

REPORT TO CITY COUNCIL

DATE: APRIL 28, 2021

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: NATHAN HAMBURGER, CITY MANAGER

BY: JESSICA CLEAVENGER, SENIOR PLANNER
DENICE THOMAS, COMMUNITY DEVELOPMENT DIRECTOR

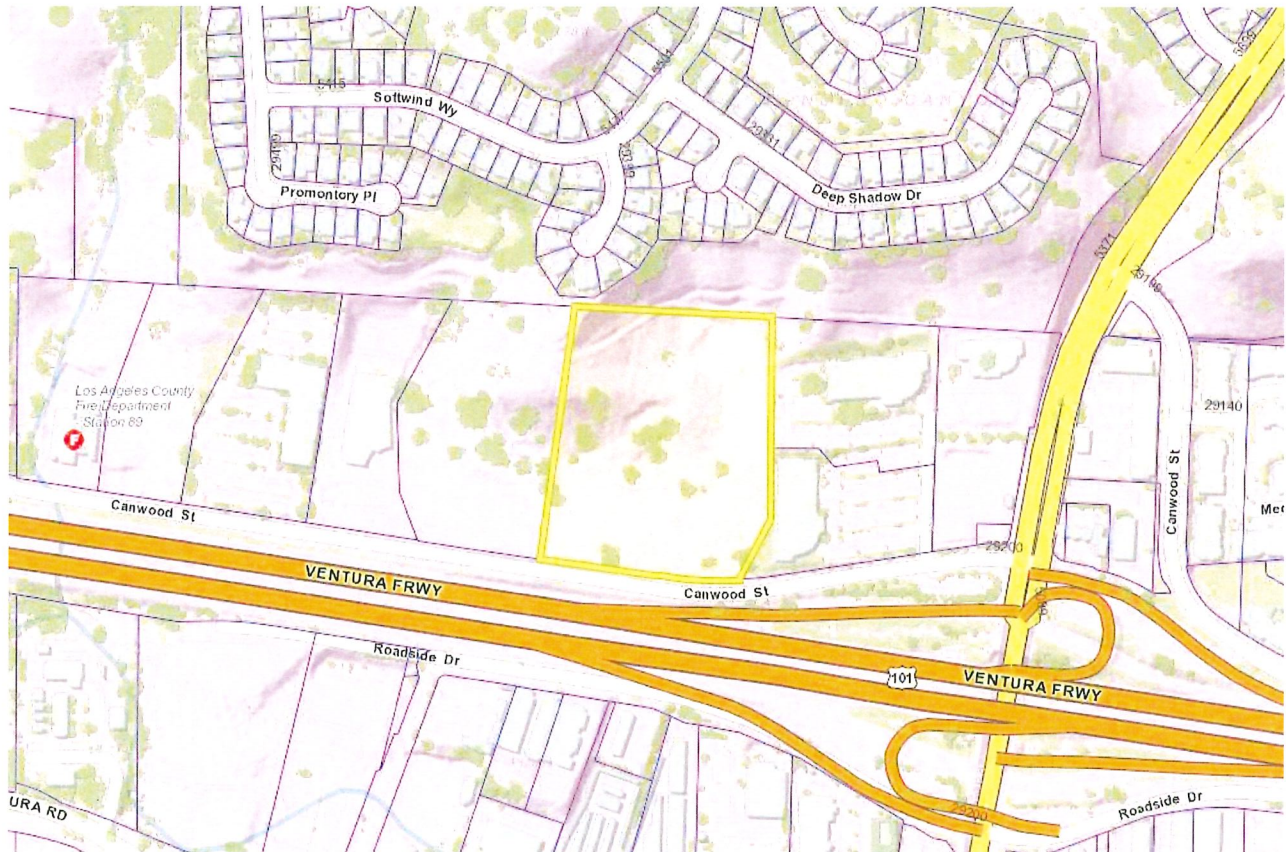
SUBJECT: PRESCREEN REVIEW OF A PROPOSED GENERAL PLAN AMENDMENT AND ZONING ORDINANCE AMENDMENT FOR A MIXED-USE DEVELOPMENT LOCATED AT 29329 CANWOOD STREET (APPLICANT: DAVID DELRAHIM – CASE NO. PSR-2021-0001)

David Delrahim (“Applicant”) has applied for a prescreen review of a preliminary proposal to amend the General Plan and Zoning Ordinance for a mixed-use residential, retail and office facility referred to as Clear Vista Living Wellness Lifestyle Community. The proposed project consists of 217 residential units, and retail and office space with underground parking. Based on existing regulations, the proposed project will require a variance for height to allow three-story structures with a maximum height of 43 feet within the Business Park – Office Retail - Freeway Corridor Overlay (BP-OR-FC) zoning designation and will likely require a variance from the Hillside Ordinance as discussed further in this report. On-site amenities would include, but are not limited to, a library, fitness center, swimming pool, wetland and bird habitat, a playground and a business center.

The prescreen review provides the Applicant with non-binding comments from the City Council. The Applicant’s request for non-binding individual comments from the City Council is consistent with the City’s policy of conducting prescreen reviews for legislative changes. As the prescreen review is an informal process, and the Applicant is only required to submit concept plans with no technical studies, staff’s comments are general in nature. Staff comments focus on the policy and land use implications arising from the proposed development and not on the design of the project. The Architectural Review Panel has not yet reviewed the proposal. A vicinity map, concept project plans, site photographs, and project summary are included in this report as Exhibits A, B, C, and D respectively.

The subject property is 8.37 acres and located west of Kanan Road and north the Ventura Freeway (Figure 1 – Vicinity Map). The site consists of one parcel with the following Assessor’s Identification Number (AIN): 2053-001-004. The project site is accessed from Canwood Street using two driveways.

Figure 1 –Vicinity Map



Source: LA County Assessor Portal

As shown in Table 1, the surrounding land uses consist of a mix of commercially zoned parcels with vacant land to the immediate north.

Table 1 – Surrounding Land Uses

Direction	Address/ Parcel No.	Zoning	Land Use
North	AIN: 2053-006-015	OS-DR ¹	Open Space
South	29348 Roadside Dr	PD ²	Retail / Office
Northeast	29219 Canwood St	BP-OR	Retail / Office
Southeast	29229 Canwood St	BP-OR	Retail / Office
West	29535 Canwood St	BP-OR	Oakmont Senior Care Facility ³

The residential dwelling units are proposed in seven separate structures that consist of a mix of residential units, retail and office space. The structure closest to Canwood Street

¹ OS-DR - Open Space – Deed Restriction land to the north of the subject property is owned and maintained by the Hillrise Home Owner's Association.

² PD – Planned Development

³ Oakmont Senior Care Facility is currently under construction.

is separated from the street by a terraced tree line and sound wall. A gatehouse is proposed at the main entrance.

The existing topography of the site increases gradually, at first, along Canwood Street, then more steeply towards the rear of the property. The concept plans submitted by the Applicant indicate the proposed project will include an underground parking structure. At this time, it is undetermined how much grading would be required for the proposed development. As indicated on the conceptual Site Section (Exhibit C: Concept Project Plans - Sheet 8), the proposed development would be designed to mimic the sloping topography of the site with consideration of views from the residential properties to the north. Recreational trails are proposed in the northwest quadrant of the property that would be constructed on these steeper slopes. Additional structures proposed on the steeper slopes include a meditation/yoga pavilion and a greenhouse.

The subject property is zoned BP-OR and is within the Freeway Corridor Overlay District (FC Overlay District). This area includes land along the Ventura Freeway, west of Chesebro Road, extending south to the parcels along Agoura Road, and just beyond Lewis Road to the west. The FC Overlay District standards reflect the importance of the land use, architectural design, and appearance of development within the freeway corridor to the City's image. Pursuant to Agoura Hills Municipal Code ("AHMC") Section 9541 of the Zoning Ordinance, the purpose of the FC Overlay District is to:

"...establish special design guidelines for all development within said areas, and to establish findings that will ensure that future developments are compatible with the city's historic character.

The areas within the freeway corridor overlay district are "gateways"; they are seen first by visitors and residents as they pass through the city, and as they exit the freeway to enter the city. These areas are of crucial importance in establishing the city's identity and character in the minds of visitors and residents."

The FC Overlay District development standards have been adopted to ensure compatibility of design (where applicable) within the overlay district. As previously stated, a prescreen review is an informal process and, as such, the Applicant is only required to submit concept plans with no technical studies. Based on the concept plans and exhibits submitted, the proposed project complies with:

1. The use of naturalistic and native landscaping, particularly native oaks, throughout the development;
2. Preservation of designated open space corridors and trails; and
3. Installation and maintenance of landscaping, including street trees, center median treatment and parkway treatment.

Permitted uses within the FC Overlay District include all uses in the underlying district, in this case, the BP-OR zoning designation.

The subject property's underlying zoning district is Business Park – Office Retail (BP-OR) and the purpose of this zone is to create planned commercial spaces for office and retail use. Pursuant to AHMC Section 9371 of the Zoning Ordinance, the purpose of the BP-OR district is to:

“...provide areas for smaller planned developments, renovations, and additions, including offices and incidental retail commercial uses, within a campus environment that are harmonious with the adjacent commercial or residential development. These developments are characterized by pedestrian walkways and outdoor activity areas, landscaped open spaces,...”

As is common in most commercial zoning designations, residential dwelling units are not listed as a permitted use unless the property is also located within a Specific Plan Area that allows for more flexibility than what is allowed within the jurisdiction's zoning regulations. As the subject parcel is not located within a Specific Plan Area, the proposed development would require a Zoning Ordinance Amendment (ZOA) and a General Plan Amendment (GPA).

While the site's average percent slope is not yet known, given the visible topography, it may be considered a hillside lot. In such case, the Hillside Ordinance standards would apply. The Hillside Ordinance limits the amount of building square footage in order to protect the hillside. Other Hillside Ordinance requirements include: view preservation; erosion control; architectural enrichments and variations in roof massing; breaking up building massing and varying materials and fenestration placement; providing architectural treatment on all sides of a structure; blending material and color schemes with the natural landscape; use of native and other plants that blend naturally with the landscape; and natural landform planting and informal arrangements of plants. Development findings require the project to be compatible with environmental and natural resources, including open space, on the site, and that the development will complement the community character.

As stated in the Applicant's project summary, the proposed project proposes to exceed the maximum building height limit of 35 feet and maximum two-story limit. The proposed building height is 43 feet, and the buildings are proposed to be three-stories and, as such the project would require a variance.

If the developer would like to pursue a formal application, the project would be subject to compliance with the Development Project Public Forum Guidelines and the Story Pole Procedures.

The proposed project would be subject to California's housing-element law and the City's Inclusionary Housing Ordinance. California's housing-element law acknowledges that, in order for the private market to adequately address the housing needs and demands of Californians, local governments must adopt plans and regulatory systems that provide opportunities for (and do not unduly constrain), housing development. The Regional

Housing Needs Allocation (RHNA) identifies the number of residential units needed for a jurisdiction to meet their projected housing needs per RHNA cycle. The City of Agoura Hills has a proposed allocation for the 6th RHNA cycle of 318 residential units.

In addition, in 2019 the Governor declared a “statewide housing emergency” and signed the Housing Accountability Act (SB 330) which prohibits a local agency from disapproving, or conditioning approval in a manner that renders infeasible, a housing development project for very low, low- or moderate-income households. It is undetermined, at this time how many, if any, of the proposed 217 residential units would be very low, low- or moderate-income units. However, the project would be required to comply with the City’s Inclusionary Housing Ordinance which stipulates that a portion of the units be set-aside for “affordable” housing or an in lieu-fee paid to the City’s inclusionary housing fund. Pursuant to City’s Inclusionary Housing Ordinance (AHMC Section 9133), seven percent of the proposed units would be required to be rented or sold (if the units are condominiums) to very low-income households, four percent to low-income households, and four percent to moderate-income households.

If the City Council supports the proposed residential use on the subject site, there are two legislative changes required. The first is a Zoning Ordinance Amendment (ZOA), which the Applicant requested. In considering the Applicant’s proposal, it is important to note that the request for a ZOA to include “Multifamily Live-Work” as a permitted use in the BP-OR zoning designation (AHMC Section 9372.1) would permit this use not just on the subject site, but on any site within the BP-OR zoning designation. Currently, there are 145 (including both vacant and developed) lots within the City that are zoned BP-OR (Exhibit E: BP-OR Zone Map). These 145 lots contain 156 acres. The Applicant is proposing a gross density of 25.9 residential units per acre on the subject property⁴. This density is slightly higher than the Residential High Density District (RH-25), and would be the highest density residential area in the City. If the City Council supports the project as proposed, with the proposed density, this would create the potential for 4,044 residential units within the BP-OR zoning designations throughout the City.

Staff believes that allowing the proposed use at the proposed density could potentially create infrastructure issues within the City with regards to traffic impacts. Staff also believes that the proposed level of residential development, if constructed to this maximum density throughout the City, would change the semi-rural residential character of the City and could eliminate or reduce the continued availability of the land for commercial use. One possible alternative could be to allow the use, but include a maximum density allowance based on acreage. Staff, however, recommends an alternative that would create an additional overlay zoning designation that would allow mixed-use residential development within certain BP-OR zoning designations. The

⁴ AHMC Section 9120.4 – D: Density, gross. "Gross density" means the total number of dwelling units permitted on an acre of land exclusive of all existing public streets and rights-of-way, but including all streets or rights-of-way to be developed.

additional overlay zoning designation would allow staff to review development projects that include mixed-use only within the overlay zone rather than opening all BP-OR zoned parcels up for the development. This alternative would create an opportunity to focus the mixed-use development in areas within the City that are more compatible with this type of development.

Nonetheless, if the proposed use is supported by City Council, staff suggests the ZOA also include an amendment to AHMC Sections 9371.1 (BP-OR Permitted Uses), 9312.2 (Commercial Use Table), and 9120.1 (Definitions) to include the use and a definition of "Multifamily Live-Work."

The second legislative change would be a General Plan Amendment (GPA) which would be necessary to ensure consistency between the General Plan and the Zoning Ordinance related to this additional proposed use. The GPA would require an update to:

- Policy LU-1.1 (Growth and Change);
- Table LU-1 (Land Use/Development Capacity);
- Policies LU-12.1 and LU-12.2 (Diverse Districts and Corridors);
- Goal LU-15 (Quality Business Parks);
- Goal LU-16 (Well-Designed and Attractive Business Parks);
- Goal LU-22 (Business Park District West of Reyes Adobe Road and North of Agoura Road); and
- Goal LU-29 (Freeway Corridor Commercial Services District).

The General Plan states, in Policy LU-1.1, that cumulative development shall not exceed 8,139 housing units. Although this cumulative housing unit number would not be exceeded by the subject application alone, development at the proposed density would exceed this number if applied to and constructed on all BP-OR zoned parcels. Similarly, Table LU-1 would need to be revised to adjust for the increased density. Additionally, the remaining Policies and Goals stated above would need to be revised to specifically include residential development as a permitted use.

If the Applicant proceeds with a ZOA and related GPA, the request would be considered by the Planning Commission, followed by the City Council, concurrently with other applicable discretionary actions to develop this site. The Planning Commission would make a recommendation to the City Council on the legislative changes. The City Council would review and take final action on the requested legislative changes and the development proposal.

As proposed, the project would likely require the following discretionary actions:

1. General Plan Amendment (GPA) to:
 - Incorporate residential use into Policy LU-1.1, the Business Park – Office/Retail Land Use Classification and Goal LU-29.

2. Zoning Ordinance Amendment (ZOA) to:
 - Incorporate residential use into both the FC Overlay District and the BP-OR zoning designation (AHMC Section 9371.1 (BP-OR Permitted Uses) including;
 - AHMC Section 9312.2 (Commercial Use Table); and
 - AHMC Section 9120.1 (Definitions) to include the use and a definition of “Multifamily Live-Work.”
3. Conditional Use Permit (CUP) to develop in the BP-OR-FC zoning designation including:
 - (Potential) Variance for relief from the Hillside Ordinance for dwelling unit density; and
 - (Potential) Variance for building heights to exceed 35 feet.
4. Potential Oak Tree Permit (OTP) for oak tree impacts.

Additionally, an environmental document per the California Environmental Quality Act (CEQA) would be prepared for the project.

RECOMMENDATION

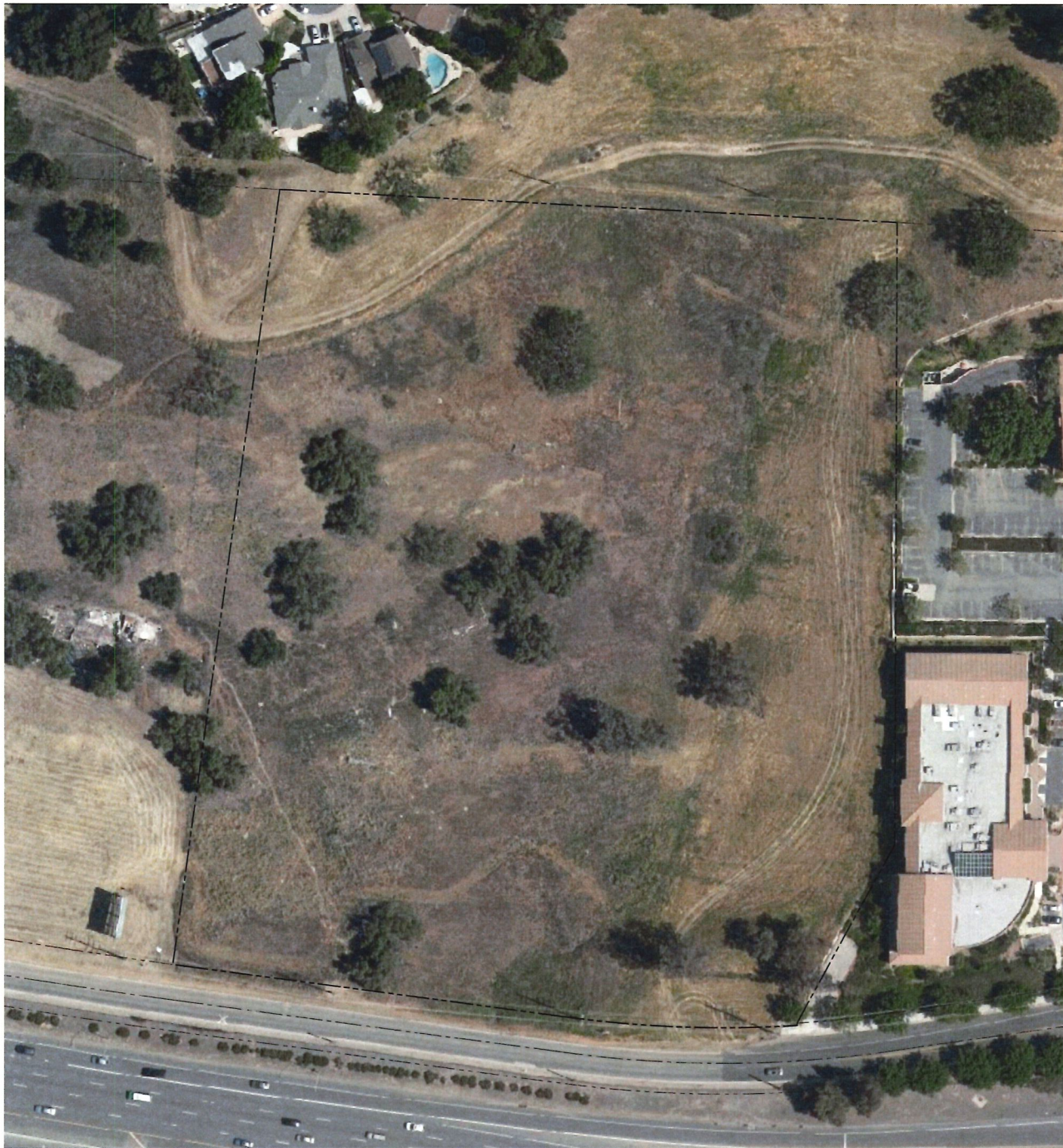
Staff respectfully requests the City Council provide non-binding comments and direction to the Applicant regarding this request for Zoning Ordinance Amendment and General Plan Amendment prescreen review.

Attachments:

- Exhibit A: Vicinity Map – Aerial View of Site
- Exhibit B: Site Photographs
- Exhibit C: Concept Project Plans
- Exhibit D: Project Summary
- Exhibit E: BP-OR Zone Map

Exhibit A

Vicinity Map – Aerial View of Site



PROJECT STATISTICS:

PARCEL SIZE: 8.67 ACRES (377,515.6 SQ.FT.)

ZONING: TBD

CONCEPTUAL SITE PLAN

**MULTI-FAMILY
WELLNESS COMMUNITY**

MULTI-FAMILY UNITS

29329 CANYWOOD DRIVE
AGOURA HILLS, CA 91301

A.P.N.: 2053-001-004

LEGAL DESCRIPTION

October 30, 2020

PREPARED BY:



PACIFIC COAST CIVIL, INC.
30141 AGOURA ROAD, SUITE 200
AGOURA HILLS, CA 91301
PH: (818) 868-4198
FAX: (818) 868-4198

OWNER/DEVELOPER:

CLEAR VISTA HEALING LLC
29501 CANYWOOD STREET, SUITE 200
AGOURA HILLS, CA 91301

EARTHWORK QUANTITIES

QUANTITIES ARE FOR PLAN CHECK PURPOSES AND
ARE NOT TO BE USED FOR BIDDING

OVERSEAS ARCHITECTURE ARCHITECTS &
CONSULTANTS
JOSH & JENI SHAW

BENCHMARK:

UTMS 50N ZONE 12N UTM COORDINATES 276 14 4201 8378 410 2318
PROJECTIONS: NAD 83 UTM 12N
HEIGHTS: NAVD 83
PROJ: NAD 83 UTM 12N UTM 12N



SCALE: 1" = 30'



Exhibit B

Site Photographs





Exhibit C

Concept Project Plans



CLEAR VISTA LIVING

WELLNESS LIFESTYLE COMMUNITY

INDEX



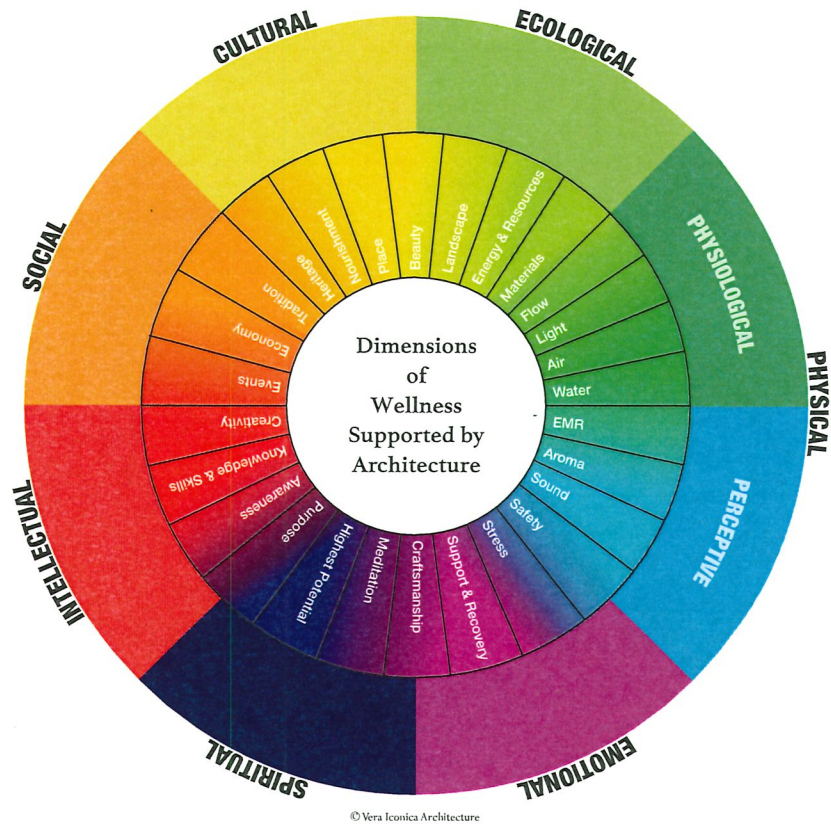
3 Clear Vista Living
Narrative

4 Renderings
Neighborhood Context
Entry & Arrival
Terrace View

7 Site Plan

8 Site Section





Dimensions of Wellness Impacted by Built Environment: Scientific evidence shows architecture has the ability to enhance or diminish all areas of personal and community life, and to nudge behavior decisions that support a healthy living-style.

Community design that is regenerative for both the occupants and the planet alike.

The Clear Vista Wellness Lifestyle Community is proposed as a Work Live community that responds to a new way of living and working in a post-pandemic world. Noteworthy design strategies that ensure optimal wellbeing across all Dimensions of Wellness include:

- Regenerative systems & energy generation
- Responsible use of renewable resources
- Healthy building materials
- Electromagnetic Radiation Mitigation
- Dedicated work space within Units & Business Center
- Wellness Center with mind/body/soul health solutions
- Preservation of trees & natural topography
- Light, air & views on two sides of all units
- 60% units at ground level; 100% of units with private gardens
- On-site food production for optimal nutrition
- Underground parking & maximum greenspace
- Cultural & community spaces & activities
- Exercise landscape
- Meditation & Yoga pavilion
- Barista, Conference Rooms & shared work space
- Biophilic Design







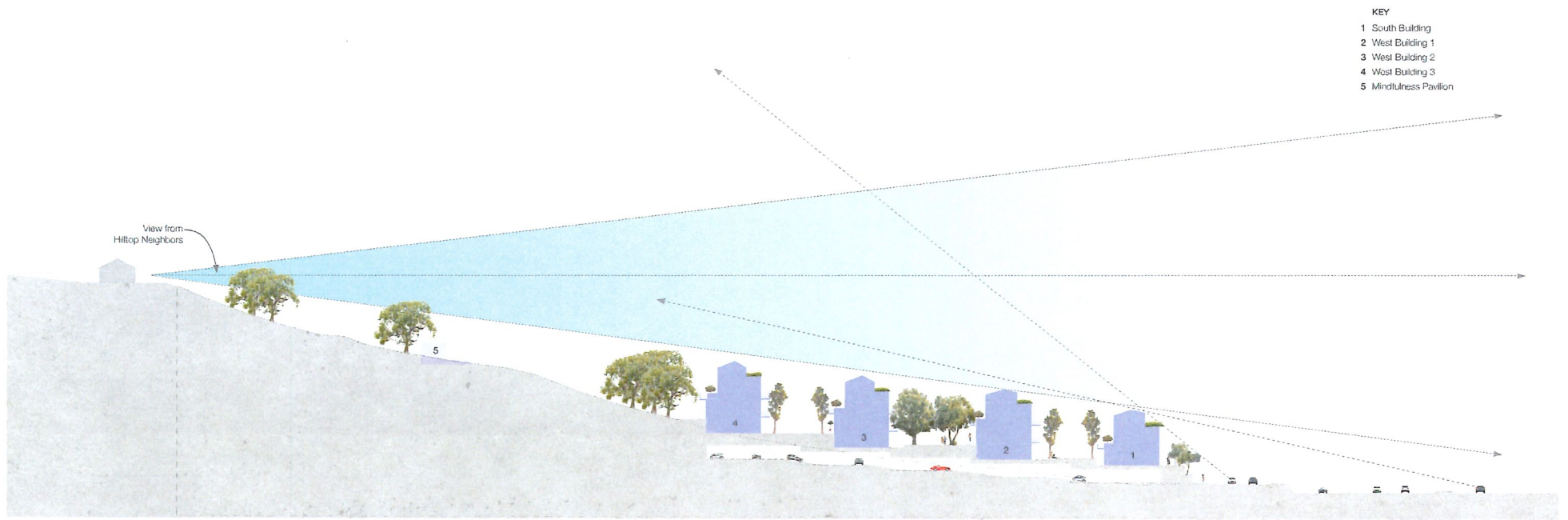
Site Plan | Features



- KEY: FEATURES**
- 1 Admin Office, Maintenance
 - 2 Barista Lounge & Library
 - 3 Business Center
 - 4 Library Lounge Terrace
 - 5 Rooftop Garden
 - 6 Community Amenities
 - 7 Fitness Center
 - 8 Spa & Lockers
 - 9 Pool
 - 10 Pool Terrace
 - 11 Wetland & Bird Habitat
 - 12 Natural Playgrounds (2)
 - 13 Cookout Grills & Picnic Tables (3)
 - 14 Oak Trees Trail
 - 15 Activity Landscape
 - 16 Meditation / Yoga Pavilion
 - 17 Edible Landscape & Greenhouse
 - 18 Mindfulness Plaza
 - 19 Private Gardens
 - 20 Underground Parking
 - 21 Ride-Share Pick-Up & Drop-Off
 - 22 Underground Power lines
 - 23 Gate House
 - 24 Terraced Tree & Sound Wall
 - 25 Fire Lane Access
 - 26 Connected Parkettes & Greenspace



Site Section | Analysis



Q & A



Exhibit D

Project Summary



CLEAR VISTA LIVING
WELLNESS LIFESTYLE COMMUNITY

March 10, 2021

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

Denis Weber, Mayor
Deborah Klein Lopez, Mayor Pro Tem
Chris Anstead, Council Member
Illece Buckley Weber, Council Member
Linda L. Northrup, Council Member

Re: Pre-Screen Review

Dear Council Members,

It is with great pleasure that I am submitting for the Council's Pre-Screen Review our concept for the Clear Vista Wellness Community, a project that prioritizes the health and well-being of our community.

We are focusing on wellness in a way that is regenerative for both humans and the planet. Scientifically proven design strategies are many, and some include: large windows to let in the sunlight and offer views of the mountains, easy access to green space, which brings with it fresh air and meandering walkways, building materials that are non-toxic, and also, the opportunity to share life with like-minded people.

In providing high-quality, unique live-work residences, we're applying the concepts of wellness design to promote a holistic, integrated wellness lifestyle. The buildings will be designed as high performance structures to exceed local codes, and meet or exceed LEED and WELL standards. Beyond that, we seek to establish a new way of development that honors our city, our region, and our planet. It is critical to us to preserve nature, and we are dedicated to minimizing and balancing the earthwork. Additionally, in achieving our goal to save *and* savor beauty, our plan is to maintain 50 feet between buildings, preserve the oaks and other large trees on the site, provide underground parking as well as undergrounding the existing power lines that cross the site's frontage, and limit or eliminate the need to use surface asphalt. By incorporating all of those

Clear Vista Healing LLC
29501 Canwood Street
Agoura Hills, CA 91301

elements, plus others, we will not only be building a wellness community, we will be ensuring that our buildings' carbon footprints will be gentle for the planet.

1. Zoning

We will be requesting to begin a discussion with the Council and staff to include "Multifamily Live-Work" (suggested working title) as a "use" requiring a Conditional Use Permit under the BP-OR district.

The project is unique in its conceptual design and functionality. The 8.37-acre site at 29329 Canwood is located between a senior care facility (under construction) and a small commercial area fronting the 101 Freeway. Current zoning, BP-OR FC, of the site could result in a large office building which would be incongruous to the existing uses on either side of the site.

The exceptionally high-quality innovative architecture and site planning have created a conceptual design for the project that meets the Purpose (§9371) and Development Standards (§9373) of the BP-OR district, the exception being no "traditional" offices.

§9371. The purpose of the BP-OR district:

".... to provide areas for smaller planned developments, renovations, and additions, including offices and incidental retail commercial, uses, within a campus environment that are harmonious with the adjacent commercial or residential development. These developments are characterized by pedestrian walkways and outdoor activity areas, landscaped open spaces, common signage, and seamless connections and transitions with existing buildings in terms of scale, design, and materials, and are designed to promote pedestrian safety and convenience, as well as connecting to, and complementing, the quality and character of existing development."

§9373. - Development Standards :

"... exhibit a high level of architectural and site design quality, and include enhanced pedestrian connections between business areas, parking areas, and to adjoining neighborhoods and districts. Plazas, courtyards, expanded walkways, and open spaces shall be incorporated into the developments to promote pedestrian activity."

The proposed project is residential; however, the conceptual design meets and exceeds the Purpose and the Development Standards of the BP-OR district, the only requirement missing are the “traditional” offices. Covid has changed the way we work, working at home is the new norm and it’s highly unlikely that it will revert when the pandemic ends. Therefore, each residential unit is a live-work space. Additionally, we have designed opportunities for community workspaces, including a business center.

The discussion will include the FC-Freeway Corridor Overlay District.

2. Hillside Variance.

The city code exempts projects from the hillside ordinance if they have existing building pads that predate 1999. The proposed project site has building pads dating from at least 1945. Aerial photograph attached.

3. Density.

The proposed concept design complies with RH-25 zoning. Accommodating 217 units. Without a density bonus.

4. Building Height.

The proposed conceptual design of the project anticipates a variance to increase the building height limit.

The current zoning requirements are 35’ and 2 floors. The proposed project will have two levels (a lower level and a mid-level) both with at-grade entrances, with an additional upper level above. The current design anticipates, and we will be requesting, a height variance of up to 8’ to accommodate the lower, mid, upper levels, with some buildings to have loft units sitting atop upper levels.

Looking north from Canwood and the freeway, the *only* view will be of the landscaping along Canwood. The site section analysis shows that the public will not be able to see the buildings.

Remaining *unchanged and uninterrupted*, is the view of the Santa Monica mountains that is seen by our neighbors to the north. Please refer to the site profile for more details.

5. Parking.

The proposed project will provide underground parking for the residents. We look forward to working with staff to provide the appropriate number of parking spaces, while minimizing the size of the underground parking structures to lessen the negative impact to the site.

Additionally, the ongoing movement towards ride sharing, the rise of UBER and LYFT, will likely continue post Covid changing the traditional commuter-based traffic model.

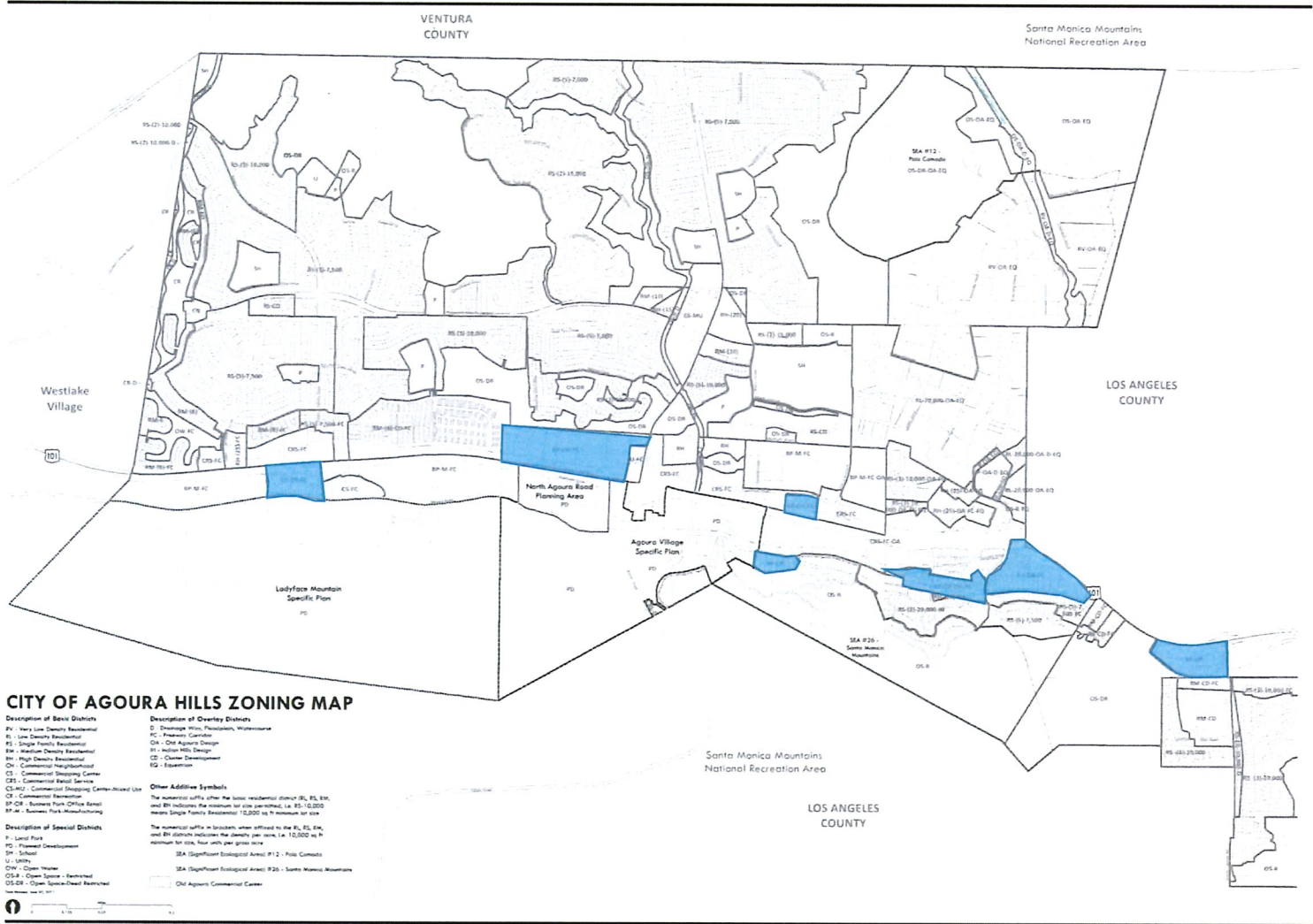
We appreciate your consideration of our Multifamily Live-Work project, and are looking forward to hearing your thoughts. More than that, we look forward to bringing the City of Agoura Hills our project. We believe it captures the aesthetic of our city, our love and respect of nature, and our strong focus on family, all of which not only defines who we are, but allows us to thrive as individuals and as a community. Those very same values are the drivers behind our Clear Vista Wellness Community.

Respectfully,

David Delrahim or Peter McCawley

Exhibit E

BP-OR Zone Map



CITY OF AGOURA HILLS ZONING MAP

Description of Basic Districts
 RV - Very Low Density Residential
 R1 - Low Density Residential
 R2 - Single Family Residential
 RM - Medium Density Residential
 RH - High Density Residential
 CH - Commercial Neighborhood
 CS - Commercial Shopping Center
 CBS - Commercial Retail Service
 CSM - Commercial Shopping Center/Mixed Use
 C2 - Commercial Restaurant
 BP - Business Park Office Retail
 BP-M - Business Park Manufacturing

Description of Special Districts
 P - Local Park
 PD - Planned Development
 SH - School
 U - Utility
 OW - Open Space
 OS-R - Open Space - Restricted
 OS-DR - Open Space-Deed Restricted

Description of Overlay Districts
 D - Drainage W/In, Precipitation, Waterscourse
 FC - Floodplain Control
 OA - Old Agoura Design
 OH - Old Agoura Hills Design
 CD - Center Development
 EG - Equine

Other Additive Symbols
 The numerical suffix after the basic residential district (R1, R2, RM, RH) indicates the maximum lot size permitted. Ex. R1-12,000 means Single Family Residential 12,000 sq ft maximum lot size.
 The numerical suffix in brackets when affixed to the R1, R2, RM, RH, and OH districts indicates the density per acre. Ex. R1-12,000 (2) means 2 units per acre.
 SEA (Significant Ecological Area) #12 - Palo Colorado
 SEA (Significant Ecological Area) #26 - Santa Monica Mountains
 Old Agoura Commercial Center

