

SANTA MONICA MOUNTAINS CONSERVANCY

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December 10, 2018

Allison Cook, Assistant Planner Director
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, California 93101

**The AVE Project
Notice of Preparation Comments**

Dear Ms. Cook:

The Santa Monica Mountains Conservancy (Conservancy) provides the following comments on the AVE Project Notice of Preparation (NOP) that contains a unique unchannelized reach of Medea Creek in the greater Malibu Creek watershed. The AVE project essentially abuts both a portion of the Triangle Ranch property recently acquired by the Mountains Recreation and Conservation Authority and City of Agoura Hills open space on the opposing side of Cornell Road. The AVE project is part of the gateway to the Santa Monica Mountains National Recreation Area and for all intents and purposes is fully connected to core habitat with the only breach being two-lane Cornell Road.

In this letter the Conservancy recommends specific parameters that are essential to be included in fully analyzed Draft Environmental Impact Report (AVE project) alternatives. These below recommended parameters are essential to prevent unmitigable significant adverse impacts to the Medea Creek habitat block, views from multiple public parklands in the immediate vicinity, the Malibu Creek watershed, and Medea Creek water quality. The project must avoid disturbance on much more of the property than is proposed.

The NOP and Initial Study do not reference any minimum by-right development square footage for any development zones. The NOP and Initial Study do include the Planned Development figure from the Agoura Village Specific Plan. That figure shows three zones within the subject project area. Zone G-A is clearly a no development zone. There appears to be no by-right ability to develop or disturb every square foot of Zone A south. By that measure it is possible that the City could restrict all development and disturbance to the southern two thirds of Zone A. Such a restriction is recommended by the Conservancy.

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A major premise of the *Santa Monica Mountains Comprehensive Plan* is to let the land dictate the use. The proposed project immediately fails such a test on two counts. The whole concept of cutting down a prominent land form along Kanan Road in order to bring shops and restaurants down to ground level represents the opposite approach than working with the topography. That land form is part of the scenic corridor and its presence would block views of the development from existing public lands and block light shine on fairly proximate riparian corridors. Reducing the land elevation to street level for shops and restaurants limited only along Agoura Road makes much better design sense for a multitude of reasons. If it is essential for the reasonable economic use of the property to have a driveway from Kanan Road, that driveway should be as close as possible to Agoura Road and require the least amount of grading possible.

The second major project element that demonstrates poor compatibility with the existing terrain is the need for extensive retaining walls along the entire southern development area boundary. The retaining walls allow the project to create extensive massing extending southward from the existing mesa that creeps to the edge of riparian corridor. The project also cuts into the northern edge of the prominent knoll supported by retaining walls to create almost 200 surface (heat island - impermeable) parking spots. The proposed project clearly does not work with the unique existing terrain, it instead flattens the site and leaves the remnants of the prominent knoll as a token open space feature. The proposed project essentially shows a negative level of respect for the site's topographic and ecological setting.

The only way to avoid the wholesale cutting and filling of this core habitat-adjacent, visually prominent Santa Monica Mountains property is to move the entire development footprint northward an average of approximately 500 feet closer to Agoura Road. If such a development footprint still required retaining walls beyond the actual hardscape and buildings, they would be less high, less common, and less visible. Only through such a major northward shift in the development footprint can public view impacts, riparian impacts, habitat impacts, water quality impacts, lighting impacts, and probably traffic impacts be reduced to a less than significant level.

Conservancy Recommended Broad Impact Avoidance Alternative

The DEIR must include a Broad Impact Avoidance Alternative that moves the entire development (hardscape and buildings) footprint northward an average of approximately

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500 feet closer to Agoura Road and contains no buildings within 100 feet from Kanan Road. The Conservancy asserts that such an alternative project would better produce the ambience, scale, and look that the City as sought for the area in the Agoura Village Specific Plan. A system of walking paths (some with low voltage lighting until midnight) within the expanded permanent open space area would be a high quality amenity for both the City's residents and the occupants of the project. Such footprint clearly leaves the applicant approximately fifty percent of the site for the all of the proposed commercial and residential uses. Because the Specific Plan has no by-right total floor area or development square-footage for this site, the City has the right to require such a project that avoids multiple significant impacts. Ideally such a footprint could reduce the number of killed oak trees and potential impacts to the known archeological sites. The Conservancy's above-suggested DEIR alternative also includes a required conservation easement on all open space located southward of the most southerly development element including retaining walls. The project should also include specific runoff design parameters to benefit the populations of western pond turtles that live immediately downstream.

Please direct any questions and future documents to Paul Edelman of our staff at the above letterhead address.

Sincerely,

CRAIG SAP
Chairperson