

REPORT TO CITY COUNCIL

DATE: FEBRUARY 23, 2005

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 PRE-SCREEN REVIEW AND PROVIDE DIRECTION REGARDING AN AMENDMENT THE LADYFACE MOUNTAIN SPECIFIC PLAN TO ALLOW RESIDENTIAL DEVELOPMENT WITHIN THE LADYFACE MOUNTAIN SPECIFIC PLAN AREA (CASE NO. 04-PSR-007)

Carlos Khantzis is seeking direction from the City Council on whether to proceed with an amendment to the Ladyface Mountain Specific Plan to allow residential development within the Specific Plan area. Mr. Khantzis owns a 7.1-acre parcel on the westerly end of the Ladyface Mountain Specific Plan area and wishes to develop a 35-unit senior housing project. The purpose of the pre-screen review is to provide an opportunity for the City Council to offer comments to assist the applicant in determining whether he should proceed with a formal request to amend the Specific Plan. The City Council conducted a request for a pre-screen review by the same applicant for the same parcel and proposed use in April of 2002. However, the applicant is now seeking further direction on the proposed density of the project.

The senior housing project is proposed on a parcel located directly east of the existing Archstone Apartment complex along the south side of Agoura Road (A.P.N. 2061-001-025). The development is proposed on an irregularly shaped parcel totaling 7.1 acres. The parcel is situated at the toe of the north-facing slopes of Ladyface Mountain and rises in elevation from approximately 870 feet above sea level (adjacent to Agoura Road) to over 1,000 feet (at the southern property line). Two watercourses under the jurisdiction of the California Department of Fish and Game and the Army Corps of Engineers divide the parcel into two natural pad areas, and a third watercourse separates the parcel from the lots to the east. Much of the area proposed for building is located adjacent to Agoura Road and has been previously modified through brush clearance. The steeper slopes south of the proposed development consist of undisturbed biological habitat.

At the time of Specific Plan adoption in 1991, the City Council concluded that the land uses most compatible with the sensitive nature of the hillside were business park type developments, including offices and other ancillary uses. Business park type developments were generally preferred at the time of Specific Plan adoption due to the more compact nature in which they can be designed (i.e. avoidance of large graded pad area for surface

parking through incorporation of underground parking) as compared to the typical residential tract that would likely require the construction of an extensive vehicle circulation system and large level building pad area. In addition, the standard single-family residential developments and high-density apartment units are more likely to create increased demand on the City's public schools, recreational facilities and shopping facilities. None of these facilities are located in the project vicinity. Moreover, unlike business parks which are daytime, weekday uses, residential development would result in human presence 24 hours a day which would further encroach onto the sensitive environment of the hillsides.

The Ladyface Mountain Specific Plan currently permits the development of the subject parcel as a business park use with 24,000 to 34,000 square feet of building area. The maximum allowable development pad area is limited to 2.42 acres. The maximum traffic budget allotted to the parcel is 90 vehicle trips during the PM peak hour period.

For the City Council's pre-screen review in 2002, the applicant provided information regarding the development concept. The project proposal included 48 senior condominium units distributed among 10 individual residential structures with 4-5 units per structure. The project also included underground parking structures. While staff had reservations about the proposed density, staff found that the subterranean parking concept, along with the placement of small residential pads, could reduce the potential environmental effects caused by mass on-site grading. Also, the proposal to construct senior housing units would most likely generate less traffic and reduce the impacts on neighborhood support facilities. Thus, unlike a tract of traditional single-family homes or a high-density multi-family project, the City would not be compelled to provide convenient neighborhood facilities such as schools and parks. Staff also noted that the proposal would be compatible with the Archstone Apartments – a multi-family residential development located directly west of the proposed project site.

The City Council expressed their willingness in allowing the applicant to proceed with an application to amend the Specific Plan to allow for a senior housing project, but only for this specific site. The City Council did not provide direction on the proposed density (number of units) of the project, but staff did note at the time that a final determination of the maximum allowable density would need to be calculated based on the City's Hillside and Significant Ecological Area development criteria, since residential development was not anticipated and thus not analyzed as part of the Specific Plan adoption. Staff also informed the Council that the applicant's proposal to construct 48 condominium units may likely need to be reduced based on these standards.

Staff subsequently worked extensively with the applicant in determining a density for the project that could meet the City's development criteria. The average topographic slope of the property is 16-20%, which the Hillside Ordinance would allow for a maximum density of 10 units on the site (0.66 acres per unit). If the City were to theoretically apply a Cluster Development Overlay designation provisions to the property, the allowable density could be increased by up to 100%, or 20 units on the site. The 20 unit density could also theoretically be increased if specific criteria of the Ladyface Mountain Specific Plan were

applied, including allowing for the maximum building area on the parcel of 34,000 square feet, or allowing a density based on the traffic budget of 90 vehicle trips in the PM hour. Allowing for development within the maximum pad area of 2.42 acres could also increase the project density beyond the proposed total pad area of approximately 1.5 acres.

Based on these criteria, the applicant proceeded in the development of design plans under an administrative Pre-Application Review process. Recently, however, the applicant and staff were informed that California Civil Code Section 51.3.4 requires a minimum density of 35 units for a residential project to qualify as a “senior citizen housing development.” If the project were to have a density of less than 35 units, the City could not restrict the occupancy of the residents to exclusively seniors. The question now posed is whether the City Council would be willing to allow the applicant to proceed with the Specific Plan Amendment with the understanding that a minimum of 35 units would be required for development of a senior housing project.

In order to provide for the 35 units, the applicant is proposing to cluster 23 two-story condominium units on the western side of the property, in close proximity to the Archstone Apartments. Twelve (12) detached, two-story, single-family units are proposed on the east side of the property. This plan is labeled as Alternative 1 and is the applicant’s preferred development scenario.

If the City Council could not support the 35-unit density required for a restricted senior housing project, the applicant is requesting the Council’s opinion of whether he could proceed in developing a 20-unit, non-restricted residential project. A conceptual site plan for such an alternative is provided and is labeled as Alternative 2. In this second alternative, the applicant proposes 4 condominium duplex buildings on the west side of the lot, and 12 detached, single-family residential units on the east side of the lot. While the density of this second development scenario would be less than the required 35-unit senior housing project, a non-restricted residential project would place more demands on schools, parks, and traffic. The fact that industrial and office uses exist across the street must also be considered for any proposed residential development.

A formal request for a Specific Plan Amendment would have to be filed by the applicant for either development scenario. Staff would conduct a more thorough analysis of the application, including environmental clearance pursuant to the California Environmental Quality Act. The entitlement requests (Conditional Use Permit, Oak Tree Permit, etc.) could be submitted together with the Specific Plan Amendment request. The request would subsequently be reviewed by the Planning Commission at a public hearing for a recommendation to the City Council at subsequent public hearing.

Staff has also advised the applicant that the City may be considering conducting a comprehensive revision of the Ladyface Mountain Specific Plan. However, as it is uncertain as to if and when such process would commence, the applicant would prefer to receive direction regarding his request at this time.

RECOMMENDATION

Staff recommends that the City Council provide non-binding comments to the applicant as to whether he should proceed with the request to amend the Ladyface Mountain Specific Plan to allow for either a restricted senior housing residential development, or a non-restricted residential development on the parcel. If the City Council's preference is not to develop the property for residential use, the applicant would be entitled to develop the parcel for business park use under the existing development standards of the Ladyface Mountain Specific Plan.

Attachments: Letter/Project Description from Applicant
Minutes of the April 24, 2002 City Council Meeting
Vicinity Map