

## REPORT TO CITY COUNCIL

**DATE: MAY 24, 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: CONDUCT A PUBLIC HEARING REGARDING THE AGOURA VILLAGE SPECIFIC PLAN AND FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT**

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The purpose of this item is for the City Council to conduct a public hearing to consider adoption of the Agoura Village Specific Plan. The Agoura Village Specific Plan (AVSP) aims to revitalize and beautify the Agoura Road corridor, generally between Kanan and Cornell Roads, through the creation of a mixed-use, pedestrian-oriented village. The AVSP is the result of a long range planning effort by the City of Agoura Hills, which began approximately nine years ago. A Program Environmental Impact Report (EIR) was prepared to assess potential environmental impacts resulting from implementation of the AVSP, and to recommend mitigation measures to eliminate or reduce such impacts.

On April 20, 2006, the City Planning Commission voted 4-0 (Commissioner Buckley Weber was absent) to recommend that the City Council adopt the Agoura Village Specific Plan and certify the Final Program Environmental Impact Report (EIR), as well as take several other actions related to implementing the Agoura Village Specific Plan. These include a General Plan Amendment, Zoning Ordinance Amendment, Zone Change, and Ladyface Mountain Specific Plan Amendment. Attachments 11 through 15 consist of the resolutions adopted by the Planning Commission.

Attached is a copy of the April 20, 2006 Planning Commission staff report (Attachment 8), which contains a summary of the Agoura Village Specific Plan. The components of the Specific Plan include: (1) an assessment of existing physical, circulation and market conditions; (2) mobility, including traffic calming measures, parking strategies, street improvements, and pedestrian and bicycle circulation; (3) land use and development standards, including allowed uses, physical and site layout standards, site grading and natural resource protection, and open space requirements; (4) design guidelines for landscaping, parking lots, pedestrian and vehicular connections, lighting, building design principles, building signage; (5) street beautification and public improvements that consist of gateways and signage into the Village area, street furnishings, and landscape palette; (6) provision of infrastructure and public services; (7) plan implementation including necessary capital projects, potential funding sources, and potential business recruitment strategies; and (8) plan administration, which consists of the relationship of

the AVSP to other planning and policy documents and various administrative procedures to implement the Plan.

The vision for Agoura Village is to create a pedestrian-friendly, mixed use environment. The Agoura Village Specific Plan embodies many of the characteristics of neo-traditional town planning and smart growth, including promoting walkability, compact instead of sprawling development style, flexibility in development regulations, including parking requirements, increase in pedestrian orientation and less dominance of automobile orientation, mix of commercial and residential uses, greater diversity in housing styles, and recognizing more organic development patterns and architectural standards. To achieve the Agoura Village vision, this area would begin a transition from its current state toward a unique balance of land uses over time, consisting of retail, office, entertainment, restaurant and residential. The residential units are critical to providing support for the retail and other commercial development, and to sustain the village atmosphere. Moreover, residential development opportunities, particularly affordable housing, will help fulfill the growing demand in our community, as well as help meet the redevelopment law requirements.

Roundabouts and angled street parking are two new elements in the City that are introduced in the AVSP. Roundabouts are becoming more popular in this country. Studies show that there are many benefits of roundabouts, including intersection efficiency, enhanced safety, and environmental. With regard to intersection efficiency, roundabouts permit a continual stream of traffic to flow through the intersection and are usually more efficient in keeping traffic in motion, thus reducing traffic congestion. Roundabouts are also capable of handling a higher volume of vehicles and provide the ability to make a U-turn. Roundabouts can enhance safety since they significantly reduce the number of vehicle conflict points in the intersection as drivers have fewer opportunities to cross paths with other cars. In addition, since vehicles travel more slowly when approaching and driving through a roundabout, drivers have more time to prepare for and react to the traffic. Lower speeds mean that even when a collision occurs, damages and injuries are often less severe than in high-speed collisions. By reducing the amount of rapid acceleration and deceleration associated with other types of intersection controls, as well as idling, roundabouts typically cause vehicles to consume less fuel and correspondingly lead to lower vehicle emissions. Additionally, although the primary function of roundabouts is intersection control, the secondary role as a traffic calming element is beneficial for creating a gateway into Agoura Village.

To ensure that a roundabout could successfully be utilized at the Kanan and Agoura Road intersection, the City hired Ourston Roundabout Engineering, an expert in the design and engineering of roundabouts, to provide a preliminary design for the Kanan/Agoura intersection. The design engineer believes that a roundabout could be built at the intersection in the current City right-of-way and would improve traffic circulation in the area. The proposed roundabout is expected to result in a Level of Service "A" at this intersection. Levels of Service are classified in a range from "A" through "F", with "A" being the best traffic flow, and "F" the most congested. In preparing the final design for the roundabout, many factors, such as overall size, overall shape, entry angles, entry widths, flare lengths, speed constraints, truck movements, pedestrian and bike accommodation, and signing and striping issues will be considered to achieve a good design.

Angled or diagonal parking will be allowed on Agoura Road east of Kanan Road and on the east side of Cornell Road, both south and north of Agoura Road. Allowing angled parking, as opposed to parallel or straight-in parking, will create a safe environment that is more conducive to pedestrian use. Allowing this on-street parking in front of retail and restaurant tenants will also encourage the use of the area as a place to stroll and experience outdoor dining.

In summary, the key elements of Agoura Village would include: traffic calming devices such as landscaped medians and diagonal parking; a roundabout at Kanan and Agoura Roads as a traffic measure as well as a focal point and unique gateway into the Village; a focus on pedestrian orientation through connected walkways, both within individual developments and throughout the greater Village area; a mix of land uses, including residential, to provide mutual support to the various developments, as well as encourage varied and unique storefronts; and preservation of important open space and natural resources. The Specific Plan establishes appropriate land uses, urban design concepts, architectural design guidelines, and sets into place regulations to implement the vision.

Without the Specific Plan, commercial uses could continue to develop incrementally in this same area at the density allowed by the General Plan, but without the benefit of a framework to guide the development and achieve a more consistent theme and appearance throughout the Village. With the Specific Plan, the City has a unique opportunity to help guide the pattern of development in this area in a comprehensive fashion that would ultimately fulfill the vision of Agoura Village.

Attachment 6 is a table summarizing the projection of full buildout of the Agoura Village area (Project Area) under the current General Plan land use designations, and Attachment 7 is a table summarizing the full buildout potential under the AVSP. In comparison, buildout of the Project Area per the General Plan land use designations, and buildout under the Agoura Village Specific Plan result in roughly the same overall density of development. The main difference between the type and amount of development anticipated in the AVSP and General Plan is that the AVSP would allow for multi-family residential uses (apartments, lofts, townhouses) as a complement to the commercial uses. Under the current General Plan, full buildout of the Agoura Village area would result in 952,970 square feet of non-residential development. With the proposed AVSP, the full buildout would be 948,500 square feet of non-residential development and 293 dwelling units (which include 58 density bonus units). Both buildout scenarios include existing development of 372,042 square feet.

The Agoura Village concept formally began taking shape starting in 1997 when the City hired Envicom Corporation to conduct a community charette and workshop to help develop the vision for Agoura Village. In 2001, the City hired RRM Design Group to further develop the vision through the preparation of the Agoura Village Strategic Plan and the Agoura Village Specific Plan. RRM worked with the Agoura Village Task Force and staff in developing the Plan. Plan development occurred through input at several public joint City Council/Planning Commission meetings and workshops, stakeholder interviews, and a public open house held in 2002, where over 60 people were in attendance.

The Draft AVSP was completed by August 2005, and an informational open house attended by over 70 people was held in October 2005 to describe the AVSP and get feedback from the public. Early in 2005, Rincon Consultants, Inc. was hired to assist the City in preparing the EIR. The Draft EIR was completed in November 2005, and a public hearing on the Draft EIR was conducted on December 1, 2005 by the Planning Commission. On February 16, 2006, staff conducted an information workshop with the Commission prior to the formal Planning Commission public hearing on April 20, 2006.

At the April 20, 2006 hearing, Planning and Community Development Department staff presented the AVSP and Final EIR. Public comments followed. Thirteen people spoke, with approximately half in favor of the project, and the other half expressing concerns with certain aspects of the project. Most of the concerns centered around transportation issues, including traffic congestion, pedestrian crossings, bicycle lanes, and the proposed roundabout at the intersection of Kanan and Agoura Roads. Attachment 6 is a copy of the meeting minutes. Attachment 8 is a copy of the Planning Commission staff report. The Planning Commission staff report not only outlines the elements of the Agoura Village Specific Plan, but describes the EIR in more detail, including summarizing the potential project impacts, the main public comments received on the Draft EIR, as well as changes that have been incorporated into the Final EIR. Additionally, the Planning Commission report explains the purpose of a Program EIR, as differentiated from an individual project EIR, and the California Environmental Quality Act process. A copy of the complete Planning Commission packet was previously provided to the Council along with copies of the AVSP document and the Final EIR (Volumes I and II) the week after the Planning Commission hearing.

As part of the Planning Commission presentation, Staff identified several proposed changes to the AVSP that are fairly minor in nature, which were included in an "Errata Sheet." During the EIR public review process, staff determined that some revisions should be made to the AVSP to ensure that the Specific Plan is consistent with the conclusions and mitigation measures in the EIR, and to further clarify issues that were raised by the public. These changes were then compiled into the Errata Sheet. At the Planning Commission hearing, a few more changes were made to the Errata Sheet. These changes included the deletion of one new provision regarding the location of parking spaces adjacent to the roundabout, as it was too specific. The replacement provision allows the Planning Commission to approve alternative parking locations subject to several findings as noted on page 8 of the Errata Sheet. The Planning Commission also concurred with staff's recommendation to add clarifying language that retail use is allowed in Zone C and to add "home decorator retail showroom" as a permitted use in the "Allowable Uses by Proposed Zones" table. This change was recommended to be consistent with a previous Planning Commission interpretation that determined that a home decorator shop was allowed in the Agoura Village Overlay Zone. Finally, a clerical change was made to the "Zoning Plates" section of the Specific Plan to clarify the allowed building height. This change was minor in nature, and consisted of replacing a comma with a period. Attachment 9 is the revised Errata Sheet (dated April 24, 2006), incorporating the changes made at the Planning Commission hearing. As part of the final adoption of the Specific Plan, these changes, in addition to any recommended by the City Council, will be incorporated into the AVSP before the final document is printed for distribution.

All of the public comment letters on the Draft EIR, along with responses to the comments, are included in the Final EIR (Volume II – Appendix G). In addition, letters about the AVSP and/or the EIR received on the day of the Planning Commission hearing, or after, have either been forwarded to the Council already, or are included herein as Attachment 16. Because these letters were received after the close of the public comment period on the Draft EIR, which spanned from November 15, 2005 to January 3, 2006, no formal response to these letters is required.

The following paragraphs summarize the actions that the City Council is being requested to take with regard to the Agoura Village Specific Plan and Final Program Environmental Impact Report.

*1. Certify the Final EIR, Make Environmental Findings per CEQA, Adopt the SOC, Adopt the MMRP; Adopt the AVSP*

Attachment 1 is Draft City Council 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.

In order to approve the project, the City Council must certify the Final EIR prepared for the AVSP. According to the CEQA Guidelines, certification consists of three steps. Prior to approving a project, the Lead Agency must certify that: (1) the Final EIR was completed in compliance with CEQA; (2) the Lead Agency (City) reviewed and considered the Final EIR before approving the project; and (3) the Final EIR reflects the agency's independent judgment and analysis. (Section 15090(a)).

CEQA Guidelines Section 15091 requires written findings to support an agency's approval of the project. The findings must be supported by substantial evidence in the record. The following two findings are necessary.

- Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environment effect as identified in the Final EIR.
- Specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or project alternatives. (CEQA Guidelines, Section 15091).

Draft City Council Resolution 06-1419 addresses the first finding by summarizing the impacts identified in the EIR and briefly describing the mitigation measures required to reduce the impacts to a level of less than significant. The latter finding relates to the Statement of Overriding Considerations (SOC). If there remain significant environmental effects even with the adoption of all feasible mitigation measures or alternatives, the Lead Agency (City) must adopt a SOC before it can proceed with the project. There are two impacts identified in the EIR that would remain significant, even after implementation of feasible mitigation measures. These include short term and long term air quality impacts, and traffic congestion along Agoura Road at buildout of the AVSP.

Per CEQA Section 15093, the City is required to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve a project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.” When the Lead Agency (City) approves a project that will result in the occurrence of significant effects that are identified in the Final EIR, but are not avoided or substantially lessened, the Lead Agency needs to state in writing the specific reasons to support its action based on the Final EIR. The actual SOC text is provided in the attached draft resolution.

Section 15097 of the CEQA Guidelines requires an approving agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) for measures needed to avoid or lessen a project’s significant effects. The purpose of such a program is to ensure that mitigation measures identified in the EIR are implemented by listing the measures, the timeframe for their implementation, and the entity responsible for ensuring that they are carried out. These measures then become project conditions of approval for each development project proposed in the future in the Agoura Village area.

The last item in this Resolution is to adopt the AVSP. Prior to adoption, the City must find that the Specific Plan is consistent with the City’s General Plan. This resolution describes how the AVSP is consistent with various policies in the relevant elements of the General Plan.

## 2. *General Plan Amendment*

Attachment 2 is Draft City Council Resolution 06-1420 approving a General Plan Amendment to change land use maps in the General Plan to reassign the four current various land use designations in the Agoura Village area to “Agoura Village Specific Plan” (AVSP). The Resolution states that any property currently designated Restricted Open Space (OS-R) is subject to Ordinance No. 99-300, which requires voter approval to change the parcel to non-open space uses. Redesignating these existing open space parcels to AVSP would not change the requirements of the Ordinance. Therefore, these particular parcels would be protected as open space, as they currently are by Ordinance No. 99-300, and the AVSP designation would not change this provision.

In several places in the General Plan, revisions would need to occur to fully reference the AVSP designation in the figures, tables and text as necessary during the General Plan update process, currently underway. Until such process is complete and to ensure that there are no inconsistencies between the General Plan and the Agoura Village Specific Plan, staff would be directed by the City Council to interpret the General Plan in conformance with the Agoura Village Specific Plan.

## 3. *Ladyface Mountain Specific Plan*

The parcel at the southwestern corner of the Agoura Village Specific Plan area (specifically beginning at the southwest corner of Kanan and Agoura Roads and proceeding southerly and westerly) is actually within the Ladyface Mountain Specific Plan. Attachment 3 is Draft City

Council Resolution 06-1421 to approve a Specific Plan Amendment to remove this parcel from the Ladyface Mountain Specific Plan and place it within the Agoura Village Specific Plan area boundaries. No other changes to the Ladyface Mountain Specific Plan are necessary. This parcel is one of the four corners of the Kanan and Agoura Roads intersection, which is a gateway into the Agoura Village area; all other corner parcels at this intersection are within the Agoura Village Specific Plan.

In conclusion, the Agoura Village Specific Plan is the regulatory framework for future development of the AVSP area, and establishes land uses, systems of circulation and parking, streetscape and other public improvements, and design and development standards in order to achieve the vision of the Village. Therefore, the AVSP is not a specific development proposal. While the City is preparing the AVSP to guide development in a local area, as allowed by State regulations, the City would not serve as developer of the individual parcels. There are numerous property owners in the AVSP area, and development of the AVSP area would be left to private developers and would proceed incrementally as the market dictates. There are a number of development proposals for specific parcels in the AVSP that City staff has been reviewing on an informal basis. These projects have been waiting for the AVSP process to be completed. If the AVSP is approved and the EIR certified, the entitlement for individual development proposals would be processed for formal review, similar to any other development proposal in the City, including conducting further site specific environmental review per CEQA. These proposals would need to be considered by the Planning Commission on a case by case basis, as separate project approvals.

#### 4. *Zone Change*

Attachment 4 is Draft Ordinance 06-334 approving a zoning map change in the Agoura Village area from the various existing six designations to one designation of “Specific Plan” (SP).

#### 5. *Zoning Ordinance Amendment*

Attachment 5 is Draft Ordinance 06-335 approving a Zoning Ordinance Amendment to delete Chapter 5, Part 9 of the Zoning Ordinance, Agoura Village Overlay District Sections 9581-9584.6. The current “Agoura Village Overlay District” zone would be removed for this area and replaced with “Specific Plan.” Sections 9496-9499 of the Zoning Ordinance currently apply to the “Specific Plan” zone, and no changes to this section are necessary to accommodate the proposed “Specific Plan” designation for the Agoura Village area.

### **RECOMMENDATION**

It is recommended that the City Council conduct a public hearing, 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 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 06-1420 Regarding General Plan Amendment.
3. City Council Resolution 06-1421 Regarding Ladyface Mountain Specific Plan.
4. City Council Ordinance 06-334 Regarding Zone Change.
5. City Council Ordinance 06-335 Regarding Zoning Ordinance Amendment.
6. Table – Projection of Full Buildout of Project Area Under Current General Plan Land Use Designations.
7. Table – Agoura Village Development Summary.
8. Planning Commission Staff Report, dated April 20, 2006.
9. AVSP Errata Sheet, dated April 24, 2006.
10. Minutes from the April 20, 2006 Planning Commission hearing.
11. Planning Commission Resolution 06-859 Regarding Certifying the Program Environmental Impact Report for the Agoura Village Specific Plan; Making Environmental Findings Pursuant to the California Environmental Quality Act; Adopting a Statement of Overriding Considerations; Adopting a Mitigation Monitoring and Reporting Program; and Adopting the Agoura Village Specific Plan.
12. Planning Commission Resolution 06-860 Regarding Zone Change.
13. Planning Commission Resolution 06-861 Regarding Zoning Ordinance Amendment.
14. Planning Commission Resolution 06-862 Regarding General Plan Amendment.
15. Planning Commission Resolution 06-863 Regarding Ladyface Mountain Specific Plan Amendment.
16. Letters from Public (Sharyn Hammond, received April 20, 2006; Ken and Barbara Handler, received April 26, 2006; Mary Altmann, dated April 27, 2006).