

REPORT TO CITY COUNCIL

DATE: JUNE 14, 2006

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

SUBJECT: CONTINUED PUBLIC HEARING REGARDING THE AGOURA VILLAGE SPECIFIC PLAN AND FINAL PROGRAM E.I.R.

On May 24, 2006, City staff, along with a team of consultants, including RRM Design Group, Associated Transportation Engineers, Inc., and Rincon Consultants, Inc., presented the Agoura Village Specific Plan (AVSP) and Environmental Impact Report (EIR) to the City Council for review and consideration. Following staff and consultant presentations, the public hearing was opened and fourteen people spoke regarding the AVSP and EIR. The public comment portion was then closed and given the late hour, the City Council continued this item to June 14, 2006 to complete Council questions and commence deliberations.

A. PURPOSE OF THE SPECIFIC PLAN

It is important to emphasize that the Agoura Village Specific Plan is a long range planning document that forms the planning framework and establishes the ground rules for any future private development within the AVSP area. Likewise, the Final EIR analyzes the environmental impacts and identifies mitigation measures for this planning framework. Under State law, the Specific Plan permits local government to write planning policies and development codes specifically for one geographic area. The California Environmental Quality Act (CEQA) also permits environmental analysis to be prepared addressing the planning policies and development codes proposed under a specific plan. Further discussion regarding the AVSP EIR is contained in the next section.

As part of the entitlement process, each private development project that is proposed within the Agoura Village Specific Plan area must go through further detailed review and analysis to ensure that it comports to the pre-established planning framework. Individual project level CEQA analysis would be conducted as well that would examine, in greater detail, the potential impacts of the development and propose mitigations. This was the case with the Agoura Hills Corporate Point project (Mark Scheu) which was a project proposed within the Ladyface Mountain Specific Plan area. While a program level EIR was originally prepared for the LMSP, a more site specific, project level EIR was prepared as part of the entitlement review for that project.

The figure provided in the Specific Plan and EIR for the maximum buildout of commercial square footage in the entire Specific Plan area (and which is then divided up into Zones “A” through “F”) is required for purposes of environmental analysis under CEQA. The environmental analysis must consider a reasonable worst case scenario with regard to potential impacts. As such, a maximum development figure had to be identified upon which to base the impact analysis and arrive at mitigation measures to address the impacts. In a sense, this figure is hypothetical, but for CEQA purposes became the maximum that would be allowed in the Agoura Village Specific Plan. Increasing this figure would require additional environmental review.

The figure for the maximum number of residential units and ultimate residential buildout of the AVSP area, however, is a set maximum. The residential units would be limited to multi-family (lofts, apartments, and condominiums), and are likely to range in size from 500 to about 1,800 square feet with an average size of 1,000 square feet. However, the City Council could choose to place a limit on the number of square feet per residential unit.

In any case, it should be noted that the maximum commercial square footage and maximum number of dwelling units identified in the AVSP and EIR are not entitlements. Individual projects are subject to discretionary review by the Planning Commission through the Agoura Village Development Permit. It is important to keep in mind that the ultimate commercial buildout figure used in the AVSP and EIR may not actually be reached. The actual development in the Specific Plan area could be lower when applying site specific constraints and development standards and requirements to each parcel (e.g., parking, landscaping, maximum building coverage, and setback requirements). Similarly, the total number of dwelling units built in the AVSP may end up being less than the maximum identified, given these same constraints.

The AVSP project area consists of numerous parcels and property owners. Therefore, it is anticipated that development in the Specific Plan area will not occur at once but over many years. The Specific Plan is a proactive way in which our City can dictate what, where, and how development should occur. Absent the AVSP, this area would be subject to the development and land use standards of the underlying Commercial-Retail Service (CRS) zone. The CRS zone exists in other parts of the City, both on the north and south sides of the freeway. The “purpose” section of the General Plan and zoning ordinance state, in part, that the “purpose of the CRS district is to provide areas for general commercial, retail and service uses for which a shopper in general makes a single-purpose trip to visit one (1) establishment.” There are specific development standards such as the requirement for a minimum 20 ft. front yard setback and perimeter walls that detract from the pedestrian oriented development style. The CRS zone would generally result in a spread out development and promotes the separation of land uses. Moreover, the list of permitted land uses in the CRS zone includes automotive-related and single destination uses that further detract from the village concept. Therefore, the City’s vision for Agoura Village, which calls for the mixing of commercial and residential uses both vertically and horizontally and a walkable, pedestrian oriented environment, could not be achieved through the existing CRS General Plan land use and zoning designation.

B. ENVIRONMENTAL IMPACT REPORT

Attachment 6 is a letter from Rincon Consultants, Inc. to City staff dated June 3, 2006 providing additional information regarding the EIR and CEQA process for the project.

The EIR assesses potential environmental impacts from developing the AVSP area with the maximum commercial square feet and maximum number of dwelling units identified in the Specific Plan as a worst case scenario. Mitigation measures are listed in the EIR that would reduce and/or eliminate the potential impacts. It should be noted that an extensive portion of the AVSP area is designated as Zone Area "G," which is Open Space. This provides a physical buffer between the development along Agoura Road and the mountains along the southern edge of the AVSP boundary. Moreover, the most sensitive habitats of the AVSP area are located within Zone "G." The Specific Plan calls for concentration of development along the Agoura Road corridor. Many of the vacant parcels in the AVSP boundary have been disturbed by grading or other human intrusion in the past and/or are infill sites. Many of the parcels in the Plan area are already developed, and the AVSP would allow for the redevelopment of the parcels.

As noted earlier, the current underlying General Plan land use and zoning designation of this area is CRS. Under the current CRS designation, there is no particular maximum square footage limitation that is placed on each parcel. Rather, the actual size or intensity of the development is derived upon applying site specific constraints and development standards and requirements to each parcel. The AVSP EIR estimates that the General Plan theoretical full buildout of the Project Area is similar to the full buildout of the Agoura Village Specific Plan. One difference is that the Specific Plan allows residential development while the current CRS General Plan land use designation and zoning would not. Following is a discussion regarding the importance of the residential component in Agoura Village.

C. RESIDENTIAL DEVELOPMENT IN AGOURA VILLAGE

Having a moderate residential component is vital to Agoura Village. Our staff and consultant believe that based on the amount of projected commercial development, 235 residential units is the minimum that is necessary to make the Village viable. There is the legal obligation under State redevelopment law to provide affordable housing and the General Plan Housing Element goals to provide the City's fair share of the region's housing demand. There is also a community obligation to provide housing for all income and age groups. Agoura Village presents opportunities to fulfill these obligations which are not available in other parts of the City given the fact that Agoura Hills is virtually built out residentially. Regardless of these obligations, it is absolutely necessary to have a moderate number of residential units to create the synergy necessary to promote a village atmosphere, to sustain and support the types of retail and other commercial uses that are necessary to make this a village, to have offsetting parking demands, and generally to have Agoura Village function as a village and not as a shopping center. The 25% density bonus (for up to an additional 58 units overall), is subject to approval by both the Planning Commission and City Council and serves as an incentive to provide additional public or common amenities or affordable housing.

The residential units would not be built at one time and in one location, but spread out within Zones A, B, and E. Approximately half of the units would be located above retail, thus further promoting the village dynamics. The stand-alone units would serve as buffers to the open space areas or transition areas to adjoining zones. All residential units are multi-family, such as lofts, apartments, and condominiums, but not single family. Multi-family development provides greater opportunities for design flexibility to commingle with commercial uses. The variety of unit types, sizes, design, and locations helps further promote the village dynamics.

Agoura Village is located within the City's Redevelopment Project Area boundaries and, as stated earlier, there is a legal obligation to provide affordable housing. In January 2005, the Redevelopment Agency approved the state mandated Five-Year Implementation Plan which outlined how to expend the Redevelopment Agency's affordable housing set-aside funds to provide the required 100 affordable units. The Implementation Plan, (nor the AVSP), makes no mention of the use of eminent domain, but rather relies on partnering with developers, including those seeking development in Agoura Village, to provide affordable units. A certain number of market rate units are necessary to offset costs of providing affordable units and higher density, multi-family units are more appropriate for affordable housing than single family homes. The AVSP area provides opportunities to accomplish this.

In 2003, during a joint City Council-Planning Commission workshop on Agoura Village, staff presented a number of key policy issues to assist in developing and refining the Specific Plan. One key policy issue dealt with the amount of residential development that should be allowed. The Council and Commission concurred that residential should be secondary to commercial and that it is necessary to have just the right amount of residential to sustain the village concept. The 235 units called out in the Specific Plan is based on a formula that takes into account the amount of potential commercial development projected in each zone and then proportions the amount of residential development.

Another key policy issue discussed at the Council-Commission workshop dealt with pending project applications. The Council and Commission confirmed the previous direction to continue to engage in discussions with the property owners and developers regarding their projects and to involve them in the development of the Specific Plan. The Council and Commission's comments on key policy issues dealing with land use, parking, architecture, and traffic circulation provided clearer guidance to the consultant and staff in making refinements to the Specific Plan as well as to the developer to make a reasoned decision as to whether to continue with the application or redesign.

D. ROUNDABOUT

The roundabout is the preferred traffic method at the Kanan Road/Agoura Road intersection. A conceptual roundabout design has been prepared by a traffic engineering company in California that specializes in roundabout design, and has been determined to be a feasible option to control traffic flow at this location. More detailed design – preliminary and then final – would be prepared as the project proceeds. A roundabout provides a unique traffic feature and an aesthetic design element to Agoura Village and to the southern gateway of Agoura Hills.

The advantages of a roundabout at this location versus a traditional signalized intersection are several: safety (less points of contact between cars; slower movements through the roundabout); traffic (constant flow of cars, not queuing, and anticipated Level of Service "A"); environmental (less idling of vehicles that reduces emissions, and likely ability to retain the oak trees at the northwest quadrant of the intersection); and aesthetics (ability to create a unique design feature with less pavement and land area needed). A signalized intersection at this location would likely not result in a Level of Service "A." The intersection would require additional turn lanes in each direction, thereby enlarging the area needed for traffic circulation, and so increasing the amount of pavement and likely requiring the removal of the oak trees at the northwest corner of the intersection to accommodate the additional lanes.

The Kanan Road Interchange Project, now underway, is anticipated to be completed in early 2007. This is expected to occur well in advance of the construction of any project proposed as part of the AVSP. As previously noted, each project proposed in the AVSP area would need to undergo separate and individual review by City staff and the Planning Commission before being considered for approval. Given typical review and entitlement schedules, construction of any such project would likely be at least one year from submittal of a formal application.

The Kanan Road/Agoura Road intersection is entirely within the City of Agoura Hills permit jurisdiction. Neither the County nor Caltrans has purview over the intersection or roundabout, nor are approvals required of these agencies. As part of the Draft EIR public comment period, both Caltrans and the County of Los Angeles Public Works Department provided comments on the Agoura Village Specific Plan. However, both agencies made no comments regarding the proposed roundabout.

E. ADJUSTMENT TO PLAN AREA BOUNDARY

In Exhibit A of Attachments 2 and 4 of the May 24, 2006 City Council staff report, Assessor Parcel Nos. 2061-029-001, -03, -05 and -06 were mistakenly shown as being part of the Agoura Village Specific Plan area. These maps were referenced in the General Plan and Zone Change draft resolution and ordinance. In fact, the western Specific Plan boundary area ends at APN 2061-029-003 south of Agoura Road. This graphics error occurred only in these two exhibits and has now been corrected in the current draft General Plan Amendment resolution and Zone Change ordinance (Attachments 2 and 4, Exhibit A). The owners of the properties that were erroneously shown on the map have been notified of this correction. The boundaries of the Agoura Village Specific Plan area are portrayed correctly in all other exhibits of the City Council report, in the AVSP and in the EIR.

The property at the southwest corner of Kanan and Agoura Roads (Whizin property) is approximately 120 acres in size. Currently it is located entirely within the Ladyface Mountain Specific Plan. In 2004, the property owner donated 100 acres of the land to the City for eventual transfer to the Santa Monica Mountains Conservancy as permanent open space. The remaining roughly 20-acre developable area is shown to be in Zone Area "B" and Zone Area "F." Some comments received on the Draft EIR during the public comment period suggested removing Zone Area "F" (fronting Agoura Road on the western end of the Plan area) from the AVSP or replacing it with Zone Area "G" (Open Space). This area was not part of the original AVSP

boundary, but was added a few years ago, as it is part of one contiguous parcel along Agoura Road ending at the corner of Agoura Road and Kanan Road. Zone Area “F” is designated for office land use in the AVSP, and the EIR assumed a hypothetical development buildout of 75,250 square feet.

There are number of options to consider with Area “F”: (1) change the Zone Area from “F” to “G” (Open Space) and add it into the AVSP; (2) remove all of Zone Area “F” from the AVSP and let it remain in the LMSP; or (3) leave the area as Zone “F,” as proposed in the AVSP, and add the entire parcel into the AVSP boundary (this is the proposed project).

In addition, the City Council may want to consider a different eastern boundary of Zone “F.” Currently, the portion of Lindero Canyon Creek that meets Agoura Road is within Zone “B.” Another possibility is to shift the eastern boundary of Zone “F” to encompass this portion of the creek, ending at the eastern edge of the creek. This option would provide a more natural demarcation for the two zones. If the City Council chooses any option that involves retaining a portion of Zone “F” in the Ladyface Mountain Specific Plan, the Council could also consider recalibrating the allowable building area given the reduction in size of the underlying land area.

RECOMMENDATION

It is recommended that the City Council adopt the following resolutions, and waive the first reading in full and introduce by title only, the following ordinances:

1. Resolution 06-1419 Certifying the Program Environmental Impact Report for the Agoura Village Specific Plan; Making Environmental Findings Pursuant to the California Environmental Quality Act (CEQA); Adopting a Statement of Overriding Considerations; Adopting a Mitigation Monitoring and Reporting Program; and Adopting the Agoura Village Specific Plan.
2. Resolution 06-1420 Regarding the General Plan Amendment to Fully Incorporate the Agoura Village Specific Plan.
3. Resolution 06-1421 Regarding the Ladyface Mountain Specific Plan to Transfer a Parcel from this Specific Plan into the Agoura Village Specific Plan.
4. Ordinance 06-334 Regarding the Zone Change to “SP.”
5. Ordinance 06-335 Regarding the Zoning Ordinance Amendment to replace “Agoura Village Overlay District” with “Specific Plan.”

ATTACHMENTS

1. City Council Resolution No. 06-1419 Certifying the Program Environmental Impact Report for the Agoura Village Specific Plan; Making Environmental Findings Pursuant to the California Environmental Quality Act (CEQA); Adopting a Statement of Overriding Considerations; Adopting a Mitigation Monitoring and Reporting Program; and Adopting the Agoura Village Specific Plan.
2. City Council Resolution No. 06-1420 Regarding General Plan Amendment.
3. City Council Resolution No. 06-1421 Regarding Ladyface Mountain Specific Plan.
4. City Council Ordinance No. 06-334 Regarding Zone Change.

5. City Council Ordinance No.06-335 Regarding Zone Ordinance Amendment.
6. Letter dated June 3, 2006 from Rincon Consultants, Inc. to City staff.
7. Letters received since May 24, 2006 City Council meeting.