER ROCK, LP.

13030 INGLEWOOD AVE. #102
HAWTHORNE, CA 90250 **(818) 99**

Dear Allison,
Re: Agoura Village EIR
I respectfully submit the attached letter as part of the public input to the Agoura Village DEIR.
Chet Yabitsu

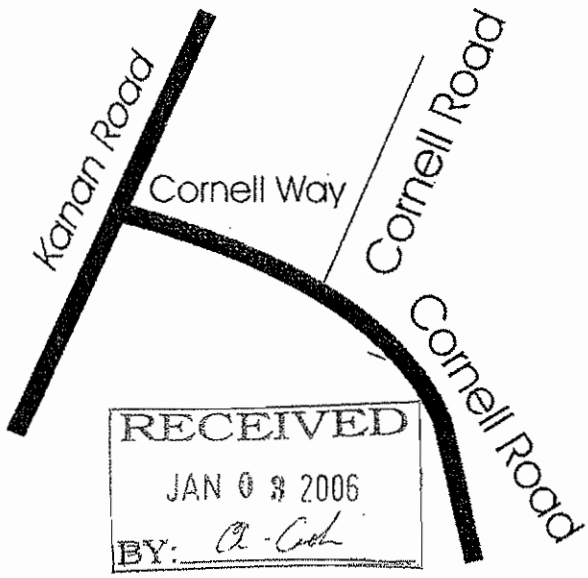
October 16, 2000

CITY OF AGOURA HILLS,
David Anderson. Planning Director
30101\Agoura Court, Suite 102
Agoura, CA 91301

RE: Cornell Road and Cornell Way, Agoura Hills, CA

Dear David,

I would like to call your attention to a street naming issue that the City inherited from the County that has never been corrected. At the present time Cornell Road physically connects to Kanan Road. However, the name Cornell Road changes from Road to Way for the last few hundred feet. The diagram to the right shows the current naming situation. The small road proceeding north and adjacent to our property is named Cornell Road, while the main road that is used by most of the traffic from Cornell Road is named Cornell Way.



RECEIVED
JAN 0 3 2006
BY: Q-Cal

I would like to suggest that the names be swapped. This is to say that the name Cornell Way be given to the section of Cornell road that goes north at our property and that the name Cornell Road be applied to the extension to Kanan Road.

While not a major issue, this has consistently caused confusion to many friends visitors and local residents. This is no logical reason for the name Way to be applied to the small section of road from Kanan to the intersection with Cornell Road.

I am not certain that this is an issue that the City can change on it's own, but would encourage you to contact the road department and the County if necessary to make the above change.

Sincerely,

COPY

BY: _____
Batta Vujicic, President

1/2/06
Allison
I forgot to include this with the 2 letters I mailed you.
Chet

SR Lt Anderson re street names 001016

Letter 26

COMMENTER: Chester Yabitsu

DATE: December 30, 2005

RESPONSE:

Response 26A

The commenter included as part of his comment package a letter dated October 16, 2000. The letter was signed by Batta Vujicio, President of Silver Rock, LP. Mr. Yabitsu appears to agree with the opinion of Mr. Vujicio, that the name of Cornell Way should be given to the section of Cornell Road that goes north to Agoura Road and that the name Cornell Road be applied to the extension to Kanan Road.

This comment provides information for the City to consider regarding the naming of City streets in the project area. It does not pertain to the adequacy of the EIR and no further response is necessary.

27

29438 Mulholland Highway
Agoura, CA 91301
(818) 597-9447

30 December 2005

RECEIVED
JAN 0 3 2006
BY: [illegible]

City of Agoura Hills
Planning Dept.
30001 Ladyface Court
Agoura Hills, CA 91301

Subject: Agoura Village, DEIR
Category: Traffic
Technical Point: Re-name Cornell Way as part of Cornell Road

Attention: Allison Cook, Senior Planner

Dear Ms. Cook:

This letter is written to address a technical issue that has been bothering most people living along Cornell Road and Mulholland Highway for as long as I remember since we arrived at Agoura. The attached letter from Mr. Batta Vujicic to Mr. David Anderson (City of Agoura Hills), dated 16 October 2000 is public record and pretty much explains the basis of our recommendation.

Since the Agoura Village is a major under taking in terms of defining a "tract map" of the project, I believe this is an excellent opportunity to correct a confusing problem. Since there are no businesses or residences along the Cornell Road between Agoura Road and Cornell Way, no address change is required; only the Los Angeles County map and commercial maps such as the AAA. Therefore, I respectfully resubmit this letter as an input to the Agoura Village DEIR.

I have had many friends attempting to reach our place turning off on Cornell Way and ending up at Agoura Road thoroughly confused and lost.

Yours truly,

Chester Yabitsu
Member of local community

Attachment 1

SILVER ROCK, LP.

13030 INGLEWOOD AVE. #102
HAWTHORNE, CA 90250 **(818) 991-6629; (818) 991-0450-FAX**

COPY

October 16, 2000

RECEIVED
JAN 0 3 2006
BY: [illegible]

CITY OF AGOURA HILLS,
David Anderson. Planning Director
30101 Agoura Court, Suite 102
Agoura, CA 91301

RE: Cornell Road and Cornell Way, Agoura Hills, CA

Dear David,

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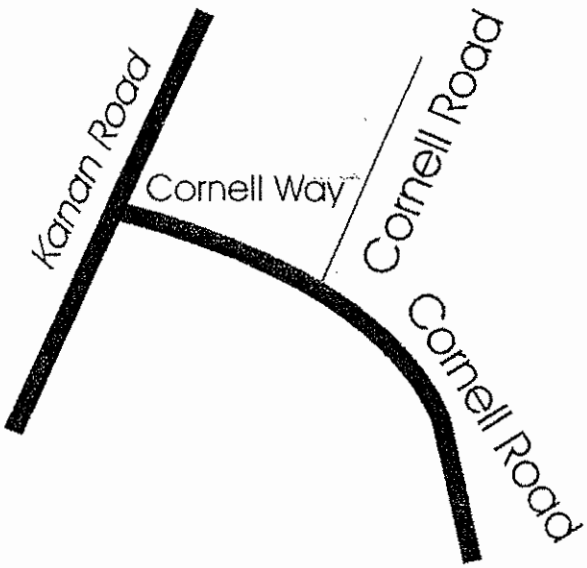

I would like to suggest that the names be swapped. This is to say that the name Cornell Way be given to the section of Cornell road that goes north at our property and that the name Cornell Road be applied to the extension to Kanan Road.

While not a major issue, this has consistently caused confusion to many friends visitors and local residents. This is no logical reason for the name Way to be applied to the small section of road from Kanan to the intersection with Cornell Road.

I am not certain that this is an issue that the City can change on it's own, but would encourage you to contact the road department and the County if necessary to make the above change.

Sincerely,

COPY

BY: _____

Batta Vujicic, President

SR Lt Anderson re street names 001016

Letter 27

COMMENTER: Chester Yabitsu

DATE: December 30, 2005

RESPONSE:

Response 27A

The commenter included as part of his comment package a letter dated October 16, 2000. The letter was signed by Batta Vujicio, President of Silver Rock, LP. Mr. Yabitsu appears to agree with the opinion of Mr. Vujicio, that the name of Cornell Way should be given to the section of Cornell Road that goes north to Agoura Road and that the name Cornell Road be applied to the extension to Kanan Road.

This comment was discussed in Response 26A, no further analysis is necessary.

29438 Mulholland Highway
Agoura, CA 91301
(818) 597-9447

3 January 2006

City of Agoura Hills
Planning Dept.
30001 Ladyface Court
Agoura Hills, CA 91301

RECEIVED
JAN 0 3 2006
BY: A. Cook

Subject: Agoura Village DEIR
Alternatives to the proposed baseline

Attention: Allison Cook, Senior Planner

Dear Ms. Cook:

Since the January 2, 2006, deadline for written public comment on the subject DEIR was "extended" a few days (per your phone message) due to the City's 4-day holiday, I submit the following additional comments on the alternatives stated in the DEIR.

The development plans for the Kanan/101 Freeway interchange area has not been defined for many years. Yet, the Reyes Adobe /101 Freeway interchange area was incrementally and carefully developed for commercial use without residential units. Even the City located its City Hall complex in the same area when the Kanan/101 interchange area would have been a better location for city government due to easier access by the City's residents.

I have been wondering why is this? City has in the past continually stated that a general plan for areas south of the freeway were never defined and solidified. Meanwhile the developers continued to develop the Reyes Adobe/101 area instead of the Kanan/101 interchange area. I could only conclude that the individual developers realized that Kanan Road was a major traffic thorough fare subject to serious traffic issues. It appears that they may have foreseen this and chose the Reyes Adobe/101 area as the better location to develop for commercial use.

The City essentially "missed-the-boat" to really develop the best area (the Reyes Adobe/101 interchange) for a commercial retail complex, even with residential units as envisioned by the Village DEIR. This thought was really brought home when the City residents turned down the "big boxes" (Costco and Home Depot) complex at the Kanan/101 interchange.

A

With all that said, the proposed Agoura Village baseline concept of a large commercial retail complex with high density residential units is a poor after thought as fundamental general planning goes. Simply stated, a developement such as the Village is located at the wrong intersection. It walks right into what the prior developers avoided; i.e., one is to conclude

that the current developer(s) who are aggressively pursuing the City into such a plan is not interested in the welfare of the City, its residents, nor its communities.

I highly recommend that the City adopt a lesser ambitious plan such as those proposed in Alternatives 1 through 4. or go back to the "drawing board". On the other hand, given the only choice of "standing pat" on this issue, Alternative 5 is preferred over the proposed baseline approach of the DEIR since it has the least negative impact on traffic and pedestrian safety issues.

Yours truly

Chester Yabitsu
Member of local community

B

PS-1: Additional comments on the round-about: Instead of a small round-about, consider a traditional 4-way traffic control and a pedestrian "scramble" concept wherein all pedestrians on the 4 corners of the intersection are given one chance in each traffic light cycle to enter the intersection to reach one the 4 street corners. I believe this will be safer and enhance traffic flow because the flow will not be interrupted several times during each traffic light cycle to accommodate the pedestrians. The City of Pasadena utilizes this concept on Colorado Blvd. which is one of its busiest street with "walk-about" retail businesses on both sides of the street ; it appears to work very well.

C

PS-2: I heard from a very well and connected source that this Village DEIR is a "done deal" (the source is protected in self defense). If this is true, why is the City stringing the public along with the comment period in December the worst month of the year and a deadline of January 2, 2006 which is a 4-day holiday? It appears that this was done strictly to be in compliance with the state requirements yet with the minimum risk.

Letter 28

COMMENTER: Chester Yabitsu

DATE: January 03, 2006

RESPONSE:

Response 28A

The commenter states his opinion that the Agoura Village should have been developed at the intersection of Reyes Adobe Road and the U.S. 101 Freeway. The commenter continues that he recommends the City adopt a lesser ambitious plan, such as those proposed in alternatives 1-4. However, he also notes that if development has to go in at the current location, he prefers alternative 5.

These comments are noted.

Response 28B

The commenter states his opinion that instead of a roundabout, the Village should use a traditional four -way traffic control and a pedestrian "scramble" concept wherein all pedestrians are given one chance during each traffic light cycle to cross the street.

See responses to Letter 15 (Responses D and E) and Letter 24 (Responses A, B, C and D).

Response 28C

The commenter notes that he has heard from an anonymous source that the Village DEIR is a "done deal." The commenter asks why then is the City stringing the public along with the comment period in December.

As discussed in Section 1.0, *Introduction*, of the DEIR the environmental impact review process, as required by CEQA, requires public notice and review while writing an environmental document. As part of this review the lead agency must file a notice of input and solicit public input upon deciding that an EIR is required for a project. The NOP must be posted in the County Clerk's office for 30 days. A scoping meeting to solicit public input on the issues to be assessed in the EIR is not required, but may be conducted by the lead agency. The City of Agoura Hills held a public scoping meeting on February 16, 2005. Upon receipt of public comments and concerns, the lead agency then prepares the Draft Environmental Impact Report (DEIR). The time frame in which it takes to draft the EIR varies.

Upon completion of the DEIR the lead agency prepared a Notice of Availability which was placed in the County Clerk's office. The Draft EIR was made available for review at the Planning and Community Development Department and notice was provided in the local newspaper as well as on the City website. The public review period began Friday, November 18, 2005 and ended Monday, January 2, 2006.

As mentioned above, the time that it takes to draft the EIR varies, thus, although the EIR was originally intended to be released in mid 2005, due to unexpected delays, the date was pushed back to the month of November. This time merely coincided with the completion of the EIR and was not an attempt by the City to minimize risk, as the City hosted two public meetings between October and December in order to address public concern. The Agoura Village Task Force held an open house on the Draft AVSP on October 11, 2005 and a public hearing to obtain comments on the Draft EIR on Thursday, December 1, 2005.

Comments Received at December 1, 2005 Planning Commission Hearing on the Agoura Village Specific Plan EIR

The City of Agoura Hills Planning Commission held a public hearing to accept comments on the Draft EIR on December 1, 2001. The comments received at that hearing and responses thereto are included below.

1. Mary Altman:

Mary Altman stated her opinion that the DEIR is severely deficient in addressing impacts. Specifically she noted that the EIR is supposed to contain information about air quality, traffic, biology, etc… And that design criteria should not really be in the document. These same comments were supplemented with additional comments in two letters from Ms. Altmann on December 1st and December 21st of 2005. These comment letters are presented as Letters 8 and 9 of this Responses to Comments report.

2. Chester Yabitsu

Mr. Yabitsu expressed concern regarding traffic and noise from traffic cause by the project. He also questioned the need for residential units, which he feels will compound traffic problems in the area. The commenter further notes that the DEIR found traffic impacts to be "non-mitigable" and stated his disagreement with this finding. Mr. Yabitsu also noted his preference for Alternative 5. Each of these comments were addressed in the responses to Mr. Yabitsu's comment letters dating December 1, 28, and 29 of 2005 and January 3 and 30 of 2006. These comment letters are presented as Letters 23-28 of this Responses to Comments report.

3. Colleen Holmes – Cornell Preservation Organization

The commenter notes that as follow up to the hearing a written letter will be submitted to the City with further comments. The commenter requests that the City ensure the knoll, blue line streams, and sensitive species be preserved and protected. Each of these comments is addressed in a response to the Cornell Preservation Organization's letter, January 02, 2006. This comment letter is presented as Letter 15 of this Responses to Comments report.

4. Ken Handler

<u>Comment:</u> The commenter questions the presence and involvement of Caltrans throughout the Specific Plan development process.

<u>Response:</u> As part of the CEQA public review process, Caltrans was provided a copy of the Notice of Preparation at the initiation of preparation of the Draft EIR and was also sent a Notice of Availability once the DEIR became available for public review. A copy of the Caltrans response to the DEIR is included in Letter No. 7.

<u>Comment:</u> The commenter notes that he welcomes the idea of Agoura Village and thinks it is a good idea.

Response: The comment is noted.

Comment: Further, the commenter notes concern regarding safety issues with the roundabout.

Response: Similar comments and responses regarding the proposed roundabout are discussed in Responses to Letter 15, (Responses D and E) and Letter 24 (Responses A, B, C, and D). Please refer to these letters and their respective responses.

Appendix H

NOP Comments

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

CITY OF AGOURA
2005 FEB 23 PM 4:23
CITY CLERK

Arnold Schwarzenegger
Governor

Sean Walsh
Director

Notice of Preparation

February 15, 2005

To: Reviewing Agencies

Re: Agoura Village Strategic Plan - Architectural and Urban Design Development Criteria and Supporting Amendments to the City's Zoning Ordinance
SCH# 2003111051

Attached for your review and comment is the Notice of Preparation (NOP) for the Agoura Village Strategic Plan - Architectural and Urban Design Development Criteria and Supporting Amendments to the City's Zoning Ordinance draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Joyce Parker-Bozylinski
City of Agoura Hills
30001 Ladyface Court
P.O. Box 20250
Agoura Hills, CA 91301

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Senior Planner, State Clearinghouse

Attachments
cc: Lead Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2003111051
Project Title Agoura Village Strategic Plan - Architectural and Urban Design Development Criteria and Supporting Amendments to the City's Zoning Ordinance
Lead Agency Agoura Hills, City of

Type NOP Notice of Preparation

Description The vision for Agoura Village, as delineated in the Agoura Village Strategic Plan and to be implemented through the Agoura Village Specific Plan, is to create a welcoming pedestrian friendly atmosphere that captures the character of Agoura Hills. The Village will become a destination and not just a pass through area for highway users and visitors to the area. It will be shaped into an identifiable and inviting place with an intimate streetscape lined with unique storefronts. The Village will become a comfortable place to gather, shop and stroll.

Lead Agency Contact

Name Joyce Parker-Bozylinski
Agency City of Agoura Hills
Phone 805 241-5680 **Fax**
email
Address 30001 Ladyface Court
P.O. Box 20250
City Agoura Hills **State** CA **Zip** 91301

Project Location

County Los Angeles
City
Region
Cross Streets
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways
Airports
Railways
Waterways
Schools
Land Use Restaurants, commercial office, an automobile service station, a currently vacant commercial building materials outlet, commercial and residential mini storage, and a movie theater.

Project Issues Air Quality; Biological Resources; Geologic/Seismic; Growth Inducing; Toxic/Hazardous; Archaeologic-Historic; Water Quality; Landuse; Noise; Public Services; Population/Housing Balance; Traffic/Circulation

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Reviewing Agencies Resources Agency; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 5; Department of Health Services; Office of Emergency Services; Native American Heritage Commission; Caltrans, District 7; Regional Water Quality Control Board, Region 4

Date Received 02/14/2005 **Start of Review** 02/14/2005 **End of Review** 03/15/2005

Note: Blanks in data fields result from insufficient information provided by lead agency.

NOP Distribution List

County: Los Angeles

SCH# 2003111051

Resources Agency

- [x] **Resources Agency**
  Nadell Gayou
- [ ] **Dept. of Boating & Waterways**
  David Johnson
- [ ] **California Coastal Commission**
  Elizabeth A. Fuchs
- [ ] **Colorado River Board**
  Gerald R. Zimmerman
- [ ] **Dept. of Conservation**
  Roseanne Taylor
- [ ] **California Energy Commission**
  Environmental Office
- [ ] **Dept. of Forestry & Fire Protection**
  Allen Robertson
- [x] **Office of Historic Preservation**
  Wayne Donaldson
- [x] **Dept of Parks & Recreation**
  B. Noah Tilghman
  Environmental Stewardship Section
- [ ] **Reclamation Board**
  DeeDee Jones
- [ ] **Santa Monica Mountains Conservancy**
  Paul Edelman
- [ ] **S.F. Bay Conservation & Dev't. Comm.**
  Steve McAdam
- [x] **Dept. of Water Resources**
  Resources Agency
  Nadell Gayou

Fish and Game

- [ ] **Depart. of Fish & Game**
  Scott Flint
  Environmental Services Division
- [ ] **Fish & Game Region 1**
  Donald Koch
- [ ] **Fish & Game Region 2**
  Banky Curtis
- [ ] **Fish & Game Region 3**
  Robert Floerke
- [ ] **Fish & Game Region 4**
  William Laudermilk
- [x] **Fish & Game Region 5**
  Don Chadwick
  Habitat Conservation Program
- [ ] **Fish & Game Region 6**
  Gabrina Gatchel
  Habitat Conservation Program
- [ ] **Fish & Game Region 6 I/M**
  Tammy Allen
  Inyo/Mono, Habitat Conservation Program
- [ ] **Dept. of Fish & Game M**
  George Isaac
  Marine Region

Other Departments

- [ ] **Food & Agriculture**
  Steve Shaffer
  Dept. of Food and Agriculture
- [ ] **Depart. of General Services**
  Public School Construction
- [ ] **Dept. of General Services**
  Robert Sleppy
  Environmental Services Section
- [x] **Dept. of Health Services**
  Veronica Rameriz
  Dept. of Health/Drinking Water

Independent Commissions,Boards

- [ ] **Coachella Valley Mountains Conservancy**
- [ ] **Delta Protection Commission**
  Debby Eddy
- [x] **Office of Emergency Services**
  Dennis Castrillo
- [ ] **Governor's Office of Planning & Research**
  State Clearinghouse
- [x] **Native American Heritage Comm.**
  Debbie Treadway
- [ ] **Public Utilities Commission**
  Ken Lewis
- [ ] **San Gabriel & Lower LA Rivers**
- [ ] **San Joaquin River Conservancy**
- [ ] **State Lands Commission**
  Jean Sarino
- [ ] **Tahoe Regional Planning Agency (TRPA)**
  Cherry Jacques

Business, Trans & Housing

- [ ] **Caltrans - Division of Aeronautics**
  Sandy Hesnard
- [ ] **Caltrans - Planning**
  Terri Pencovic
- [ ] **California Highway Patrol**
  John Olejnik
  Office of Special Projects
- [ ] **Housing & Community Development**
  Lisa Nichols
  Housing Policy Division

Dept. of Transportation

- [ ] **Caltrans, District 1**
  Mike Eagan
- [ ] **Caltrans, District 2**
  Don Anderson
- [ ] **Caltrans, District 3**
  Jeff Pulverman
- [ ] **Caltrans, District 4**
  Tim Sable
- [ ] **Caltrans, District 5**
  David Murray
- [ ] **Clatrans, District 6**
  Marc Bimbaum
- [x] **Caltrans, District 7**
  Cheryl J. Powell
- [ ] **Caltrans, District 8**
  John Pagano
- [ ] **Caltrans, District 9**
  Gayle Rosander
- [ ] **Caltrans, District 10**
  Tom Dumas
- [ ] **Caltrans, District 11**
  Mario Orso
- [ ] **Caltrans, District 12**
  Bob Joseph

Cal EPA

Air Resources Board

- [ ] Airport Projects
  Jim Lerner
- [ ] Transportation Projects
  Kurt Karperos
- [ ] Industrial Projects
  Mike Tollstrup

- [ ] **California Integrated Waste Management Board**
  Sue O'Leary
- [ ] **State Water Resources Control Board**
  Jim Hockenberry
  Division of Financial Assistance
- [ ] **State Water Resources Control Board**
  Student Intern, 401 Water Quality Certification Unit
  Division of Water Quality
- [ ] **State Water Resouces Control Board**
  Steven Herrera
  Division of Water Rights
- [ ] **Dept. of Toxic Substances Control**
  CEQA Tracking Center
- [ ] **Department of Pesticide Regulation**

Regional Water Quality Control Board (RWQCB)

- [ ] **RWQCB 1**
  Cathleen Hudson
  North Coast Region (1)
- [ ] **RWQCB 2**
  Environmental Document Coordinator
  San Francisco Bay Region (2)
- [ ] **RWQCB 3**
  Central Coast Region (3)
- [x] **RWQCB 4**
  Jonathan Bishop
  Los Angeles Region (4)
- [ ] **RWQCB 5S**
  Central Valley Region (5)
  - [ ] **RWQCB 5F**
    Central Valley Region (5)
    Fresno Branch Office
  - [ ] **RWQCB 5R**
    Central Valley Region (5)
    Redding Branch Office
- [ ] **RWQCB 6**
  Lahontan Region (6)
  - [ ] **RWQCB 6V**
    Lahontan Region (6)
    Victorville Branch Office
- [ ] **RWQCB 7**
  Colorado River Basin Region (7)
- [ ] **RWQCB 8**
  Santa Ana Region (8)
- [ ] **RWQCB 9**
  San Diego Region (9)

- [ ] **Other** _____

Last Updated on 9/16/04

CITY OF AGOURA HILLS
2005 MAR 15 PM 3:46
CITY CLERK

March 11, 2005

To: Joyce Parker-Bozylinski
City of Agoura Hills
3001 Ladyface Court
P.O. Box 20250
Agoura Hills, CA 91301

From: Ken & Barbara Handler

Re: Agoura Village Specific Plan Meeting
February 10, 2005

Attached to this memo is our initial reaction to the city's 'Notice of Preparation' that was reviewed at a meeting held in city council chambers on February 10, 2005. After you read this rather informal reaction to your meeting, you will understand that we, along with many other community members, have numerous and well-founded concerns about the proposed development for the intersection (s) of Kanan Road and Agoura Road.

You indicated that members of the audience would be kept informed of this project on a timely basis and that your staff would respond to our concerns. As of this date, we have received no up-dates or reactions to the specific issues that were raised at the February 10, 2005 meeting. The city of Agoura Hills needs to develop a professional responsibility in responding to the concerns of its community members. Stating to those who attended the meeting that there will be an 'up-date' sometime in May, 2005 sounds suspicious and mis-leading.

Please understand that we are not opposed to the project, but will use all of our resources to ensure that community interests are respected and included in any future planning affecting this major thoroughfare.

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • http://www.aqmd.gov

CITY OF AGOURA HILLS
2005 FEB 23 PM 4: 23
CITY CLERK

February 17, 2005

Ms. Joyce Parker-Bozylinski
City of Agoura Hills
30001 Ladyface Court
P.O. Box 20250
Agoura Hills, CA 91301

Dear Ms. Parker-Bozylinski:

Notice of Preparation of a Draft Environmental Impact Report for
Agoura Village Specific Plan

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the Draft Environmental Impact Report (EIR). Please send the SCAQMD a copy of the Draft EIR upon its completion.

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. Alternatively, lead agency may wish to consider using the California Air Resources Board (CARB) approved URBEMIS 2002 Model. This model is available on the CARB Website at: www.arb.ca.gov.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should

be included in the analysis. It is recommended that lead agencies for projects generating or attracting vehicular trips, especially heavy-duty diesel-fueled vehicles, perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found on the SCAQMD's CEQA webpages at the following internet address: http://www.aqmd.gov/ceqa/handbook/diesel_analysis.doc. An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additionally, SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's World Wide Web Homepage (http://www.aqmd.gov).

The SCAQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. Please call Charles Blankson, Ph.D., Air Quality Specialist, CEQA Section, at (909) 396-3304 if you have any questions regarding this letter.

Sincerely,

Steve Smith

Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rule Development and Area Sources

SS:CB:li

LAC050211-01LI
Control Number

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, REGIONAL PLANNING
IGR/CEQA BRANCH
100 MAIN STREET, MS # 16
LOS ANGELES, CA 90012-3606
PHONE: (213) 897-3747
FAX: (213) 897-1337

CITY OF AGOURA HILLS
2005 FEB 23 PM
CITY CLERK

Flex your power!
Be energy efficient!

IGR/CEQA No. 050222AL, NOP
Agoura Village Specific Plan
Vic. LA-101 / approx. at PM 35.04
SCH # 2003111051

February 18, 2005

Ms. Joyce Parker-Bozylinski, AICP
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

Dear Ms. Parker-Bozylinski:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project.

To assist us in our efforts to evaluate the impacts of this project on State transportation facilities, a traffic study in advance of the DEIR should be prepared. We wish to refer the project's traffic consultant to our traffic study guideline Website:

http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf

and we list here some elements of what we generally are expecting in the traffic study:

1. Presentations of assumptions and methods used to develop trip generation, trip distribution, choice of travel mode, and assignments of trips to State Route 101.

2. Consistency of project travel modeling with other regional and local modeling forecasts and with travel data. The IGR/CEQA office may use indices to check results. Differences or inconsistencies must be thoroughly explained.

3. Analysis of ADT, AM and PM peak-hour volumes for both the existing and future conditions in the affected area. This should include freeways, interchanges, and intersections, and all HOV facilities. Interchange Level of Service should be specified (HCM2000 method requested). Utilization of transit lines and vehicles, and of all facilities, should be realistically estimated. Future conditions would include build-out of all projects (see next item) and any plan-horizon years.

4. Inclusion of all appropriate traffic volumes. Analysis should include traffic from the project, cumulative traffic generated from all specific approved developments in the area, and traffic growth other than from the project and developments. That is, include: existing + project + other projects + other growth.

5. Discussion of mitigation measures appropriate to alleviate anticipated traffic impacts. These mitigation discussions should include, but not be limited to, the following:

   - Description of Transportation Infrastructure Improvements
   - **Financial Costs, Funding Sources and Financing**
   - Sequence and Scheduling Considerations
   - Implementation Responsibilities, Controls, and Monitoring

   Any mitigation involving transit, HOV, or TDM must be rigorously justified and its effects conservatively estimated. Improvements involving dedication of land or physical construction may be favorably considered.

6. Specification of developer's percent share of the cost, as well as a plan of realistic mitigation measures under the control of the developer. The following ratio should be estimated: additional traffic volume due to project implementation is divided by the total increase in the traffic volume (see Appendix "B" of the Guidelines). That ratio would be the project equitable share responsibility.

   We note for purposes of determining project share of costs, the number of trips from the project on each traveling segment or element is estimated in the context of forecasted traffic volumes which include build-out of all approved and not yet approved projects, and other sources of growth. Analytical methods such as select-zone travel forecast modeling might be used.

   The Department as commenting agency under CEQA has jurisdiction superceding that of MTA in identifying the freeway analysis needed for this project. Caltrans is responsible for obtaining measures that will off-set project vehicle trip generation that worsens Caltrans facilities and hence, it does not adhere to the CMP guide of 150 or more vehicle trips added before freeway analysis is needed. MTA's Congestion Management Program in acknowledging the Department's role, stipulates that Caltrans must be consulted to identify specific locations to be analyzed on the State Highway System. Therefore State Route(s) mentioned in item #1 and its facilities must be analyzed per the Department's Traffic Impact Study Guidelines.

We look forward to reviewing the traffic study. We expect to receive a copy from the State Clearinghouse when the DEIR is completed. However, to expedite the review process, and clarify any misunderstandings, you may send a copy in advance to the undersigned.

If you have any questions, please feel free to contact me at (213) 897-3747 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 050222AL.

Sincerely,

CHERYL J. POWELL
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

State of California – The Resources Agency

ARNOLD SCHWARZENEGGER, *Governor*

DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201

CITY OF AGOURA HILLS
2005 MAR -2 PM 12:50
CITY CLERK

February 21, 2005

Ms. Joyce Parker-Bozylinsky
City of Agoura Hills
P.O. Box 20250
Agoura Hills, CA 91302

Notice of Preparation for an Environmental Impact Report for
Agoura Village Specific Plan
Los Angeles County

Dear Ms. Parker-Bozylinsky:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the above-referenced project, relative to impacts to biological resources. The proposed project involves the approval of the Agoura Village Specific Plan located near the intersection of Kanan and Cornell Roads, City of Agoura Hills.

To enable Department staff to adequately review and comment on the proposed project we recommend the following information, where applicable, be included in the Draft Environmental Impact Report:

1. A complete, recent assessment of flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats.

    a. A thorough recent assessment of rare plants and rare natural communities, following the Department's Guidelines for Assessing Impacts to Rare Plants and Rare Natural Communities (Attachment 1).

    b. The project area is known to support an important population of the state and federally listed endangered plant species, Lyon's pentachaeta (*Pentachaeta lyonii*). This species may occur at multiple locations within the 98 acre proposed project development area. The Ladyface occurrences of Lyon's pentachaeta are critical to the continued survival of this species and are found at the easternmost edge of this species' range. Therefore, the EIR needs to address conservation of this endangered plant through establishment of one or more preserve areas which will ensure the long term persistence of the population in this area. Additionally, the project will need to comply with the requirements of the California Endangered Species Act, Section 2050 et seq. and associated regulations which address legal protections afforded state-listed endangered species. As such, the Department will serve as a Responsible Agency for this project due to the potential for direct or indirect effects to Lyon's pentachaeta from proposed development activities. We therefore urge the applicant and lead agency to coordinate with us early in the planning process to ensure that the conservation of this endangered species is adequately addressed. Please contact

Mary Meyer Plant Ecologist, at (805) 640-8019 to discuss this further

c. A complete, recent assessment of sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Recent, focused, species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and U.S. Fish and Wildlife Service.

d. Rare, threatened, and endangered species to be addressed should include all those which meet the California Environmental Quality Act (CEQA) definition (see CEQA Guidelines, Section 15380).

e. The Department's California Natural Diversity Data Base in Sacramento should be contacted at (916) 327-5960 to obtain current information on any previously reported sensitive species and habitats, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code. Also, any Significant Ecological Areas (SEAs) or Environmentally Sensitive Habitats (ESHs) or any areas that are considered sensitive by the local jurisdiction that are located in or adjacent to the project area must be addressed.

2. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. This discussion should focus on maximizing avoidance, and minimizing impacts.

a. CEQA Guidelines, Section 15125(a), direct that knowledge of the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region.

b. Project impacts should also be analyzed relative to their effects on off-site habitats and populations. Specifically, this should include nearby public lands, open space, adjacent natural habitats, and riparian ecosystems. Impacts to and maintenance of wildlife corridor/movement areas, including access to undisturbed habitat in adjacent areas, should be fully evaluated and provided. The analysis should also include a discussion of the potential for impacts resulting from such effects as increased vehicle traffic and outdoor artificial lighting.

c. A cumulative effects analysis should be developed as described under CEQA Guidelines, Section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

d. Impacts to migratory wildlife affected by the project should be fully evaluated. This can include such elements as migratory butterfly roost sites and neo-tropical bird and waterfowl stop-over and staging sites. All migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of birds and their active nests, including raptors and other migratory nongame birds as listed under the MBTA.

e. Impacts to all habitats from City or County required Fuel Modification Zones (FMZ). Areas slated as mitigation for loss of habitat shall not occur within the FMZ.

f. Proposed project activities (including disturbances to vegetation) should take place

outside of the breeding bird season (February 1- September 15) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). If project activities cannot avoid the breeding bird season, nest surveys should be conducted and active nests should be avoided and provided with a minimum buffer as determined by a biological monitor (the Department recommends a minimum 500-foot buffer for all active raptor nests).

3. A range of alternatives should be analyzed to ensure that alternatives to the proposed project are fully considered and evaluated. A range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources including wetlands/riparian habitats, alluvial scrub, coastal sage scrub, native woodlands, etc. should be included. Specific alternative locations should also be evaluated in areas with lower resource sensitivity where appropriate.

   a. Mitigation measures for project impacts to sensitive plants, animals, and habitats should emphasize evaluation and selection of alternatives which avoid or otherwise minimize project impacts. Compensation for unavoidable impacts through acquisition and protection of high quality habitat elsewhere should be addressed.

   b. The Department considers Rare Natural Communities as threatened habitats having both regional and local significance. Thus, these communities should be fully avoided and otherwise protected from project-related impacts (Attachment 2).

   c. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful.

4. A California Endangered Species Act (CESA) Permit must be obtained, if the project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the project. CESA Permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. Early consultation is encouraged, as significant modification to the proposed project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, require that the Department issue a separate CEQA document for the issuance of a CESA permit unless the project CEQA document addresses all project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA permit. For these reasons, the following information is requested:

   a. Biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit.

   b. A Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.

5. The Department opposes the elimination of watercourses and/or their channelization or conversion to subsurface drains. All wetlands and watercourses, whether intermittent, ephemeral, or perennial, must be retained and provided with substantial setbacks which preserve the riparian and aquatic habitat values and maintain their value to on-site and off-site wildlife populations.

   a. The Department requires a Streambed Alteration Agreement (SAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant prior to any direct

or indirect impact to a lake or stream bed, bank or channel or associated riparian resources. The Department's issuance of a SAA may be a project that is subject to CEQA. To facilitate our issuance of the Agreement when CEQA applies, the Department as a responsible agency under CEQA may consider the local jurisdiction's (lead agency) document for the project. To minimize additional requirements by the Department under CEQA the document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the Agreement. Early consultation is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources.

The Department suggests a pre-project or early consultation planning meeting for all projects. To make an appointment, please call Scott Harris, Wildlife Biologist, at (626) 797-3170. Thank you for this opportunity to provide comment.

Sincerely,

Morgan Wehtje

Morgan Wehtje
Environmental Scientist IV

Attachments

cc: Mr. Scott Harris
Ms Mary Meyer
Mr. Scott Morgan
HCP-Chron
Department of Fish and Game

State Clearinghouse
Sacramento

SPH:sph

STATE OF CALIFORNIA–THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, *Governor*

SANTA MONICA MOUNTAINS CONSERVANCY
RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
FAX (310) 589-3207

CITY OF AGOURA HILLS
2005 MAR 10 PM 3: 29
CITY CLERK

February 28, 2005

Ms. Joyce Parker-Bozylinski, AICP
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, California 91301

Notice of Preparation for the Agoura Village Specific Plan

Dear Ms. Parker-Bozylinski:

The Santa Monica Mountains Conservancy (Conservancy) is the principal state agency charged with planning and conservation for the Santa Monica Mountains Zone and Rim of the Valley Corridor pursuant to Division 23 of the Public Resources Code. The Conservancy offers the following comments on the Notice of Preparation (NOP) for the Agoura Village Specific Plan. The Conservancy provided similar comments in a November 24, 2003, letter on the NOP for the Agoura Village Strategic Plan. If there any inconsistencies between the previous and current letters, this current February 28, 2005 letter supersedes that November 24, 2003 letter.

The proposed Agoura Village would encompass 98 acres, 66 of which are currently vacant. Land uses proposed for those areas that are currently vacant include retail and office space and residential units. The Specific Plan includes proposed architectural and urban design standards defining the Agoura Village project, modifications to existing Zoning Code provisions, and a number of circulation improvements. Adoption of the Strategic Plan and Specific Plan will require a General Plan amendment and Zoning Code amendments.

The subject project area comprises a major gateway to the Santa Monica Mountains National Recreation Area. The rigor of environmental analysis required by the City for this specific plan, and ultimately the version of the specific plan that is approved by the City, will reflect upon whether the City has adequately protected this gateway. The subject specific plan must maximize avoidance of biological and aesthetic impacts in this sensitive portion of the Santa Monica Mountains.

Need for project modifications and project alternatives

The ecological and aesthetic resources of the site warrant at least one alternative in the Draft Environmental Impact Report (DEIR) with a substantially reduced project footprint

on the southern project boundary. The attached figure, entitled "Environmentally Sensitive Footprint," should be considered as an alternative in the DEIR. The project area south of Agoura Road, on the east and west side of Kanan Road contribute to an east-west habitat linkage across Kanan Road and it connects to 1,000-plus-acre blocks of roadless habitat (unpaved). Two blue line streams, Lindero Creek and Medea Creek and, flow through the western and central portions of the specific plan area. Lyon's pentachaeta wildflower, listed as endangered by the U.S. Fish and Wildlife Service is known to occur onsite and in the vicinity. The project area is also located near Los Angeles County Significant Ecological Area No. 6. (The DEIR should show exact location of SEA No. 6 with respect to the project.) The project site is part of the Malibu Creek watershed, known to support numerous sensitive species, including southern steelhead trout. The site also provides a significant viewshed from Kanan Road.

As described below, the proposed project and DEIR alternatives should incorporate several modifications. Specifically, the Conservancy recommends that the DEIR consider a project as shown on the attached figure, entitled "Environmentally Sensitive Footprint." The Conservancy recommends modifications in the following three portions of the project: (1) the area of Lindero Creek, west of Kanan Road, south of Agoura Road, (2) the area of Medea Creek, east of Kanan Road, south of Agoura Road, and (3) the area east of Cornell Road, south of Agoura Road.

With respect to the first area encompassing Lindero Creek, the DEIR must address the importance of the subject threatened section of Lindero Creek for wildlife in the area of Ladyface Mountain habitat area. Specifically, there is no other reliable perennial water source, to our knowledge, for wildlife in the Ladyface Mountain habitat block other than in the counter opposite end in Triunfo Creek downstream from the Westlake Dam. These wildlife include mammals, birds, and herpetofauna. The DEIR must address how the proposed project and each relevant DEIR alternative could degrade wildlife utilization of this section of the Creek. Such degradation would occur from the placement of buildings, parking lots, hardscape, non-native landscaping, lighting and drainage improvements. In contrast, we look to the City to fashion a specific plan the provides generous setbacks from the Creek as dictated by conservation biology.

The proposed project and DEIR alternatives should be modified to maintain a completely natural wildland interface in this area around Lindero Creek, as shown on the attached figure. Lindero Creek should be completely avoided, as well as the majority of the project area on the western side of Kanan Road, south of Agoura Road. Development on the west side of Kanan Road, south of Agoura Road, should be clustered and limited to those grassland and disturbed areas as shown on the attached figure. Development should not be permitted in other areas on the west side of Kanan Road, south of Agoura Road for this

project. No public policy decision can be justified which jeopardizes the value of Lindero Creek on the project site for wildlife carrying capacity within the Ladyface Mountain habitat block. This would also minimize adverse view impacts from Kanan Road.

Reductions of the project east of Kanan Road, in the vicinity of Medea Creek, should also be reflected in the proposed project and DEIR alternatives. The DEIR must address the value of the natural and channelized creek bottom in terms of its connectivity for wildlife moving northward towards and under the 101 freeway. The southern portion of the project, east of Kanan Road, provides significant views from Kanan Road. The southern portion of the project between Kanan Road and Cornell Road is known to contain sensitive archaeological resources. The Conservancy recommends that Medea Creek be avoided such that a swath of undisturbed habitat is permanently preserved along the southern project boundary, curving to the northeast, and following Medea Creek until it connects to the channelized portion of Medea Creek. Under this alternative, the development in this area of the project would be limited to those areas shown on the attached figure. This Hiking and Equestrian Center would be deleted under this alternative.
As development proceeds on other areas of the project site, we can expect the runoff to Medea Creek to increase. This increase in flow to Medea Creek may result in increased riparian habitat, thus making this described area even more important for wildlife habitat.

The third area where a project modification is warranted is the southernmost nob of the project, at the eastern end of the project. The presence of oak woodlands, the potential for sensitive species, and the adjacency to other existing open space south of the project warrants avoidance of this area. The attached figure, "Environmentally Sensitive Footprint," shows a reduced footprint, outside of which development should be prohibited.

These three main areas in which the Conservancy recommends additional avoidance should reflect the lowest intensity development in the Zoning Code and General Plan land use (e.g., Open Space).

Protection of open space on the project site

The DEIR must require in a mitigation measure that any open space areas in the proposed project, and all alternatives, be dedicated in fee title to an appropriate public entity capable of managing open space for resource protection and recreational use. The Mountains Recreation and Conservation Authority (MRCA), the Conservancy's joint powers partner, would be an appropriate entity to accept this dedication. If fuel modification is required on any public open space, easements should be provided in favor of the development entity to allow for privately funded fuel modification on public land.

The DEIR should require a Communities Facility District or sufficient funds from the developer (e.g., in the form of a non-wasting endowment), in the mitigation measures to fund long-term management and maintenance of the open space. The proposed project and every CEQA alternative must require that the funding mechanism be established prior to grading or vegetation removal. This funding would be used to cover management of the open space and Lyon's pentachaeta populations and to provide ranger patrol for any nuisance problems.

Other comments regarding biological resources

Updated rare plant surveys must be conducted during the appropriate times of year and these results should be included in the DEIR. The slopes of Ladyface Mountain support high plant diversity, and the project site likely reflects this diversity. Specifically, these surveys should survey for any potentially occurring rare plants including Lyon's pentachaeta Santa Monica Mountains dudleya, and the rare *Coreopsis* sp.

The DEIR should also analyze how changes in runoff from the site will impact on water quality within the Malibu Creek aquatic communities.

Land use impacts

The DEIR must address any inconsistencies with the City of Agoura Hills Open Space Preservation Action Plan. Part of the subject property is within Area 6–Ladyface Mountain identified in the plan.

The DEIR also must address any inconsistencies with the Santa Monica Mountains Comprehensive Plan (SMMCP). Specifically, the SMMCP identifies the eastern-most portion of the project area (south of Agoura Road) the appropriate development density as being one unit per 20-40 acres.

Cumulative impacts

The DEIR must address cumulative impacts to biological resources and aesthetic resources (e.g., view impacts from Kanan Road) from recently proposed or approved projects in the area. This analysis should include, but not be limited to, the following projects: Live Oak Ranch Project Tentative Tract No. 52419 (located south of the subject specific plan, on both sides of Kanan Road), the project currently being built on both sides of Medea Creek north of the 101 freeway, east of Kanan Road, and the Corporate Point Commercial Project Conditional Use Permit No. 98-012 (located west of the subject strategic plan, south of and adjacent to Agoura Road).

The Conservancy emphasizes that even though the subject proposed specific plan is a planning document, it is expected to result in foreseeable environmental impacts directly resulting from the plan. Therefore, this specificity we outline in this letter must be included in the specific plan DEIR, and must not be deferred to California Environmental Quality Act documents for individual projects that will be proposed later.

The Conservancy recommends a reduced project for the reasons outlines above. The primary public policy objective to be pursue in this both ecologically and visually sensitive area should be to maximize the preserves of open space, key ecological resources, and primary viewsheds. Please direct any questions and all future correspondence to Judi Tamasi of our staff at the above address and by phone at (310) 589-3200, ext. 121.

Sincerely,

Elizabeth A. Cheadle

ELIZABETH A. CHEADLE
Chairperson

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	11_CUM_PM	Intersection	KANAN RD/CORNELL RD
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE
Analysis Time Period	P.M. PEAK HOUR		
Project Description	AVSP #05014		
East/West Street:	CORNELL RD	North/South Street:	KANAN RD
Intersection Orientation:	North-South	Study Period (hrs):	1.00

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	0	668	26	127	663	0
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	0	668	26	127	663	0
Percent Heavy Vehicles	4	--	--	4	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	1	1	1	1	0
Configuration		T	R	L	T	
Upstream Signal		0			0	

Minor Street	Westbound			Eastbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	9	0	137	0	0	0
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	9	0	137	0	0	0
Percent Heavy Vehicles	4	4	4	4	0	4
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	1	0	1	0	0	0
Configuration	L		R			

Delay, Queue Length, and Level of Service

Approach	NB	SB	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		L	L		R			
v (vph)		127	9		137			
C (m) (vph)		892	101		455			
v/c		0.14	0.09		0.30			
95% queue length		0.50	0.29		1.28			
Control Delay		9.7	44.1		16.3			
LOS		A	E		C			
Approach Delay	--	--	18.0					
Approach LOS	--	--	C					

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AWD = 14.1 sec/veh LOS B

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	11_CUMPR_PM	Intersection	KANAN RD/CORNELL RD
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE+PROJECT
Analysis Time Period	P.M. PEAK HOUR		
Project Description	AVSP #05014		
East/West Street:	CORNELL RD	North/South Street:	KANAN RD
Intersection Orientation:	North-South	Study Period (hrs):	1.00

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	0	692	30	130	691	0
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	0	692	30	130	691	0
Percent Heavy Vehicles	4	--	--	4	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	1	1	1	1	0
Configuration		T	R	L	T	
Upstream Signal		0			0	

Minor Street	Westbound			Eastbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	9	0	137	0	0	0
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	9	0	137	0	0	0
Percent Heavy Vehicles	4	4	4	4	0	4
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	1	0	1	0	0	0
Configuration	L		R			

Delay, Queue Length, and Level of Service

Approach	NB	SB	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		L	L		R			
v (vph)		130	9		137			
C (m) (vph)		871	93		441			
v/c		0.15	0.10		0.31			
95% queue length		0.53	0.32		1.34			
Control Delay		9.9	47.8		16.8			
LOS		A	E		C			
Approach Delay	--	--	18.7					
Approach LOS	--	--	C					

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AWD = 14.6 sec/veh LOS B

ALL-WAY STOP CONTROL ANALYSIS

General Information		Site Information	
Analyst	12_CUM_AM	Intersection	AGOURA RD/CORNELL RD
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE
Analysis Time Period	A.M. PEAK HOUR		

Project ID AVSP #05014

East/West Street: AGOURA ROAD | North/South Street: CORNELL ROAD

Volume Adjustments and Site Characteristics

Approach	Eastbound			Westbound		
Movement	L	T	R	L	T	R
Volume	46	178	11	20	148	1
%Thrus Left Lane	50			50		

Approach	Northbound			Southbound		
Movement	L	T	R	L	T	R
Volume	24	8	41	3	7	29
%Thrus Left Lane	50			50		

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Configuration	LTR		LTR		LTR		LTR	
PHF	1.00		1.00		1.00		1.00	
Flow Rate	235		169		73		39	
% Heavy Vehicles	4		4		4		4	
No. Lanes	1		1		1		1	
Geometry Group	1		1		1		1	
Duration, T	1.00							

Saturation Headway Adjustment Worksheet

Prop. Left-Turns	0.2		0.1		0.3		0.1	
Prop. Right-Turns	0.0		0.0		0.6		0.7	
Prop. Heavy Vehicle								
hLT-adj	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2
hRT-adj	-0.6	-0.6	-0.6	-0.6	-0.6	-0.6	-0.6	-0.6
hHV-adj	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
hadj, computed	4.45		4.45		4.45		4.45	

Departure Headway and Service Time

hd, initial value	3.20		3.20		3.20		3.20	
x, initial	0.21		0.15		0.06		0.03	
hd, final value	4.45		4.45		4.45		4.45	
x, final value	0.29		0.21		0.09		0.05	
Move-up time, m	2.0		2.0		2.0		2.0	
Service Time	2.4		2.4		2.4		2.4	

Capacity and Level of Service

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Capacity	485		419		323		289	
Delay	9.26		8.74		8.17		7.81	
LOS	A		A		A		A	
Approach: Delay	9.26		8.74		8.17		7.81	
LOS	A		A		A		A	
Intersection Delay	8.83							
Intersection LOS	A							

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ALL-WAY STOP CONTROL ANALYSIS

General Information		Site Information	
Analyst	12_CUMPR_AM	Intersection	AGOURA RD/CORNELL RD
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE+PROJECT
Analysis Time Period	A.M. PEAK HOUR		

Project ID AVSP #05014

East/West Street: AGOURA ROAD | North/South Street: CORNELL ROAD

Volume Adjustments and Site Characteristics

Approach	Eastbound			Westbound		
Movement	L	T	R	L	T	R
Volume	56	235	53	36	165	13
%Thrus Left Lane	50			50		

Approach	Northbound			Southbound		
Movement	L	T	R	L	T	R
Volume	32	13	46	27	19	44
%Thrus Left Lane	50			50		

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Configuration	LTR		LTR		LTR		LTR	
PHF	1.00		1.00		1.00		1.00	
Flow Rate	344		214		91		90	
% Heavy Vehicles	4		4		4		4	
No. Lanes	1		1		1		1	
Geometry Group	1		1		1		1	
Duration, T	1.00							

Saturation Headway Adjustment Worksheet

Prop. Left-Turns	0.2		0.2		0.4		0.3	
Prop. Right-Turns	0.2		0.1		0.5		0.5	
Prop. Heavy Vehicle								
hLT-adj	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2
hRT-adj	-0.6	-0.6	-0.6	-0.6	-0.6	-0.6	-0.6	-0.6
hHV-adj	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
hadj, computed	4.69		4.69		4.69		4.69	

Departure Headway and Service Time

hd, initial value	3.20		3.20		3.20		3.20	
x, initial	0.31		0.19		0.08		0.08	
hd, final value	4.69		4.69		4.69		4.69	
x, final value	0.45		0.29		0.13		0.13	
Move-up time, m	2.0		2.0		2.0		2.0	
Service Time	2.7		2.7		2.7		2.7	

Capacity and Level of Service

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Capacity	594		464		341		340	
Delay	11.47		9.90		9.05		9.04	
LOS	B		A		A		A	
Approach: Delay	11.47		9.90		9.05		9.04	
LOS	B		A		A		A	
Intersection Delay	10.42							
Intersection LOS	B							

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ALL-WAY STOP CONTROL ANALYSIS

General Information

Analyst	12_CUM_PM
Agency/Co.	ATE - D.L.
Date Performed	5/17/2005
Analysis Time Period	P.M. PEAK HOUR

Site Information

Intersection	AGOURA RD/CORNELL RD
Jurisdiction	CITY OF AGOURA HILLS
Analysis Year	CUMULATIVE

Project ID AVSP #05014

East/West Street: AGOURA ROAD

North/South Street: CORNELL ROAD

Volume Adjustments and Site Characteristics

Approach	Eastbound			Westbound		
Movement	L	T	R	L	T	R
Volume	34	232	40	57	239	18
%Thrus Left Lane	50			50		

Approach	Northbound			Southbound		
Movement	L	T	R	L	T	R
Volume	50	12	91	3	7	21
%Thrus Left Lane	50			50		

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Configuration	LTR		LTR		LTR		LTR	
PHF	1.00		1.00		1.00		1.00	
Flow Rate	306		314		153		31	
% Heavy Vehicles	4		4		4		4	
No. Lanes	1		1		1		1	
Geometry Group	1		1		1		1	
Duration, T	1.00							

Saturation Headway Adjustment Worksheet

Prop. Left-Turns	0.1		0.2		0.3		0.1	
Prop. Right-Turns	0.1		0.1		0.6		0.7	
Prop. Heavy Vehicle								
hLT-adj	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2
hRT-adj	-0.6	-0.6	-0.6	-0.6	-0.6	-0.6	-0.6	-0.6
hHV-adj	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
hadj, computed	4.83		4.83		4.83		4.83	

Departure Headway and Service Time

hd, initial value	3.20		3.20		3.20		3.20	
x, initial	0.27		0.28		0.14		0.03	
hd, final value	4.83		4.83		4.83		4.83	
x, final value	0.41		0.43		0.22		0.05	
Move-up time, m	2.0		2.0		2.0		2.0	
Service Time	2.8		2.8		2.8		2.8	

Capacity and Level of Service

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Capacity	556		564		403		281	
Delay	11.19		11.48		9.74		8.65	
LOS	B		B		A		A	
Approach: Delay	11.19		11.48		9.74		8.65	
LOS	B		B		A		A	
Intersection Delay	10.93							
Intersection LOS	B							

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ALL-WAY STOP CONTROL ANALYSIS

General Information		Site Information	
Analyst	12_CUMPR_PM	Intersection	AGOURA RD/CORNELL RD
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE
Analysis Time Period	P.M. PEAK HOUR		

Project ID AVSP #05014

East/West Street: AGOURA ROAD | North/South Street: CORNELL ROAD

Volume Adjustments and Site Characteristics

Approach	Eastbound			Westbound		
Movement	L	T	R	L	T	R
Volume	49	293	59	67	321	37
%Thrus Left Lane	50			50		

Approach	Northbound			Southbound		
Movement	L	T	R	L	T	R
Volume	69	22	98	17	12	43
%Thrus Left Lane	50			50		

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Configuration	LTR		LTR		LTR		LTR	
PHF	1.00		1.00		1.00		1.00	
Flow Rate	401		425		189		72	
% Heavy Vehicles	4		4		4		4	
No. Lanes	1		1		1		1	
Geometry Group	1		1		1		1	
Duration, T	1.00							

Saturation Headway Adjustment Worksheet

Prop. Left-Turns	0.1		0.2		0.4		0.2	
Prop. Right-Turns	0.1		0.1		0.5		0.6	
Prop. Heavy Vehicle								
hLT-adj	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2
hRT-adj	-0.6	-0.6	-0.6	-0.6	-0.6	-0.6	-0.6	-0.6
hHV-adj	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
hadj, computed	5.43		5.43		5.43		5.43	

Departure Headway and Service Time

hd, initial value	3.20		3.20		3.20		3.20	
x, initial	0.36		0.38		0.17		0.06	
hd, final value	5.43		5.43		5.43		5.43	
x, final value	0.60		0.64		0.32		0.13	
Move-up time, m	2.0		2.0		2.0		2.0	
Service Time	3.4		3.4		3.4		3.4	

Capacity and Level of Service

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Capacity	639		641		439		322	
Delay	16.65		18.03		11.99		10.31	
LOS	C		C		B		B	
Approach: Delay	16.65		18.03		11.99		10.31	
LOS	C		C		B		B	
Intersection Delay	15.96							
Intersection LOS	C							

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ALL-WAY STOP CONTROL ANALYSIS

General Information

Analyst	13_CUM_AM
Agency/Co.	ATE - D.L.
Date Performed	5/17/2005
Analysis Time Period	A.M. PEAK HOUR

Site Information

Intersection	DRIVER AVE/CHESEBRO RD
Jurisdiction	CITY OF AGOURA HILLS
Analysis Year	CUMULATIVE

Project ID AVSP #05014

East/West Street: DRIVER AVE - PAL CAM. CYN

North/South Street: CHESEBRO RD

Volume Adjustments and Site Characteristics

Approach	Eastbound			Westbound		
Movement	L	T	R	L	T	R
Volume	10	326	10	266	166	53
%Thrus Left Lane	50			50		

Approach	Northbound			Southbound		
Movement	L	T	R	L	T	R
Volume	10	1	191	43	0	20
%Thrus Left Lane	50			50		

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Configuration	LTR		L	TR	LT	R	LTR	
PHF	1.00		1.00	1.00	1.00	1.00	1.00	
Flow Rate	346		266	219	11	191	63	
% Heavy Vehicles	4		4	4	4	4	4	
No. Lanes	1		2		2		1	
Geometry Group	4b		5		5		4b	
Duration, T	1.00							

Saturation Headway Adjustment Worksheet

Prop. Left-Turns	0.0		1.0	0.0	0.9	0.0	0.7	
Prop. Right-Turns	0.0		0.0	0.2	0.0	1.0	0.3	
Prop. Heavy Vehicle								
hLT-adj	0.2	0.2	0.5	0.5	0.5	0.5	0.2	0.2
hRT-adj	-0.6	-0.6	-0.7	-0.7	-0.7	-0.7	-0.6	-0.6
hHV-adj	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
hadj, computed	6.12		6.12	6.12	6.12	6.12	6.12	

Departure Headway and Service Time

hd, initial value	3.20		3.20	3.20	3.20	3.20	3.20	
x, initial	0.31		0.24	0.19	0.01	0.17	0.06	
hd, final value	6.12		6.12	6.12	6.12	6.12	6.12	
x, final value	0.59		0.48	0.35	0.02	0.33	0.13	
Move-up time, m	2.3		2.3		2.3		2.3	
Service Time	3.8		3.8		3.8		3.8	

Capacity and Level of Service

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Capacity	574		516	469	261	441	313	
Delay	17.46		15.07	11.65	10.29	12.04	10.98	
LOS	C		C	B	B	B	B	
Approach: Delay	17.46		13.52		11.95		10.98	
LOS	C		B		B		B	
Intersection Delay	14.33							
Intersection LOS	B							

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ALL-WAY STOP CONTROL ANALYSIS

General Information

Analyst	13_CUMPR_AM
Agency/Co.	ATE - D.L.
Date Performed	5/17/2005
Analysis Time Period	A.M. PEAK HOUR

Site Information

Intersection	DRIVER AVE/CHESEBRO RD
Jurisdiction	CITY OF AGOURA HILLS
Analysis Year	CUMULATIVE+PROJECT

Project ID AVSP #05014

East/West Street: DRIVER AVE - PAL CAM. CYN

North/South Street: CHESEBRO RD

Volume Adjustments and Site Characteristics

Approach	Eastbound			Westbound		
Movement	L	T	R	L	T	R
Volume	10	329	10	266	167	53
%Thrus Left Lane	50			50		

Approach	Northbound			Southbound		
Movement	L	T	R	L	T	R
Volume	10	1	191	43	0	20
%Thrus Left Lane	50			50		

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Configuration	LTR		L	TR	LT	R	LTR	
PHF	1.00		1.00	1.00	1.00	1.00	1.00	
Flow Rate	349		266	220	11	191	63	
% Heavy Vehicles	4		4	4	4	4	4	
No. Lanes	1		2		2		1	
Geometry Group	4b		5		5		4b	
Duration, T	1.00							

Saturation Headway Adjustment Worksheet

Prop. Left-Turns	0.0		1.0	0.0	0.9	0.0	0.7	
Prop. Right-Turns	0.0		0.0	0.2	0.0	1.0	0.3	
Prop. Heavy Vehicle								
hLT-adj	0.2	0.2	0.5	0.5	0.5	0.5	0.2	0.2
hRT-adj	-0.6	-0.6	-0.7	-0.7	-0.7	-0.7	-0.6	-0.6
hHV-adj	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
hadj, computed	6.12		6.12	6.12	6.12	6.12	6.12	

Departure Headway and Service Time

hd, initial value	3.20		3.20	3.20	3.20	3.20	3.20	
x, initial	0.31		0.24	0.20	0.01	0.17	0.06	
hd, final value	6.12		6.12	6.12	6.12	6.12	6.12	
x, final value	0.59		0.48	0.35	0.02	0.33	0.13	
Move-up time, m	2.3		2.3		2.3		2.3	
Service Time	3.8		3.8		3.8		3.8	

Capacity and Level of Service

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Capacity	573		516	470	261	441	313	
Delay	17.66		15.10	11.69	10.31	12.07	11.00	
LOS	C		C	B	B	B	B	
Approach: Delay	17.66		13.55		11.97		11.00	
LOS	C		B		B		B	
Intersection Delay	14.42							
Intersection LOS	B							

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ALL-WAY STOP CONTROL ANALYSIS

General Information		Site Information	
Analyst	13_CUM_PM	Intersection	DRIVER AVE/CHESEBRO RD
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE
Analysis Time Period	P.M. PEAK HOUR		

Project ID AVSP #05014

East/West Street: DRIVER AVE - PAL CAM. CYN | North/South Street: CHESEBRO RD

Volume Adjustments and Site Characteristics

Approach	Eastbound			Westbound		
Movement	L	T	R	L	T	R
Volume	20	238	11	200	394	34
%Thrus Left Lane	50			50		

Approach	Northbound			Southbound		
Movement	L	T	R	L	T	R
Volume	10	10	391	78	11	20
%Thrus Left Lane	50			50		

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Configuration	LTR		L	TR	LT	R	LTR	
PHF	1.00		1.00	1.00	1.00	1.00	1.00	
Flow Rate	269		200	428	20	391	109	
% Heavy Vehicles	4		4	4	4	4	4	
No. Lanes	1		2		2		1	
Geometry Group	4b		5		5		4b	
Duration, T	1.00							

Saturation Headway Adjustment Worksheet

Prop. Left-Turns	0.1		1.0	0.0	0.5	0.0	0.7	
Prop. Right-Turns	0.0		0.0	0.1	0.0	1.0	0.2	
Prop. Heavy Vehicle								
hLT-adj	0.2	0.2	0.5	0.5	0.5	0.5	0.2	0.2
hRT-adj	-0.6	-0.6	-0.7	-0.7	-0.7	-0.7	-0.6	-0.6
hHV-adj	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
hadj, computed	7.69		7.69	7.69	7.69	7.69	7.69	

Departure Headway and Service Time

hd, initial value	3.20		3.20	3.20	3.20	3.20	3.20	
x, initial	0.24		0.18	0.38	0.02	0.35	0.10	
hd, final value	7.69		7.69	7.69	7.69	7.69	7.69	
x, final value	0.57		0.43	0.85	0.04	0.75	0.26	
Move-up time, m	2.3		2.3		2.3		2.3	
Service Time	5.4		5.4		5.4		5.4	

Capacity and Level of Service

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Capacity	446		450	500	270	504	359	
Delay	20.64		16.07	44.56	10.97	29.92	14.31	
LOS	C		C	E	B	D	B	
Approach: Delay	20.64		35.49		28.99		14.31	
LOS	C		E		D		B	
Intersection Delay	29.16							
Intersection LOS	D							

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ALL-WAY STOP CONTROL ANALYSIS

General Information		Site Information	
Analyst	13_CUMPR_PM	Intersection	DRIVER AVE/CHESEBRO RD
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE+PROJECT
Analysis Time Period	P.M. PEAK HOUR		

Project ID AVSP #05014

East/West Street: DRIVER AVE - PAL CAM. CYN | North/South Street: CHESEBRO RD

Volume Adjustments and Site Characteristics

Approach	Eastbound			Westbound		
Movement	L	T	R	L	T	R
Volume	20	243	11	202	401	34
%Thrus Left Lane	50			50		

Approach	Northbound			Southbound		
Movement	L	T	R	L	T	R
Volume	10	10	392	78	11	20
%Thrus Left Lane	50			50		

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Configuration	LTR		L	TR	LT	R	LTR	
PHF	1.00		1.00	1.00	1.00	1.00	1.00	
Flow Rate	274		202	435	20	392	109	
% Heavy Vehicles	4		4	4	4	4	4	
No. Lanes	1		2		2		1	
Geometry Group	4b		5		5		4b	
Duration, T	1.00							

Saturation Headway Adjustment Worksheet

Prop. Left-Turns	0.1		1.0	0.0	0.5	0.0	0.7	
Prop. Right-Turns	0.0		0.0	0.1	0.0	1.0	0.2	
Prop. Heavy Vehicle								
hLT-adj	0.2	0.2	0.5	0.5	0.5	0.5	0.2	0.2
hRT-adj	-0.6	-0.6	-0.7	-0.7	-0.7	-0.7	-0.6	-0.6
hHV-adj	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
hadj, computed	7.73		7.73	7.73	7.73	7.73	7.73	

Departure Headway and Service Time

hd, initial value	3.20		3.20	3.20	3.20	3.20	3.20	
x, initial	0.24		0.18	0.39	0.02	0.35	0.10	
hd, final value	7.73		7.73	7.73	7.73	7.73	7.73	
x, final value	0.59		0.43	0.86	0.04	0.76	0.26	
Move-up time, m	2.3		2.3		2.3		2.3	
Service Time	5.4		5.4		5.4		5.4	

Capacity and Level of Service

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Capacity	444		452	498	270	501	359	
Delay	21.31		16.29	49.18	11.02	30.84	14.44	
LOS	C		C	E	B	D	B	
Approach: Delay	21.31		38.75		29.88		14.44	
LOS	C		E		D		B	
Intersection Delay	31.01							
Intersection LOS	D							

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	14_CUM_AM	Intersection	U.S. 101 NB/PALO COMADO CYN
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE
Analysis Time Period	A.M. PEAK HOUR		

Project Description	AVSP #05014
East/West Street: U.S. 101 WB RAMPS	North/South Street: PALO COMADO CYN
Intersection Orientation: North-South	Study Period (hrs): 1.00

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	75	179	0	0	575	125
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	75	179	0	0	575	125
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	1	0	0	1	1
Configuration	LT				T	R
Upstream Signal		0			0	

Minor Street	Westbound			Eastbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	177	0	367	0	0	0
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	177	0	367	0	0	0
Percent Heavy Vehicles	4	4	4	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	1	1	0	0	0	0
Configuration	L		TR			

Delay, Queue Length, and Level of Service

Approach	NB	SB	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT		L		TR			
v (vph)	75		177		367			
C (m) (vph)	906		257		859			
v/c	0.08		0.69		0.43			
95% queue length	0.27		5.80		2.22			
Control Delay	9.3		48.5		12.3			
LOS	A		E		B			
Approach Delay	--	--	24.1					
Approach LOS	--	--	C					

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AWD = 223 sec/veh LOS C

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	14_CUMPR_AM	Intersection	U.S. 101 NB/PALO COMADO CYN
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE+PROJECT
Analysis Time Period	A.M. PEAK HOUR		

Project Description	AVSP #05014
East/West Street: U.S. 101 WB RAMPS	North/South Street: PALO COMADO CYN
Intersection Orientation: North-South	Study Period (hrs): 1.00

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	75	180	0	0	578	125
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	75	180	0	0	578	125
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	1	0	0	1	1
Configuration	LT				T	R
Upstream Signal		0			0	

Minor Street	Westbound			Eastbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	222	0	367	0	0	0
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	222	0	367	0	0	0
Percent Heavy Vehicles	4	4	4	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	1	1	0	0	0	0
Configuration	L		TR			

Delay, Queue Length, and Level of Service

Approach	NB	SB	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT		L		TR			
v (vph)	75		222		367			
C (m) (vph)	904		255		858			
v/c	0.08		0.87		0.43			
95% queue length	0.27		11.78		2.22			
Control Delay	9.3		91.6		12.3			
LOS	A		F		B			
Approach Delay	--	--	42.2					
Approach LOS	--	--	E					

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AWD = 38.5 sec/veh LOS E

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	14_CUM_PM	Intersection	U.S. 101 NB/PALO COMADO CYN
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE
Analysis Time Period	P.M. PEAK HOUR		

Project Description	AVSP #05014
East/West Street: U.S. 101 WB RAMPS	North/South Street: PALO COMADO CYN
Intersection Orientation: North-South	Study Period (hrs): 1.00

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	250	188	0	0	535	205
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	250	188	0	0	535	205
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	1	0	0	1	1
Configuration	LT				T	R
Upstream Signal		0			0	

Minor Street	Westbound			Eastbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	211	0	467	0	0	0
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	211	0	467	0	0	0
Percent Heavy Vehicles	4	4	4	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	1	1	0	0	0	0
Configuration	L		TR			

Delay, Queue Length, and Level of Service

Approach	NB	SB	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT		L		TR			
v (vph)	250		211		467			
C (m) (vph)	876		121		849			
v/c	0.29		1.74		0.55			
95% queue length	1.19		51.18		3.60			
Control Delay	10.7		1440		14.4			
LOS	B		F		B			
Approach Delay	--	--	458.1					
Approach LOS	--	--	F					

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AWD > 50.0 sec/veh LOS F

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	14_CUMPR_PM	Intersection	U.S. 101 NB/PALO COMADO CYN
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE+PROJECT
Analysis Time Period	P.M. PEAK HOUR		

Project Description	AVSP #05014
East/West Street: U.S. 101 WB RAMPS	North/South Street: PALO COMADO CYN
Intersection Orientation: North-South	Study Period (hrs): 1.00

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	250	197	0	0	541	205
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	250	197	0	0	541	205
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	1	0	0	1	1
Configuration	LT				T	R
Upstream Signal		0			0	

Minor Street	Westbound			Eastbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	262	0	467	0	0	0
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	262	0	467	0	0	0
Percent Heavy Vehicles	4	4	4	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	1	1	0	0	0	0
Configuration	L		TR			

Delay, Queue Length, and Level of Service

Approach	NB	SB	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT		L		TR			
v (vph)	250		262		467			
C (m) (vph)	871		118		839			
v/c	0.29		2.22		0.56			
95% queue length	1.20		77.10		3.69			
Control Delay	10.8		2286		14.6			
LOS	B		F		B			
Approach Delay	--	--	831.1					
Approach LOS	--	--	F					

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ALL-WAY STOP CONTROL ANALYSIS

General Information

Analyst	15_CUM_AM
Agency/Co.	ATE - D.L.
Date Performed	5/17/2005
Analysis Time Period	A.M. PEAK HOUR

Site Information

Intersection	U.S. 101 SB RAMPS/DOROTHY DR
Jurisdiction	CITY OF AGOURA HILLS
Analysis Year	CUMULATIVE

Project ID AVSP #05014

East/West Street: U.S. 101 EB RAMPS

North/South Street: DOROTHY DRIVE

Volume Adjustments and Site Characteristics

Approach	Eastbound			Westbound		
Movement	L	T	R	L	T	R
Volume	90	60	202	20	10	40
%Thrus Left Lane	50			50		

Approach	Northbound			Southbound		
Movement	L	T	R	L	T	R
Volume	90	330	127	50	130	70
%Thrus Left Lane	50			50		

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Configuration	LTR		LTR		LTR		LT	R
PHF	1.00		1.00		1.00		1.00	1.00
Flow Rate	352		70		547		180	70
% Heavy Vehicles	4		4		4		4	0
No. Lanes	1		1		1		2	
Geometry Group	2		2		4a		5	
Duration, T	1.00							

Saturation Headway Adjustment Worksheet

Prop. Left-Turns	0.3		0.3		0.2		0.3	0.0
Prop. Right-Turns	0.6		0.6		0.2		0.0	1.0
Prop. Heavy Vehicle								
hLT-adj	0.2	0.2	0.2	0.2	0.2	0.2	0.5	0.5
hRT-adj	-0.6	-0.6	-0.6	-0.6	-0.6	-0.6	-0.7	-0.7
hHV-adj	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
hadj, computed	6.18		6.18		6.18		6.18	6.18

Departure Headway and Service Time

hd, initial value	3.20		3.20		3.20		3.20	3.20
x, initial	0.31		0.06		0.49		0.16	0.06
hd, final value	6.18		6.18		6.18		6.18	6.18
x, final value	0.60		0.14		0.89		0.35	0.12
Move-up time, m	2.0		2.0		2.0		2.3	
Service Time	4.2		4.2		4.2		4.2	

Capacity and Level of Service

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Capacity	553		320		605		430	320
Delay	18.52		11.15		49.90		13.67	9.70
LOS	C		B		E		B	A
Approach: Delay	18.52		11.15		49.90		12.56	
LOS	C		B		E		B	
Intersection Delay	30.95							
Intersection LOS	D							

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ALL-WAY STOP CONTROL ANALYSIS

General Information		Site Information	
Analyst	15_CUMPR_AM	Intersection	U.S. 101 SB RAMPS/DOROTHY DR
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE+PROJECT
Analysis Time Period	A.M. PEAK HOUR		

Project ID AVSP #05014

East/West Street: U.S. 101 EB RAMPS | North/South Street: DOROTHY DRIVE

Volume Adjustments and Site Characteristics

Approach	Eastbound			Westbound		
Movement	L	T	R	L	T	R
Volume	102	60	202	20	10	40
%Thrus Left Lane	50			50		

Approach	Northbound			Southbound		
Movement	L	T	R	L	T	R
Volume	98	334	127	50	130	70
%Thrus Left Lane	50			50		

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Configuration	LTR		LTR		LTR		LT	R
PHF	1.00		1.00		1.00		1.00	1.00
Flow Rate	364		70		559		180	70
% Heavy Vehicles	4		4		4		4	0
No. Lanes	1		1		1		2	
Geometry Group	2		2		4a		5	
Duration, T	1.00							

Saturation Headway Adjustment Worksheet

Prop. Left-Turns	0.3		0.3		0.2		0.3	0.0
Prop. Right-Turns	0.6		0.6		0.2		0.0	1.0
Prop. Heavy Vehicle								
hLT-adj	0.2	0.2	0.2	0.2	0.2	0.2	0.5	0.5
hRT-adj	-0.6	-0.6	-0.6	-0.6	-0.6	-0.6	-0.7	-0.7
hHV-adj	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
hadj, computed	6.27		6.27		6.27		6.27	6.27

Departure Headway and Service Time

hd, initial value	3.20		3.20		3.20		3.20	3.20
x, initial	0.32		0.06		0.50		0.16	0.06
hd, final value	6.27		6.27		6.27		6.27	6.27
x, final value	0.63		0.14		0.93		0.36	0.12
Move-up time, m	2.0		2.0		2.0		2.3	
Service Time	4.3		4.3		4.3		4.3	

Capacity and Level of Service

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Capacity	552		320		599		430	320
Delay	19.99		11.35		62.78		13.96	9.85
LOS	C		B		F		B	A
Approach: Delay	19.99		11.35		62.78		12.81	
LOS	C		B		F		B	
Intersection Delay	37.30							
Intersection LOS	E							

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ALL-WAY STOP CONTROL ANALYSIS

General Information

Analyst	15_CUM_PM
Agency/Co.	ATE - D.L.
Date Performed	5/17/2005
Analysis Time Period	P.M. PEAK HOUR

Site Information

Intersection	U.S. 101 SB RAMPS/DOROTHY DR
Jurisdiction	CITY OF AGOURA HILLS
Analysis Year	CUMULATIVE

Project ID AVSP #05014

East/West Street: U.S. 101 EB RAMPS

North/South Street: DOROTHY DRIVE

Volume Adjustments and Site Characteristics

Approach	Eastbound			Westbound		
Movement	L	T	R	L	T	R
Volume	100	60	116	20	70	20
%Thrus Left Lane	50			50		

Approach	Northbound			Southbound		
Movement	L	T	R	L	T	R
Volume	50	310	258	40	80	70
%Thrus Left Lane	50			50		

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Configuration	LTR		LTR		LTR		LT	R
PHF	1.00		1.00		1.00		1.00	1.00
Flow Rate	276		110		618		120	70
% Heavy Vehicles	4		4		4		4	0
No. Lanes	1		1		1		2	
Geometry Group	2		2		4a		5	
Duration, T	1.00							

Saturation Headway Adjustment Worksheet

Prop. Left-Turns	0.4		0.2		0.1		0.3	0.0
Prop. Right-Turns	0.4		0.2		0.4		0.0	1.0
Prop. Heavy Vehicle								
hLT-adj	0.2	0.2	0.2	0.2	0.2	0.2	0.5	0.5
hRT-adj	-0.6	-0.6	-0.6	-0.6	-0.6	-0.6	-0.7	-0.7
hHV-adj	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
hadj, computed	6.37		6.37		6.37		6.37	6.37

Departure Headway and Service Time

hd, initial value	3.20		3.20		3.20		3.20	3.20
x, initial	0.25		0.10		0.55		0.11	0.06
hd, final value	6.37		6.37		6.37		6.37	6.37
x, final value	0.49		0.21		0.95		0.24	0.12
Move-up time, m	2.0		2.0		2.0		2.3	
Service Time	4.4		4.4		4.4		4.4	

Capacity and Level of Service

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Capacity	526		360		648		370	320
Delay	15.40		11.82		70.56		11.93	9.62
LOS	C		B		F		B	A
Approach: Delay	15.40		11.82		70.56		11.08	
LOS	C		B		F		B	
Intersection Delay	42.93							
Intersection LOS	E							

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ALL-WAY STOP CONTROL ANALYSIS

General Information		Site Information	
Analyst	15_CUMPR_PM	Intersection	U.S. 101 SB RAMPS/DOROTHY DR
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE+PROJECT
Analysis Time Period	P.M. PEAK HOUR		

Project ID AVSP #05014

East/West Street: U.S. 101 EB RAMPS | North/South Street: DOROTHY DRIVE

Volume Adjustments and Site Characteristics

Approach	Eastbound			Westbound		
Movement	L	T	R	L	T	R
Volume	162	60	116	20	70	20
%Thrus Left Lane	50			50		

Approach	Northbound			Southbound		
Movement	L	T	R	L	T	R
Volume	68	322	258	40	80	70
%Thrus Left Lane	50			50		

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Configuration	LTR		LTR		LTR		LT	R
PHF	1.00		1.00		1.00		1.00	1.00
Flow Rate	338		110		648		120	70
% Heavy Vehicles	4		4		4		4	0
No. Lanes	1		1		1		2	
Geometry Group	2		2		4a		5	
Duration, T	1.00							

Saturation Headway Adjustment Worksheet

Prop. Left-Turns	0.5		0.2		0.1		0.3	0.0
Prop. Right-Turns	0.3		0.2		0.4		0.0	1.0
Prop. Heavy Vehicle								
hLT-adj	0.2	0.2	0.2	0.2	0.2	0.2	0.5	0.5
hRT-adj	-0.6	-0.6	-0.6	-0.6	-0.6	-0.6	-0.7	-0.7
hHV-adj	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
hadj, computed	6.58		6.58		6.58		6.58	6.58

Departure Headway and Service Time

hd, initial value	3.20		3.20		3.20		3.20	3.20
x, initial	0.30		0.10		0.58		0.11	0.06
hd, final value	6.58		6.58		6.58		6.58	6.58
x, final value	0.62		0.22		1.05		0.25	0.13
Move-up time, m	2.0		2.0		2.0		2.3	
Service Time	4.6		4.6		4.6		4.6	

Capacity and Level of Service

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Capacity	538		360		648		370	320
Delay	20.07		12.43		174.57		12.66	10.16
LOS	C		B		F		B	B
Approach: Delay	20.07		12.43		174.57		11.74	
LOS	C		B		F		B	
Intersection Delay	96.04							
Intersection LOS	F							

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AGOURA VILLAGE SPECIFIC PLAN #05014 **#15PM-CUM-MIT**

INTERSECTION CAPACITY UTILIZATION WORKSHEET

COUNT DATE: *N.A.*

TIME PERIOD: ***P.M. PEAK HOUR*** ***MITIGATED INTERSECTION***

N/S STREET: ***DOROTHY DRIVE***

E/W STREET: ***U.S. 101 SOUTHBOUND RAMPS***

CONTROL TYPE: SIGNAL

TRAFFIC VOLUME SUMMARY

VOLUMES	NORTH BOUND L	NORTH BOUND T	NORTH BOUND R	SOUTH BOUND L	SOUTH BOUND T	SOUTH BOUND R	EAST BOUND L	EAST BOUND T	EAST BOUND R	WEST BOUND L	WEST BOUND T	WEST BOUND R
(A) CUMULATIVE	50	310	258	40	80	70	100	60	116	20	70	20
(B) PROJECT	18	12	0	0	0	0	62	0	0	0	0	0

GEOMETRICS

FUTURE GEOMETRICS	NORTH BOUND	SOUTH BOUND	EAST BOUND	WEST BOUND
	LTR	LT R	LTR	LTR

TRAFFIC SCENARIOS

SCENARIO 1: CUMULATIVE (A)

SCENARIO 2: CUMULATIVE+PROJECT (A+B)

LEVEL OF SERVICE CALCULATIONS

MOVE-MENTS	# OF LANES	CAPACITY	SCENARIO VOLUMES 1	SCENARIO VOLUMES 2	SCENARIO V/C RATIOS 1	SCENARIO V/C RATIOS 2				
NBL	0	0	50	68	0.00	0.00				
NBT	1	1600	310	322	0.39 *	0.41 *				
NBR	0	0	258	258	0.00	0.00				
SBL	0	0	40	40	0.00	0.00				
SBT	1	1600	80	80	0.08 *	0.08 *				
SBR	1	1600	70	70	0.04	0.04				
EBL	0	1600	100	162	0.06	0.10 *				
EBT	1	1600	60	60	0.11 *	0.11				
EBR	0	0	116	116	0.00	0.00				
WBL	0	0	20	20	0.00	0.00				
WBT	1	1600	70	70	0.07 *	0.07 *				
WBR	0	0	20	20	0.00	0.00				
					0.05	**0.05**				
				INTERSECTION CAPACITY UTILIZATION:	**0.70**	**0.71**				
				LEVEL OF SERVICE:	**B**	**C**				

NOTES:

10/19/05

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	16_CUM_AM	Intersection	PALO COMADO CYN/CHESEBRO RD
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE
Analysis Time Period	A.M. PEAK HOUR		

Project Description	AVSP #05014
East/West Street: CHESBRO	North/South Street: PALO COMADO CYN/CHESEBRO RD
Intersection Orientation: North-South	Study Period (hrs): 1.00

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	20	89	0	0	165	360
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	20	89	0	0	165	360
Percent Heavy Vehicles	4	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	1	0	0	1	1
Configuration	LT				T	R
Upstream Signal		0			0	

Minor Street	Westbound			Eastbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	0	0	0	120	0	20
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	0	0	0	120	0	20
Percent Heavy Vehicles	4	4	4	4	0	4
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	0	0	0
Configuration					LR	

Delay, Queue Length, and Level of Service

Approach	NB	SB	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT						LR	
v (vph)	20						140	
C (m) (vph)	1032						702	
v/c	0.02						0.20	
95% queue length	0.06						0.75	
Control Delay	8.6						11.4	
LOS	A						B	
Approach Delay	--	--				11.4		
Approach LOS	--	--				B		

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AWD = 11.1 sec/veh LOS B

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	16_CUMPR_AM	Intersection	PALO COMADO CYN/CHESEBRO RD
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE+PROJECT
Analysis Time Period	A.M. PEAK HOUR		

Project Description	AVSP #05014
East/West Street: CHESBRO	North/South Street: PALO COMADO CYN/CHESEBRO RD
Intersection Orientation: North-South	Study Period (hrs): 1.00

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	24	90	0	0	205	368
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	24	90	0	0	205	368
Percent Heavy Vehicles	4	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	1	0	0	1	1
Configuration	LT				T	R
Upstream Signal		0			0	

Minor Street	Westbound			Eastbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	0	0	0	120	0	20
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	0	0	0	120	0	20
Percent Heavy Vehicles	4	4	4	4	0	4
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	0	0	0
Configuration					LR	

Delay, Queue Length, and Level of Service

Approach	NB	SB	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT						LR	
v (vph)	24						140	
C (m) (vph)	990						655	
v/c	0.02						0.21	
95% queue length	0.07						0.81	
Control Delay	8.7						12.0	
LOS	A						B	
Approach Delay	--	--				12.0		
Approach LOS	--	--				B		

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AWD = 11.5 sec/veh LOS B

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	16_CUM_PM	Intersection	PALO COMADO CYN/CHESEBRO RD
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE
Analysis Time Period	P.M. PEAK HOUR		

Project Description	AVSP #05014		
East/West Street:	CHESBRO	North/South Street:	PALO COMADO CYN/CHESEBRO RD
Intersection Orientation:	North-South	Study Period (hrs):	1.00

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	30	175	0	0	234	380
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	30	175	0	0	234	380
Percent Heavy Vehicles	4	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	1	0	0	1	1
Configuration	LT				T	R
Upstream Signal		0			0	

Minor Street	Westbound			Eastbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	0	0	0	190	0	47
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	0	0	0	190	0	47
Percent Heavy Vehicles	4	4	4	4	0	4
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	0	0	0
Configuration					LR	

Delay, Queue Length, and Level of Service

Approach	NB	SB	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT						LR	
v (vph)	30						237	
C (m) (vph)	956						570	
v/c	0.03						0.42	
95% queue length	0.10						2.11	
Control Delay	8.9						15.8	
LOS	A						C	
Approach Delay	--	--				15.8		
Approach LOS	--	--				C		

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AWD = 15.0 sec/veh LOS B

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	16_CUMPR_PM	Intersection	PALO COMADO CYN/CHESEBRO RD
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE+PROJECT
Analysis Time Period	P.M. PEAK HOUR		

Project Description: AVSP #05014

East/West Street: CHESBRO | North/South Street: PALO COMADO CYN/CHESEBRO RD

Intersection Orientation: North-South | Study Period (hrs): 1.00

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	42	184	0	0	273	398
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	42	184	0	0	273	398
Percent Heavy Vehicles	4	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	1	0	0	1	1
Configuration	LT				T	R
Upstream Signal		0			0	

Minor Street	Westbound			Eastbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	0	0	0	190	0	47
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	0	0	0	190	0	47
Percent Heavy Vehicles	4	4	4	4	0	4
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	0	0	0
Configuration					LR	

Delay, Queue Length, and Level of Service

Approach	NB	SB	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT						LR	
v (vph)	42						237	
C (m) (vph)	910						514	
v/c	0.05						0.46	
95% queue length	0.15						2.52	
Control Delay	9.1						18.0	
LOS	A						C	
Approach Delay	--	--				18.0		
Approach LOS	--	--				C		

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AWD = 16.7 sec/veh LOS C

ALL-WAY STOP CONTROL ANALYSIS

General Information		Site Information	
Analyst	17_CUM_AM	Intersection	AGOURA RD/CHESEBRO RD
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE
Analysis Time Period	A.M. PEAK HOUR		

Project ID AVSP #05014

East/West Street: AGOURA ROAD | North/South Street: CHESEBRO RD

Volume Adjustments and Site Characteristics

Approach	Eastbound			Westbound		
Movement	L	T	R	L	T	R
Volume	40	82	5	5	130	69
%Thrus Left Lane	50			50		

Approach	Northbound			Southbound		
Movement	L	T	R	L	T	R
Volume	5	5	5	55	5	144
%Thrus Left Lane	50			50		

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Configuration	LTR		LT	R	LTR		L	TR
PHF	1.00		1.00	1.00	1.00		1.00	1.00
Flow Rate	127		135	69	15		55	149
% Heavy Vehicles	4		4	4	4		4	0
No. Lanes	1		2		1		2	
Geometry Group	4b		5		4b		5	
Duration, T	1.00							

Saturation Headway Adjustment Worksheet

Prop. Left-Turns	0.3		0.0	0.0	0.3		1.0	0.0
Prop. Right-Turns	0.0		0.0	1.0	0.3		0.0	1.0
Prop. Heavy Vehicle								
hLT-adj	0.2	0.2	0.5	0.5	0.2	0.2	0.5	0.5
hRT-adj	-0.6	-0.6	-0.7	-0.7	-0.6	-0.6	-0.7	-0.7
hHV-adj	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
hadj, computed	5.41		5.41	5.41	5.41		5.41	5.41

Departure Headway and Service Time

hd, initial value	3.20		3.20	3.20	3.20		3.20	3.20
x, initial	0.11		0.12	0.06	0.01		0.05	0.13
hd, final value	5.41		5.41	5.41	5.41		5.41	5.41
x, final value	0.19		0.20	0.09	0.02		0.09	0.19
Move-up time, m	2.3		2.3		2.3		2.3	
Service Time	3.1		3.1		3.1		3.1	

Capacity and Level of Service

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Capacity	377		385	319	265		305	399
Delay	9.38		9.29	7.70	8.39		9.22	8.51
LOS	A		A	A	A		A	A
Approach: Delay	9.38		8.75		8.39		8.70	
LOS	A		A		A		A	
Intersection Delay	8.87							
Intersection LOS	A							

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ALL-WAY STOP CONTROL ANALYSIS

General Information

Analyst	17_CUMPR_AM
Agency/Co.	ATE - D.L.
Date Performed	5/17/2005
Analysis Time Period	A.M. PEAK HOUR

Site Information

Intersection	AGOURA RD/CHESEBRO RD
Jurisdiction	CITY OF AGOURA HILLS
Analysis Year	CUMULATIVE+PROJECT

Project ID AVSP #05014

East/West Street: AGOURA ROAD

North/South Street: CHESEBRO RD

Volume Adjustments and Site Characteristics

Approach	Eastbound			Westbound		
Movement	L	T	R	L	T	R
Volume	45	87	5	5	139	69
%Thrus Left Lane	50			50		

Approach	Northbound			Southbound		
Movement	L	T	R	L	T	R
Volume	5	5	5	55	5	184
%Thrus Left Lane	50			50		

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Configuration	LTR		LT	R	LTR		L	TR
PHF	1.00		1.00	1.00	1.00		1.00	1.00
Flow Rate	137		144	69	15		55	189
% Heavy Vehicles	4		4	4	4		4	0
No. Lanes	1		2		1		2	
Geometry Group	4b		5		4b		5	
Duration, T	1.00							

Saturation Headway Adjustment Worksheet

Prop. Left-Turns	0.3		0.0	0.0	0.3		1.0	0.0
Prop. Right-Turns	0.0		0.0	1.0	0.3		0.0	1.0
Prop. Heavy Vehicle								
hLT-adj	0.2	0.2	0.5	0.5	0.2	0.2	0.5	0.5
hRT-adj	-0.6	-0.6	-0.7	-0.7	-0.6	-0.6	-0.7	-0.7
hHV-adj	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
hadj, computed	5.53		5.53	5.53	5.53		5.53	5.53

Departure Headway and Service Time

hd, initial value	3.20		3.20	3.20	3.20		3.20	3.20
x, initial	0.12		0.13	0.06	0.01		0.05	0.17
hd, final value	5.53		5.53	5.53	5.53		5.53	5.53
x, final value	0.21		0.22	0.09	0.02		0.09	0.25
Move-up time, m	2.3		2.3		2.3		2.3	
Service Time	3.2		3.2		3.2		3.2	

Capacity and Level of Service

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Capacity	387		394	319	265		305	439
Delay	9.71		9.60	7.85	8.52		9.31	9.02
LOS	A		A	A	A		A	A
Approach: Delay	9.71		9.03		8.52		9.09	
LOS	A		A		A		A	
Intersection Delay	9.19							
Intersection LOS	A							

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ALL-WAY STOP CONTROL ANALYSIS

General Information		Site Information	
Analyst	17_CUM_PM	Intersection	AGOURA RD/CHESEBRO RD
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE
Analysis Time Period	P.M. PEAK HOUR		

Project ID AVSP #05014

East/West Street: AGOURA ROAD | North/South Street: CHESEBRO RD

Volume Adjustments and Site Characteristics

Approach	Eastbound			Westbound		
Movement	L	T	R	L	T	R
Volume	101	165	5	5	175	84
%Thrus Left Lane	50			50		

Approach	Northbound			Southbound		
Movement	L	T	R	L	T	R
Volume	5	5	5	112	5	180
%Thrus Left Lane	50			50		

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Configuration	LTR		LT	R	LTR		L	TR
PHF	1.00		1.00	1.00	1.00		1.00	1.00
Flow Rate	271		180	84	15		112	185
% Heavy Vehicles	4		4	4	4		4	0
No. Lanes	1		2		1		2	
Geometry Group	4b		5		4b		5	
Duration, T	1.00							

Saturation Headway Adjustment Worksheet

Prop. Left-Turns	0.4		0.0	0.0	0.3		1.0	0.0
Prop. Right-Turns	0.0		0.0	1.0	0.3		0.0	1.0
Prop. Heavy Vehicle								
hLT-adj	0.2	0.2	0.5	0.5	0.2	0.2	0.5	0.5
hRT-adj	-0.6	-0.6	-0.7	-0.7	-0.6	-0.6	-0.7	-0.7
hHV-adj	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
hadj, computed	5.85		5.85	5.85	5.85		5.85	5.85

Departure Headway and Service Time

hd, initial value	3.20		3.20	3.20	3.20		3.20	3.20
x, initial	0.24		0.16	0.07	0.01		0.10	0.16
hd, final value	5.85		5.85	5.85	5.85		5.85	5.85
x, final value	0.44		0.29	0.12	0.03		0.20	0.27
Move-up time, m	2.3		2.3		2.3		2.3	
Service Time	3.6		3.6		3.6		3.6	

Capacity and Level of Service

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Capacity	521		430	334	265		362	435
Delay	13.15		10.93	8.51	9.31		10.94	9.99
LOS	B		B	A	A		B	A
Approach: Delay	13.15		10.16		9.31		10.35	
LOS	B		B		A		B	
Intersection Delay	11.17							
Intersection LOS	B							

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ALL-WAY STOP CONTROL ANALYSIS

General Information		Site Information	
Analyst	17_CUMPR_PM	Intersection	AGOURA RD/CHESEBRO RD
Agency/Co.	ATE - D.L.	Jurisdiction	CITY OF AGOURA HILLS
Date Performed	5/17/2005	Analysis Year	CUMULATIVE+PROJECT
Analysis Time Period	P.M. PEAK HOUR		

Project ID AVSP #05014

East/West Street: AGOURA ROAD | North/South Street: CHESEBRO RD

Volume Adjustments and Site Characteristics

Approach	Eastbound			Westbound		
Movement	L	T	R	L	T	R
Volume	122	183	5	5	189	84
%Thrus Left Lane	50			50		

Approach	Northbound			Southbound		
Movement	L	T	R	L	T	R
Volume	5	5	5	112	5	219
%Thrus Left Lane	50			50		

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Configuration	LTR		LT	R	LTR		L	TR
PHF	1.00		1.00	1.00	1.00		1.00	1.00
Flow Rate	310		194	84	15		112	224
% Heavy Vehicles	4		4	4	4		4	0
No. Lanes	1		2		1		2	
Geometry Group	4b		5		4b		5	
Duration, T	1.00							

Saturation Headway Adjustment Worksheet

Prop. Left-Turns	0.4		0.0	0.0	0.3		1.0	0.0
Prop. Right-Turns	0.0		0.0	1.0	0.3		0.0	1.0
Prop. Heavy Vehicle								
hLT-adj	0.2	0.2	0.5	0.5	0.2	0.2	0.5	0.5
hRT-adj	-0.6	-0.6	-0.7	-0.7	-0.6	-0.6	-0.7	-0.7
hHV-adj	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
hadj, computed	6.02		6.02	6.02	6.02		6.02	6.02

Departure Headway and Service Time

hd, initial value	3.20		3.20	3.20	3.20		3.20	3.20
x, initial	0.28		0.17	0.07	0.01		0.10	0.20
hd, final value	6.02		6.02	6.02	6.02		6.02	6.02
x, final value	0.52		0.33	0.12	0.03		0.21	0.34
Move-up time, m	2.3		2.3		2.3		2.3	
Service Time	3.7		3.7		3.7		3.7	

Capacity and Level of Service

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Capacity	560		444	334	265		362	474
Delay	15.15		11.65	8.78	9.63		11.24	11.02
LOS	C		B	A	A		B	B
Approach: Delay	15.15		10.78		9.63		11.10	
LOS	C		B		A		B	
Intersection Delay	12.32							
Intersection LOS	B							

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Appendix G

Response to Comments on the DEIR

RESPONSES TO COMMENTS ON THE DRAFT EIR

INTRODUCTION

The letters in this section of the EIR include the public comments on the Draft Environmental Impact Report (EIR) for the proposed Agoura Village Specific Plan Project. The Draft EIR was circulated for public review on November 18, 2005. The 45-day public review period concluded on January 3, 2006.

The comment letters included herein were submitted by public agencies, citizen groups, and private citizens. Each written comment that the City received is included in this section. Responses to these comments have been prepared to address the environmental concerns raised by the commenter and to indicate where and how the EIR addresses pertinent environmental issues.

The Draft EIR and this Comments and Responses report collectively comprise the Final EIR for the Agoura Village Specific Plan Project. Any changes made to the text of the Draft EIR correcting information, data or intent, other than minor typographical corrections or minor working changes, are noted in the Final EIR as changes from the Draft EIR.

The comment letters have been numbered sequentially, and each issue within a comment letter, if more than one, has a letter assigned to it. References to the responses to comments identify first the letter number, and second, the comment letter (6A, for example). Where comments have been duplicated within a single letter, the reader is referred to the appropriate response number rather than repeat the comment and provide a duplicate answer.

COMMENTERS on the DRAFT EIR

The commenter along with the page number on which their comment letters appear are listed below. Responses to the comment letters immediately follow each letter. If a letter includes more than one comment, the individual comments are lettered (1A, for example) and the responses that follow are lettered similarly.

Commenter on the Draft EIR	**Page No.**
1. Terry Roberts, Director, Governor's Office of Planning and Research	3
2. Heather Wylie, Project Manager, US Army Corps of Engineers	6
3. Carl T. Benz, Assistant Field Supervisor, United States Department of the Interior Fish and Wildlife Services	8
4. Woody Smeck, Superintendent, United States Department of the Interior National Park Service, Santa Monica Mountains National Recreation Area	14
5. Larry L. Eng, Regional Manager, California Department of Fish and Game	22
6. Brian Wallace, Associate Regional Planner, Southern California Association of Governments	29
7. Cheryl J. Powell, IGR/CEQA Branch Chief	31
8. Eugene Talmadge, Planning Administrator, Las Virgenes Municipal Water District	36
9. Elizabeth Cheadle, Chairperson, Santa Monica Mountains Conservancy	39
10. Rossana D'Antonio, Assistant Division Engineer, County of Los Angeles Department of Public Works	55
11. Joe Decruyenaere, Staff Biologist, Los Angeles County Department of Regional Planning	58
12. Christopher Stevens, County Planning Director, County of Ventura Resource Management Agency	71
13. Nazir Lalani, Deputy Director, County of Ventura Public Works Agency Transportation Department	73
14. Alicia Stratton, Ventura County Air Pollution Control District	75
15. Colleen Holmes,President, Cornell Preservation Organization, 01/02/2006	77
16. Mary Altmann, 12/1/2005	84
17. Mary Altmann, 12/21/2005	88
18. Sharyn Hammond, 12/15/2005	93
19. Carol Hurt, 12/29/2005	95
20. Howard Littman, 01/03/2006	97
21. Kathryn McMenamin-Torres, 12/12/2005	183
22. Kathryn McMenamin-Torres, 12/29/2005	192
23. Chester T. Yabitsu, 12/1/ 2005	201
24. Chester T. Yabitsu, 12/28/ 2005	206
25. Chester T. Yabitsu, 12/29/ 2005	212
26. Chester T. Yabitsu (copy of Batta Vujicio letter), 12/30/ 2005	216
27. Chester T. Yabitsu, 12/30/ 2005	218
28. Chester T. Yabitsu, 1/03/ 2006	221
Responses to Comments Received at the December 13, 2001 Planning Commission Hearing	223

1

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Sean Walsh
Director

January 4, 2006

RECEIVED
JAN 06 2006
BY: A. Cook

Allison Cook
City of Agoura Hills
30001 Ladyface Court
P.O. Box 20250
Agoura Hills, CA 91301

Subject: Agoura Village Strategic Plan - Architectural and Urban Design Development Criteria and Supporting Amendments to the City's Zoning Ordinance
SCH#: 2003111051

Dear Allison Cook:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on January 3, 2006, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2003111051
Project Title Agoura Village Strategic Plan - Architectural and Urban Design Development Criteria and Supporting Amendments to the City's Zoning Ordinance
Lead Agency Agoura Hills, City of

Type EIR Draft EIR

Description Adoption of a Specific Plan to guide future development. Full buildout of the Specific Plan would include 235-293 multi-family residential units; up to 576,458 s.f. of new office, retail, restaurant, community center, hotel; redevelopment of existing 372,042 s.f. of office and retail with the same uses and residential.

Lead Agency Contact

Name Allison Cook
Agency City of Agoura Hills
Phone 818.597-7310 **Fax**
email
Address 30001 Ladyface Court
P.O. Box 20250
City Agoura Hills **State** CA **Zip** 91301

Project Location

County Los Angeles
City Agoura Hills
Region
Cross Streets Agoura Road between Kanan and Cornell Roads, Roadside Dr.
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways 101
Airports
Railways
Waterways Medea Creek, Lindero Canyon Creek, Palo Comado Creek
Schools
Land Use GP: SP, CG, OS-R, BP - O/R; Z: SP, SP-AV, CRS-FC-AV, OS, BP-OR-AV

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Sewer Capacity; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects

---

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 5; Department of Forestry and Fire Protection; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services; California Highway Patrol; Caltrans, District 7; Department of Health Services; Native American Heritage Commission; Santa Monica Mountains Conservancy; State Lands Commission; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 4

Date Received 11/15/2005 **Start of Review** 11/15/2005 **End of Review** 01/03/2006

Note: Blanks in data fields result from insufficient information provided by lead agency.

Letter 1

COMMENTER: Terry Roberts, Director, Governor's Office of Planning and Research, State Clearinghouse

DATE: January 4, 2006

RESPONSE:

Response 1

The State Clearinghouse acknowledges receipt of the EIR for state review and notes that it distributed the document to 14 agencies. This acknowledgement is noted. No response is necessary.

Allison Cook

From: Wylie, Heather A SPL [Heather.A.Wylie@spl01.usace.army.mil]
Sent: Thursday, December 15, 2005 7:45 PM
To: Allison Cook
Subject: USACE 404 permit

Hi Allison-

It has come to our attention that you plan to implement the new Agoura Village Specific Plan. These activities may require a U.S. Army Corps of Engineers permit if they discharge of fill material in the waters of the United States subject to Corps jurisdiction, or would entail work or structures in navigable waters.

A Corps of Engineers permit is required for the discharge of dredged or fill material into, including any redeposit of dredged material within, "waters of the United States" and adjacent wetlands pursuant to Section 404 of the Clean Water Act of 1972. Examples include, but are not limited to,

1. creating fills for residential or commercial development, placing bank protection, temporary or permanent stockpiling of excavated material, building road crossings, backfilling for utility line crossings and constructing outfall structures, dams, levees, groins, weirs, or other structures;

2. mechanized landclearing, grading which involves filling low areas or land leveling, ditching, channelizing and other excavation activities that would have the effect of destroying or degrading waters of the United States;

3. allowing runoff or overflow from a contained land or water disposal area to re-enter a water of the United States;

4. placing pilings when such placement has or would have the effect of a discharge of fill material.

You will find a permit application form and a pamphlet that describes our regulatory program on the Corps Los Angeles District webpage at www.spl.usace.army.mil/regulatory.

If you have any questions, please contact Ms. Heather Wylie at (805) 585-2140. Please refer to this letter and 200600341-HW in your reply.

Heather Wylie

Project Manager, Regulatory Branch

US Army Corps of Engineers, Ventura Field Office

2151 Alessandro Drive, Suite 110 Ventura CA 93001

heather.a.wylie@usace.army.mil

phone: (805) 585-2140

fax: (805) 585-2154

Letter 2

COMMENTER: Heather Wylie, Project Manager, United States Army Corp of Engineers

DATE: December 15, 2005

RESPONSE:

Response 2

The commenter states that activities proposed under the project may require a U.S. Army Corps of Engineers permit if they discharge fill material in the waters of the United States, subject to Corps jurisdiction, or would entail work or structures in navigable waters.

Potential permit requirements are discussed in Section 1.3, *Lead, Responsible, and Trustee Agencies*, and Section 4.3 *Biological Resources*. Note that the need for individual project permits will depend upon project specific design that all appropriate permits will need to be secured prior to implementation of individual projects within the Specific Plan area. The fact that the activities proposed under the project may require a U.S. ACOE permit is acknowledged in Section 1.3, *Introduction*, and Section 4.3, *Biological Resources*, of the EIR.

3

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003

IN REPLY REFER TO:
PAS 2497.3819.4674

RECEIVED
JAN 12 2006
BY: A. Cook

January 12, 2006

Allison Cook, Senior Planner/ Environmental Analyst
City of Agoura Hills, Planning and Community Development Department
30001 Ladyface Court
Agoura Hills, California 91301

Subject: Draft Environmental Impact Report for the Agoura Village Specific Plan, City of Agoura Hills, Los Angeles County, California

Dear Ms. Cook:

On November 18, 2005, we received the draft environmental impact report (DEIR), dated November 2005, for the proposed Agoura Village Specific Plan (Specific Plan). The Specific Plan describes a development project that has been proposed at, and within a 0.5 mile radius of, the intersection of Agoura Road and Kanan Road south of U.S. Highway 101 in the City of Agoura Hills. The area associated with the proposed project (*i.e.*, the project area) is 135 acres in size. The DEIR contains alternatives that are designed to guide future development in the project area. The preferred alternative in the DEIR proposes a mix of residential, commercial, office, and restaurant uses and would result in development of 235 to 293 residential units, up to 576,458 square feet of commercial and office space, and redevelopment of 372,042 square feet of existing office and retail space. Approximately 32 acres along the southern boundary of the project area is proposed as open space. Three federally listed species are known to occur within the project area: the endangered Lyon's pentachaeta (*Pentachaeta lyonii*), the threatened Santa Monica Mountains dudleya (*Dudleya cymosa* ssp. *marcescens*), and threatened Agoura Hills dudleya (*Dudleya cymosa* spp. *agourensis*).

Because of other workload priorities, we were not able to conduct a comprehensive review of the DEIR, and have therefore focused our review on the preferred alternative. We encourage you to consider the following recommendations to ensure that effects to listed species are adequately addressed for the proposed project and that the proper level of coordination occurs with our agency before the project is implemented.

A 1. Listed plant species have already been found and mapped in the project area. Direct impacts to those areas where listed plants have been found should be avoided, regardless of results of surveys that are proposed prior to approval of individual development applications (*e.g.*, Mitigation Measure BIO-1(a)). Lyon's pentachaeta may not occur in suitable habitat every year, so a single season of plant surveys is not sufficient to determine absence at a previously known location if the habitat still exists. We are particularly concerned about the two proposed residential

condominiums located in Zone B south of Lindero Creek. It appears the construction of these two buildings at the proposed locations would either directly destroy known Lyon's pentachaeta and Santa Monica Mountains dudleya habitat, or be located directly adjacent to the habitat and result in substantial indirect impacts which could result in the extirpation of the listed plants at that site. We recommend that the condominium buildings be built where no listed plants are known to occur.

B 2. Our interpretation of Mitigation Measure BIO-1(a) is that if avoidance of listed plants during project-related activities is not feasible, you propose to relocate listed plants in a different location, either on-site or off-site, and monitor the success of the relocation effort. Relocation of any of the three listed plant species that occur in the project area is not likely to succeed because of their specific habitat requirements. For example, attempts to relocate Lyon's pentachaeta plants, seeds, and seedlings in new locations have failed (U.S. Fish and Wildlife Service 2000). Therefore, we prefer avoidance of areas occupied by listed plant species and do not consider relocation of listed plants as an appropriate conservation measure because the likelihood of success is low.

C 3. We believe the DEIR does not adequately identify and analyze indirect impacts of the proposed project to listed plants. Indirect impacts associated with the edges of human development include increases in invasive, weedy plant species, trampling and soil compaction from human recreation, increases in seed predators, changes in hydrology, introduction of chemical pollutants that affect plants or pollinators, and changes in fire frequency (Conservation Biology Institute 2000). In order to minimize these effects, buffers between development areas and listed plant species and appropriate land management practices should be incorporated into the project design. In addition, the proposed hiking and equestrian center would likely result in equestrian use of the open space in the project area. All of the listed plant species are sensitive to trampling and could be impacted by equestrian activities.

The U.S. Fish and Wildlife Service's (Service) mission is to conserve and protect the Nation's fish and wildlife resources and their habitats. In an effort to achieve this mandate, the Service has published its Mitigation Policy (Policy) in the Federal Register on January 23, 1981, as corrected in the Federal Register on February 4, 1981. This Policy seeks to mitigate losses of fish, wildlife, and their habitats and uses thereof, from land and water developments.

The Service's responsibilities also include administering the Endangered Species Act of 1973, as amended (Act), including sections 7, 9, and 10. Section 9 of the Act prohibits the taking of any federally listed endangered or threatened species. Section 3(18) of the Act defines "take" to mean "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Service regulations (50 CFR 17.3) define "harm" to include significant habitat modification or degradation which actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering. The Service defines harassment as an intentional or negligent action that creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavior

patterns which include, but are not limited to, breeding, feeding, or sheltering. If a project is funded, authorized, or carried out by a Federal agency and the agency determines that an action may affect a listed species, the Federal agency must consult with the Service, pursuant to section 7(a)(2) of the Act. Because the proposed project may involve fill of drainages, a permit from the Army Corps of Engineers (Corps) may be required, and consultation pursuant to section 7 of the Act will be necessary if the Corps determines that the proposed project may affect federally listed species.

Thank you for the opportunity to review the DEIR, and we hope you find our comments useful. If you have questions regarding this letter, please contact Christine Hamilton in the Ventura Fish and Wildlife Office at (805) 644-1766, extension 369.

Sincerely,

Carl T. Benz
Assistant Field Supervisor
Santa Barbara/Ventura/Los Angeles

cc: Mary Meyer, California Department of Fish and Game

Literature Cited

Conservation Biology Institute. 2000. Review of potential edge effects on the San Fernando valley spineflower (Chorizanthe parryi var. fernandina). San Diego, California.

U.S. Fish and Wildlife Service. 1999. Recovery plan for six plants from the mountains surrounding the Los Angeles Basin. Portland, Oregon. 62 pp.

Letter 3

COMMENTER: Carl T. Benz, Assistant Field Supervisor, United States Department of the Interior Fish and Wildlife Services

DATE: January 12, 2006

RESPONSE:

Response 3A

The commenter notes that areas where listed plant species have already been found and mapped within the Specific Plan area should be avoided regardless of the results of future surveys. Specifically, the commenter notes concern regarding two residential units proposed in the southern portion of Zone B, south of Lindero Canyon Creek.

Based on these comments the Mitigation Measures BIO-1(a), BIO-2(b) and BIO-2(c) (pages 4.3-32 through 4.3-38) were edited to more clearly address impacts to sensitive areas south of Lindero Canyon Creek. Specifically, BIO-1(a) was edited to prohibit development within that area of Zone B, located south of Lindero Canyon Creek.

Response 3B

The commenter states that relocation, either onsite or offsite, of listed species, Santa Monica Mountains dudleya, Agoura Hills dudleya, and Lyon's pentachaeta, would not likely succeed because of their specific habitat requirements. The commenter cites a US FWS failed attempt in 2000. Therefore, the commenter notes a preference for avoidance of those areas occupied by listed plant species rather than consideration for relocation of listed plants.

This comment was addressed by further editing Mitigation Measures BIO-1(a), BIO-2(b) and BIO-2(c) (pages 4.3-32 through 4.3-38). Each measure was amended to read "avoidance shall be required unless the applicant proves that avoidance would cause undue harm for the remaining project." Further, if avoidance was shown to be infeasible and restoration or replanting was deemed necessary, then a monitoring plan for implementation shall be required to measure the success of restoration. The required level of success, at a minimum, shall be defined as a demonstration of three consecutive years of growth of a population equal to or greater than that which would be lost due to the project (double that which would be lost for Southern Arroyo Willow Riparian Forest).

Response 3C

The commenter states his opinion that the DEIR does not adequately identify and analyze indirect impacts of the proposed project to listed plants. In order to minimize these effects, the commenter recommends buffers be required between development areas and listed plant species and appropriate land management practices be incorporated into the project design.

This comment is noted; however, the EIR and Specific Plan both include measures which require buffers between biological resources and proposed development. The Specific Plan

includes a policy which requires a 50-100 foot buffer (depending on habitat value) from the outside edge of a riparian zone (page 46). The EIR requires a minimum 50-100 foot buffer of native vegetation be maintained between urban development and adjacent sensitive native habitats (BIO-2(a)). Text has also been added to BIO-2(a) stating that equestrian trails shall be located no less than 10 – 20 (preferred) feet from the edge of the exterior riparian canopy.

Response 3D

The commenter feels that because the proposed project may involve fill of drainages, a permit from the U.S. Army Corps of Engineers will be necessary, as well as consultation pursuant to section 7 of the Endangered Species Act. Potential permit requirements are discussed in Section 1.3, Lead, Responsible, and Trustee Agencies, and Section 4.3 Biological Resources.

4

United States Department of the Interior

NATIONAL PARK SERVICE
Santa Monica Mountains National Recreation Area
401 West Hillcrest Drive
Thousand Oaks, California 91360-4207

In reply refer to:
L76

RECEIVED
JAN 19 2006
BY: A. Cook

January 19, 2006

Allison Cook, Senior Planner/Environmental Analyst
City of Agoura Hills
Planning and Community Development Department
30001 Ladyface Court
Agoura Hills, CA 91301

Dear Ms. Cook:

The National Park Service has reviewed the draft Environmental Impact Report (DEIR) for the proposed Agoura Village Specific Plan. The proposed specific plan would guide the long-range development of a 135-acre area located in the vicinity of the intersection of Agoura and Kanan Roads. The plan provides the framework for a mixed use Village that would include up to 575,958 square feet of new office, commercial, and residential development, along with redevelopment of the existing 372,042 square feet of office and retail space.

The National Park Service appreciates the opportunity to participate in the public review process for the Agoura Hills Specific Plan. We provide comments on the effects of private and public land development in the Santa Monica Mountains at the invitation of state and local units of government with authority to prevent or minimize adverse uses. We respect local agencies' mandate to prepare long-range plans that provide for community development in a manner consistent with federal, state, and local laws. In providing comments, we assume a neutral position and do not support or oppose land development. To this end, we offer the following comments on the DEIR. Overall, prior to certifying the DEIR we recommend modifying the zoning of the Preferred Alternative to further protect open space values, examining impacts to biological resources overlooked in the DEIR, and incorporating a recreational trail connection from the Village to the greater trail network throughout the Santa Monica Mountains.

Alternatives

We recommend the Preferred Alternative be modified to increase open space zoning as featured in Alternative 2, while also including some of the reduced density featured in Alternative 3. The additional open space and selected reduced density would protect natural, cultural, scenic, and recreational resources. The Preferred Alternative consists of Zones A through G, with each Zone featuring different levels of development. We find the Preferred Alternative should expand Zone G, the open space zone, to include the portion of Zone E

A

between the existing westerly residence and Cornell Road, the westernmost portion of Zone B featuring the blue-line stream, and all of Zone F. The proposed development square footage for Zone E should also be reduced in proportion to the amount of area transferred to Zone G.

The northwestern area covered by Zone E, bounded by Agoura and Cornell Roads, demarcates the boundary between the existing commercial development along Agoura Road and the greater open space to the south. The subject area features a moderately steep knoll graduating into very steep slopes to the ridge south of the specific plan area. We wish to note Figure 2-5, the Specific Plan Map, illustrates a large cleared area in the southwest, higher elevation area, of Zone E. It is unclear what conceptual development would occur on the cleared area. The open space at the corner provides visual relief for visitors to the area, in part contributing to the setting of Agoura Hills among larger open space. The proposed 0.30 FAR has the potential to cause negative visual impacts from either mass grading to accommodate development, or from an obtrusively tall building in higher elevations of the Zone E. Owing to the higher elevation of this part of Zone E, inappropriately tall or bulky development has the potential to cause negative visual impacts from the Ventura Freeway, as well as from areas immediately surrounding the corner. Additionally, the value of this part of Zone E as a recreational resource will be addressed later in this letter.

B

We recommend the area covered by Zone F and the blue-line stream habitat in the westernmost part of Zone B remain a part of the specific plan if it is incorporated into the adjacent Zone G open space. We concur with the DEIR's biological resource findings for Zones B and F in Alternative 2: Removing these areas from the specific plan would reduce encroachment upon the large oak trees that provide valuable natural habitat as well as give pleasurable visual character to this stretch of Agoura Road. Additionally, removing these areas would protect the stream-based aquatic resources and the use of the area by wildlife seeking water and cover.

We suggest the DEIR be revised to describe a program of "transferable development rights" to provide financial resources for the landowners in the areas that would be incorporated into Zone G open space.

C

Biological Resources

We appreciate the DEIR's attention to the several sensitive plant and animal species located within the specific plan area. We are glad to see the land surrounding the southwestern portion of Cornell Road has been incorporated into Zone G. Owing to the variety of wildflowers and sensitive species found here, the location is listed with the Theodore Payne Foundation as a site to view wildflowers. The site is also scientifically recognized as the type location for *Dudleya agourensis*.

The DEIR, however, should consider the project's indirect impacts to a population of a globally rare soil lichen, *Texosporium sancti-jacobi* (Tuck). The lichen occurs along the ridgeline above Cornell Corners (Knudsen 2004). The species is found in less than ten extremely small and localized populations in western North America. Commonly known as

D

woven-spore lichen, the species is special among spore-producing organisms because of the specialized developmental features of its spores. It is an ecologically significant indicator of well-developed biological soil crust, and its distribution and biology conforms to an unusual type of rarity described by Rabinowitz et al. (1986): a wide, but disjunct distribution, specialized habitat requirements, and a small population size. This lichen is listed as a Species of Special Concern by California Department of Fish and Game; as critically endangered, globally, by the International Association of Lichenologists; and is proposed for rare status by the California Lichen Society. As one of the handful of known locations of this species in North America, this site should be protected from activities that will disrupt its habitat values. The DEIR, thus, should evaluate the proposed project's potential to cause negative impacts to this population from deposition of dust and reduced air quality during construction or subsequent land use at the Village.

Recreational Resources

The specific plan includes the existing recreational trail from the Old Agoura Equestrian Park to the corner of Agoura and Cornell Roads. The specific plan also proposes a hiking/equestrian center in Zone G located between Kanan and Cornell Roads. Agoura Hills is a gateway city into Santa Monica Mountains National Recreation Area and is situated between parkland to the north and south. Indeed, the long-envisioned regional trail connection between the Simi Hills parkland and the Santa Monica Mountains runs through the proposed specific plan area. City staff took time last June to visit the area with National Park Service staff and discuss recreational trail needs. During the public scoping period last September, the city provided comments on conceptual Trail Policy Maps for the forthcoming draft EIS/EIR for the Santa Monica Mountains National Recreation Area Interagency Trail Management Plan (TMP). We thank the city for communicating with the National Park Service about trails through the specific plan area. To continue our interagency discourse, we have comments on the alignment of the recreational trail and on the proposed hiking/equestrian center.

We appreciate that the DEIR places value on connecting the Village to the greater trail network. The trail as described in the DEIR, however, terminates at paved roads, leaving it unclear how trail users would access the hiking/equestrian center, and how the hiking/equestrian center would serve trail users arriving from the south. We recommend the DEIR be revised to illustrate more clearly the trail route through the Village area to the hiking/equestrian center. The city's comments from the TMP scoping period last September correctly note the draft alignment for the conceptual Simi-to-the-Sea Trail (also known as the Zuma Ridge Trail) as running through the westerly portion of Zone E, just east of Cornell Road. The city suggested an alternate connection to the south of the specific plan area in the vicinity of Medea Creek that would work its way east to the current proposed alignment. We understand the consistency of this option with the proposed zoning of the specific plan. In response, the TMP Trail Maps will illustrate a second priority alignment for the trail as recommended in the comment letter, should the proposed development occur on Zone E. The route will be aligned to connect with the proposed hiking/equestrian center. However, we

E

prefer to keep the TMP's proposed alignment as first priority to indicate the most ideal location for the trail for a number of reasons.

- Trail construction and alignment constraints: The steep rock face on the east side of Cornell Road and sensitive plant species make trail construction nearly impossible along much of the east side of Cornell Road. By continuing the trail from the existing terminus, across Agoura Road, and up the gentler slope in the western end of Zone E, these constraints would be avoided. The need to cross Cornell Road would also be eliminated.
- Trail management constraints along Medea Creek: Ideally, the quickest connection between the specific plan area and Paramount Ranch would be a trail along Medea Creek. However, private ownership along the creek with concomitant privacy concerns would make it difficult to secure public trail right-of-way along the creek. Additionally, flooding would make trail maintenance expensive, unless the trail were routed high enough above the flood plain. The current alignment on TMP trail policy maps avoids aligning the trail along the creek for these reasons.
- Inherent trail access patterns: General patterns in recreational trail use indicate people tend to find a way to access open space, whether along sanctioned trails or through the creation of "social," or unauthorized trails. The residents of the Village would seek the easiest access to open space, whether for daily dog-walking needs or for a respite from the bustle of the Village. The quickest route would be across Zone E to the existing "social" trail up to the southerly ridgeline. Unless development in Zone E completely blocks access, people would likely find a way up the slope. However, it is also possible people would welcome the hiking/equestrian center as a point of access to trails if the trail network through the proposed hiking/equestrian center location is in place. Overall, it would be important to plan trail access for the general public, but also for the residents of the Village. The trail alignment in the TMP would be convenient for both residents and the general public.

We support the specific plan's proposed hiking/equestrian center. It could serve as a trailhead to the greater trail network as well as an informational and interpretive center for visitors to the national recreation area. However, the proposed location for the center does not appear to connect to trails to the south. Good trail connections to the south are necessary, or the center would be under-utilized. An alternative location for such a trailhead and facility might be in Zone E at the corner of Cornell and Agoura Roads. The location would provide safe trail access, as well as access to Village restaurants and other amenities. As mentioned earlier, a transferable development rights component in the specific plan could provide financial resources for the hiking/equestrian center, trail right-of-way acquisition, and trail construction.

Corrections to the DEIR include the following.

F

- Page 4.10-6: We suggest the following language for the paragraph beginning with "Other recreational facilities...."

Other recreational facilities located within close proximity to the City include public parkland in the Santa Monica Mountains National Recreation Area: National Park Service-owned Paramount Ranch, Peter Strauss Ranch, Cheeseboro Canyon, and state-owned Malibu Creek State Park; parks within the Conejo Valley Recreation and Park District; and parks in the Oak Park area including Chaparral, China Flat..."

G

- Page 4.10-7: The DEIR references the Santa Monica Mountains National Recreation Area as providing both active and passive recreational opportunities. We recommend the statement be revised to state that the national recreation area provides park resource-based recreation and education opportunities. The mission statement for the National Park Service dictates that park management first protect park resources, and then provide for the enjoyment thereof. While we exercise discretion over the level of active or passive recreation, such as the Great Race of Agoura or birdwatching programs, the overarching principle is that the recreational use should not impact park resources.

Thank you for the opportunity to comment. We would be glad to meet with the city to discuss recreational trail planning for the specific plan. If you have questions, please call Ray Sauvajot at (805)370-2339.

Sincerely,

for Woody Smeck
Superintendent

cc: Joe Edmiston, Executive Director, Santa Monica Mountains Conservancy
Ron Schafer, Superintendent, Angeles District, State Department of Parks and Recreation
Dan Preece, District Manager, Resource Conservation District of the Santa Monica Mountains

Letter 4

COMMENTER: Woody Smeck, Superintendent United States Department of the Interior National Park Services

DATE: January 19, 2006

RESPONSE:

Response 4A

The commenter recommends the Preferred Alternative be modified to increase open space zoning as featured in Alternative 2, while also including some of the reduced density featured in Alternative 3. The commenter goes on to note that the Preferred Alternative consists of Zones A through G with each Zone featuring different levels of development and recommends the expansion of Zone G to include portion of Zone E and B, near Agoura Road, and all of Zone F.

This comment is noted; however, it is unclear which alternative the commenter is referring to as the Preferred Alternative. The EIR identifies the Reduced Build out Density (Without Residential Development) alternative as the environmentally superior alternative. However, this alternative already meets 2 of the 3 requests recommended by the commenter. The Reduced Build out Density (Without Residential Development) alternative (Alternative 5) has roughly 32 acres more open space than Alternative 2 and has a build out density of 141,300 sf less than Alternative 3. Additionally, Alternative 3 includes 293 residential units while Alternative 5 (the Preferred Alternative) includes no residential uses. With regard to the commenter's third point, although Alternative 5 does not include those areas in Zones E and B, near Agoura Road, the alternative does include 32 acres which includes known occurrences of listed species, Santa Monica Mountains dudleya and Lyon's pentachaeta. In reference to Zone E, previous studies and aerial photography have identified this as having been previously disced and disturbed. However, the area directly south of Zone E is known to contain Agoura Hills dudleya and, therefore, was included in Zone G, to be preserved as open space. It appears that the EIR's environmentally superior alternative (Alternative 5) meets the commenter's recommendations.

Response 4B

The commenter notes concern regarding negative visual impacts from either mass grading or development near Agoura Road, specifically in Zone E.

As discussed in Section 4.1, *Aesthetics,* buildings up to 45 feet in height may be developed south of Agoura Road. The 45 foot height refers to buildings along the street frontage. Buildings further up on the hill would be limited to 35 feet. Specifically, Impact AES-1 addresses the commenter's concern and notes that "development of Zone E, which is at a higher elevation than the areas lying between Agoura Road and the freeway an, consequently, is visible from U.S. 101, would alter the landscape of the foothills due to the construction of buildings up to 45 ft in height. Construction of these buildings would require site grading and topographical changes that would likely require the use of retaining wall and removal of oak trees.

Development of Zone E could result in an adverse change to views of the foothills from the U.S. 101; this is considered to be a potentially significant impact." Mitigation measure AES-3 minimizes grading on this knoll. As the EIR adequately addresses the commenter's concerns, no further analysis is necessary.

Response 4C

The commenter suggests that the EIR describe a program of "transferable development rights" to provide financial resources for the landowners in the areas that would be incorporated into Zone G, open space, as recommended by the commenter..

While it is acknowleged that a transferable development rights (TDR) program may be an option to compensate landowners in Zone G, it is beyond the scope of this EIR to develop or to speculate on the provisions of such a program. Further, it is noted that the EIR did not identify an environmental nexus for requiring development and implementation of a TDR or similar compensation program. This comment is noted and will be brought to the attention of the Planning Commission.

Response 4D

The commenter notes concern regarding indirect impacts to a population of globally rare soil lichen, *Texosporium sancti-jacobi* (Tuck). The commenter notes that the lichen occurs along the ridgeline above Cornell Corners (historically the corner of Cornell Road and Agoura Road) and is found in less than ten extremely small and localized populations in western North America. The lichen is listed as a Species of Special Concern by California Department of Fish and Game; as critically endangered, globally, by the International Association of Lichenologists; and in proposed for rare status by the California Lichen Society. As one of the handful of known locations of this species in North America, the commenter suggests the EIR evaluate the proposed project's potential to cause negative impacts to this population from deposition of dust and reduced air quality during construction.

The precise location of this lichen population based on this description is unclear, but assuming that it is the first of several ridgelines to the south of the project, the lichen population would be approximately 300 feet from the edge of the nearest grading activity. The primary concern to lichen survivorship would be fallout of relatively large particle (greater than 30 microns [μm] in diameter) fugitive dust during construction, as compared to respirable particulates (less than 10 μm). Fugitive dust generation was discussed in Section 4.2 Air Quality of the Draft EIR. Large particle dust (greater than 100 μm) settles out within 20 to 30 feet from the point of emission at a typical mean wind speed of 10 mph, while particles that are 30 to 100 μm in diameter undergo impeded settling. Nonetheless, these particles are still likely to settle within a few hundred feet from the source (EPA AP-42, *Compilation Of Air Pollutant Emission Factors*, Section 13.2). In addition, project-related dust would need to drift upwards 100-200 vertical feet in order to rise to the same elevation as the lichens. This would require unusual air circulation and substantial wind speeds. Therefore, it is unlikely that substantial amounts of dust from the construction activity would reach the lichens or affect their health. Please also note that mitigation measure AQ-1a provides actions to minimize the production of fugitive dust and its transport, and thereby minimize the potential for impacts to these lichens.

Response 4E

The commenter recommends that the EIR be revised to illustrate more clearly the NPS proposed equestrian trail route through the Village area to the hiking/equestrian center and south to the Santa Monica Mountains.

Page 3-32 of the Specific Plan states that "New development shall plan for, facilitate, and improve pedestrian access trails in accordance with California State Parks trail construction guidelines along the following creeks: Medea Creek: concurrent with further development south of Agoura Road, a public trail and restoration landscaping shall be designed and installed. A study to restore Medea Creek north of Agoura Road to a naturalized creek environment and the feasibility of establishing a bike/pedestrian trail between the Village along Medea Creek, under Highway 101 to the north side, adjacent to Canwood Street, shall be undertaken."

CEQA states that "lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR." The EIR has examined the physical effects of the known trail and equestrian elements of the Specific Plan and described the additional planning that is proposed as part of the Plan. It is premature at this time and would be speculative for the EIR to examine all possible trail alignments that may be a result of future examination within the planning area. Such examination is not required as part of a program EIR.

Response 4F

The commenter recommends a correction on page 4.10-6. This correction was made as follows:

"Other recreational facilities located within close proximity to the City include public parkland in the Santa Monica Mountains National Recreation Area; National Park Service-owned Paramount Ranch, Peter Strauss Ranch, Cheseboro Canyon; and state-owned Malibu Creek State Park; parks within the Conejo Valley Recreation and Park District; and parks within the Oak Park area including Chaparral, China Flat Trail head, Eagle View, Mae Boyer, Oak Canyon Community, and Valley View Neighborhood Park."

Response 4G

The commenter recommends a revision to page 4.10-7. The revision was made as follows:

"Also, the presence of the Santa Monica Mountains National Recreation Area just south and east of the City provides year-round park resource-based recreation and education opportunities."

5

State of California – The Resources Agency

ARNOLD SCHWARZENEGGER, *Governor*

DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
South Coast Region
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San Diego, CA 92123
(858) 467-4201

RECEIVED
JAN 03 2006
BY: A. Cook

December 30, 2005

Ms. Allison Cook
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

Draft Environmental Impact Report for
Agoura Village Specific Plan
SCH # 2003111051, Los Angeles County

Dear Ms. Cook:

The Department of Fish and Game (Department) has reviewed the Draft Environmental Impact Report (DEIR) for the above referenced project relative to impacts to biological resources. The project involves adoption of a Specific Plan to guide future development. Future development plans include 235-293 multi-family residential units; up to 576,458 square feet of new office, retail, restaurant, community center, and hotel uses, and redevelopment of existing office and retail with the same uses. The 135-acre project is located on Agoura Road between Kanan and Cornell Roads, proceeding north to Roadside Drive and South to existing open space in the Santa Monica Mountains. The project site supports Medea and Lindero Creeks and associated freshwater marsh and willow scrub riparian vegetation, valley needlegrass, coastal sage scrub, and oak trees.

The following comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (CEQA Section 15386) and pursuant to our authority as a Responsible Agency under the California Environmental Quality Act (CEQA), Section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code Section 2050 et esq.) and Fish and Game Code Section 1600 et seq.:

IMPACTS TO BIOLOGICAL RESOURCES

A

1. Alternative Analysis – The Alternatives section starting on page ES-1 of the Executive Summary discusses five alternatives to the Specific Plan, each alternative is followed by an analysis and feasibility conclusion. The No Project Alternative was chosen as the environmentally superior choice.

   The DEIR fails to specifically identify feasible alternatives which would avoid or substantially lessen any of the significant effects of the project (CEQA Guidelines 15126.6 (a), (c)). According to the Alternatives analysis only two alternatives were considered feasible. The two alternatives deemed feasible maximize environmental impacts. The No Project alternative and the Reduced Buildout Density Without

Residential Development alternative were identified as avoiding/reducing biological impacts but were deemed by the Lead Agency as being infeasible. The Reduced Buildout Density alternative appears to reduce biological impacts somewhat but not to a substantial level as the DEIR concluded that "This alternative would not have a substantial improvement in environmental impacts over those of the proposed project."

If the environmentally superior alternative is the "no project" alternative, the Department recommends that the EIR should also identify an environmentally superior alternative among the other alternatives proposed in the DEIR (CEQA Guidelines 15126.6(e)(2)). The alternatives in the DEIR do not appear to satisfy this requirement under CEQA. Additional alternatives which will substantially avoid significant effects to riparian resources, special status species and sensitive vegetative communities should be proposed in the DEIR.

B

2. Surveys for Special Status Species – The DEIR states that surveys for special status species which were identified as being observed on site or to potentially occur on site shall be performed not more than two weeks prior to ground disturbing construction activities so that these species may be removed to avoid take.

It is not clear from the DEIR if the project site provides habitat for western pond turtle (WPT), a California Species of Special Concern. Medea Creek, down stream from the project site, supports appropriate habitat for WPT, so the Department recommends that surveys for WPT be conducted within appropriate habitat on the site. Because WPT is easily missed using visual survey methods alone the Department recommends live trapping as the preferred detection method. Habitat assessment and trapping should be conducted only by a biologist with ample experience with this species. WPT was documented within a five-mile radius of the project site above Lake Lindero Country Club within Lindero Creek in 2004 following live trapping as required by the Department within a Streambed Alteration Agreement Condition for the construction of an elementary school. Because WPT requires upland habitat adjacent to their aquatic habitat to escape flooding and to deposit eggs for reproduction, impacts to WPT on the project site would be considered significant under CEQA and would require additional avoidance and mitigation measure considerations to assure for preservation of aquatic and upland habitat.

C

3. Native Nesting Birds - The DEIR states that nesting birds surveys shall commence after March 15 if disturbances to vegetation or other project activities will occur after this period. Conducting project activities prior to March 15 without conducting nesting bird surveys may impact early nesting raptors which may start nesting in early February. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918(50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).

Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 and as early as February 1 for raptors. This provision will help to avoid take, including disturbances which would cause abandonment of active nests containing eggs and/or young.

If project activities cannot feasibly avoid the breeding bird season, the Department recommends that beginning thirty days prior to the disturbance of suitable nesting habitat the project proponent should arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors). The surveys should be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys should continue on a weekly basis with the last survey being conducted no more than three days prior to the initiation of clearance/construction work. If a protected native bird is found, the project proponent should delay all clearance/ construction disturbance activities in suitable nesting habitat or within 300 feet of nesting habitat (within 500 feet for raptor nesting habitat) until August 31 or continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting.

Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing. Construction personnel should be instructed on the sensitivity of the area. The project proponent should record the results of the recommended protective measures described above to document compliance with applicable State and federal laws pertaining to the protection of native birds.

D

4. Impacts to Riparian Resources – The DEIR states that impacts to drainages under Department jurisdiction would require a streambed alteration agreement to address project related impacts on riparian resources.

The Department concurs that the project proponent shall apply for a Streambed Alteration Agreement to facilitate consultation with the Department regarding impacts to Department jurisdictional drainages. The Department requires a Streambed Alteration Agreement (SAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant prior to any direct or indirect impact to a lake or stream bed, bank or channel or associated riparian resources. The Department recommends a minimum natural buffer of 100 feet from the outside edge of the riparian zone on each side of a drainage. Early consultation is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. Buffers should be separate from areas intended for either fuel load modification or floodway maintenance.

Over the past several years the Department has observed an ongoing water pollution problem in the form of trash materials being deposited within Medea Creek south of the concrete lined channel near the 101 freeway and continuing downstream past the Kanan/Cornell Road intersection. These materials appear to originate from upstream suburban sources and roadside dumping. The proposed project is likely to further exacerbate this problem which should be considered a cumulative adverse impact under CEQA. The Department recommends mitigation for project impacts to include measures which will identify specific sources of pollution into Medea and Lindero Creeks and measures including but not limited to installation of trash racks, periodic cleanups within the creeks, and increased surveillance and enforcement of existing water pollution laws.

The Department recommends that the above concerns are addressed prior to lead agency approval of the proposed project.

Thank you for this opportunity to provide comment. Questions regarding this letter and further coordination on these issues should be directed to Mr. Scott Harris, Associate Wildlife Biologist, at (626) 797-3170.

Sincerely,

Larry L. Eng, Ph.D.
Regional Manager

Ms. Morgan Wehtje, Camarillo
Mr. Scott Harris, Pasadena
Mr. Ronnie Glick, Thousand Oaks
Mr. Maurice Cardenas, Ojai
RM-Chron; HCP-Chron
Department of Fish and Game

State Clearinghouse, Sacramento

Letter 5

COMMENTER: Larry L. Eng, Regional Manager, California Department of Fish and Game

DATE: December 30, 2005

RESPONSE:

Response 5A

The commenter notes his opinion that the DEIR fails to specifically identify a feasible alternative which would avoid or substantially lessen any of the significant effects of the project, pursuant to CEQA guidelines 15126.6 (a), (c). Section 15126.6 (a) states that "an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives."

As stated on page 6-36 of the EIR, the Reduced Build-out Density (Without Residential Development) was chosen as the environmentally superior alternative. However, as provided on page 6-36 of the EIR, the Reduced Build out Density (Without Residential Development) was chosen as the environmentally superior alternative. As discussed, this alternative "has less impact than the proposed project for a number of reasons. This alternative would avoid the introduction of residential uses and would reduce the amount of traffic moving through the Specific Plan area. This would eliminate one Class I impact associated with roadway and intersection traffic. The reduction in traffic would further reduce air quality and noise related impacts within the area. Additionally, this alternative would incrementally reduce impacts relating to biological resources and public services." However, this alternative was deemed "infeasible" since its lack of residential use fails to meet the basic goal of a "Mixed Use Village."

In light of the commenter's notes, clarification was made regarding the use of the term "feasible" in Section 6.0, *Alternatives*. This section outlines several alternatives that would attain "most" of the basic objectives of the project. In the DEIR these alternatives were labeled as infeasible, meaning they did not meet the primary project objectives. As these are reasonable and implementable alternatives that would reduce some of the environmental impacts of the project, the EIR was edited to state that an alternative would not meet the primary project objectives rather than that it is infeasible. Thus, the following pages were edited to more clearly state this aspect of each alternative: page 6-30, 6-35, and 6-36. As the EIR has adequately discussed reasonable alternatives which would avoid or substantially lessen significant effects of the project, but would attain most of the basic objectives of the project, no further analysis is necessary. It is further noted that with the implementation of mitigation measures included in the EIR, the proposed project's impacts to biological resources can be substantially reduced.

Response 5B

The commenter states that it is not clear whether the project site provides habitat for western pond turtle (WPT), a California Species of Special Concern. The commenter recommends that surveys for WPT be conducted onsite.

Previous investigations at the project site include general biological field surveys performed for the Creekside EIR (for Zone B and Lindero Canyon Creek) in 1992, 1993, and 1996 by Fugro, and a survey performed in Zone A south in July of 2003 by a Rincon Consultants biologist familiar with WPT. Although focused surveys for the WPT have not been performed on the site, their presence was not detected from 1992 to 2005. The isolated and degraded nature of the habitat within Medea Creek most likely precludes WPT from the project site. Potential WPT habitat was noted within Lindero Canyon Creek in the Creekside EIR. However, reaches immediate upstream of both Medea Creek and Lindero Canyon Creek are concrete-lined and noted for containing large amounts of debris and litter. Thus, current water quality within the project site is not anticipated to be conducive to WPT. In addition, the proposed Specific Plan (page 4-46) calls for substantial setbacks from the creeks and most of the creeks and adjacent habitat suitable for WPT nesting are located within Zone G, which is designated for open space uses. For these reasons, it is the City's opinion that the WPT is unlikely to inhabit the project site and, if it did, its habitat is already being protected under the Specific Plan. Therefore, further investigation for WPT on the project site is not warranted to satisfy CEQA's environmental review requirements.

Response 5C

The commenter notes that the removal of vegetation associated with the proposed project could indirectly disturb nesting bird species and suggests further measures to minimize disturbance to birds.

Potential impacts to raptors are discussed in Section 4.3, *Biological Resources*, under Impact BIO-1. Mitigation Measure BIO-1(c) includes stipulations that if vegetation clearing (including tree pruning and removal) or other project construction is conducted during the raptor nesting season, a site survey for active nests shall be conducted prior to this scheduled activity. In response to this comment, this measure will be revised to read as follows:

BIO-1(c) **Bird Nesting Surveys.** If vegetation clearing (including tree pruning and removal) or other project construction is to be initiated during the bird breeding season (February 1 through August 31), pre-construction/grading surveys shall be conducted by a qualified ornithologist (a person with a biology degree and/or established skills in bird recognition). Surveys shall begin 30 days prior to initial disturbance activities and shall continue weekly, with the last survey being conducted no more than three days prior to the initiation of clearance/construction work. If special status bird species are observed nesting within 500 feet of construction/grading areas, all construction or grading activities will be postponed or halted at the discretion of the biologist until the nest is vacated and the juveniles have fledged or when there is no evidence of a second attempt at nesting.

Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing. Construction personnel should be instructed on the sensitivity of the area. The applicant should record the results of the recommended protective measures described above to document compliance with applicable State and federal laws pertaining to the protection of native birds.

Response 5D

The commenter agrees with the EIR that the project would likely require a Streambed Alteration Agreement, and early consultation with the Department of Fish and Game is recommended to facilitate this process. The commenter further notes that the Department of Fish and Game has observed an ongoing water pollution problem in the form of trash materials within Medea Creek south of the concrete lined channel near the 101 freeway and continuing downstream past the Kanan/Cornell Road intersection. The commenter states an opinion that these materials appear to originate from upstream suburban sources and roadside dumping, and that the proposed project is likely to further exacerbate this problem. The commenter also recommends a 100 foot natural buffer from the outside edge of the riparian zone on each side of a drainage.

Comments regarding the need for the Streambed Alteration Agreement are noted. The EIR addresses water quality issues in section 4.7, *Hydrology and Water Quality*. This section discusses urban uses and related pollutant loadings, and the BMPs, development design standards, and regulatory requirements that would minimize these impacts. There is no evidence in itself that the project given the current regulatory requirements would cumulatively affect water quality since the purpose of these regulations is to reduce such effects to a less than significant level. Furthermore, buildout in the City is likely to reduce illegal dumping into the creeks since access to the creeks would be further limited and the creeks would be more closely monitored (i.e. pedestrian use of nearby trails). In addition, the Specific Plan (page 4-46) includes a policy which requires a 50-100 foot buffer from the outside edge of a riparian zone and the EIR also provides a mitigation measure that requires a minimum 50-100 foot buffer of native vegetation be maintained between urban development and adjacent sensitive native habitats (BIO-2(a)). Thus it appears that the Specific Plan and EIR have addressed the commenter's concerns.

6

SOUTHERN CALIFORNIA

ASSOCIATION of GOVERNMENTS

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Ventura County: Judy Mikels, Ventura County • Glen Becerra, Simi Valley • Carl Morehouse, San Buenaventura • Toni Young, Port Hueneme

Orange County Transportation Authority: Lou Correa, County of Orange

Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission: Keith Millhouse, Moorpark

RECEIVED
DEC 27 2005
BY: A. Cook

22 December 2005

Ms. Allison Cook
Senior Planner/Environmental Analyst
City of Agoura Hills
Planning and Community Development Department
30001 Ladyface Court
Agoura Hills, CA 91301

RE: Comments on the Notice of Availability of a Draft Environmental Report for Agoura Village Specific Plan
SCAG No. I20050761

Dear Ms. Cook:

Thank you for submitting the Notice of Availability of a Draft Environmental Report for the above-mentioned project to SCAG for review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

SCAG staff has evaluated your submission for consistency with the Regional Comprehensive Plan and Guide (RCPG), Regional Transportation Plan, and Compass Growth Vision. The Draft EIR addresses SCAG's policies and forecasts appropriately and has provided sufficient explanation of how the project helps meet and support regional goals. Based on the information provided in the EIR we have no further comments.

SCAG commends the City of Agoura Hills for embracing principles of the Compass Growth Vision through the creation of the Agoura Village Specific Plan. We hope to monitor progress of the Specific Plan's implementation as it provides opportunities for integrating housing, services, and employment while improving the City's quality of life.

A description of the proposed Project was published in the November 1-30, 2005 Intergovernmental Review Clearinghouse Report for public review and comment.

If you have any questions, please contact me at (213) 236-1851. Thank you.

Sincerely,

Brian Wallace
Associate Regional Planner
Intergovernmental Review

DOCS # 117194v1

SOUTHERN CALIFORNIA ASSOCIATION of GOVERNMENTS 40 YEARS Resolving Regional Challenges 1965 2005

Letter 6

COMMENTER: Brian Wallace, Associate Regional Planner, Southern California Association of Governments

DATE: December 22, 2005

RESPONSE:

Response 6

The commenter notes that the EIR addresses SCAG's policies and forecasts appropriately and has provided sufficient explanation of how the project helps meet and support regional goals.

7

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, REGIONAL PLANNING
IGR/CEQA BRANCH
100 MAIN STREET, MS # 16
LOS ANGELES, CA 90012-3606
PHONE: (213) 897-3747
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IGR/CEQA No. 051141AL, Draft EIR
Referenced to IGR/CEQA No. 050222AL, NOP
Agoura Village Specific Plan
Vic. LA-101 / approx. at PM 35.04
SCH # 2003111051

December 30, 2005

clear
1-30-06
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RECEIVED
JAN 03 2006
STATE CLEARING HOUSE

Ms. Allison Cook
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

Dear Ms. Cook:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The project is to build 235 to 293 residential units, 576,458 SF commercial building and hotel development and redevelop existing 372,042 SF of office and retail space.

The proposed project would generate 17,593 daily primary trips, and 804/1,633 primary trips during AM/PM peak (see Table 4.11-4, Page 4.11-11 of Draft Environmental Impact Report (EIR). It was estimated that approximately 35% / 37% of the project traffic would travel to east/west of US Highway 101 (SR-101) from the project site. In the worst case scenario, a maximum of 1,176 vehicle strips would travel on SR-101 during the peak hour. Furthermore, on Table 4.11-6, page 4.11-18, the Level of Service on the mainline SR-101 is at "E" at full build-out of the Specific Plan. Our review indicates this project will have a significant impact to the mainline freeway if no mitigation measures are proposed.

A

On Table 4.11-10, page 4.11-29, LOS "N.A." at Palo Camado Cyn. Rd./SR-101 NB needs to be justified. We acknowledge the mitigation measures proposed for the intersections and SR-101. However, all mitigation measures need to be completed prior to project build-out year to avoid any significant traffic impact on the State facilities.

B

We would like to remind you that any work to be performed within the State Right-of-way will need an Encroachment Permit from the California Department of Transportation.

C

D Just a reminder, storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects need to be designed to discharge clean run-off water.

B Any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. We recommend that large size truck trips be limited to off-peak commute periods. In addition, a truck/traffic construction management plan is needed for this project. Thank you for the opportunity to have reviewed this project.

If you have any questions, please feel free to contact me at (213) 897-3747 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 051141AL.

Sincerely,

Cheryl J Powell

CHERYL J. POWELL
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

Letter 7

COMMENTER: Cheryl J. Powell, IGR/CEQA Branch Chief

DATE: December 30, 2005

RESPONSE:

Response 7A

The commenter notes agreement with the EIR's conclusion that the project will have an unavoidable and significant impact on the US 101 freeway.

This comment is noted; however, a separate feasible mitigation that will provide level of service C has been developed for this intersection. This mitigation measure will be included in the Final EIR and would reduce the Class I impact to a Class II (significant but mitigable) impact. The new mitigation measure is provided in Section 4.11, *Transportation and Circulation*, as follows:

> "Additional capacity on the northbound and southbound approaches will need to be provided at this intersection to provide LOS C operations. The required improvements are outlined below:
>
> There are three northbound receiving lanes provided on the north side of the intersection. Under the proposed intersection design, two lanes continue onto the overpass and one lane traps into the U.S. 101 Southbound On-Ramp. The northbound approach would contain one through lane and one shared through/right-turn lane. This approach should be widened to provide two through lanes and one shared through/right-turn lane.
>
> Under the proposed intersection design, the southbound approach would contain one left-turn lane, two through lanes and one right-turn lane. To provide LOS C during the P.M. peak hour, a second southbound left-turn lane is needed. There is sufficient roadway width provided on the north leg of the intersection and the overpass to provide dual left-turn lanes, two through lanes and a right-turn lane on the southbound approach, and retain the three northbound receiving lanes provided on the north side of the intersection. The bike lane on the southbound approach shown on the proposed intersection design would need to be eliminated. It is noted that the lane widths on the north leg (11-foot left-turn lanes, 11-foot through lanes and 12 to 13-foot right-turn lanes) would be less than the lane widths specified by Caltrans (12-foot left-turn lanes, 12-foot through lanes and 16-foot right-turn lanes), and would require approval of a design exception.
>
> Additionally, the east leg of the intersection (Roadside Drive) would need to be widened to the south to provide two receiving lanes.

> Implementation of the above improvements would result in LOS C (V/C 0.78). The mitigated geometry is shown below followed by the mitigated level of service as shown in Table 4.11-10."

Kanan Road-Roadside Drive/U.S. 101 Southbound Ramps
Mitigated Intersection Geometry

Scenario	Northbound	Southbound	Eastbound	Westbound
Future Geometry	T TR	L TT R	L LTR R	L R
Mitigated Geometry	***TT TR***	LL TT R	L LTR R	L R

L =left-turn lane , LT = left-turn/through lane, LTR = left-turn/through/right turn lane two right-turn lane, T = through lane, R = right turn lane, RT = right turn/through lane

Additionally, the Mitigated P.M. Peak Hour in Table 4.11-10 was revised for the intersection at Kanan Rd/Roadside Dr - U.S. 101 SB from 0.84/LOS D to 0.78/LOS C. Thus, completion of the additional improvements mitigatioin provided in the EIR would mitigate future traffic impacts at all intersections affected by the project to a less than significant level.

Response 7B

The commenter requests clarification regarding the use of "N.A" for the Palo Comado Cyn Rd/SR-101 NB mitigated P.M. Peak Hour entry in Table 4.11-10. The commenter also notes agreement with mitigation measures proposed, and adds that all measures should be completed prior to project build-out year to avoid any significant traffic impact on the State facilities.

The "N/A" in Tables 4.10-9 and 4.10-10 should be changed into:

Table 4.10-9: 0.64/LOS B
Table 4.10-10: 0.76/LOS C

In addition, the level of service calculation worksheets were added to Appendix D, the Traffic Technical Appendix of the EIR.

The following additional language was added to Measure T-2(b) to further address mitigation of potential impacts at this intersection.

> "City staff have indicated that several improvement options for the intersection are being evaluated as part of the traffic study underway for a school site proposed east of Palo Camado Canyon Road within County limits. Improvement options include installation of a signal, widening of the overpass and/or approaches, or construction of a roundabout at this location."

Response 7C

The commenter notes that an Encroachment Permit from the California Department of Transportation would be necessary for work performed within the State right-of-way and the

transportation of heavy construction vehicles on State highways will require a Caltrans transportation permit. The commenter's observation is noted; however, these permits would be necessary on a project-by-project basis and would be required for individual project applications. Additionally, the commenter recommends that the project include a truck/traffic construction management plan that includes a provision that the movement of large trucks be limited to off-peak commute periods. In response to this comment the following requirement was added to mitigation measure AQ-2, "construction contractors shall limit the movement of large trucks to off-peak commute hours."

Response 7D

The commenter notes that water run-off is a sensitive issue for Los Angeles and Ventura counties and requests that the project be designed to discharge clean run-off water.

The EIR addresses water quality issues in section 4.7, *Hydrology and Water Quality*. This section discusses urban uses and related pollutant loadings, and the BMPs, development design standards, and regulatory requirements that would minimize these impacts.

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8

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December 7, 2005

City of Agoura Hills
Planning and Community
Development Department
30001 Ladyface Court
Agoura Hills, CA 91301

Attention: **Allison Cook, Senior Planner/ Environmental Analyst**

Subject: **Draft Environmental Impact Report Agoura Village Specific Plan (AVSP)**

Dear Ms. Cook:

We are in receipt of the Draft Environmental Impact Report on the Agoura Village Specific Plan (AVSP). The project currently contains about 32 acres, approximately 372,042 square feet (sf), of various commercial uses including retail, restaurant, office, theatres and services. On April 6, 2005, the district responded with a letter to Rincon Consultants, Inc. concerning this project. The district provided Rincon with pages from our Master Plan indicating Demand Factors by Land Use for the Future System.

Currently, the Tapia Water Reclamation Facility treats 8 to 9 MGD per day. This figure varies depending on certain conditions during different periods throughout the year. Sewage flow is estimated to be 295 gallons per day per **Equivalent Residential Unit.**

A The Environmental Impact Report indicates that the project would generate an estimated 144,031 gallons per day (gpd) of wastewater and the Build out of the Specific Plan would use 165,994 gallons of water per day (gpd). Both of these estimates seem reasonable to the district. The district reserves judgment on any changes that may be made to the Final EIR as related to water and wastewater usage for the project.

B The District would advocate strict water conservation measures as a condition of project approval. This would include, but not be limited to, fixture design and installation (use of low flow toilets and shower heads), hot water circulating systems, drought tolerant plantings and efficient irrigation systems and techniques and maximum use of recycled water during and after construction.

C Recycled waterlines are available in close proximity to this proposed site and should be extended to serve this project for irrigation and water conservation purposes.

If you have any questions concerning this matter, please feel free to contact me at any time. Thank you.

Very truly yours,

C. Eugene Talmadge
Planning Administrator
CET:nlc

Letter 8

COMMENTER: Eugene Talmadge, Planning Administrator, Las Virgenes Municipal Water District

DATE: December 07, 2005

RESPONSE:

Response 8A

The commenter acknowledges that the Draft EIR reasonably estimates the project demand and local availability of wastewater and potable water capacity. Comment noted.

Response 8B

The commenter advocates for strict water conservation measures as conditions of approval under the Specific Plan.

Impact PS-2 discusses the types of water conservation measures suggested by the commenter and notes that these measures would be required of all future land uses in the Specific Plan area.

Response 8C

The commenter states that recycled waterlines are available in close proximity to the project site and should be extended to serve this project for irrigation and water conservation purposes.

Impact PS-2 notes that new development within the Specific Plan area would be required to comply with the Water Conservation in Landscaping Ordinance (AB 325), which requires the most efficient use of water in the landscape, including the use of recycled water for landscaping and planting with drought tolerant vegetation (Government Code Section 65591-65600). This section further states that the LVMWD encourages extensions of the reclaimed water system to provide landscape irrigation as part of its potable water conservation efforts.

9

STATE OF CALIFORNIA–THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, *Governor*

SANTA MONICA MOUNTAINS CONSERVANCY
RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
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PHONE (310) 589-3200
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January 23, 2006

Ms. Allison Cook
Senior Planner/Environmental Analyst
City of Agoura Hills
Planning and Community Development Department
30001 Ladyface Court
Agoura Hills, California 91301

Comments on Draft Environmental Impact Report for the Agoura Village Specific Plan (SCH #2003111051)

Dear Ms. Cook:

The Santa Monica Mountains Conservancy (Conservancy) is the principal state agency charged with planning and conservation for the Santa Monica Mountains Zone and Rim of the Valley Corridor pursuant to Division 23 of the Public Resources Code. It appears that the majority of our comments in our February 28, 2005 and November 24, 2003 letters on the two versions of the Notice of Preparation (NOP) for this project were not addressed. As such, we are repeating many of these comments again, in this letter on the Draft Environmental Impact Report (DEIR).

Project Overview

The proposed Agoura Village Specific Plan site encompasses 135 acres, of which 103 acres are vacant (DEIR, p. 2-7). (In the NOP, the project area was 98 acres.) According to the DEIR (p. ES-1), approximately 32 acres along the southern boundary of the project area would be preserved as open space. It appears that all of the increase in open space acreage since the NOP consists of land already owned by the City, and offered as a dedication to the Mountains Recreation and Conservation Authority (MRCA), the Conservancy's joint powers partner. The MRCA took a Governing Board action to accept this open space land, but the transaction has not been completed. The Final Environmental Impact Report (FEIR) should explain why this open space was added to the Specific Plan, when the land use is already determined.

A

The Specific Plan would guide future development, and full build-out would result in residential units; building area that could include office, retail, restaurant, community

B

center, and hotel development; and redevelopment of existing office and retail space. A Zoning Ordinance amendment and Plan amendments would need to be adopted.

Significance of Project Site

C

The subject project area comprises a major gateway to the Santa Monica Mountains National Recreation Area. The project area south of Agoura Road, on the east and west side of Kanan Road contribute to an east-west habitat linkage across Kanan Road and it connects to 1,000-plus-acre blocks of roadless habitat (unpaved). The site is part of the Lady Face Mountain core habitat, and the site is integral with the core habitat of the Santa Monica Mountains. The site is also significant because it is just upstream of the confluence of two blue line streams, Lindero and Medea creeks. The section of Lindero Creek on the property supports some of the highest quality creek habitat in the City. *Three* federally listed plants and several sensitive vegetation communities exist on site. The project area is located adjacent to a Los Angeles County Significant Ecological Area. The project site is part of the Malibu Creek watershed, known to support numerous sensitive species, including southern steelhead trout. The site also provides a significant viewshed from Kanan Road. The rigor of environmental analysis required by the City for this specific plan, and ultimately the version of the specific plan that is approved by the City, will reflect upon whether the City has adequately protected this gateway.

Need for Emphasis on Avoidance of Significant Adverse Environmental Impacts

D

<u>One of the primary concerns is that the DEIR does not place an adequate emphasis on avoidance of significant adverse environmental impacts. This approach is contrary to the spirit and intent of the California Environmental Quality Act (CEQA).</u> The DEIR states that the biological impacts are considered significant, but mitigable. The overall significance after mitigation is considered less than significant. Given the regional importance of the location of the project site, the numerous sensitive biological resources on the site, and the potential for numerous significant adverse impacts to biological resources, the only sound public policy is to make a concerted effort to avoid significant adverse environmental impacts. To the contrary, in this DEIR, the approach is when there may be a significant adverse impact, to just move into the mitigation category. The mitigation consists of, in many cases, deferring the analysis of impacts and mitigation measures to later CEQA documents for specific projects.

The Conservancy emphasizes that even though the subject proposed specific plan is a planning document, it is expected to result in foreseeable environmental impacts directly resulting from the plan. Therefore, adequate specificity about environmental impacts must be included in the FEIR, and must not be deferred to CEQA documents for individual

E

projects that will be proposed later. For example, the FEIR must include a quantification of impacts to vegetation types (including fuel modification impacts), and a figure showing the fuel modification boundaries overlain on the vegetation types. If the specificity regarding individual project proposals is not available, then development bubbles should be shown, within which all project-impacts would be limited, including fuel modification impacts and drainage facilities. In the current DEIR, the reviewer is not fully informed as to the extent of the impacts; public disclosure of environmental impacts is a fundamental goal of CEQA. In addition, now is the ideal time in the development planning process to set limits on the development to avoid significant adverse impacts, rather than deferring the assessment of impacts and potential mitigation to later CEQA documents for individual projects.

Need for Project Modifications and Adequate Alternatives

F

The subject specific plan FEIR and its alternatives must maximize avoidance of biological and aesthetic impacts in this sensitive portion of the Santa Monica Mountains. The alternatives analysis is deficient because there are no project footprints, but only development bubbles with numbers of dwelling units and commercial/retail/office square feet. The reviewer cannot even partially visualize the extent of the footprints and whether, where, and to what extent impacts to biological resources are reduced.

The FEIR needs to include at least one alternative that shows a reasonable effort to further avoid significant adverse ecological impacts. We describe below one biologically superior alternative that should be considered in the FEIR. See the attached figure, showing a "Maximum distance footprint," which was similar to those described in the Conservancy's previous letters.

The DEIR (p. 6-36) states that this alternative described in the Conservancy's previous letters was eliminated from consideration because it would significantly reduce the buildable area and would fail to meet the basic project objectives of creating a pedestrian-oriented, mixed-use village type of development within the project area. We emphasize that a significantly reduced buildable area is <u>necessary</u> to <u>avoid</u> many of the potentially significant adverse environmental impacts under the current plan. The DEIR has not demonstrated that within the remainder of the developable area, shifting of uses in different areas could not result in meeting the project objectives. There is no justification that in this reduced footprint that it could not be "pedestrian-oriented" and "mixed-use," just at a smaller scale. Furthermore, every alternative considered in DEIRs do not need to meet every objective. Avoidance of significant adverse environmental impacts should be the driver of the alternatives analysis. The Conservancy continues to recommend an analysis

of the Conservancy's alternative, which would significantly reduce impacts to biological and visual resources.

G For this alternative, the Conservancy recommends modifications in the following three portions of the project: (1) the area of Lindero Creek, west of Kanan Road, south of Agoura Road, (2) the area of Medea Creek, east of Kanan Road, south of Agoura Road, and (3) the area east of Cornell Road, south of Agoura Road.

With respect to the first area encompassing Lindero Creek, the development proposed in zones B and F and the Specific Plan map do not demonstrate adequate avoidance of important biological resources. The DEIR (p. 4.3-41) references buffers to creeks on the order of 50-100 feet, but there appear to be no or minimal buffers to Lindero Creek in Zone B.

The FEIR must address the importance of the subject threatened section of Lindero Creek for wildlife in the area of Ladyface Mountain habitat area. Specifically, there is no other reliable perennial water source, to our knowledge, for wildlife in the Ladyface Mountain habitat block other than in the counter opposite end in Triunfo Creek downstream from the Westlake Dam. These wildlife include mammals, birds, and herpetofauna. The FEIR must address how the proposed project and each relevant FEIR alternative could degrade wildlife utilization of this section of the Creek. Such degradation would occur from the placement of buildings, parking lots, hardscape, non-native landscaping, lighting and drainage improvements. In contrast, we look to the City to fashion a specific plan the provides generous setbacks from the Creek as dictated by conservation biology.

The proposed project and FEIR alternatives should be modified to maintain a completely natural wildland interface in this area around Lindero Creek, as shown on the attached figure. Lindero Creek should be completely avoided, as well as the majority of the project area on the western side of Kanan Road, south of Agoura Road. Development on the west side of Kanan Road, south of Agoura Road, should be clustered and limited to those grassland and disturbed areas as shown on the attached figure. Development should not be permitted in other areas on the west side of Kanan Road, south of Agoura Road for this project. No public policy decision can be justified which jeopardizes the value of Lindero Creek on the project site for wildlife carrying capacity within the Ladyface Mountain habitat block in exchange for housing or commercial square footage. This would also minimize adverse view impacts from Kanan Road. Without question, the proposed residential condominiums need to be deleted to protect the creek, preserve the existing native grassland, and provide adequate buffers for rare plants.

Also, deletion of the development in Zone F (and zoning it as open space) would result in improved clustering of the project, reduced encroachment on native habitats, improved likelihood of continued creek use by wildlife, and continued visual relief for drivers along Agoura Road.

Reductions of the project east of Kanan Road, in the vicinity of Medea Creek, should also be reflected in the proposed project and FEIR alternatives. The southern portion of the project, east of Kanan Road, provides significant views from Kanan Road. The southern portion of the project between Kanan Road and Cornell Road is known to contain sensitive archaeological resources. The Conservancy recommends that Medea Creek be avoided such that a swath of undisturbed habitat is permanently preserved along the southern project boundary, curving to the northeast, and following Medea Creek until it connects to the channelized portion of Medea Creek. Under this alternative, the development in this area of the project would be limited to those areas shown on the attached figure. This Hiking and Equestrian Center would be deleted under this alternative. This would require modifications to Zone A south, Zone G, and Zone D.

H As development proceeds on other areas of the project site, we can expect the runoff to Medea Creek to increase. This increase in flow to Medea Creek may result in increased riparian habitat, thus making this described area even more important for wildlife habitat.

The third area where a project modification is warranted is the southernmost nob of the project, at the eastern end of the project. The presence of oak woodlands, the presence of rare plant species, and the adjacency to other existing open space south of the project warrants avoidance of this area. See the attached figure for a reduced footprint, outside of which development should be prohibited. This would required modifications to zones G and E.

These three main areas in which the Conservancy recommends additional avoidance should reflect the lowest intensity development in the Zoning Code and General Plan land use (e.g., Open Space).

I In addition, if the City ultimately decides to construct trails along the creeks, appropriate buffers must be provided. The DEIR (p. 4.10-19) states that a public trail and restoration landscaping shall be designed and installed along Cheseboro, Medea, and Lindero Canyon Creeks. The FEIR should specify that under no circumstances would trails be placed within/under the willow or other riparian canopy. The FEIR should specify that trails shall be located no less than 10 to 20 (preferred) feet from the edge of the willow or other riparian canopy.

Protection of open space on the project site

J The DEIR (p. ES-1) states that approximately 32 acres would be preserved as open space along the southern boundary of the project area. However, there is no explanation for how this open space will be managed or permanently protected. The FEIR must require in a mitigation measure that any open space areas in the proposed project, and all alternatives, be dedicated in fee title to an appropriate public entity capable of managing open space for resource protection and recreational use. The MRCA, the Conservancy's joint powers partner, would be an appropriate entity to accept this dedication. If fuel modification is required on any public open space, easements should be provided in favor of the development entity to allow for privately funded fuel modification on public land. The FEIR must clearly delineate on a figure where this open space is located, and whether fuel modification is proposed within the open space. The FEIR must clearly designate that the primary purpose of this open space is for permanent preservation of natural resources, and uses incompatible with that purpose would not be allowed.

K

The DEIR should require a Communities Facility District or sufficient funds from the developer (e.g., in the form of a non-wasting endowment), in the mitigation measures to fund long-term management and maintenance of the open space. The proposed project and every CEQA alternative must require that the funding mechanism be established prior to grading or vegetation removal. This funding would be used to cover management of the open space and Lyon's pentachaeta populations and to provide ranger patrol for any nuisance problems. It may be appropriate to phase the dedication of the open space, and the deposits to a management fund, according to the implementation of the phases of the development.

In summary, the Conservancy recommends that the FEIR include project modifications and alternatives that maximize avoidance of significant adverse ecological impacts. Specifically, the alternative presented in this letter should be included and addressed in the FEIR. Also, a fee title dedication over the ungraded open space, along with long-term management money, must be included in the mitigation measures and conditions of approval. The primary public policy objective to be pursued in this both ecologically and visually sensitive area should be to maximize the avoidance and permanent preservation of open space, key ecological resources, and primary viewsheds.

Thank you for your serious consideration of these comments. Please direct any questions and all future correspondence to Judi Tamasi of our staff at the above address and by phone at (310) 589-3200, ext. 121.

Sincerely,

Elizabeth A. Cheadle

ELIZABETH A. CHEADLE
Chairperson

cc: State Clearinghouse

Letter 9

COMMENTER: Elizabeth Cheadle, Chairperson, Santa Monica Mountains Conservancy

DATE: November 30, 2005

RESPONSE:

Response 9A

The commenter notes that the 32 acres along the southern boundary of the Specific Plan (Zone G west of Kanan Road) is land already owned by the City and has been offered as a dedication to the Mountains Recreation and Conservation Authority (MRCA), the Conservancy's joint powers partner. The MRCA took a Governing Board action to accept this open space land, but the transaction has not been completed. The commenter feels that the Final EIR should explain why this open space was added to the Specific Plan, when the land use has already been determined.

The developable area located at the southwestern corner of the intersection of Agoura and Kanan Road was part of a larger parcel at the time of the NOP. The southern part of this parcel included open space land. The Specific Plan area had been revised to include the open space portion of the parcel because the Specific Plan boundary is based on property ownership. The parcel has now been divided; however, with the full portions of the parcels included. The City now owns the open space portion of this property and a separate parcel, and intends to transfer ownership to the MRCA sometime in 2006. The newly created southerly parcel will be restricted to open space.

Response 9B

The commenter notes that the Specific Plan would guide future development, and full build out would result in residential units; building area that could include office, retail, restaurant, community center, and hotel development; and redevelopment of existing office and retail space. The commenter states that a Zoning Ordinance amendment and Plan amendments would need to be adopted.

As discussed in Section 2.0, *Project Description*, "Upon adoption, the 'Specific Plan' designation would become the underlying General Plan designation for the project area. While future projects within the Specific Plan area would be required to be processed through the City's development review and approval procedures, no future General Plan Amendments or zone changes would be required to implement subsequent development, provided that such development was consistent with the provisions of the Specific Plan. The Specific Plan would change the current Commercial-Retail Service (CG), Ladyface Mountain Specific Plan, and Business Park - Office/Retail (BP-O/R) land use designations to Agoura Village Specific Plan designation." Additionally, this section notes "Any future development would undergo individual project review in accordance with locally adopted City policies and procedures and State law." No further analysis is necessary.

Response 9C

The commenter emphasizes the Specific Plan area as a major gateway to the Santa Monica Mountains National Recreation Area. The commenter notes numerous reasons why the project area south of Agoura Road should be considered a significant resource. Reasons the commenter believes this area to be significant include, but are not limited to: it contributes to an east-west habitat linkage across Kanan Road; is part of Lady Face Mountain core habitat; is integral with the core habitat of the Santa Monica Mountains; is located upstream of the confluence of two blue line streams; supports some of the highest quality creek habitat in the City; three federally listed plants and several sensitive vegetation communities exist on site; and the project is adjacent to a Significant Ecological Area. The commenter notes that the rigor of environmental analysis for these and other resources of this area, as well as the ultimate version of the Specific Plan that is approved by the City, will reflect upon whether the City has adequately protected this gateway.

This comment is noted; however, consideration for each of the commenter's reasons for why this area is considered a significant resource were discussed in the EIR. Specifically, Section 4.3, *Biological Resources*, discussed the potential for habitat linkages in detail on pages 4.3-23 through 4.3-30, and 4.3-43 through 4.3-44. As stated under Impact BIO-5, "The undeveloped southern half of the Specific Plan area is located adjacent to existing urban and developed uses and is bordered directly to the north by a heavily traveled arterial roadway (Agoura Road). Much of the land has been previously disturbed and utilized for stockpiling of soils and machinery. The southern undeveloped portion of the Specific Plan area has also been fragmented by a large arterial roadway, Kanan Road, and a smaller roadway, Cornell Road, into three isolated patches of habitat." Therefore, impacts to wildlife corridors would be considered less than significant and no mitigation would be necessary.

Section 4.3 also discussed existing conditions of, as well as potential impacts to, wildlife habitat (including riparian and aquatic habitats), vegetation communities, and the presence of sensitive species and communities of concern.

As stated in the EIR, impacts to sensitive species, including nesting raptors and migratory birds and impacts to sensitive communities would be considered Class II, significant but mitigable. Measures BIO-1(a) – BIO-1(c) and BIO-2(a) – BIO-2(c) would be required in order to reduce impacts to sensitive species and sensitive communities to a less than significant level..

Water quality in both Lindero Canyon and Medea Creek were discussed in detail in Section 4.3 and Section 4.7, *Hydrology and Water Quality*. Specifically, mitigation measures BIO-4(a) – BIO-4(c) address impacts to wetlands and measures HYD-1 and HYD-4 address impacts related to water quality. Other issues noted by the commenter include the location of the Plan area within the Malibu Creek watershed. Again, this was discussed in Sections 4.3 and 4.7. The commenter also noted that the site provides a significant viewshed from Kanan Road. The commenter should refer to Section 4.1, *Aesthetics*, Impacts AES-1 and AES-3.

Response 9D

The commenter states that one of the primary concerns is that the DEIR does not place an adequate emphasis on avoidance of significant adverse environmental impacts and, thus, acts contrary to the spirit and intent of CEQA. The commenter states that given the regional importance of the location of the project site, the numerous sensitive biological resources on the site, and the potential for numerous significant adverse impacts to biological resources, the only sound public policy is to make a concerted effort to avoid significant adverse environmental impacts. The commenter further states an opinion that the DEIR concentrates more on mitigation rather than avoidance when there may be a significant adverse impact, and that analysis of impacts and mitigation are deferred to future CEQA documents.

Mitigation includes avoid, minimize, rectify (repair, rehabilitate, restore), reduce over time, and compensate. One of the purposes of the Specific Plan in itself is to avoid and minimize impacts to identified important resources, particularly natural resources, which could otherwise be affected during piecemeal development within the area that is consistent and allowable under the City's General Plan. Protection guidelines that seek avoidance of impacts are detailed on pages 4-46 and 4-47 of the Specific Plan. In addition, Zone G of the Specific Plan as illustrated on Figure 2-4 of the EIR indicates those areas where suburban development is to be avoided by implementation of the Specific Plan. The Draft EIR does not specifically discuss this as "mitigation actions" that avoid impacts because these are part of the proposed project; nonetheless, they provide significant beneficial effects for identified sensitive resources.

Based on these comments the Mitigation Measures BIO-1(a), BIO-2(b) and BIO-2(c) (pages 4.3-32 through 4.3-38) were edited to more clearly discuss impacts to sensitive areas south of Lindero Canyon Creek. Specifically, BIO-1(a) was revised to prohibit (=avoid) development within that area of Zone B located south of Lindero Canyon Creek. Additionally, each measure was revised to read "avoidance shall be required unless the applicant proves that avoidance would cause undue harm for the remaining project." Further, if avoidance is shown to be infeasible, other mitigation in the form of rectification (restoration or replanting) is required, along with a monitoring plan to measure the success of restoration. The required level of success for Santa Monica Mountains dudleya, Agoura Hills dudleya, and Lyon's pentachaeta shall be defined at a minimum as a demonstration of three consecutive years of growth of a population equal to or greater than that, which would be lost due to the project. This level of success shall be achieved prior to removal of the impacted population. The mitigation ratio is a minimum 2:1 for Southern Arroyo Willow Riparian Forest.

With respect to the level of detail within the document and the need for subsequent environmental documents, the EIR is consistent with *State CEQA Guidelines* Section 15146, which states "the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR. An EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the construction can be predicted with greater accuracy. An EIR on a project such as the adoption or amendment of a comprehensive zoning ordinance or a local general plan should focus on the secondary effects that can be expected to follow from the adoption or amendment, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow."

The EIR is a programmatic EIR intended to identify programmatic mitigation. As defined in the CEQA guidelines, Section 15168 (a)(3), "a program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related…in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program." This approach was chosen pursuant to CEQA guidelines as it allows "the Lead Agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, and allow reduction in paperwork."

Response 9E

The commenter notes that adequate specificity about environmental impacts must be included in the FEIR and must not be deferred to CEQA documents for individual projects that will be proposed later. As an example, the commenter recommends that the EIR include a quantification of impacts to vegetation types (including fuel modification impacts), and a figure showing the fuel modification boundaries overlain on the vegetation types. The commenter further states that if the exact extent of such boundaries is not available, then development bubbles should be shown, within which all project-impacts would be limited, including fuel modification impacts and drainage facilities.

This commented is noted and while we agree that it is always better to know the exact acreage of vegetation types that may be affected by a project, the *CEQA Guidelines* (Section 15146) state that "the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR. An EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the construction can be predicted with greater accuracy. An EIR on a project such as the adoption or amendment of a comprehensive zoning ordinance or a local general plan should focus on the secondary effects that can be expected to follow from the adoption or amendment, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow." Therefore, the specificity provided in the AVSP EIR, and the use of estimates and assumptions clearly outlined in the EIR, is consistent with the intent of CEQA.

Further, pursuant to CEQA Section 15204, reviewers of an EIR "should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation." Therefore, as the exact distribution of allowed uses cannot be determined at this time, the EIR's examination of a range of potential uses and a worst case scenario based on full buildout of the Specific Plan illustrates the EIR's attempt at full disclosure in light of factors such as the magnitude of the project at issue and the severity of its likely environmental impacts.

Response 9F

The commenter states the opinion that the EIR alternative analysis is deficient because there are no project footprints, but only development bubbles with numbers of dwelling units and

commercial/retail/office square feet. The commenter feels that the reviewer cannot visualize the extent of the footprints and whether, where, and to what extent impacts to biological resources are reduced. The commenter further states that the FEIR should include at least one alternative that shows a reasonable effort to further avoid significant adverse ecological impacts and that avoidance of significant adverse environmental impacts should be the driver of the alternatives analysis. The commenter has provided an example alternative which she feels should be included in the EIR.

As noted in CEQA Section 15126.6, "an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation."

The EIR analyzes five reasonable alternatives that would feasibly attain most of the basic objectives of the project and would avoid or substantially lessen any of the significant effects of the project. Each alternative analysis in the EIR describes in detail the location, square footage per zone, boundaries, and development type as compared with the proposed Specific Plan. Each alternative is illustrated in a graphic that delineates the boundary and buildable square footage per zone. Additionally, a table summarizing, per zone, the total area; existing development square footage; proposed developable square footage and number of residential units; and the total combined allowable square footage and residential development is provided for each alternative. Further, each alternative was analyzed for the following impacts: aesthetics, air quality, biological resources, geology, hazards, historic and archaeological resources, hydrology and water quality, land use, noise, public services, and transportation and circulation. Thus, the EIR has considered a range of reasonable alternatives. Because the exact extent of development is not known at this time, the impact and alternatives analysis cannot be delineated exactly, but instead is delineated in accordance with the CEQA guidelines for a programmatic EIR, as described above. Although the alternative proposed by the SMMC was not chosen for analysis in the EIR, the document clearly states that the alternative was considered but rejected as it would fail to meet most of the basic objectives of the project. Therefore, the EIR need not further analyze the alternative suggested by the SMMC.

<u>Response 9G</u>

The commenter feels that an alternative analysis should consider the following three portions of the project: (1) the area of Lindero Canyon Creek, west of Kanan Road, south of Agoura Road, (2) the area of Medea Creek, east of Kanan Road, south of Agoura Road, and (3) the area east of Cornell Road, south of Agoura Road.

With respect to the first area, the commenter recommends greater avoidance of important biological resources in Zones B and F. The commenter notes the EIR references buffers to creeks on the order of 50-100 feet, but there appear to be no or minimual buffers to Lindero Creek in Zone B. The commenter further states that the EIR must address how the proposed project and each alternative could degrade wildlife utilization of this section of the Creek.

This comment is noted; however, the Specific Plan and EIR have addressed in detail the biological resources within this portion of the EIR. The reviewer should refer to Section 4.3, *Biological Resources*, and 4.7, *Hydrology and Water Quality*. In regards to buffers, as noted in the EIR, the Specific Plan includes multiple development standards intended to increase consideration for natural resources in the planning process for new developments. For projects adjacent to Medea, Lindero and Chesebro Creeks, it is the developer's responsibility to prepare a riparian habitat and creek protection program and implement it. Such programs shall be prepared by a qualified biologist and shall, to the extent feasible, avoid encroachment into any riparian areas and provide an adequate buffer distance to adjacent development. The buffer shall be at least 50-100 feet from the edge of riparian vegetation of either side of the creek. The specific dimensions will depend on the value of the habitat. Trails and bicycle paths may be allowed in the buffer, depending on the particular design characteristics and on site habitat. Further, the EIR requires mitigation which requires that a minimum buffer zone of 50-100 feet of native vegetation shall be maintained between urban development and adjacent sensitive native habitats. Such vegetation should be sensitive to, and similar in nature to, the natural environment surrounding the sensitive native habitats. Thus, although it is not provided in a graphic in the EIR, requirements of the Specific Plan and EIR call for minimum buffer of 50 to 100 feet from the outer edge of riparian vegetation and from the exterior of urban uses adjacent to any sensitive habitats.

Additionally, as stated in Response 9D Mitigation Measures BIO-1(a), BIO-2(b) and BIO-2(c) (pages 4.3-32 through 4.3-38) were edited to more clearly address impacts to sensitive areas south of Lindero Canyon Creek. Specifically, BIO-1(a) was edited to prohibit development within that area of Zone B, located south of Lindero Canyon Creek. The above measures should better reflect the intent of the EIR to avoid potentially significant impacts. Although the commenter notes that Zone F should be excluded from the project or a project alternative, this area has been highly disturbed, and as discussed in the EIR, does not contain any known occurrences of sensitive species or communities of concern.

With respect to the second area, the commenter feels that reductions of the project east of Kanan Road, in the vicinity of Medea Creek, should also be reflected in the proposed project and FEIR alternatives. The commenter further notes the aesthetic and sensitive archaeological value of this area. The commenter recommends that Medea Creek be avoided such that a swath of undisturbed habitat is permanently preserved along the southern project boundary. The commenter also suggests that an alternative prohibit development in this area, such that development would be limited to the boundary shown on the attached figure. Thus, this alternative would eliminate the hiking and equestrian trail/center.

As mentioned above, the project as proposed would provide a buffer of 50-100 feet from the outer edge of riparian vegetation along Medea Creek, as appropriate based on existing conditions. This provision is intended to be somewhat flexible given the variability of conditions within creek. Thus, the 50 foot buffer would be more appropriate within the channelized portions of Medea Creek and the 100 foot buffer (or more, as to the discretion of the City) would be appropriate along the southern reaches of the stream. The figure provided by the SMMC delineates the southern boundary of Zone A south roughly 200 feet from the outer edge of riparian vegetation along Medea Creek. Although this is double the buffer of that provided in the Specific Plan, it should be noted that without the Specific Plan this area would be developed under the existing General Plan which provides no such buffer. Additionally,

alternative 5 has provided for a reduced buildout density without residential development. Although the alternative graphic, Figure 6-5, does not specifically show movement of the southern boundary in Zone A south, this alternative would reduce buildout in this zone from 119,000 sf and 118 residential units to 85,000 sf and no residential units. Thus, as discussed under section 6.5.3, "the reduction in overall building density would allow for more open space and may better preserve oak trees onsite. Overall, biological resource impacts would be similar to, but slightly less than those under the proposed Specific Plan." The commenter's suggestion is noted; however, CEQA states, "lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR." The EIR has made a good faith effort at full disclosure and has provided reasonable alternatives which would reduce the level of impact of the project related to that area near Medea Creek.

With regards to the third area, the commenter feels that the southern portion of Zone E (Refer to Figure provided) should be excluded from project development. The commenter reasons this area should be protected due to the presence of oak woodlands, rare plant species and adjacency to other existing open space south of the project.

This comment is noted; however, the EIR clearly delineates and discusses each of the above resources. As shown on Figure 2-4, the Specific Plan designates as open space the area known to contain Federally Threatened Agoura Hills dudleya. The area noted as oak woodland is also discussed in the EIR; however, this area is outside of the Specific Plan boundary. As discussed on page 4.3-8, a few oaks are scattered around the project area and along Agoura Road. Although several oaks are located north and south of Agoura Road, these oaks have been reduced to ornamental tree status by past development and no longer comprise oak woodlands. The EIR also discusses the project's adjacency to Las Virgenes SEA #6 on page 4.3-23.

Response 9H

The commenter notes that as development proceeds on other areas of the project site, we can expect the runoff to Medea Creek to increase and that the increase in flow may result in increased riparian habitat, thus making this described area even more important for wildlife habitat.

The possible effect of enhanced riparian habitat would be a beneficial impact of the project. The comment is noted.

Response 9I

The commenter notes that the Specific Plan proposes to install a public trail and restoration landscaping along Cheseboro, Medea, and Lindero Canyon Creeks. The commenter feels that the FEIR should specificy that under no circumstances would trails be placed within/under the willow or other riparian canopy. The commenter further notes that the FEIR should specify that trails shall be located no less than 10 to 20 (preferred) feet from the edge of the willow or other riparian canopy.

In response to this comment Mitigation Measure BIO-2(a) was amended to read as follows:

BIO-2(a) **Buffer Zones**. A minimum buffer zone of 50-100 feet of native vegetation shall be maintained between urban development and adjacent sensitive native habitats. Such vegetation should be sensitive, and similar in nature, to the natural environment surrounding the sensitive native habitats. Further, equestrian trails shall be located no less than 10 to 20 (preferred) feet from the edge of the exterior riparian canopy.

Response 9J

The commenter notes that approximately 32 acres would be preserved as open space along the southern boundary of the project area. The commenter states that there is no explanation for how this open space will be managed or permanently protected and that the EIR should include mitigation which requires that any open space areas in the project, and all alternatives, be dedicated in fee title to an appropriate public entity capable of managing open space resource protection and recreational use. The commenter recommends the MRCA, the Conservancy's joint powers partner, as an appropriate entity for this dedication. Further, the commenter suggests that a Communities Facility District or sufficient funds from the developer (e.g. in the form of a non-wasting endowment), be required in a mitigation measure to fund long-term management and maintenance of the open space.

As noted by this commenter, long-term management of open space areas is an important element of the successful implementation of the Specific Plan. As discussed in EIR Section 4.10, *Public Services*, "The City requires that all private developers proposing residential projects within the City either dedicate land for park facilities or pay a fee in lieu of providing parkland. The current land dedication fee requirement equals the required acreage of local park space multiplied by the fair market value of the land, as determined by the last tax bill. These fees are collected by the City in association with the development application approval process and shall be used only for the purpose of developing new, or rehabilitating existing, recreational facilities to serve the development for which the fees were paid."

Therefore, dedication of lands or payment of fees is required of developers. However, in response to this comment the following language was added under Mitigation Measures for Impact PS-7. "Developers may dedicate in fee title to an appropriate entity (as determined by the City) capable of managing open space for resource protection and recreational use in perpetuity." Thus, in-lieu fees and dedicated lands shall be managed by the City or an appropriate entity as determined by the City. This issue will be discussed as part of the individual development project review and approval program; where additional measures and conditions may be placed on a given development project.

Response 9K

The commenter notes that if fuel modification is required on any public open space, easements should be provided in favor of the development entity to allow for privately funded fuel modification on public land.

This comment is noted; however as explained in Measure PS-3(a), "Individual project applicants shall develop a Fuel Modification Plan for all development areas within or adjacent to wildland fire hazard areas. These plans shall be subject to review and approval by the Los

Angeles County Fire Department Fuel Modification Unit. The FMP shall be submitted to the City Planning and Community Development Department prior to issuance of a grading or building permit." Additionally, Mitigation Measure BIO-6(b) also addresses fuel modification requirements.

However, in response to the comment the following addition was made to measure PS-3(a).

> "Funding and execution of all measures required in the FMP shall be the responsibility of individual developers or land owners. Prior to approval of the FMP the City shall confirm that appropriate easements have been secured and that long-term funding mechanisms area in place to ensure successful implementation of the FMP."

10

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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IN REPLY PLEASE
REFER TO FILE: LD-0

January 11, 2006

Ms. Allison Cook
Senior Planner/Environmental Analyst
City of Agoura Hills Planning and
Community Development Department
30001 Ladyface Court
Agoura Hills, CA 91301

Dear Ms. Cook:

RESPONSE TO DRAFT ENVIRONMENTAL IMPACT REPORT
AGOURA VILLAGE SPECIFIC PLAN
CITY OF AGOURA HILLS

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the Agoura Village Specific Plan. We have reviewed the DEIR and offer the following comments for your consideration regarding future development within the specific plan.

As discussed in the DEIR, future development may include facilities requiring long-term maintenance by the Los Angeles County Flood Control District (LACFCD). LACFCD activities include vehicular access, periodic cleanout with equipment operation and vegetation removal. If these facilities require regulatory agency permits for construction and maintenance, please coordinate with Public Works during the application process to obtain a complete description of our maintenance activities.

If you have any questions regarding these comments, please contact Ms. Clarice Nash at (626) 458-5910.

Very truly yours,

DONALD L. WOLFE
Director of Public Works

ROSSANA D'ANTONIO
Assistant Division Engineer
Land Development Division

CRN:jmw
P:\CEQA\CLARICE\Agoura_Village_DEIR

Letter 10

COMMENTER: Rossana D'Antonio, Assistant Division Engineer, Los Angeles County Department of Public Works

DATE: January 11, 2006

RESPONSE:

Response 10

The commenter notes that as discussed in the EIR, future development may include facilities requiring long-term maintenance by the Los Angeles County Flood Control District (LACFCD). LACFCD activities include vehicular access, periodic cleanout with equipment operation and vegetation removal. If these facilities require regulatory agency permits for construction and maintenance, Public Works should be contacted during the application process to obtain a complete description of maintenance activities.

This comment is noted.

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

James E. Hartl AICP
Director of Planning

RECEIVED
DEC 05 2005
BY: A. Cook - Planning

November 30, 2005

Allison Cook, Senior Planner/Environmental Analyst
City of Agoura Hills Planning and Community Development Department
30001 Ladyface Court
Agoura Hills, CA 91301

RE: Draft Environmental Impact Report for the Agoura Village Specific Plan (SCH 2003111051)

Dear Ms. Cook,

Thank you for the opportunity to comment on the Agoura Village Specific Plan Draft Environmental Impact Report (DEIR). We have reviewed this document and offer the following comments relating to the analysis of impacts to biological resources within the specific plan area.

A Generally, the County is concerned with imprecision in the delineation of biological resources, and the deferral of mitigation for many of the impacts associated with this proposed Specific Plan. Much of the development implementing the Specific Plan is already known in design when designating various land uses within the Specific Plan. The County is of the opinion that more specificity in mitigation measures is needed. Specific comments are listed below.

B 1. Valley oak savanna, a sensitive plant community, is not discussed as a habitat type, nor are the requirements of the California Oak Woodlands Law (SB 1334) discussed. Valley oak savanna is present in the southern portion of the plan area.

C 2. The vegetation map is inadequately detailed, and it omits any differentiation between disturbed, ruderal, developed, annual grassland, and valley oak savanna habitats. Grasslands supporting valley oak trees should be characterized as valley oak savanna; this sensitive habitat is at the southern limit of its range in the Santa Monica Mountains.

D 3. Page 4.3-7, second paragraph: the use of "Coastal Sage Scrub" in this context is inconsistent with the previous sentence and somewhat distracting; 'coyote bush scrub' or 'the coyote bush series' would be more consistent.

E 4. Page 4.3-7, last paragraph: identification of "a variety of Willow" as "Salix spp." is incorrect biologically and insufficient from an impact-assessment

perspective.

F

5. Page 4.3-9, grassland discussion: there is insufficient explanation as to why annual grassland has been lumped with ruderal and disturbed lands in fig. 4.3-1. No description of annual grassland habitat attributes is given, and its biological importance is dismissed out of hand. This is in contrast with later depictions of annual grassland habitat as providing moderate biological value to wildlife.

6. Page 4.3-10 first paragraph: "less disturbed areas" within the "ruderal" habitats described here are said to support native grassland species such as golden yarrow, golden stars, blue dick, fiddleneck, wooly aster, and vinegar weed. The presence of these species, and the recognition that some areas presented as 'ruderal' are less disturbed and typical of annual grassland, suggest that the differentiation of vegetation types on site is not as detailed as it ought to be.

G

7. Page 4.3-10, second paragraph: the value of oak trees in grassland habitats is downplayed (also see comments 1 and 2 above).

H

8. Page 4.3-11: the statement that no wildlife species are restricted to mixed chaparral is technically correct, more or less. However, its use here is misleading and ignores the fact that a number of sensitive species may potentially use the mixed chaparral habitats on the site. These include patch-nosed snake, legless lizard and coast horned lizard. All of these species would be displaced by development if they occur on site. A discussion of sensitive species potentially inhabiting each habitat type on the property must be presented.

I

9. Page 4.3-12, first paragraph: the characterization given here of the habitat value provided by annual grassland is inconsistent with the dismissive treatment of grasslands given earlier in the document.

J

10. Page 4.3-12, second paragraph: the recognition of oak trees as the "most widely-recognized and most environmentally sensitive resource of the City of Agoura Hills" is greatly inconsistent with the treatment of oak trees in the vegetation section (e.g. Page 4.3-10).

K

11. Page 4.3-13 and onward: within special status plant descriptions, give Latin binomial names following common names. Agoura Hills dudleya (*Dudleya cymosa* ssp. *agourensis*) has been subsumed into Santa Monica Mountains dudleya (*D. cymosa* ssp. *ovatifolia*) and should be so treated. Latin names may clear up some confusion. Assessments of occurrence expectation for each sensitive plant species should be provided.

L 12. Page 4.3-14, round-leaved filaree description: much of the project site is not disturbed; therefore, the assessment of "unexpected" for this species is unsubstantiated based on the "disturbed nature of the site."

M 13. Divulge that the individual of California juniper (*Juniperus californica*) occurring on the site is uniquely the southernmost individual of that species known in the Santa Monica Mountains, and thus defines the range for the species in this region.

N 14. Table 4.3-1: state explicitly whether each species presented is expected on the site or not.

O 15. Table 4.3-2: more species within the region are considered sensitive and should be included in this table. Consult the special animal and plant lists, available through the website of the California Department of Fish and Game for additional species which should be considered in this analysis.

P 16. The DEIR improperly defers much of the mitigation for project-related impacts, although the general configuration of the specific plan area is fully presented. Insofar as future impacts are known, mitigation for these impacts should be presented now.

Q 17. The DEIR correctly identifies the occurrence of a number of sensitive species within the specific plan area. However, their locations are not presented, making analysis of project impacts impossible.

R 18. Mitigation Measure Bio 1(a): the sensitive plant species mentioned in this paragraph are not good candidates for replanting. Avoidance is the only viable mitigation for species preservation. The area has already been heavily surveyed for these species, and many on-site populations are already known. Delayed mitigation of the sort described in this section is unacceptable under CEQA, especially considering the fact that the specific plan layout is already known.

S 19. Bio 2(a): a buffer zone of "50 – 100 feet" is not a minimum; it is a range. The minimum would be 50 feet.

T 20. Bio 2(b): this and all following biological mitigation measures constitute deferral of mitigation, which is inconsistent with CEQA. Surveys for native grasslands and other biological resources on site can and should be done as part of the Specific Plan EIR process now. If this habitat type has not already been properly delineated, it is further indication that the vegetation mapping is inadequate (See comment 2, above). The location and intensity of development within the Specific Plan area is already known, and mitigation areas, if they are to be located on site, should be a part of the plan as well.

Additionally, a restoration plan for grasslands that uses a "number of plants"-based mitigation ratio is inadequate for habitat-level mitigation. Mitigation ratios should be based on acreage of affected habitats.

U

21. Page 4.3-35, fourth paragraph: this is piecemealing. Locations of native grassland habitat and other habitat types mentioned in following mitigation measures are already known, as are the locations of the individual developments. Habitat mitigation plans should be formulated at this time.

Once again, our department thanks you for allowing us a chance to take part in this process. If you have any questions, please feel free to contact Joseph Decruyenaere, Staff Biologist, at (213) 974-6461, Monday through Thursday from 7:30 a.m. to 6:00 p.m., or email him at jdecruyenaere@planning.co.la.ca.us. Our offices are closed on Fridays.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning

Joe Decruyenaere, Staff Biologist
Impact Analysis

JEH:jd

Letter 11

COMMENTER: Joe Decruyenaere, Staff Biologist, Los Angeles County Department of Regional Planning

DATE: November 30, 2005

RESPONSE:

Response 11A

The commenter expresses concern that the Draft EIR is not precise in delineating the biological resources within the Specific Plan area and defers mitigation for many of the impacts associated with the plan. The commenter states that the County is of the opinion that more specificity in mitigation measures is needed based on the fact that much of the planned development associated with implementing the Specific Plan is already known.

Please see responses to comments 11B through 11U with respect to specific issues regarding the delineation of biological resources. In general reference to specificity, *State CEQA Guidelines* Section 15146 states that "the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR. An EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the construction can be predicted with greater accuracy. An EIR on a project such as the adoption or amendment of a comprehensive zoning ordinance or a local general plan should focus on the secondary effects that can be expected to follow from the adoption or amendment, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow." Therefore, the specificity provided in the AVSP EIR is consistent with the intent of CEQA.

Further, the EIR is a programmatic EIR intended to identify programmatic mitigation. As defined in the CEQA guidelines, Section 15168 (a)(3), "a program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related…in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program." This approach was chosen pursuant to CEQA guidelines as it allows "the Lead Agency to consider broad policy alternatives and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, and allow reduction in paperwork." Refer to Response 16D for more information on programmatic EIRs.

Thus, the Agoura Village Specific Plan is intended to contain flexibility to accommodate a broad range of densities that may be proposed for the project area, to include, but not be limited to, densities that may accommodate the pending developments within the Specific Plan area. This provides for a more conservative analysis by examining cumulative impacts that would be greater than those associated with the individual proposed developments. The mitigation measures have been written to address the general impacts associated with the pending and as yet unknown development that would be consistent with the Specific Plan as a whole. Further, each project specific application may require stand-alone CEQA documentation that would be

prepared as part of the individual project entitlement process. To the extent that the projects are consistent with the Specific Plan and the Program EIR, subsequent environmental documents would be able to focus on project specific details not already addressed in the Program EIR.

In reference to the commenter's opinion that the EIR defers mitigation, CEQA Section 15126.4 (B) states that "where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Formulation of mitigation measures should not be deferred until some future time. However, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way." This section is particularly important where the extent of an impact may not be known. For instance, although several development projects have been proposed for the Specific Plan, the EIR examined a greater level of development than that proposed by the individual pending projects in order to consider a worst case scenario. Therefore, the EIR provided mitigation measures with performance standards that would apply to impacts of varying degrees (i.e. the worst case scenario or only the development eventually proposed under the individual projects). Examples of mitigation measures with such performance standards are BIO-2(b) – BIO-2(c). Each of these measures requires an indication of performance criteria, monitoring effort, and contingency planning. The use of performance standards is permitted under CEQA and is not a deferral of mitigation.

Where biological resources have been documented or presumed to have the potential for presence, mitigation has been required to either avoid such areas (most of which is contained in the Zone G open space area), or to verify the absence of important biological resources so that take of important biological resources is minimized. The need for future detailed analyses will be dependent on actual future design submittals, which cannot be forecast at this time. Since the EIR includes specific performance standards that would mitigate the significant effects of such future submittals, it does not defer mitigation, but requires consideration for future and changing conditions as projects build out over the long term under the Specific Plan.

<u>Response 11B</u>

The commenter states that valley oak savanna is not discussed as a habitat type within the EIR. The opinion of the commenter that some undefined areas south of Agoura Road are "valley oak savanna" is noted. As mentioned in Section 4.3, *Biological Resources*, vegetation communities were described using Holland (1986, 1990), modified as appropriate to conform to the more recently accepted series concepts of Sawyer and Keeler-Wolf (1995). Neither of these classification systems have a specific category for "valley oak savanna," nor do the California Department of Fish and Game Wildlife Habitat Relationship System or the Natural Diversity Data Base describe "savanna." These classification systems would tend to characterize "savanna" as open oak woodlands, but it is difficult to determine where a woodland is present as opposed to simply adjacent grasslands when trees are few and scattered. As such, oak savanna tends to be difficult to characterize since the limit between it and adjacent grasslands is not defined except as a qualitative opinion by individual biologists. One to two isolated oaks would not be sufficient in the biological opinion of the EIR consultant to justify describing a much larger area as "valley oak savanna." The EIR consultant's biologists conducted a general field reconnaissance of the Specific Plan area for the purpose of classifying the vegetation in addition to previous vegetation community classifications in the project area prepared by others

(see Section 4.3 for an explanation of sources used). Based on the field reconnaissance, it was determined that those oaks in the southern portion of the site south of Agoura Road have been exposed to extensive fire hazard clearance activities for several decades, including disking on at least an annual basis, which has removed all native understory in this area and replaced it by weedy annuals. As such, it was determined that it would be inappropriate to characterize these oaks as "oak woodland" since they have been largely reduced to landscaping status, especially those within a hundred feet of the roadways. In addition, the open areas near the trees in this area was dominated by non-native weeds and given the constant disturbance regime, it was judged that this area was best characterized as "ruderal/disturbed" rather than grassland, which would be necessary to characterize an open oak woodland mixture with an understory of grasses as "savanna." It is the EIR consultant's biological opinion that given the disturbances in this area, the ecological functions that would be associated with a "savanna" condition are lacking in the Specific Plan area.

The commenter also notes that the EIR does not discuss California Oak Woodlands Law (SB 1334). The California Oak Woodland Law was added to the California Public Resources Code, Section 21083.4 and notes that "a county shall determine whether a project within its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment." The Specific Plan is located within the City of Agoura Hills and does not fall within Los Angeles County jurisdiction. Further, the City of Agoura Hills Oak Tree Preservation Ordinance has higher threshold criteria and mitigation requirements than does the California Oak Woodlands Law and, thus, would supersede the provisions of that law.

<u>Response 11C</u>

The commenter states his opinion that the vegetation map (Figure 4.3-1) is inadequately detailed and does not differentiate between disturbed, ruderal, developed, annual grassland and valley oak savanna habitats.

Please see prior discussion in Response 11B. The vegetation map does clearly differentiate between developed and disturbed areas, which are also apparent by the use of an aerial photograph as the base. Ruderal and disturbed areas contain largely the same floral elements, and no differentiation between the two is necessary. Because of ongoing disturbance of the site, only limited patches of the open vegetation is describable as annual grassland (namely dominated by grasses as compared to herbaceous annuals) and distinguishing between this community type and the ruderal/disturbed areas does not provide any additional information relative to biological impact assessment since annual grassland is widespread, is not rare, and is not considered a sensitive community. Figure 4.3-1 illustrates the area containing native perennial grassland, which is considered a sensitive community.

<u>Response 11D</u>

The commenter notes that on page 4.3-7 the use of "Coastal Sage Scrub" in the second sentence of the second paragraph is distracting.

Per the commenter's note "Coastal Sage Scrub" (Holland designation) was replaced with "coyote brush series" (Sawyer and Keeler-Wolf designation).

Response 11E

The commenter notes that on page 4.3-7 of the Setting the identification of "a variety of Willow" as "*Salix* spp." is incorrect biologically and insufficient from an impact-assessment perspective.

The abbreviation "spp." (plural) indicates "several unknown species" and is appropriate for the treatment of willows in the area south of Medea Creek. A variety of different common willows are present, and willows are known to hybridize frequently. No matter which willows are present, this community is considered to be sensitive because it is a wetland community subject to the jurisdiction of the Department of Fish and Game and the Army Corps of Engineers. No willow species in this area are listed as special status plants, therefore, no information relative to biological importance is lost by not identifying the willows to species level.

Response 11F

The commenter states his opinion that there is insufficient explanation as to why annual grassland has been lumped with ruderal and disturbed lands in Figure 4.3-1.

The commenter's opinion is noted; please see Response to Comment 11C above. In addition, page 4.3-9 of the Draft EIR states that "ruderal vegetation consists of habitats that have been recently disturbed by human or natural forces and are in early successional stages of development...The project area has been historically disturbed and is dominated by ruderal species. Ruderal Series vegetation occurs throughout the majority of the Specific Plan area. For this analysis, annual grasslands were grouped under a ruderal characterization. Annual grassland composition is variable throughout the project area, dependent upon the frequency and magnitude of disturbance…" "Annual grasslands primarily occur in scattered bands between Ladyface Mountain and Lindero Canyon Creek; small patches between Lindero Canyon Creek and the heavily disturbed areas west of Kanan Road and south of Agoura Road; among the ruderal grasslands south of Agoura Road and north of Medea Creek; as well as among the ruderal and disturbed areas east of Cornell Road. It is expected that some annual grasslands replaced native perennial grasslands and native shrub communities in the Specific Plan area due to historic land uses that resulted in excessive grazing and increased fire frequency." The EIR explains the location of the limited amounts of annual grassland present in the Specific Plan, and as previously stated, since it is largely found among disturbed areas of ruderal habitat, it was lumped together with this classification for the purposes of mapping in the EIR because annual grassland is not considered a sensitive community. The occasional occurrence of herbaceous plants as indicated in this comment scattered within largely ruderal weeds is not sufficient to warrant more precise mapping in the biological opinion of the EIR consultant.

Response 11G

The commenter notes his opinion that the value of oak trees in grassland habitats is downplayed.

Commenter's opinion is noted; please see responses to comments 11B and 11C above. The natural ecological context of the oak trees in the Specific Plan area has been substantially altered by decades of fuel management to avoid wildfire hazards, resulting in a substantial decrease in

the value that oak trees could otherwise have for adjacent open areas. Such values are also decreased in the Specific Plan area because of the proximity of existing commercial development and the US Highway 101. Nonetheless, page 4.3-12 of the Draft EIR states "Oak trees are perhaps the most widely recognized and most environmentally sensitive resource of the City of Agoura Hills." Impacts to oak trees in themselves are addressed in Impact BIO-3.

Response 11H

The commenter notes his agreement with a statement made on page 4.3-11 that no wildlife species are restricted to mixed chaparral. However, he also notes his opinion that its use is misleading and ignores the fact that a number of sensitive species may potentially use the mixed chaparral onsite.

The EIR does not mislead readers into ignoring the value of coastal sage scrub or chaparral habitat for species. Table 4.3-2 of the Draft EIR clearly states the habitat preferences of the sensitive animals that are potentially found in the Specific Plan area. Impacts BIO-1(a) – BIO-2(c) specifically address potentially sensitive plants, animals and communities. Thus, regardless of habitat type, the EIR adequately examines the potential impacts to sensitive species.

Response 11I

The commenter states his opinion that the characterization given to annual grassland on page 4.3-12 is inconsistent with earlier treatments of the habitat.

The discussion of annual grasslands on page 4.3-12 is in regards to the habitat value for wildlife while the earlier discussions regarding grasslands were in reference to vegetation communities. Discussions of vegetation types also differentiated between non-native annual grasslands and native grasslands.

Response 11J

The commenter refers to page 4.3-12 and notes that the discussion of oak trees differs from earlier discussions.

Commenter opinion noted; the EIR consultant disagrees with this assessment. The difference regards an opinion of the ecological value of the oak trees in the context of a highly disturbed ruderal vegetation adjacent to existing urban development as compared to the value an oak tree would have in a relatively undisturbed context (which could then be considered "oak savanna") separate from urban influences and fire hazard management activities. Please see response to comments 11B and 11C. The City of Agoura Hills has specific requirements regarding oak trees and considers them a sensitive and important resource in the City's General Plan.

Response 11K

The commenter notes that Agoura Hills dudleya (*Dudleya cymosa ssp. Agourensis*) has been subsumed into Santa Monica Mountains dudleya (*D. cymosa ssp. Ovatifolia*) and that expectation of occurrence in the Specific Plan should be provided.

The California Department of Fish and Game California Natural Diversity Database *Special Vascular Plants, Bryophytes, and Lichens List* (October 2005) and the Federal List of Endangered, Threatened, and Rare Plants still separately list these two plants. However, the comment is noted. Expectation of occurrence is provided in Table 4.3-1 of the Draft EIR.

Response 11L

The commenter notes his disagreement with the determination on page 4.3-14 that much of the project site is disturbed and therefore the assessment that round-leaved filaree is not expected is inaccurate.

This plant was looked for in prior biological surveys at the site and was not found. The degree of disturbance at the site is illustrated on Figure 4.3-1 and Section 2.0 of the Draft EIR indicates that approximately 24% of the Specific Plan area is already developed. The habitat in which this plant could be found is either disturbed or underlain by rocky soils, as stated in the Draft EIR text; therefore, it is judged to not likely be present. Mitigation measure BIO-1(a) would be protective of this plant in the event that it is actually present in those portions of the Specific Plan that may be developed in the future.

Response 11M

The commenter states that the EIR should divulge that the individual California juniper (*Juniperus californica*) occurring on the site is uniquely the southernmost individual of that species known in the Santa Monica Mountains and thus defines the range for the species in this region.

The EIR notes that this species currently has no special status listing/designation, is not a candidate for special status, and is not a local species of concern; however, the Santa Monica Mountains National Recreation Area (National Park) notes that it is a plant of special interest. The natural status of the junipers in this area is in dispute; as stated in *Wildflowers of the Santa Monica Mountains* (M. McAuley, 1996) "2 species [in the Cypress Family] are found in the Santa Monica Mountains, probably neither truly native. The *Juniperus californica* colony that was south of Cornell Corners until the fire of 1978 burned them is of unknown ancestry." Because the origin of this juniper is in dispute, it is not necessarily a unique individual, nor does it necessarily define the southern range of this species. Defining the regional boundaries of a relatively common species is beyond the scope of an EIR.

Response 11N

The commenter notes that Table 4.3-1 should state explicitly whether each species presented is expected on the site or not.

The EIR includes a column in Table 4.3-1 called "project site suitability;" this column indicates whether or not there is suitable habitat present onsite for each species. The logic of this

presentation of data is that if there is no suitable habitat then the species would not be expected to be found on site.

Response 11O

The commenter states his opinion that more species within the region are considered sensitive and should be included in Table 4.3-2. The commenter further notes that the California Department of Fish and Game should be consulted for additional species.

As explained in the EIR, the CDFG was contacted and the CNDDB researched for sensitive species that may occur within the area. The latest version (2005) of the Rarefind Database was utilized to inventory sensitive and potentially sensitive species within the area. Further, responses to the Notice of Preparation for the EIR were also used as sources for sensitive species which should be included in the EIR. The commenter does not provide any specific information regarding what other special status species might be located within the area, and therefore no further response is possible.

Response 11P

The commenter states his opinion that the DEIR improperly defers mitigation. Please refer to the detailed response to comment 11A.

Response 11Q

The commenter notes his agreement with the EIR in correctly identifying the occurrence of a number of sensitive species within the Specific Plan area. However, he notes his opinion that the locations of these species is not presented in the document.

Figure 4.3-3 illustrates the location of sensitive species to the degree too which they are known to occur in the area.

Response 11R

The applicant states his opinion that the sensitive plant species mentioned under mitigation measure BIO-1(a) would not be good candidates for replanting and that avoidance is the only viable mitigation for species preservation.

Please refer to response to comments 3A and 3B, and to revised mitigation measures in the Final EIR. As noted in 3A and 3B, avoidance is required unless avoidance is shown to be infeasible, in which case replanting is a reasonable option if the species is a good candidate.

Response 11S

The commenter notes that mitigation BIO-2(a) refers to a buffer zone of "50-100 feet" as a minimum, when in fact it is a range. The commenter notes that 50 feet would be the minimum.

This comment is noted. The word "minimum" is removed from the measure.

Response 11T

The commenter states his opinion that the DEIR improperly defers mitigation and has not surveyed for grasslands.

Please see response to comment 11A above. Native grassland habitat has been surveyed for within the Specific Plan area and is as shown on Figure 4.3-1. Measure BIO-1(a) has been revised to specifically exclude development from the mapped native grassland area. The specific location and intensity of future land uses at the site is not known since subsequent development actions based on the Specific Plan will need to be submitted and reviewed by the City. As stated in the Project Description, the pending development proposals were used to estimate potential development actions that could occur under the Specific Plan; these are not necessarily the actual projects that will be approved by the City and revisions to the projects as a result of the Specific Plan and its approval process are anticipated. Therefore, it is incorrect to assume that a mitigation area within the Specific Plan area should already be established given the various mitigation measures provided in the EIR that are intended to avoid impacts to sensitive plants and vegetation communities. Prior to development of individual projects, environmental documentation would be prepared based on this Program EIR. Additionally, refer to Response 16D for additional information regarding the purpose of utilizing a programmatic EIR.

Response 11U

The commenter states his opinion that the DEIR is "piecemealing" and also states the opinion that the DEIR improperly defers mitigation and that specific habitat mitigation plans are required at this time.

The commenter inaccurately uses the term "piecemealing," which refers to dividing a project up into smaller component parts to avoid addressing larger environmental issues. On the contrary, the subject EIR for the Agoura Village Specific Plan is a Program EIR which combines the consequences of smaller potential development actions so that they can be addressed on a larger scale basis. Program EIRs are advantageous because they:

- provide more exhaustive consideration of effects and alternatives than is practical in an EIR on an individual actions,
- ensure consideration of cumulative impacts that might be slighted on a case-by-case basis,
- avoid duplicative reconsideration of basic policy considerations,
- allow the Lead Agency to consider broad policy alternatives and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, and
- allow reduction in paperwork.

A consequence of the Program EIR process is that broad policy mitigation measures are developed, rather than absolute precise mitigation measures that address individual actions. As previously stated, the actual future development plans are not yet known and such will be addressed in future environmental analyses based on actual effects. The EIR provides for mitigation measures that define specific performance requirements to mitigate the potential future development actions. There is no CEQA requirement that habitat mitigation plans be prepared as part of the

environmental document, rather any such plans would be prepared subsequent to the approval process for any particular development action. If, as recommended in the mitigation measures, the project avoids impacting sensitive biological resources, then no habitat mitigation plans are necessary.

12

RESOURCE MANAGEMENT AGENCY

county of ventura

Planning Division
Christopher Stephens
Director

January 3, 2006

RECEIVED
JAN 04 2006
BY: A. Cook

Allison Cook, Senior Planner
City of Agoura Hills
Planning and Community Development Department
30001 Ladyface Court
P.O. Box 20250
Agoura Hills, CA 91301

FAX #: 818-597-7337

Subject: Agoura Village Specific Plan; Draft EIR

Thank you for the opportunity to review and comment on the subject document. Attached are the comments that we have received resulting from intra-county review of the subject document.

Your proposed responses to these comments should be sent directly to the commenter, with a copy to Carl Morehouse, Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009.

If you have any questions regarding any of the comments, please contact the appropriate respondent. Overall questions may be directed to Carl Morehouse at (805) 654-2476.

Sincerely,

Post-it® Fax Note 7671	Date 1-4-06	# of pages ▸ 3
To A. Cook	From C. Morehouse	
Co./Dept.	Co.	
Phone #	Phone #	
Fax # 818 597-7337	Fax #	

Christopher Stephens
County Planning Director

G:\Planning Division\Outside Environmental Documents\Response Letters\Agoura Hills 05-011-1

Attachment

County RMA Reference Number 05-011-1

Letter 12

COMMENTER: Christopher Stephens, County Planning Director, County of Ventura Resource Management Agency

DATE: January 03, 2006

RESPONSE:

Response 12

The commenter thanks the City for the opportunity to review and comment on the Agoura Village Specific Plan EIR and notes inclusion of comment letters from Ventura County Public Works Transportation Department and Ventura County Air Pollution Control District.

In response to this and other related comments, Mitigation Measures T-2(g) was revised to fully mitigate for cumulative impacts. Please refer to Section 4.11, *Transportation,* for the full text and revisions. As impacts would be fully mitigated, County opposition would not be anticipated.

13

PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division

DEC 2 7 2005

MEMORANDUM

DATE: December 21, 2005

TO: Resource Management Agency, Planning Division
Attention: Carl Morehouse

FROM: Nazir Lalani, Deputy Director NL

SUBJECT: Review of Document 05-011 Agoura Hills Village Specific Plan.
Draft Environmental Impact Report for the Agoura Hills Village Specific Plan encompassing approximately 587,000 SF of retail and office space and between 184 and 234 residential units. The project is located on the south of 101 Freeway and on either side of Kanan Road in Agoura Hills in Los Angeles County.
Lead Agency – **City of Agoura Hills**

The Public Works Agency -- Transportation Department has reviewed the DEIR for the Agoura Hills Village Specific Plan. The project proposes to construct a maximum of approximately 587,000 SF of retail and office space and between 184 and 234 residential units. The project is located on the south of 101 Freeway and on either side of Kanan Road in Agoura Hills in Los Angeles County.

The project location is outside of Ventura County jurisdiction. The proposed project will generate 21,928 total ADT, out of which 17,593 ADT is considered as primary trips. The DEIR did not analyze any roadways or intersections in Ventura County. The Traffic Study included in the DEIR indicated that 5% of the ADT from this project would travel north on Kanan Road. However, no adverse site-specific impacts to County Roads were identified in the DEIR.

The cumulative impact of this project, when considered with the cumulative impact of all other approved (or anticipated) development projects in the County, is potentially significant. The agreement between the City of Agoura Hills and the County of Ventura dated February 2, 1992, requires the City to condition projects to mitigate the traffic and circulation impacts. If the project cumulative impacts are not mitigated, current General Plan policy will require County opposition to this project.

Our review is limited to the impacts this project may have on Ventura County's Regional Road Network.

Please call me at 654-2080 if you have questions.

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Letter 13

COMMENTER: Nazir Lalani, Director, County of Ventura Public Works Agency, Transportation Department

DATE: December 21, 2005

RESPONSE:

Response 13

The commenter reiterates the level of traffic that would be introduced by the project and conclusions of the EIR. Additionally, the commenter notes an agreement between the City of Agoura Hills and the County of Ventura dated February 2, 1992, which requires the City to condition projects to mitigate traffic and circulation impacts. If the project cumulative impacts are not mitigated, current General Plan policy would require County opposition to the project.

The comment is noted. Individual projects would be required to comply with all applicable City and County traffic mitigation programs. Additionally, no adverse site-specific impacts to County roads were detailed in the EIR because none were found.