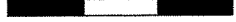




0 60 120 180 Feet



City Boundary
Parcels

Building Footprint

Loading Access

**Lake Lindero
Single Family Residential**

Lake Crest Drive

Ventura Freeway

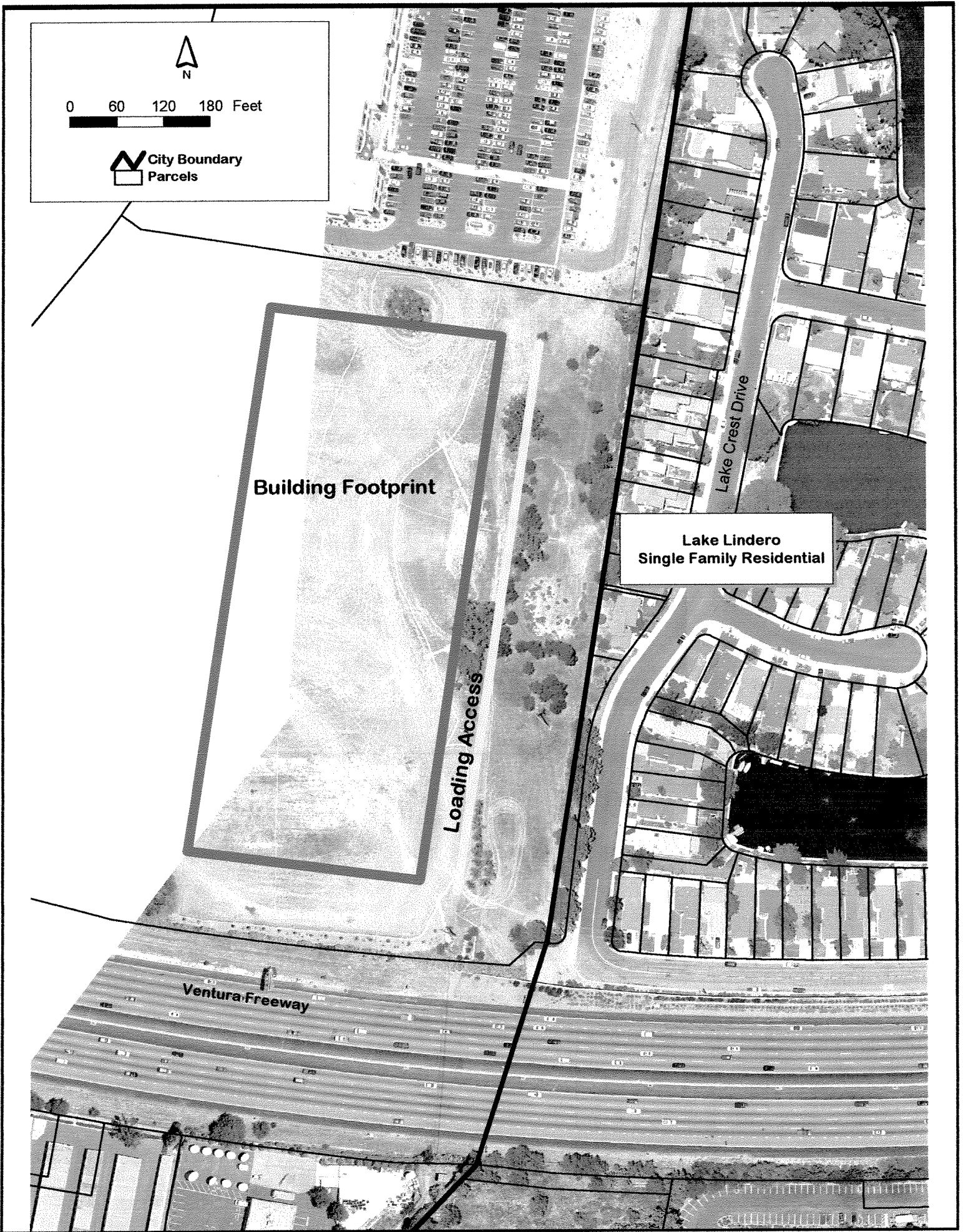
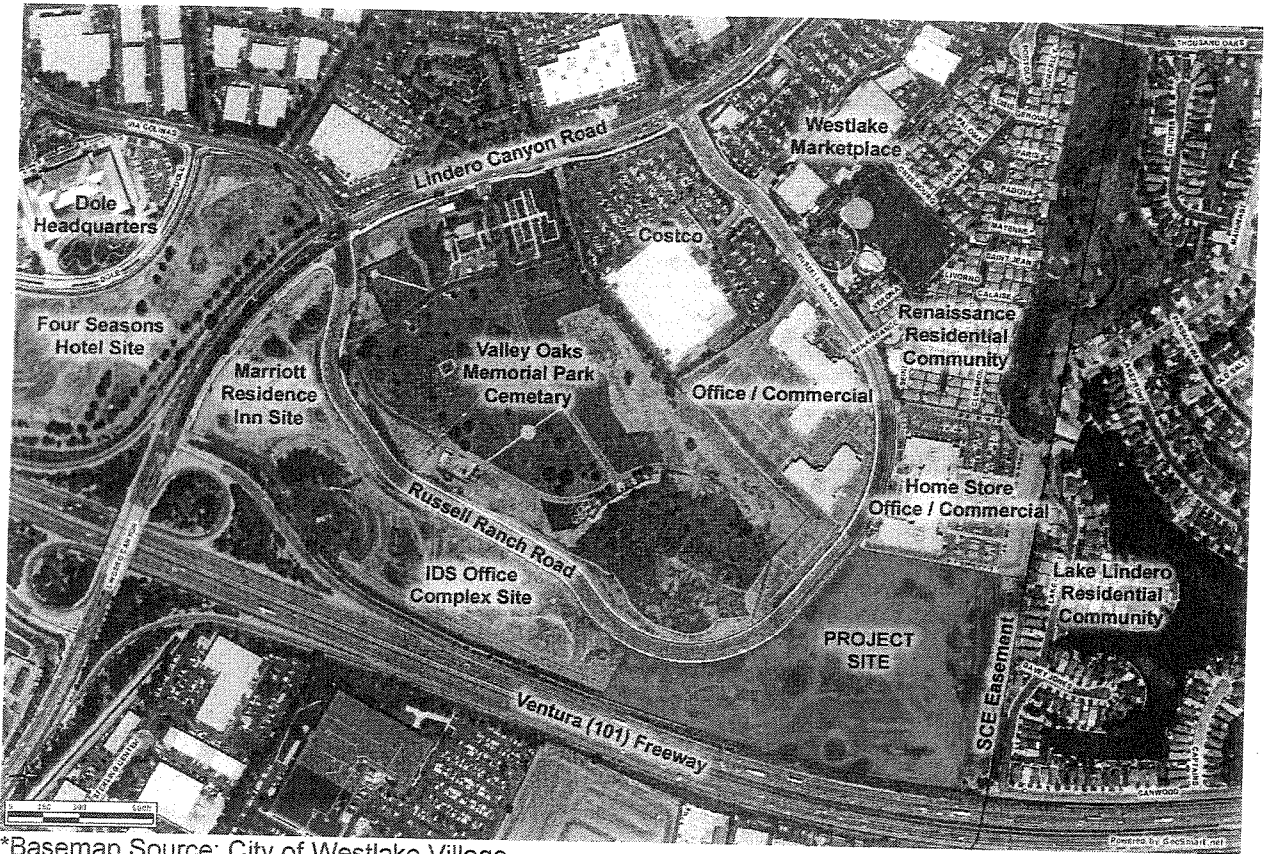




Figure 3.4.1: Surrounding Land Uses

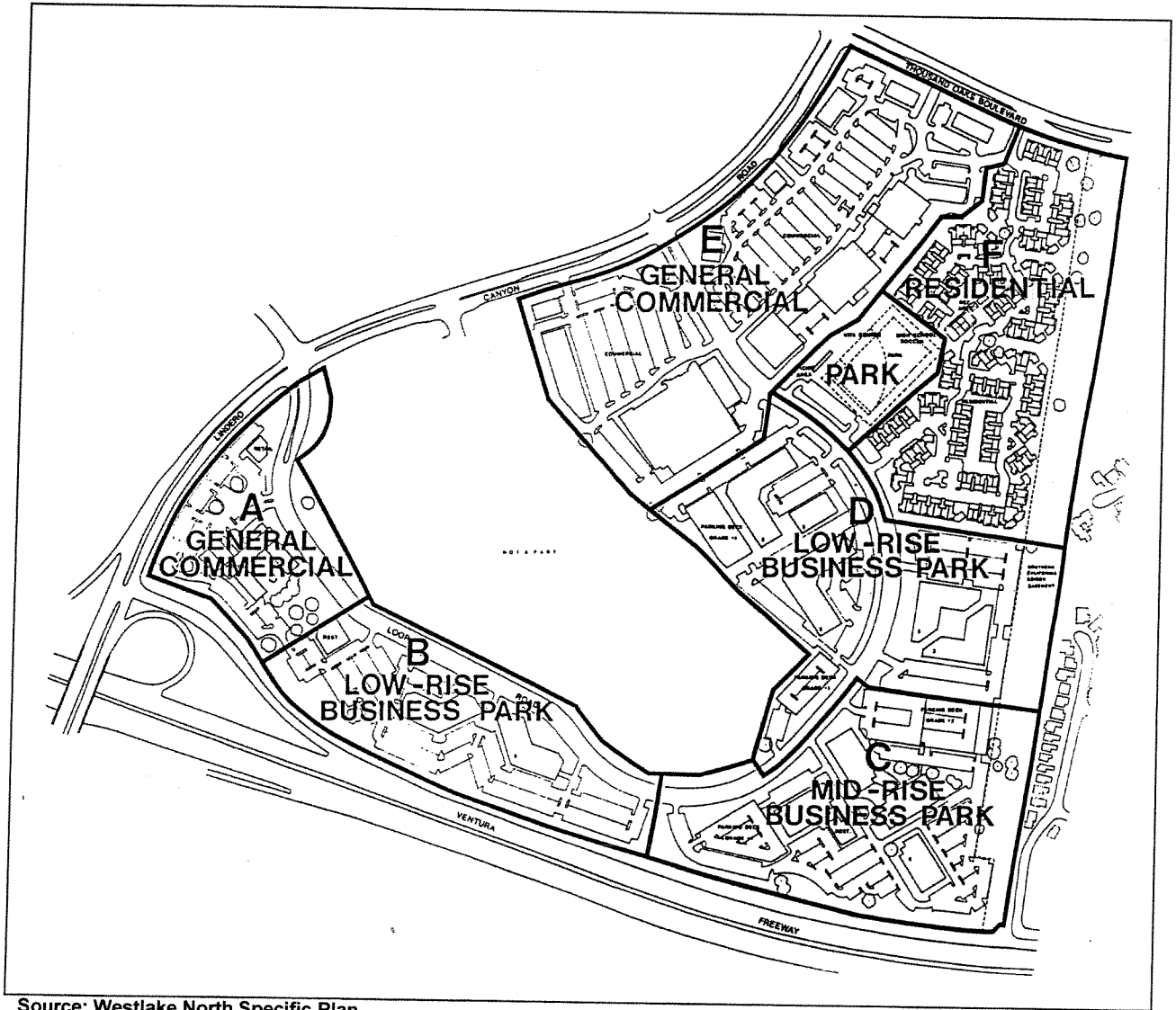


*Basemap Source: City of Westlake Village

Economic Market Area Characterization



Figure 3.4.2: Land Use Plan



Source: Westlake North Specific Plan



AGOURA HILLS

"Gateway to the Santa Monica Mountains National Recreation Area"

December 21, 2005

Robert Theobald
Planning Director
City of Westlake Village
31200 Oak Crest Drive
Westlake Village, CA 91361

SUBJECT: RETAIL CENTER AT RUSSELL RANCH – DRAFT EIR

Dear Mr. Theobald:

Thank you for the opportunity to review and provide comments on the Draft Environmental Impact Report (DEIR) for the Retail Center at Russell Ranch in the City of Westlake Village. We understand that the project consists of changes to the land use policies in the Westlake North Specific Plan from business office park to retail to allow the development of a 227,400 square foot commercial center consisting of a Lowe's Home Improvement store, and other shops and restaurants. The site is located on Russell Ranch Road east of its intersection with Lindero Canyon Road, and adjacent to U.S. Highway 101/Ventura Freeway. The site is bordered on the east by a single-family residential community in the Lake Lindero area of the City of Agoura Hills.

In our letter dated May 4, 2005 regarding the Notice of Preparation of the EIR, we outlined several issues of concern regarding the project, particularly given its location adjacent to the City of Agoura Hills limits. The DEIR has acknowledged only some of these comments. Many of our original comments still remain, and we request that they be fully addressed in the EIR, as identified below.

Section 3.0 ENVIRONMENTAL IMPACT ANALYSIS

3.1 Aesthetics

1. Impact 3.1.3 on page 3.1-12: The DEIR concludes that this impact is less than significant. However, we believe that the project's aesthetic impacts to the residential area along the eastern site boundary (Lake Lindero community of the City of Agoura Hills) would be potentially significant but mitigable. The text states that retail developments are not typically considered unsightly land uses. This is true in many cases, but in this instance, the proximity of the loading/unloading areas of the Lowe's facility adjacent to the back yards of

residences would be considered unsightly without proper mitigation. Moreover, the height of the buildings and the fact that the backs of the building will be facing the homes in Lake Lindero would warrant further mitigation. We understand that a retaining/shield wall is proposed along the eastern site border. However, little information about the type of material and height of the wall is provided in the DEIR. Furthermore, since there may be height limits on walls per the City of Westlake's Municipal Code, we believe that to fully mitigate the impacts, there should be additional plantings of tall trees and other vegetation along the wall, which would grow above the top of wall. Therefore, we request that a mitigation measure be added that requires a six foot high masonry wall along the eastern site border with tall trees and other dense vegetation planted along the eastern side of the wall (in the SCE easement). If it is infeasible to plant such vegetation in the utility easement, then the vegetation should be planted on the western side of the wall, on the subject property.

2. Impact 3.1.3 on page 3.1-13: Lighting and glare impacts on the residences in the Lake Lindero community are identified as less than significant impacts, since the residences are located more than 125 feet away from the project site and are separated from the site by the vegetated utility easement. However, the DEIR does not actually provide sufficient information to support the conclusion that there would be no adverse impacts to this offsite residential area. The DEIR does not appear to list the type of lighting (poles, lights mounted on buildings etc.); the intensity of illumination, hours the lights would be on at the eastern portion of the project site, and the particular location of the lighting. We request that a photometric study be conducted to provide the best analysis of potential lighting impacts in terms of off-site illumination and glare. The fact that the project site would be located at a higher level than the Lake Lindero community, further exacerbating the lighting environment, should be considered. The DEIR notes that the City of Westlake Village has lighting requirements that require any illumination to be reflected away from adjoining properties and rights of way. However, this measure alone may not be adequate. Other measures that should be incorporated along the eastern site edge, once the impacts are more specifically assessed, include use of light shields, motion sensor lighting, limiting more intense lighting to specific hours where it is absolutely necessary, limiting lighting to the minimum safe level, and incorporating downward-focused lights onto the buildings as opposed to stand alone light poles. Planting of tall trees and other vegetation along the proposed screening wall, as recommended in the above comment, would also serve to reduce lighting impacts. The City of Agoura Hills has a requirement that illumination levels shall not exceed one (1) foot candle at the property lines. We would appreciate incorporating this requirement into the DEIR, since homes in the City of Agoura Hills are directly adjacent to the subject site.

3.5 Noise

3. Page 3.5-11, third full paragraph: The text states that there are no directly adjacent sensitive noise receptors. The text notes that the closest noise receptors are the residences in Agoura Hills. The DEIR should clarify that these residences are indeed directly adjacent to the project site.
4. Page 3.5-11, second full paragraph: The DEIR notes that the City of Westlake Village Noise Control Ordinance states that it is unlawful to engage in construction activities before 7:00 a.m. and after 7:00 p.m., Monday through Friday, and before 8:00 a.m. and after 5:00 p.m. on Saturday, and at any time on Sunday or holidays. The City of Agoura Hills Municipal Code (Article IV, Chapter 1) prohibits construction noise on Sundays and holidays, and any other day between the hours of 7:00 p.m. and 7:00 a.m. Considering that the sensitive noise receptor for the project construction is the adjacent residential neighborhood in the City of Agoura Hills, we requested that City of Agoura Hills' noise regulations be adhered to for construction along the eastern half of the site. This requirement should be made a part of the DEIR.
5. Page 3.5-12, 2nd paragraph: This text states that "residential uses in the project vicinity would be buffered by intervening structural obstructions (retaining and screen wall)..." As noted in Comment #4 above, the DEIR should provide more information regarding the size and material of the retaining and screen wall to ensure that it will adequately mitigate noise reaching the residences. As previously noted, the wall should be at least six feet in height, and there should be trees and other tall vegetation planted either on the east or west side of the wall (either in the SCE easement, or if infeasible, on the inside of the wall on the project site). This would further reduce potential noise impacts to adjacent homes.
6. Page 3.5-12, 2nd paragraph: The text refers to the Westlake Village Municipal Code as stating that "it is unlawful to engage in loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, garbage cans or similar objects between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to cause noise disturbance. Although the DEIR states that the residential uses adjacent to the site are located 200 feet from the lumber staging area and more than 325 feet from the loading dock, the site plan provided in the document on page 2.0-13 shows that the back yards of the residential properties would be located approximately 125 feet from the edge of the truck access area at the rear of the Lowe's building. It is likely that these residences would be affected by the noise associated with the activities behind the Lowe's building. Aside from the wall and vegetative buffer referenced in the preceding comment, the DEIR should include more specific language than that of the Westlake Village Municipal Code. The last part of the Code language refers to "in such a manner as to cause noise disturbance." This last phrase is vague, subjective, and open to interpretation, and therefore would be difficult to enforce. Rather than

assume that this portion of the Code would mitigate any potential noise impacts, we believe that the DEIR should specifically require that any trucking operations, loading and unloading of materials, moving of materials, and operation of equipment and other vehicles be limited to the hours of 7:00 a.m. to 9:00 pm.. We respectfully ask that this requirement be made a mitigation measure.

3.7 Traffic and Circulation

7. The report notes that there would be a minor increase in the amount of traffic at the Thousand Oaks Boulevard/Reyes Adobe Road intersection as a result of the project. However, the DEIR indicates that the project would not impact the following intersections in the City of Agoura Hills: Reyes Adobe Road/Canwood Street, Reyes Adobe Road/Northbound 101 Ramps, Reyes Adobe Road/Southbound 101 Ramps and Reyes Adobe Road/Agoura Road. It seems as though the project would result in at least a small number of trips through some of these City intersections. Therefore, we request that the traffic study be verified to make sure that the conclusions are accurate.

Section 4.0 ALTERNATIVES

8. Page 4.0-5, 1st paragraph: In our letter of May 4, 2005, we requested that an alternative site plan be analyzed in the DEIR, which shifts the proposed major home improvement building (Lowe's) away from the eastern edge of the site to account for potential noise and aesthetic impacts to adjacent residences. The text in this paragraph dismisses this option for consideration by stating that it would increase aesthetic impacts from U.S. Highway 101, and that the size and shape of the parcel would not allow for the relocation of the Lowe's store. While we understand that an alternative site design may not be desirable or preferred by the applicant or the City of Westlake Village, there is no evidence that the site configuration would prohibit the shifting of the Lowe's location. While a linear, rectangular shaped building is the standard for home improvement stores, it is not the only possible layout. Depending on the where the Lowe's store is shifted on the site, there may not be aesthetic impacts to U.S. 101. In any case, these noted visual impacts are the same ones that the DEIR is stating would not be significant to residences adjacent to the rear portion of the Lowe's building as currently shown on the site plan. We request that the DEIR analyze as an alternative the relocation of the Lowe's building to another portion of the site so that the rear loading/unloading area of the store is situated away from the back yards of homes in the Lake Lindero area.

The City of Agoura Hills believes that this is an extremely important alternative to be included in the EIR, given the proposed change in land use designation from Business Park to General Commercial. The lot to the north, which is designated for business park uses and developed with the Home Store offices, consists of a building located closer to Russell Ranch Road with a substantial

parking field located between the building and the property boundaries and houses in the Lake Lindero area beyond. This parking field provides a sufficient spatial buffer to the Lake Lindero residential community. If the subject site is to be developed under the current business park designation, it would be likely that an office project would be constructed with similar site planning as the existing office project to the north. The benefit of offices from a land use compatibility standpoint is that they are typically weekday uses that would be less of an impact to residential uses. The City of Agoura Hills believes that a modified site design plan alternative is a reasonable alternative that warrants inclusion in the EIR, as it still provides the applicant the ability to develop the site with the same uses as proposed, while avoiding or substantially reducing any significant effects of the project onto the adjacent residential community.

We appreciate your consideration of these comments, and look forward to your responses during the preparation of the Final EIR. Please contact Allison Cook, Senior Planner, of my staff at (818) 597-7310 should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Mike Kamino". The signature is written in a cursive style with a long horizontal stroke at the end.

Mike Kamino
Planning and Community Development Director