

West Village Project

(File No. 160003152)



CITY *of* CALABASAS

Planning Commission

April 15 & 21, 2021

“West Village” Project

Staff Presentation

- I. Background (Site & Location, General Plan Guidance, Project Description, 2019 PC Recommendation)
- II. Geology / Alternative 4 Infeasibility
- III. Update on Oak tree Impacts
- IV. Amended Final EIR / New Alternative 5
- V. Housing Element / Applicable State Housing Laws
- VI. Planning Commission Resolutions



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #2

I. Background

- Site Location and Characteristics
 - Factors & Conditions Affecting Site Development
 - General Plan Development Limits & Allowable Intensities
 - Landslide Hazard
 - Other Relevant Conditions and Constraints
- Project Description
- 2019 PC Recommendations



File No. 160003152: West Village

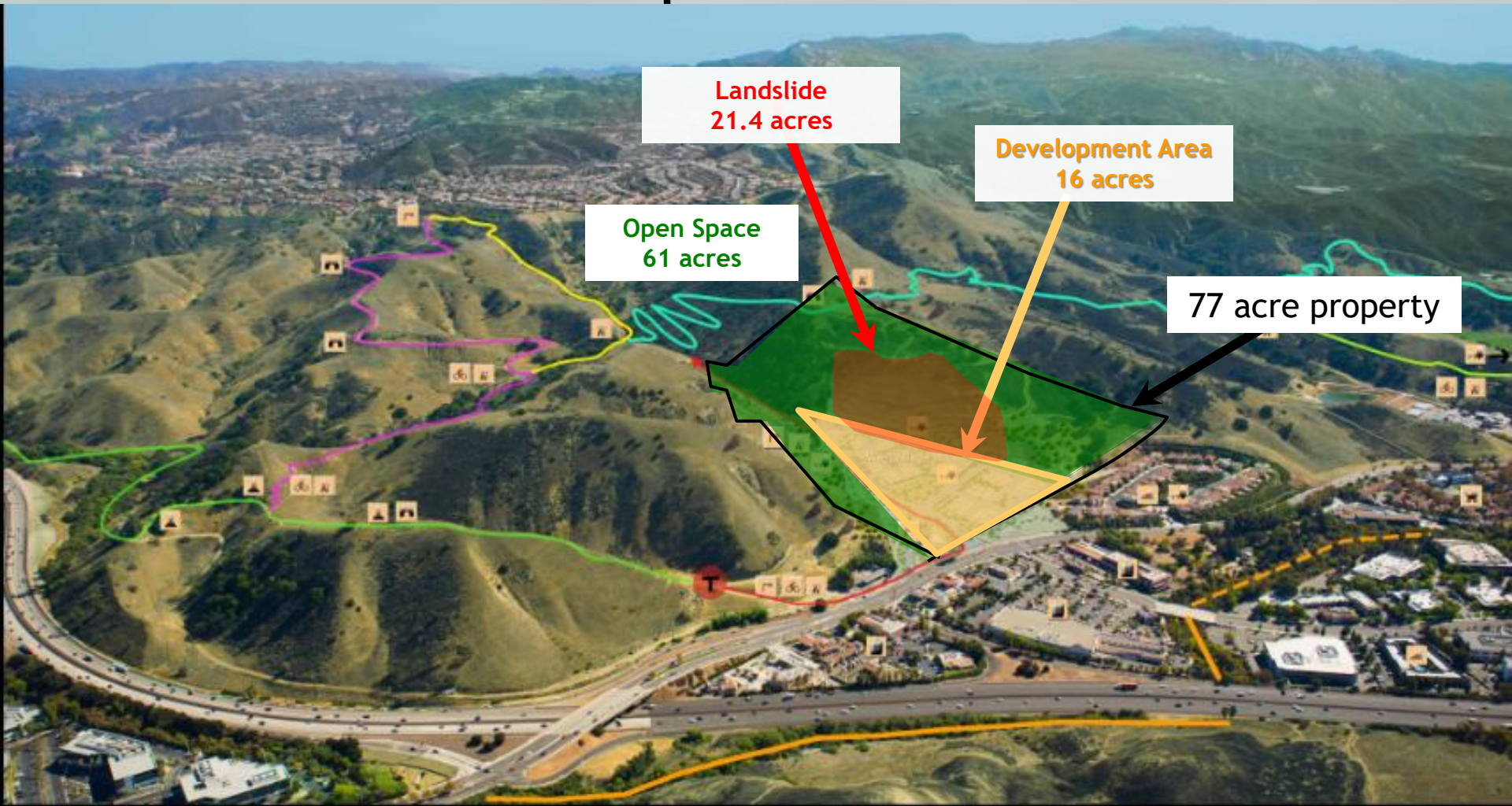
Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #3

Property Location and General Plan Development Limits



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #4

2030 General Plan EIR: Landslide Hazard Mitigation

- The 2008 Calabasas General Plan EIR (pages 4.5-18 thru 4.5-20) studied and identified potentially significant but mitigable impacts from placing development in landslide hazard areas (Impacts GEO-2 and GEO-3).
- Impact GEO-3 specifically identifies this property as one that includes relatively intense development adjacent to an identified landslide hazard. Specified remedial measures include:
 - Geotechnical engineering of any landslide areas; and,
 - **As the primary remedial measure, removal of slide material from top to toe (with replacement to be accomplished via engineered slope reconstruction).**
- Mitigation to reduce impacts GEO-2 and GEO-3 to less-than-significant levels also included adding General Plan policies requiring site-specific studies and mitigation for properties in landslide zones to achieve acceptable risk levels.

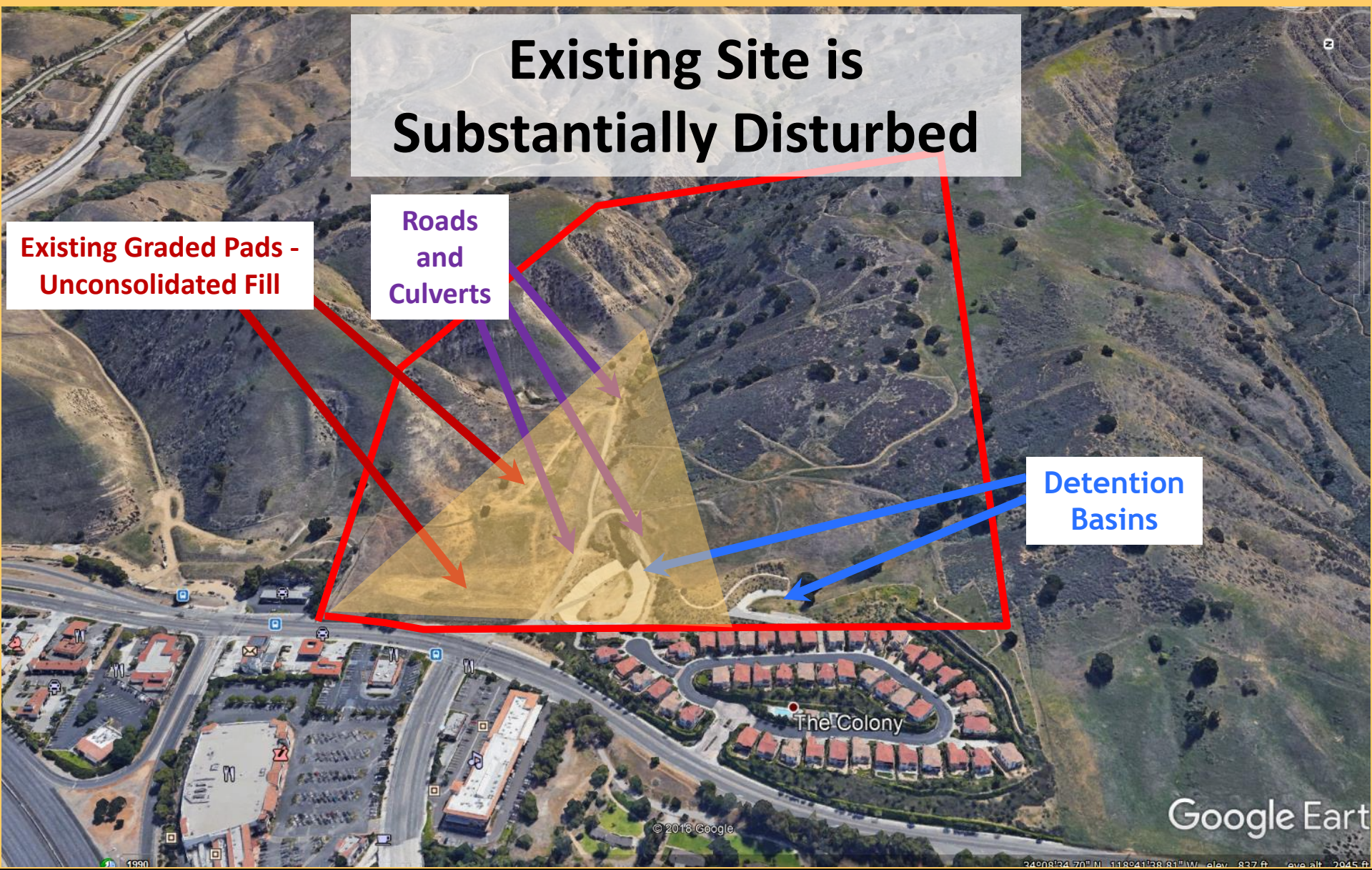


Existing Site is Substantially Disturbed

Existing Graded Pads - Unconsolidated Fill

Roads and Culverts

Detention Basins



Google Earth



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #6

Planned Development Approach per the General Plan



- 155,000 sf of Commercial
- 180 MF residential units
- Footprint Limited to 16 acres

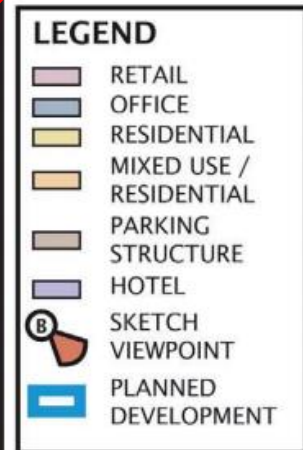
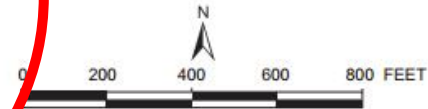
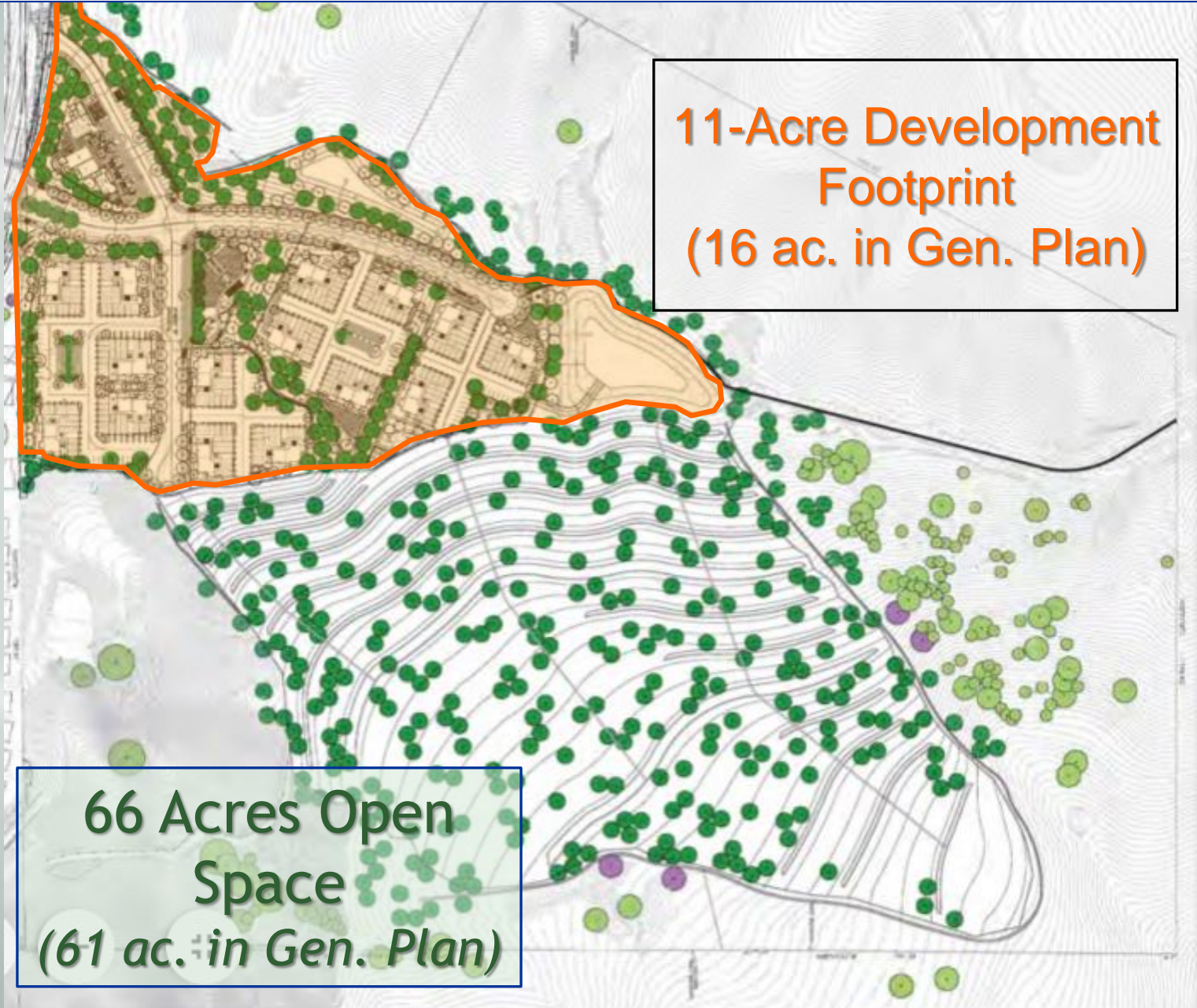


Figure IX-2
West Village

Proposed 77-acre Planned Development



Project Description – Hasn't Changed

- 180 multi-family dwelling units within fifteen 3-story buildings, with 18 (10%) units designated as “very low” income units;
- 5,867 s. f. retail commercial shopping center;
- A public park on 0.36 acres;
- 66 acres (86% of project area) will be retained as permanent open space;
- Dedication of a public trail easement through the site connecting with the regional trail system;
- Remediated landslide (approx. 21.4 acres)



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #9

66-Acre Open Space

- Permanent protection via deed restriction
- Will include undisturbed terrain and biota, re-shaped (contour-graded) and re-vegetated (native plants) slopes, mitigation areas, and flood control & drainage easements.
- New public trail access easement through the property
- Preservation of existing trail segment (portion of the New Millennium Loop trail) in southeast corner of property.



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #10

Additional Project Components

- De-silting / Detention Basins

- Removal of existing de-silting basin adjacent to The Colony
- Two new basins - east (primary) and north (secondary) of the development footprint

- Landslide Remediation

- Removal and re-compaction using contour grading techniques
- Installation of slope drainage system
- Re-vegetation of the slope with native upland plant species including re-created oak woodlands and purple sage habitat lost due to the slope repair
- Re-vegetation will screen slope drainage system

- Oak Tree Protection & Mitigation

- 161 Oak Trees to be preserved (78% of all oak trees on the property)
- Planting of 484 new oak trees throughout the project to mitigate for loss of 45 oak trees



Planning Commission Recommendation, July 2019

- In effort to more fully preserve the hillside resources, the Planning Commission rendered the following recommendation:
 - By a 3-2 vote, requested staff to prepare and bring back for the Commission's consideration a resolution recommending to the City Council that the Environmental Impact Report (EIR) not be certified, and that the project, as proposed, be denied.
 - An added recommendation that the applicant further evaluate the feasibility of Alternate #4, and may bring back any other proposed project alternative for Planning Commission consideration.



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Additional Analysis of Alternative #4 and other New Information

- Following the July 2019 public hearings, the applicant submitted:
 - An independent 3rd party geotechnical review of the project and all alternatives, including a feasibility review of Alternative 4;
 - A post-Woolsey Fire oak tree assessment to document the post fire condition of project site oak resources; and
 - A new project alternative (Alternative 5)
- Additionally, the City (by Rincon Consultants) updated the following technical studies and reports:
 - Geotechnical Peer Review of the independent 3rd party geotechnical review
 - Updated Traffic Impact Analysis;
 - Vehicle Miles Traveled Analysis was added;
 - Biological resources update report; and,



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Additional Analysis of Alternative #4 and other New Information

The new additional information, analyses, and updated studies resulted in:

- Determination that Alternate #4 is **INFEASIBLE**.
- Development and addition of a new Alternate #5 to address aesthetic impacts and to replace the now infeasible Alt. #4.
- Amendments to the Project EIR.



Additional Analysis of Alternative #4 and other New Information

- The EIR had to be amended because the newly submitted information, reports and updates constituted “significant new information” under CEQA; therefore requiring preparation of an amendment to the original final project EIR.
- The resolution recommending denial of the project could not be delivered to the Planning Commission until such time as it could be considered at the same time as the availability of the new technical information and the completed Amended Final EIR.



II. Geology / Alt. 4 Infeasibility:

- Landslide Location and Dynamics
- Independent 3rd Party Review by Leighton and Associates
 - Alternative 1 (no landslide remediation)
 - Alternative 4 (with no landslide remediation)
 - Alternative 4 (best case)
- Additional Geotechnical Peer Reviews
- Conclusions

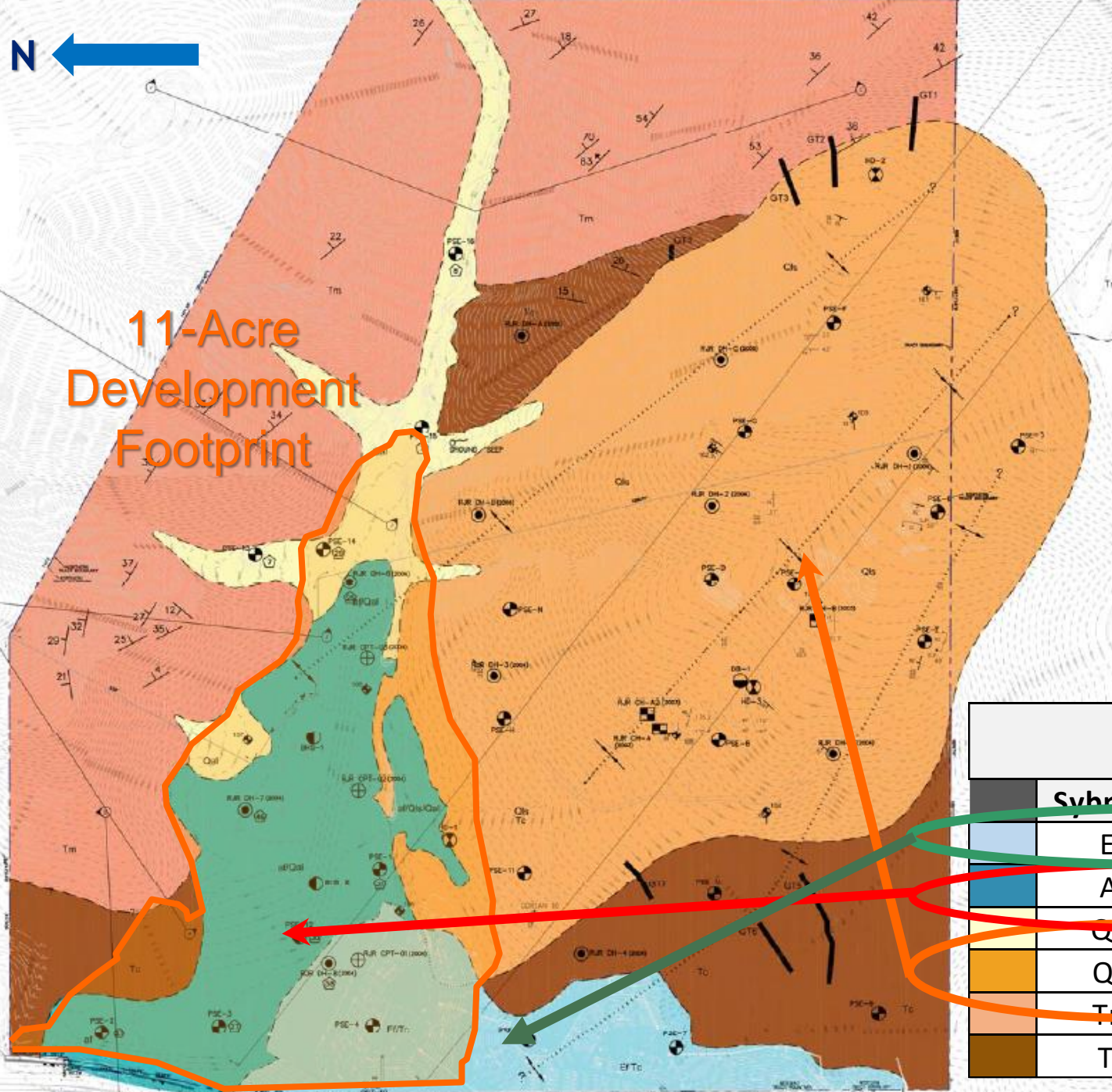




Geologic Map

11-Acre
Development
Footprint

Lithology	
Symbol	Soil Type
Ef	Engineered Fill
Af	Artificial Fill
Qal	Alluvium
Qls	Landslide
Tm	Modesto Formation
Tc	Calabasas Formation



Definitions

Gross and Seismic Stability relates to the ability of a slope to resist failure on a mass scale; a large-scale landslide results when the slope fails.

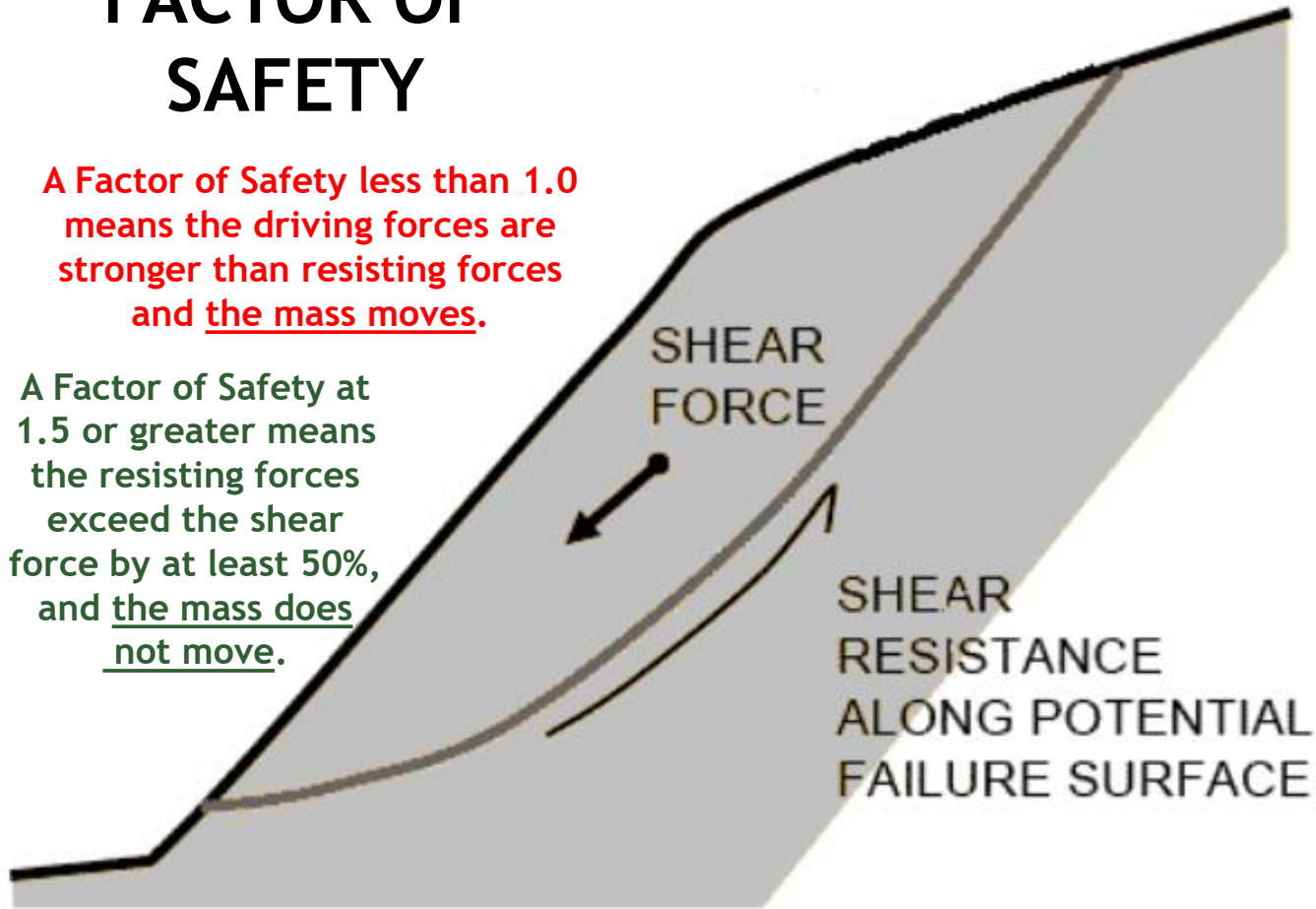
Surficial Stability relates to the ability of a slope to resist shallower-depth failures; when this resistance fails, the result is slumping, sloughing, sliding of surface soil layers, substantial soil erosion, and/or mud and debris flows.



FACTOR OF SAFETY

A Factor of Safety less than 1.0 means the driving forces are stronger than resisting forces and the mass moves.

A Factor of Safety at 1.5 or greater means the resisting forces exceed the shear force by at least 50%, and the mass does not move.



$$\frac{\text{SHEAR RESISTANCE}}{\text{SHEAR FORCE}} = \text{FACTOR OF SAFETY}$$



3rd Party and Peer Reviews

- Leighton and Associates, Inc. was hired by the applicant to review all geotechnical information / analyses performed on the site to date and render an independent geotechnical assessment of the condition of the landslide mass, including reviewing the feasibility of the project and all project alternatives, especially Alternative 4.
- Two different independent geotechnical consultants for the City conducted peer reviews of the Leighton and Associates report and concurred with the report methodology, findings and conclusions.
 - LGC Valley, Inc.
 - Willdan Geotechnical.



Alternative 1 (No Project)

- Alternative 1 assumes the site remains undeveloped and the landslide remains as-is, in its current condition.
- Leighton and Associates determined that the landslide mass in its current condition has a factor of safety of less than 1.5 for static conditions and less than 1.1 for pseudostatic conditions.
- The Leighton and Associates review further determined:
 - Under drained conditions, strong ground shaking (earthquake) could induce mass landslide movement in the order of several feet.
 - Increases in water pore pressure (resulting from wet weather) will lower the factors of safety further and could induce mass landslide movement with less severe ground shaking and/or wet weather conditions.
 - Consequences could include changes to site drainage patterns with possible flooding and mudflows to Las Virgenes Road and surrounding development.
- **Bottom line: If not remediated, the Landslide will move.**



Alternative 4



The development concept for Alternative 4 was to shift the development area to the north, and to keep the landslide as-is, in its current state with no remediation.

The conceptual plan components of Alternative 4 included:

- Smaller 7-acre footprint
- 230 Residential Units
- 5,000 s.f. Commercial
- A Landslide Buffer Area that includes the existing debris basin



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #22

Alternative 4

(No Landslide Remediation)

- Since no remediation of the landslide would occur, the same geotechnical principles and consequences as Alternative 1 apply.
- Also, given the difficulty in predicting the location of failure, the amount(s) of moving slide debris, and the extent (distance) of slide run-out, the following additional consequences could result:
- Any large deep-seeded slide (i.e. gross failure) caused by ground shaking, wet weather conditions or a combination of the two could result in damage to structures, and could threaten occupant safety.
- Surficial slides are likely, with consequences ranging from clean up and maintenance to needed slide repairs to surficial failures large enough to damage property and create potentially life-threatening mudflows.
- Due to risks to life and property being too high, the geotechnical experts cannot recommend Alternative 4 without mitigation to reduce slope instability.



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #23

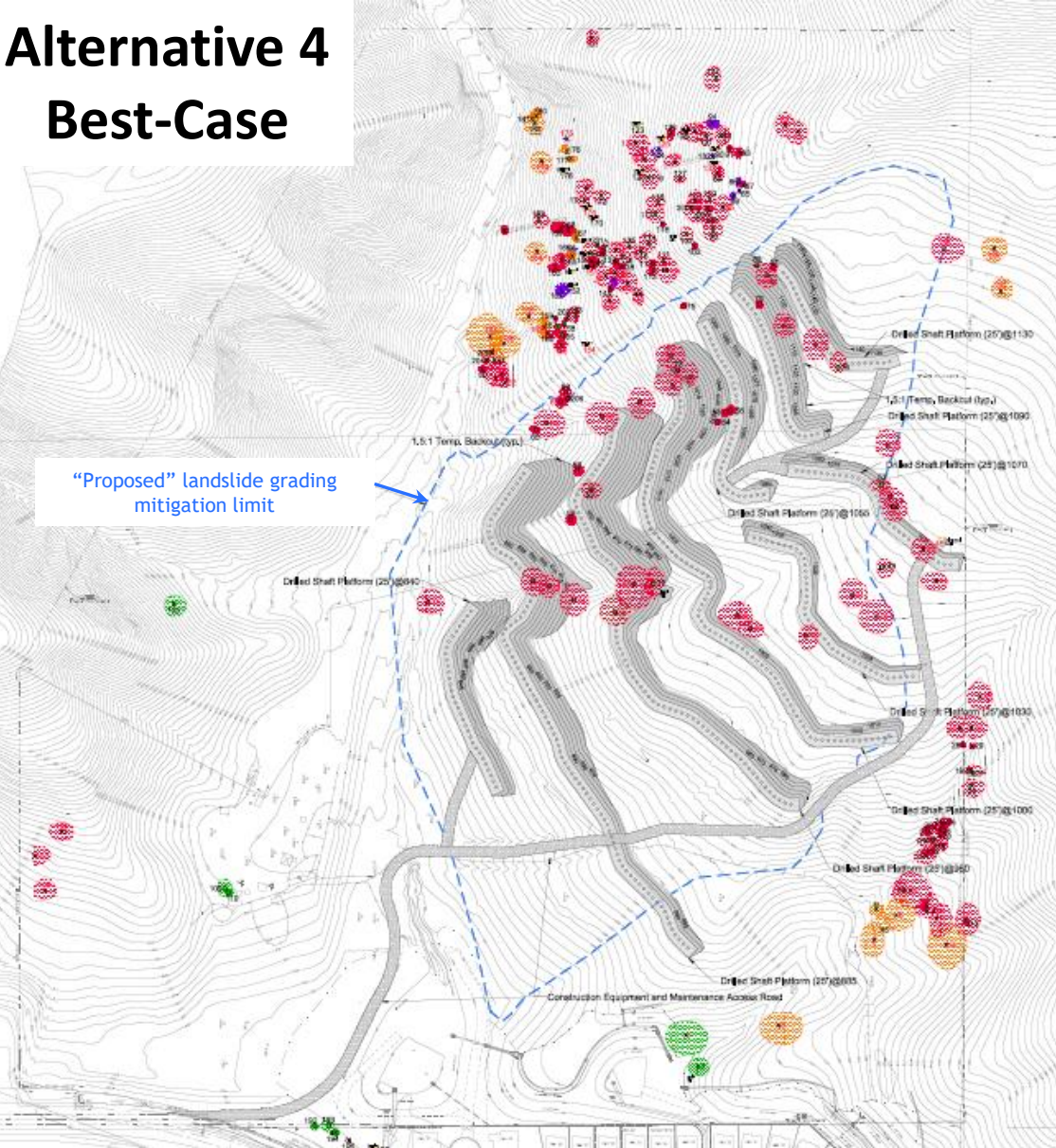
Alternative 4

(Best Case Design: In-Place Landslide Stabilization)

- Variations of Alternative 4 (with incorporation of slope stability measures) were explored, and a best-case design was developed to achieve the necessary 1.5 factor of safety for gross and seismic slope stability.
- To stabilize the slope an array of 454 concrete caissons placed in rows throughout the landslide area. The caissons would be constructed and installed to the following design specifications:
 - Placed 10 to 12 feet apart on-center
 - Each caisson sized at 5 to 6 feet diameter
 - Drilled to depths ranging from 100 to 185 feet
- In addition to drilling and construction of the 454 individual caissons, construction of the array would require grading for 15 to 20-foot wide access roads and slope cutbacks for safety and use as drilling platforms. The result would be an estimated 127,055 c.y. excavated material and grading with 55,855 c.y. of export required.
- Total cost to construct the caissons is estimated to be **\$113.7 million.**



Alternative 4 Best-Case



Slide Area

- 9 acres disturbed, impacting 34 oak trees (30 removals, 4 encroachments)
- 127,055 c.y. total grading with 55,855 c.y. export (2,793 truck trips)
- Graded areas would be restored and replanted with native plants
- Temporary impacts to biological and visual resources (similar to permanent grading mitigation option)

Implementation of a less comprehensive slide mitigation strategy will result in:

- Ongoing surficial instability issues such as slumping, sloughing, surficial slides, mudflows, and erosion)
- The need to construct additional debris and flood control improvements that would require ongoing repair and maintenance
- Needed repairs to failed slopes as they occur, resulting in ongoing hillside scarring and loss of resource mitigation



File No. 160003152: West Village

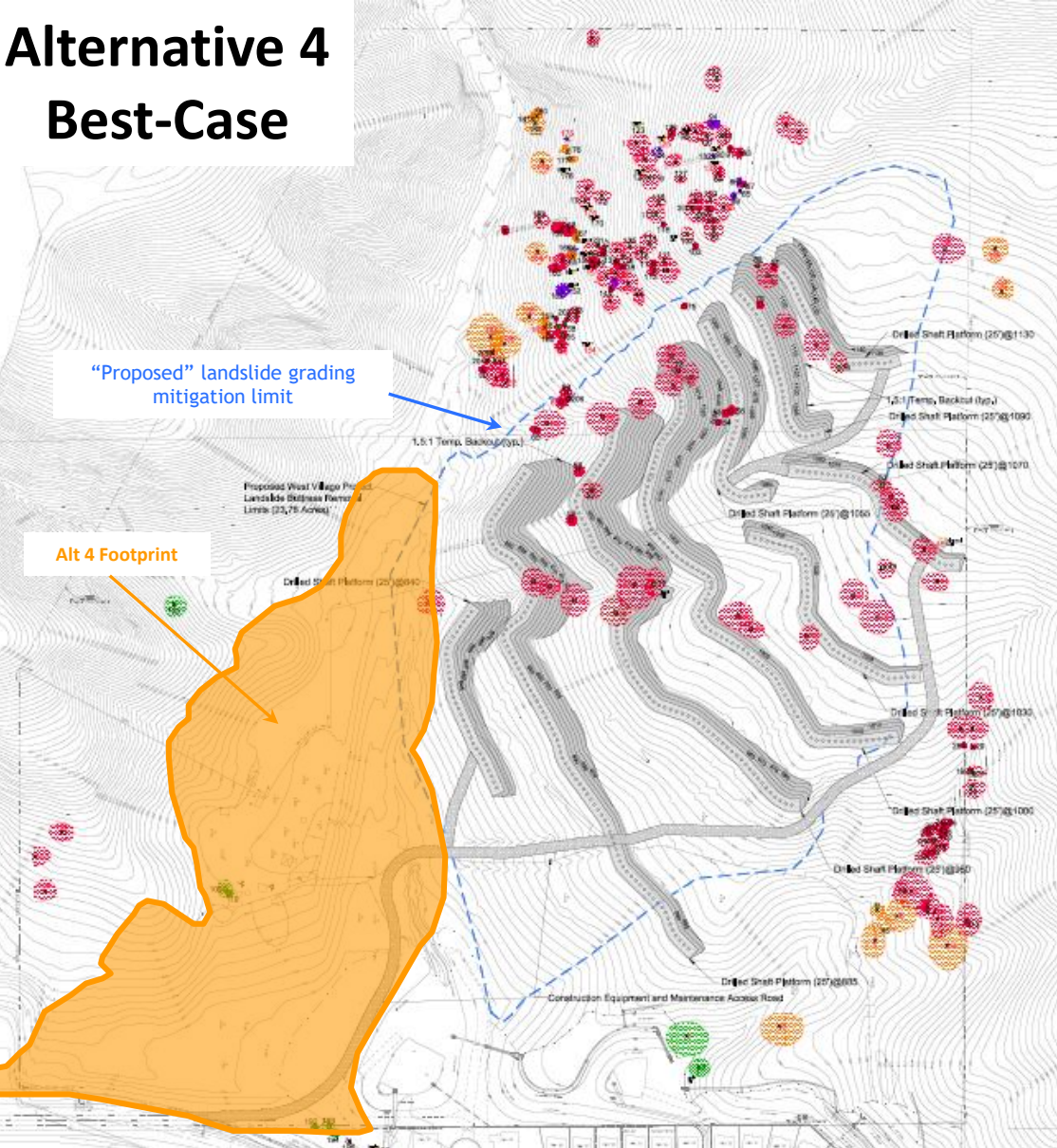
Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #25

Alternative 4 Best-Case



Footprint Area

Absent a graded mitigation solution, development within the footprint area will be subject to settlement issues due to compressible material being left in place (i.e. no properly compacted building pads), which results in:

- Structures requiring caisson foundation systems founded in bedrock; and
- Other site improvements such as roads, sidewalks, parking areas, swimming pools, infrastructure, etc. subject to settlement issues and likely needing ongoing repair for cracking, etc.



Alternative 4 Deemed Infeasible

- Alternative 4 (without any slope stabilization) was rejected because it would be geotechnically unsafe, both grossly and surficially, and risks of property damage and occupant safety are too high to prudently recommend development on this site without slope stabilization measures.
- Alternative 4 (best case design) was rejected for the following reasons:
 - Still geotechnically unsafe because it does not solve surficial instability issues such as slumping, sloughing, surficial sliding, erosion, and potential debris and mudflows;
 - Installation of the caisson array would still result in both temporary impacts to visual resources and biological resources, and permanent/ongoing impacts to hillside resources caused by needed repairs of slopes to correct surficial failures as they occur over time;
 - Would also be unsound due to lack of proper site soil compaction of compressible materials underlying development. leading to ongoing repair and maintenance issues from site settlement;
 - Does not balance earthwork on-site; approx. 2,793 truck trips to export 55,855 c.y. of earth;
 - Is not economically feasible (estimated cost of \$113.7 million is 12-times greater than the estimated \$9.32 million for the permanent full-remediation solution recommend by experts);
 - Does not satisfy project goals of a being a financially viable project, developing a pocket park, and fully mitigating the landslide.



III. Oak Tree Impacts, Post-Woolsey Fire



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #28

Oak Tree Impacts & Mitigation Before the Woolsey Fire

- 206 total Oak trees.
 - 161 oak trees preserved (78%).
 - 40 oak trees removed for landslide remediation
 - 5 oak trees removed for permanent development
 - 5 oak trees encroached upon
- Mitigation required = 1,417.5 inches of oak trees to be planted as new Oak Woodland on the repaired landslide slopes, and at various locations within the development.



Post Woolsey Fire Oak Tree Assessment

- 206 total oak trees
 - 8 oak trees sustained MINOR fire damage
 - 21 oak trees sustained MODERATE fire damage
 - 177 oak trees sustained SEVERE fire damage (some dead)
- Recovery will vary from tree to tree over time depending on extent of structural damage and ability to resist diseases.
- Of the 40 oak trees needing removal due to the proposed landslide repair:
 - All sustained SEVERE fire damage
 - 2 are dead
 - 6 killed above ground (but have root sprouting)
 - 17 noted to have structural damage
- Nevertheless, oak tree mitigation will remain as is (unchanged) which will aid in a more expeditious and robust oak woodland restoration and its return to functionality.



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #30

IV. Amended Final EIR



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #31

Purpose of Amendments to EIR

The EIR was added to and modified (amended) for the following reasons, which will be discussed in more detail in later slides:

- Re-assessment of the feasibility of Alternative 4
- Addition of Alternative 5
- Addition of vehicle miles traveled (VMT) analysis
- Update to level of service (LOS) traffic analysis



The Need for Recirculation

- Inclusion of additional information concerning the infeasibility of Alternative 4
- Addition of a new project alternative (Alternative 5) to replace the now-rejected Alternative 4



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #33

The Need for Recirculation

*“A lead agency is required to recirculate an EIR **when significant new information is added to the EIR** after public notice is given of the availability of the draft EIR for public review under Section 15087, but before certification. As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is **changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect.**”*

- CEQA Guidelines Section 15088.5



File No. 160003152: West Village

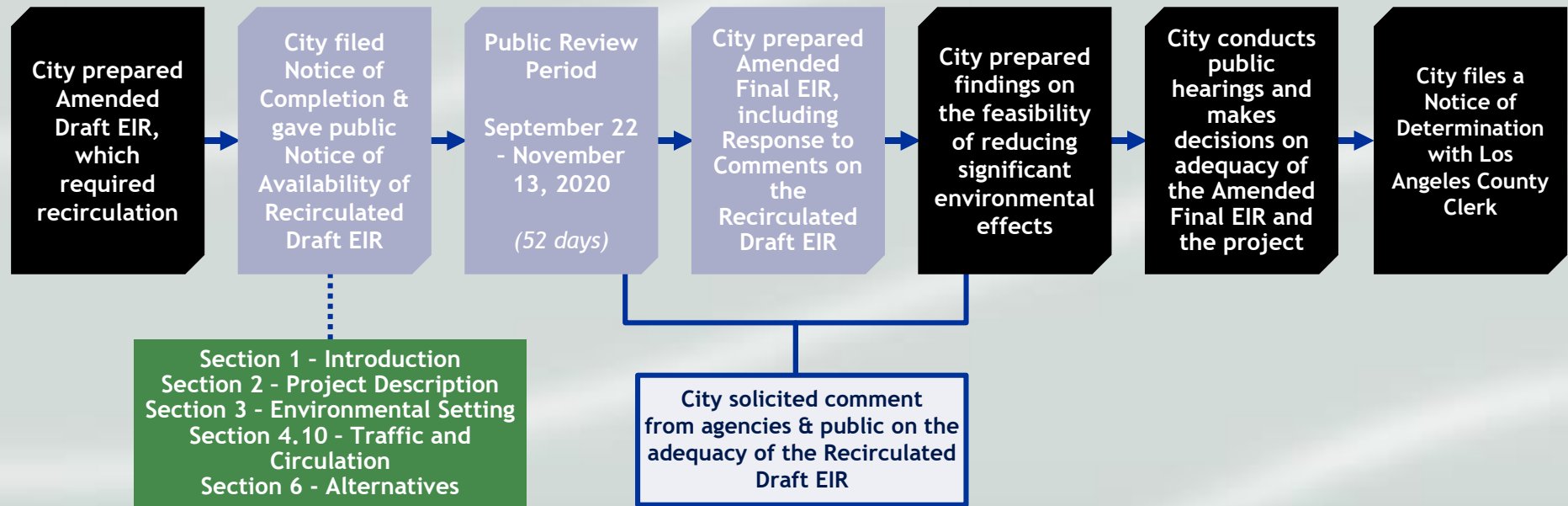
Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #34

Recirculation Process



Geotechnical Peer Review

- Conducted by LGC Valley, Inc. (25+ years of experience)
- Consisted of:
 - Review of the geotechnical reports completed for the project site to-date (2014 – 2020)
 - Review of geologic and geotechnical reports, maps, and other similar documents
 - Site visit
- Reviewed:
 - Scope of work
 - Data set
 - Geologic model, interpretations, and hypotheses
 - Conclusions and opinions
 - Geotechnical recommendations
 - Feasibility of proposed project and alternatives and potential impacts (short – and long-term)



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #36

Geotechnical Peer Review

Findings:

- The proposed project and Alternatives 2, 3, and 5 appear **feasible** and are the **best options available** for site development
- Alternative 4 as originally designed (i.e., no landslide remediation) attempts to avoid a condition that cannot be predicted or modeled with much accuracy and would put development **at risk**
- Alternative 4 with the array of drilled caissons does not sufficiently define the landslide mass or address surficial stability, which **could still impact** the proposed development
- Alternative 4 as originally designed or with the array of drilled caissons **do not provide the same level of assurance** against geologic hazards as the proposed project and Alternatives 2, 3, and 5
- The West Village geotechnical reports prepared for the subject project and the corresponding alternatives are **sufficiently comprehensive and accurate** for the purposes of evaluating the geotechnical feasibility and the environmental impacts of the subject project and its alternatives at the current stage of the planning process and under the California Environmental Quality Act



Alternatives

- Comprehensive re-assessment of feasibility of Alternative 4 was conducted in response to Planning Commission's request
 - Included thorough analysis of landslide stabilization options available for Alternative 4 as well as a scenario with no landslide stabilization
 - No landslide stabilization = substantial ongoing risk to on-site development
 - Landslide stabilization using array of drilled caissons with no deep remedial grading
 - Addresses deep-seated landslide condition
 - However, remains geotechnically unsafe - does not mitigate surficial slope instabilities and settlement
 - Significant temporary aesthetic and biological resources impacts during construction
 - Substantial soil export
 - High cost (\$113.7 million for drilled caisson array as compared to \$9.32 million for graded landslide mitigation design recommended for the proposed project)



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #38

Alternatives

- Alternative 4 was determined to be infeasible – moved to *Alternatives Considered but Rejected*
- Addition of Alternative 5
 - 34 fewer residential units, 7 more buildings, increased setbacks from The Colony and Las Virgenes Road
 - Added to address the project's only significant and unavoidable aesthetic impact to the extent feasible while still remediating the landslide to a level necessary to render it geotechnically safe (both for deep-seated landslide condition and surficial stability)



Updated Transportation Impacts Analysis

Although not required under CEQA, the following updates were also accomplished to improve the analysis of transportation impacts

- Addition of a vehicle miles traveled (VMT) analysis to be consistent with the updated CEQA Guidelines (Section 15064.3 was added December 2018)
 - The EIR met the content requirements in effect when the document was set out for public review (CEQA Guidelines Section 15007[c]) and VMT requirements apply prospectively (CEQA Guidelines Section 15064.3)
- Updates to the traffic level of service (LOS) analysis – incorporates updated baseline traffic levels and traffic generation from cumulative projects list that was updated for later project buildout year (*Section 3, Environmental Setting*)



Clarifications to the Biological Resources Section

- California Department of Fish and Wildlife (CDFW) provided additional comments on this section during public review of the Recirculated Draft EIR
 - Comments that raised potential new issues were addressed responsively
- Minor clarifications made to some portions of Section 4.3, *Biological Resources* → these do not trigger need for further recirculation because these do not constitute “significant new information” pursuant to CEQA Guidelines Section 15088.5 because the clarifications did not change the facts or analyses of this section



Amended Final EIR

The Amended Final EIR includes the following:

- Sections of Draft EIR Not Recirculated
 - Includes clarifications made in response to comments on the Original Draft EIR, as previously shown in the Original Final EIR
 - Includes clarifications made to Section 4.3, *Biological Resources*, in response to comments submitted by CDFW on the Recirculated Draft EIR
- Recirculated Sections of the Draft EIR (inclusive of Additional Related Appendices)
 - Includes clarifications made in response to comments on the Recirculated Draft EIR
- Comments and Responses to Comments on the Original Draft EIR
- Comments and Responses to Comments on the Recirculated Sections of the Draft EIR
- Updated Mitigation Monitoring and Reporting Program



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Thank You!

Lindsey Sarquilla and Annaliese
Miller, Project Managers

Joe Power, Principal



V. Housing / Housing Laws:

- Housing Element & RHNA
- Housing Accountability Act
- No Net Loss Requirement
- Implications



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Conformance With the General Plan Housing Element

- The General Plan's current 5th RHNA Cycle (2014 - 2021) Housing Element identifies the project site as one of only three vacant multi-family designated housing sites in the City, and is designated/zoned to accommodate 180 multi-family housing units.
- Furthermore, the subject property' designated 180 multifamily units are counted on for supplying 180 moderate and low income residential housing units by way of HCD's 20 unit per acre default density rule.
- The project will provide 180 total housing units, including 18 affordable to very low income qualifying families (deed restricted for 55 years).
- Therefore, the proposed project is fully consistent with, the City's Housing Element.



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #45

Housing Accountability Act

- Under California law, the City cannot deny, reduce the density of, or render infeasible a housing project that is consistent with applicable, objective general plan, zoning and subdivision standards and criteria, including design review standards unless both of the two following findings can be made, **based on a preponderance of the evidence**:
 - If approved, or if approved at a lower density (in the event of a complete denial), the project will have a specific adverse effect on public health or safety; and
 - There is no feasible way to satisfactorily mitigate or avoid the adverse impact other than to disapprove the project, or develop it at a lower density.
- Because the residential component encompasses at least two-thirds of the eleven-acre project area, the proposed project meets the State's definition of a housing project and is subject to the Housing Accountability Act.



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #46

No Net Loss Law

- California Govt. Code § 65863 requires each local jurisdiction to ensure that its housing element can accommodate, at all times throughout the planning period, its remaining unmet share of the regional allocated housing need.
- Any action to reduce the residential density of a parcel must be accompanied by written findings that:
 - The reduction of residential density is consistent with the General Plan, including the Housing Element; and
 - That the remaining sites are suitable for development and adequate to meet the jurisdiction's allocated share of regional housing need. This finding is required to include a quantification of the remaining need by income category and the capacity of the jurisdiction's remaining sites by income category.
- The City currently has enough of a buffer to accommodate its allocated share of regional housing need without the project site, although this is true for only the current (2014 -2021) RHNA period.



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

6th RHNA Cycle Housing Element

- The subject property is specifically identified in the City's Housing Element as providing 180 units toward its 2014 – 2021 RHNA requirement, and therefore, denial of this project will effect the City's efforts to adopt and certify its 6th cycle Housing Element, especially in the wake of stricter qualifying housing site identification criteria.
- Specifically, the subject property has been identified in the City's last two Housing Elements as a site to accommodate 120 very low and low income units toward the City's 141 unit very low/low RHNA, and 60 units toward the City's moderate income unit RHNA. This was based on a 20 unit per acre "default density" rule per HCD.
- However, the "default density" presumption will no longer apply in the new 6th RHNA cycle; as such, if the City would seek to identify this as one to accommodate a portion of its new RHNA requirement, State Housing and Community Development will most likely require the site to be developed "by right" with a minimum 20 unit per acre density, and at least 20% affordable units.
- Conversely, if the project site is not again identified as a site to accommodate a portion of the City's new RHNA requirement, then other properties in the City will need to be appropriately designated to accommodate more residential units.



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #48

Alternative 5



146 residential townhomes and stacked flats in 22 three-story buildings (34 fewer units than the proposed project), with greater setbacks from Las Virgenes Road.

Same as Proposed Project:

- 11.13 acre development footprint utilizing same intersection and driveway
- Same landslide remediation and grading scheme, with balanced cut/fill
- 5,867 sq. ft. commercial retail
- Rec. center & pool (for residents)
- Pocket park, green spaces, & trail easemt.
- Similar pad elevations and building heights
- Monterrey style architecture
- 10% of units set aside for very low income families (but with 15 affordable units)



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #49

Alternative 5



Environmentally Superior Alternative

- Increases setback from Las Virgenes Road (and the Colony) and places more landscaping between the Scenic Corridor and development, thereby reducing aesthetic impacts to Scenic Corridor, the only identified significant and unavoidable environmental impact.
- Compared to the proposed project, the reduction in residential density results in reduced impacts to air quality, GHG emissions, noise, traffic, public services and utilities.



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

VI. Planning Commission Decision



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Planning Commission

April 15 & 21, 2021

Slide #51

Planning Commission Decision Options

1. The findings for a recommendation to the City Council to certify the EIR and for approval of the project are contained in Resolution No. 2021-713 attached as Exhibit A.
2. The findings necessary to support a recommendation to the City Council for denial of the project are contained in Resolution No. 2021-714, attached as Exhibit B.



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road

Staff Recommendation is Unchanged

New geotechnical information and analysis demonstrates that a permanent graded solution for the landslide is the most prudent method to eliminate geotechnical risks. Accordingly (and for other reasons discussed), Alternative 4 was found to be infeasible. Alternative 5 improves upon aesthetic impacts but falls short on housing production by nearly 20%.

Staff therefore recommends that the Planning Commission revisit the prior recommendation for denial of the project, and adopt Planning Commission Resolution No. 2021-713 recommending to the City Council certification of the Amended Final Environmental Impact Report, and approval of the project (File No. 160003152).



File No. 160003152: West Village

Proposed 180-unit multi-family subdivision, 5,867 square-foot retail commercial center, 0.36 acre park, and approx. 66 acres of open space on an undeveloped 77-acre property located at 4790 Las Virgenes Road