

Attachment F

Public Correspondence

All of the attached written public correspondence includes two separate sets of comments. The first set of comments (immediately following this cover page) includes:

- 1) All written comments submitted specifically for distribution to the City Council for the May 12, 2021 City Council meeting; and

The second set of comments (separated by an additional title page) includes following:

- 2) All written comments submitted for distribution to the Planning Commission after the April 15 and 21, 2021 Planning Commission Agenda Packet was distributed, and therefore is not included in Exhibit Q of Attachment D in this agenda packet.

From: Kathy Dean <ktdean1951@gmail.com>
Sent: Saturday, May 1, 2021 10:43 AM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas

Dear City Council members,

We are residents of Calabasas in the Steeplechase community on Lost Hills Road. We are very concerned about the proposed West Village at Calabasas Project.

As long-time members of the National Wildlife Association, we are specifically concerned about the impact to wildlife habitat due to the reduction of the existing 1-mile wide Santa Monica Mountains Wildlife Linkage and Corridor. The project will reduce the Corridor by 25% which will have an extremely detrimental impact on the habitat itself and the wildlife that use this Corridor. Springs that provide water for wildlife will be eliminated, as well as native wetlands, habitat and vegetation including heritage oaks.

Regarding the Santa Monica Mountains SEA (Significant Ecological Area), “these linkages allow movement between large open space areas within the SEA as well as between areas outside the SEA” and “the genetic flow through these areas is crucial in maintaining the diversity and viability of certain species within the Santa Monica Mountains.”

https://planning.lacounty.gov/sea/regional_habitat_linkages_and_wildlife_corridors/

According to the City of Calabasas Land Use Code 17.20.070(C), all development in a scenic corridor must comply with Scenic Corridor Guidelines and Hillside Development Standards.

We do not believe that the West Village at Calabasas Project is in compliance with these guidelines and standards, and urge you to reject this building project as currently designed.

Thank you for your attention,

John and Kathy Dean
4240 Lost Hills Road, Unit 2602
Calabasas, CA 91301

From: Kyle Wilgus <ktwilgus@gmail.com>

Sent: Sunday, May 2, 2021 11:39 PM

To: info <info@cityofcalabasas.com>

Cc: James Bozajian - External <jrbozajian@earthlink.net>; James Bozajian <jbozajian@cityofcalabasas.com>; Mary Sue Maurer - External <mauredge@gmail.com>; Peter Kraut <pkraut@cityofcalabasas.com>; David Shapiro <dshapiro@cityofcalabasas.com>; Alicia Weintraub <aweintraub@cityofcalabasas.com>; Maricela Hernandez <mhernandez@cityofcalabasas.com>

Subject: City Council - The West Village at Calabasas Project

Dear City Council,

I oppose and 100% disagree with the suggested development, "The West Village" at Las Virgenes and Agoura Road. My family and I live down the road in a community that just got over serious construction issues due to the Paxton townhouse development. I have severe autoimmune issues and that development caused me to be sick with Valley Fever during most of the construction period.

My wife and I moved to Calabasas, purchasing our first home here to start a family. We lived in Los Angeles for 11 years. The point of us moving out of the City and up here was for the open space and to get out of the congested, over populated, homelessness of Los Angeles. This project concerns me that it would ruin Calabasas just as it has to the other cities in LA County that have overdevelopment issues such as, Woodland Hills, Tarzana, Van Nuys, Studio City, Hollywood, Marina Del Rey, etc. These cities are now transient communities with higher crime rates, more pollution, traffic congestion, no character, etc. Is this what you want the City of Calabasas to turn in to? Our police department, The Lost Hills Sheriff's Department are understaffed already and can't patrol the community it serves now. Adding these 180 new homes to the area will make it **impossible** to keep our community safe.

When we had the fires in 2018, we had a difficult time evacuating. There were lines of cars for miles trying to get onto the freeways and evacuate the area. Adding 180 new homes, which would add lot's more vehicles to an already congested area would be dangerous and deadly. What would happen if we had another fire like this? Would you want to take the chance of complete gridlock, hysteria and

be responsible for adding all these extra bodies to an already congested area that couldn't get out to save themselves? **Is greed really worth people's lives?**

The shopping centers on both sides of Las Virgenes and Agoura Road need major renovations. The McDonald's and Jack N' The Box are complete eye soars. Why don't the land owners focus on remodeling those already constructed areas to strengthen and better our area?

I **100% oppose** this new development and believe it would only bring trouble to our already beautiful, overdeveloped community. **Enough is enough!** Go elsewhere to develop, not here!

Regards,

--

Kyle Wilgus
(310)945-7706
ktwilgus@gmail.com

-----Original Message-----

From: Nataliya <nbulba@yahoo.com>
Sent: Sunday, May 2, 2021 11:33 PM
To: info <info@cityofcalabasas.com>
Subject: Council Meeting - West Village at Calabasas project

Greetings,

I am supporting the residents of Calabasas who is in opposition to the proposed project. I used to live on Las Virgenes Road for 7 years before moving out to city of Thousand Oaks. One the the reasons my family decided to move out of Calabasas is due to the poor decisions made on behalf of city council in regards of the city development specifically , the construction of new hotel right off the Las Virgenes Road exit 101F. Las Virgenes had been already a pretty heavy cross street at the pick time before, and building a hotel was a worst idea made by city council. The already congested street cannot handle anymore traffic- it will be a dead trap for the residents unable to get out of their townhomes if fire happens like in 2018. The Las Virgenes street has only 2 lines and not designed to carry a heavy load of cars if more housings are added . Unfortunately our city council is not willing to acknowledge it - money and bribing are very powerful and dangerous.

I'm curious to see the outcome of the meeting, and hoping for the best for Las Virgenes residents. They have a right to live In a safe place like Las Virgenes used to be, and before the greedy hands of developers got onto Las Virgenes Rd.

Would like to see there ate some honest people left in Calabasas council who are truly invested in preserving the beauty of original Las Virgenes Rd with its surrounding beautiful hill slopes and unique flora/fauna .

Natalia Bulba
Resided at Las Virgenes park 2012-2019

From: Kaleigh Kemmerly <kaleigh.kemmerly@gmail.com>
Sent: Sunday, May 2, 2021 11:14 PM
To: info <info@cityofcalabasas.com>
Cc: James Bozajian - External <jrbozajian@earthlink.net>; James Bozajian <jbozajian@cityofcalabasas.com>; Mary Sue Maurer - External <mauredge@gmail.com>; Peter Kraut <pkraut@cityofcalabasas.com>; David Shapiro <dshapiro@cityofcalabasas.com>; Alicia Weintraub <aweintraub@cityofcalabasas.com>; Maricela Hernandez <mhernandez@cityofcalabasas.com>
Subject: RE: City Council - NO West Village at Calabasas Project

Dear City Council,

I would like to express my concern and oppose the suggested development, "The West Village" at Las Virgenes and Agoura Road. This is an awful idea! We live just down the road in a development called Stone Creek, across the street from the Paxton townhouse development. We endured terrible living conditions for many years due to that prolonged construction. Breaking ground took a minimum of three years. Within those years, we endured damage to our house. Constant shaking from the excavation, respiratory health problems, getting sick with sinus infections, valley fever and asthma attacks. There was heavy traffic congestion trying to get in and out of our community and essentially gridlocked the area due to all the construction traffic. During the years of construction, we had multiple flat tires due to nails on the road because of the construction, and witnessed several major car accidents while out walking and sitting at our stoplight. The most upsetting part was the wonderful landscape across from our house was destroyed, and now we stare at an eyesore of more ugly concrete apartment buildings. This Paxton project went bankrupt several times. It was originally supposed to be high end townhomes selling for just under \$1MM and ended up being townhomes that could only be rented for a large amount of money that are now mostly vacant. What a waste of money, time and space, all the while, destroying the habitat of many animals and nature. We used to spot deer in the hills and haven't seen one since before that project broke ground.

After living in Marina Del Rey for 8 years, my husband and I bought our first house in this community years ago to start a family. The point of us moving out of Los Angeles and living in Calabasas is for the open space and to get out of the congested, stressful city life. This project concerns me that it would ruin Calabasas just as it has to the other cities in LA County that have overdevelopment issues such as, Woodland Hills, Tarzana, Van Nuys, Studio City, Hollywood, etc. These cities are now transient communities with higher crime rates, more pollution, traffic congestion, no character, etc. Is this what you want the City of Calabasas to turn in to? Our police department, The Lost Hills Sheriff's Department are understaffed already and can't patrol the community it serves now. Adding these 180 new homes to the area will make it impossible to keep our community safe and provide necessary resources to those in need.

We already have another hotel being constructed right off the Las Virgenes/101 Freeway exit, building into the side of the hill with more land destruction. Who will stay there when it is next to a Mobil gas station and across from a Chevron and Shell gas station? This will most definitely have a low vacancy rate which will then be occupied at a lower rate and bring in the type of crowd that will endanger our community.

When we had the fires in 2018, we had a difficult time evacuating. There were lines of cars for miles trying to get onto the freeways and evacuate the area. Trying to get on the freeway was dangerous and long. Adding 180 new homes, which would add give or take 360+ new vehicles to an already

congested area would be dangerous and deadly. Complete gridlock. What would happen if we had another fire like this? Would you want to take the chance of complete gridlock, hysteria and be responsible for adding all these extra bodies to an already congested area that couldn't get out to save themselves? Is greed really worth people's lives?

We just had a brush fire on 4/29/21 off the Las Virgenes/101 freeway. I was unable to get my 7-month-old daughter to her pediatrician since they closed the on ramp to the freeway. I don't understand how you could fathom adding more people to this direct area? Trying to evacuate would be a complete nightmare and cause chaos! As the Fire Chief said who spoke at the planning commission meeting, "Sheltering in Place would be Dangerous!"

Why can't the landowners go find other uninhabited areas in Southern California to go build on? Or why don't they take over the old, run down shopping centers on both sides of Las Virgenes and Agoura Road? Already built and needs help. Why don't they focus on that and make it nice?

I am 100% against the plan of building and destroying this area with another shopping center and residential area. These poor animals have nowhere to live after all the fires and building already in this area. This new development would destroy our community and bring violence. We moved out here to raise our family in peace and space to escape the city and all the danger and chaos it brings. DON'T BRING IT HERE. NONE OF US WANT IT!

Best,

--

Kaleigh L. Kemmerly

From: Carol Harris <hellomrsharris@gmail.com>

Sent: Sunday, May 2, 2021 9:40 PM

To: info <info@cityofcalabasas.com>

Subject: West Village

Seriously, there is consideration of building ANYTHING at this location? Traffic snarls, watershed, historical wind-driven fires down this canyon: Is this REALLY necessary? What about the "no growth" promises when this city was first formed? What about the drought? What is so necessary about more building here? What a huge blunder it would be! How irresponsible!

Carol Harris
a concerned Calabasas resident

5-2-21

West Village at Calabasas

Dear City of Calabasas City Council Members,

Please reject the West Village at Calabasas proposal that New Homes is submitting to you. As you know, we are in a high fire potential area, and during the Woolsey Fire, our community was blocked and some were unable to vacate in a timely manner. Building extra homes in this area is very dangerous and puts all our lives at risk. This recent fire shows you that we are still prone to having such instances. Once again, the freeway was shut down, so you see how vulnerable residents on the West side are put in danger due to any seemingly small fire.

Please enforce the existing codes and protect the residents' interest. Help our residents be able to evacuate in case of emergencies; adding additional homes would only make our options possibly cause unnecessary evacuation blocks, which could cause horrible situations!

Thanks,

Janice Robinson
Saratoga Hills, Calabasas

From: Robert Barrow <olbob757@aol.com>
Sent: Sunday, May 2, 2021 4:33 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas

From Bob Bartow

5-2-21

To: City of Calabasas City Council Members
info@cityofcalabasas.com

Dear City Council Members,

I was reading in the Acorn about how destructive the West Village proposed property would be for this City. I'm told that this code is not being followed, because it is being built right on a Wildlife Corridor. Calabasas is known for its wildlife linkage, and we don't want that destroyed. Plus I heard the last meeting and Valley Fever has been spread near the Paxton development, and nobody wants that!

Here's the code:

17.20.150(B)2: Grading and project design shall address and avoid impacts to habitat linkages and wildlife corridor

Not to mention the fire hazards you'd be causing. It would add to our problem here on the west side and east side, for that matter. Obviously if we add more homes, it's going to be more dangerous for us to be able to evacuate. When we had that fire recently we learned that even a small fire can cause traffic to be blocked, making it impossible for us to evacuate.

Please deny this project.

Sincerely,

Bob Bartow
Calabasas Resident, Saratoga Hills

From: Joanne Suwara <joasuw42@gmail.com>

Sent: Sunday, May 2, 2021 3:29 PM

To: info <info@cityofcalabasas.com>

Subject: Please forward to City Council re West Village Public Hearing

My 2, 2021

To: Mayor Bozajian, Mayor Pro Tem Maurer, Council members Kraut, Weintraub and Shapiro:

I am attaching the Calabasas Municipal Land Use Codes applicable to the West Village at Calabasas proposed project.

These Municipal Codes are laws that were enacted by the City. I have highlighted each instance where the word "shall" is used. This is especially important in a legal context. In legal terms "shall" means something must happen.

The expectation of all of us is that the law applies to everyone equally. Whether it is a resident building a new home or adding to an existing dwelling, or an applicant who is proposing developing property anywhere in the city, the law should be enforced.

Why is this project being pushed through the approval process when so many laws are being disregarded? Where is the integrity in all of this? No one should be above the law!

There can be no dialogue between the public and the Council at the upcoming meeting but I will be asking this question of you that night and look forward to hearing your answers.

Thank you.

Joanne Suwara

From: Kelly Spadoni <kspud0313@gmail.com>
Sent: Sunday, May 2, 2021 1:18 PM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas project

Dear City Council Members,

I am writing to ask you all to please deny the current proposed development for the same reasons that it was denied previously.

SIZE AND SCOPE OF PROJECT TOO LARGE

- *Number and height of buildings do not fit the property*
- *Buildings will block the VIEW of the rolling hillsides*
- *Is there a demand for condos and retail? Paxton Townhomes turned into rentals; retail space available throughout the City*

TRAFFIC

- *Traffic study does not reflect reality*

WILDFIRE CONCERNS

- *Calabasas has the highest Fire Danger Rating which is: Very High Fire Hazard Severity Zone*
- *The 101 freeway is the only designated route for emergency evacuation. Need to improve evacuation routes*
- *When the freeway is closed, Agoura and Mureau Roads are clogged with overflow traffic. There is no way out except possibly Las Virgenes Road and Mulholland Highway*

EXCESSIVE GRADING

- *Violates Restricted Open Space creating artificial manufactured hills*
- *Creates harmful air pollution from dust and exhaust fumes*
- *Destroys wetlands, natural springs and wildlife habitats*
- *Creates water pollution threatening the federally listed California Red Legged Frog*

These current laws should be followed:

CITY OF CALABASAS LAND USE CODES

- *Development should preserve the hillside rather than alter the hillside to fit the development [Code 17.20.150(B)3]*
- *All development in a Scenic Corridor must comply with Scenic Corridor Guidelines and Hillside Development Standards [Code 17.20.070(C)]*
- *Manufactured slopes cannot be counted as open space [Code 17.20.055(A)9]*
- *Development shall respect natural surroundings and follow natural topography [Code 17.20.150(B)12]*

This developer seems to have no interest in being a good neighbour to our community. If they did, they would listen to the valid concerns of the residents and work with us to develop something that the community is on board with. Instead we must waste more time reminding them of the same issues that were already addressed and previously denied.

Thank you for your time, I sincerely appreciate your service and urge you to vote NO.

Sincerely,

Kelly Spadoni
Calabasas resident since 1999

From: RITA ROOSTA <riroosta@aol.com>
Sent: Sunday, May 2, 2021 11:24 AM
To: info <info@cityofcalabasas.com>
Subject: We oppose the west village at calabastas project

Thank you

From: Karen Tiffany <karentiffany07@gmail.com>
Sent: Sunday, May 2, 2021 10:02 AM
To: info <info@cityofcalabasas.com>
Subject: West Valley Project

To All City Council Members,

We voted overwhelmingly for Measure D to preserve zoned Open Space.

We who voted No on F oppose the West Village at Calabasas project as it was presented. There were more than a few mentions of Valley Fever concerns in the emails submitted to the Planning Commission and several were from local residents who contracted the disease. It's a public safety issue !

City Council should err on the side of caution. Just because the developer can move 2.6 million cubic yards of dirt doesn't mean it should be allowed to do so.

The proposed development is much too massive and dense for this piece of land and how it impacts the residential community.

The freeway entrance has been closed just Thursday, April 29th, traffic everywhere, what's the evacuation plan?

Please keep in mind the following:

- The Impact on hillside views will be permanent.
- The impact on traffic will be permanent.
- The impact on protected wildlife will be permanent.
- The impact on fire safety will be permanent.

- The impact on our valuable Open Space will be permanent.
- High impact on air quality during all construction phases impacts the health of all the surrounding communities.

There are many more points to make from our Environmental, Fire safety and other special experts.

This project needs to fit the contours of the valley and minimize residential and environmental impacts. Alternative #5 does not meet these qualifications.

Please send West Valley back to the drawing board.

Karen Tiffany
32 year Calabasas resident

From: Steven Reints <slrreints@gmail.com>
Sent: Saturday, May 1, 2021 11:13 PM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas

To the City Council,

We have seen this before. It still doesn't meet the requirements of the city code. The want to destroy the hill sides and grade for years. It shouldn't be allowed. The views will be destroyed. They should build something that meets the zoning. The only thing that has changed is the traffic is worse than it was when they tried this before. Once folks start commuting again it will only get worse and this is before the project adds to the problem.

They want to build retail. Have you looked at how many open store fronts there are on this side of town? This makes no sense. I've lived here nearly 30 years and it was for us to control this kind of development that we became a city.

I was against this before and remain more adamantly against this now. I urge you to vote against this and urge the developer not to come back without a major reduction in scope. They need to rethink this.

Thank you,
Steven Reints
26906 Deerweed Trail
Calabasas Hills, CA. 91301

From: Anita McQuillan <antrim8@sbcglobal.net>
Sent: Saturday, May 1, 2021 9:43 PM

To: info <info@cityofcalabasas.com>

Subject: City Council - West Village at Calabasas project

Proposed Development in Calabasas

The proposed development of 180 housing units and a number of retail units at the junction of Agoura and Las Virgenes Road has raised many concerns. At the public hearing residents voiced opinions on the proposed development. Memories of the 2018 Woolsey fire raised many concerns about the impact of this development during times of natural disaster. Some people pointed out that traffic in the area was often at a standstill especially during morning and evening rush hours. It was thought that adding more housing units and retail stores would cause more ingress and egress issues, both at rush hour, and particularly, in the event of a natural crisis such as a fire or earthquake.

Other concerns voiced were issues of historical significance such as removing the ancient landslide which is one of the more visible hillsides in the city. Issues of the impact on the ecosystem were addressed because there is plant life which is found here and in few other places. Concerns were also raised about the narrowing of the wildlife corridor that most certainly would be impacted by 180 housing units.

At the end of the public hearing, the planners presented the proposed development. I felt it did not address any of the genuine concerns presented by the people. While the presenters spoke with childlike naivety about how the residents of the proposed 180 units would be able to easily access the freeway, I was left to think about the existing 24,000 residents of Calabasas, and their access to the freeway in times of crisis or even just at rush hour.

Anita McQuillan

From: Ali Yusufaly <anyusufaly@gmail.com>

Sent: Saturday, May 1, 2021 3:08 PM

To: info <info@cityofcalabasas.com>

Subject: West Village

To Whom it May Concern,

I would like to voice my support for the West Village project located at the intersection of Las Virgenes and Agoura Rd. As someone that works in Calabasas, I feel like the city needs more housing for those that want to live in the area. Calabasas is a desirable place to call home and more people should have the opportunity to do that. I hear the opposition claim that traffic is already so bad at the intersection, but I just don't see it. I drive through that intersection multiple times a day, usually during peak traffic hours, and it is never a problem. Adding another couple of hundred trips per a day is not going to have a significant impact on the intersection.

Having additional residents in Calabasas will only help local businesses who are already struggling to keep their doors open through the pandemic. The housing crisis in Calabasas and across the state is only going to be solved by building more units, and this project is a step towards that. I urge the council to approve this project. Thank you for your time.

Sincerely,

Ali Yusufaly

From: tamiko fuote <tfuote@gmail.com>
Sent: Saturday, May 1, 2021 1:08 PM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas"

To All City Council Members,

We voted overwhelmingly for Measure D to preserve zoned Open Space.

We who voted No on F oppose the West Village at Calabasas project as it was presented.

There were more than a few mentions of Valley Fever concerns in the emails submitted to the Planning Commission and several were from local residents who contracted the disease. It's a public safety issue !

City Council should err on the side of caution. Just because the developer can move 2.6 million cubic yards of dirt doesn't mean it should be allowed to do it.

The proposed development is much too massive and dense for this piece of land and how it impacts the residential community.

The freeway entrance has been closed just Thursday, April 29th, traffic everywhere, what's the evacuation plan?

The Impact on hillside views will be permanent.

The impact on traffic will be permanent.

The impact on protected wildlife will be permanent.

The impact on fire safety will be permanent.

The impact on our valuable Open Space will be permanent.

High impact on air quality during all construction phases impacts the health of all the surrounding communities

There are many more points to make from our Environmental, Fire safety and other special experts.

This project needs to be restrained to fit the contours of the valley and minimize residential and environmental impacts. Alternative #5 does not meet these qualifications.

Please send West Valley back to the drawing board.

Yours,
Calabasas resident,
Tamiko Fuote

From: Vicky Myers-Kaseff <vickyilene@gmail.com>
Sent: Saturday, May 1, 2021 11:58 AM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas

I have been a resident of Hidden Hills since 1987 and have seen a lot of development. The area looks nothing like it did then. Please vote against this development, The traffic has gotten more congested with each development. We voted for measure D. Please respect our vote!

Sincerely,

Vicky Myers-Kaseff

From: Cherie Deeds <cdeeds@caremindr.com>
Sent: Saturday, May 1, 2021 11:38 AM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas project

Thank you for accepting my input on the subject.

I moved here 20 years ago from the city to get away from traffic, and densely populated areas. I love it here in Calabasas! Please don't allow our little Camelot to be ruined! That hillside and area is so beautiful! And don't get me started on the fires! There was just one 2 days ago at Las Virgenes and the 101. I've been against any big development in this area and will continue to be. I also hope once it the project is denied, this will be the last time!

Thank you,

Cherie Deeds
Regional Vice President
cdeeds@caremindr.com
818-912-1822
CAREMINDr

From: Greg and Bonnie Higa <gand4bs@sbcglobal.net>
Sent: Saturday, May 1, 2021 11:10 AM
To: info <info@cityofcalabasas.com>
Subject: City of Calabasas West Village at Calabasas Project

Dear Commission:

We are longtime homeowners in Calabasas and we are vehemently opposed to the West Village Proposal.. We stood up and testified at the city hearing and the reasons for our opposition have not changed. This project has been wrong for the city when it was first proposed and even more so now with all of the public safety concerns in a changing world.

We agree with every word that follows and we urge you to vote down this monstrosity of a project. The people of Calabasas can not be bought and sold and we urge you as members of our city leadership to vote the same way and prove that you want what is best for Calabasas.

Thank you!

Greg Higa
Bonnie Higa
Brooke Higa
Bailey Higa
26803 Live Oak Ct.

Calabasas Hills, CA 91301
818-880-5630

Major Reasons the 2021 West Village Proposal is not right for Calabasas:

EXCESSIVE GRADING

- Violates Restricted Open Space creating artificial manufactured hills
- Creates harmful air pollution from dust and exhaust fumes
- Destroys wetlands, natural springs and wildlife habitats
- Creates water pollution threatening the federally listed California Red Legged Frog

SIZE AND SCOPE OF PROJECT TOO LARGE

- Number and height of buildings do not fit the property
- Buildings will block the VIEW of the rolling hillsides
- Is there a demand for condos and retail? Paxton Townhomes turned into rentals; retail space available throughout the City

TRAFFIC

- Traffic study does not reflect reality

WILDFIRE CONCERNS

- Calabasas has the highest Fire Danger Rating which is: **Very High Fire Hazard Severity Zone**
- The 101 freeway is the only designated route for emergency evacuation. Need to improve evacuation routes
- When the freeway is closed, Agoura and Mureau Roads are clogged with overflow traffic. There is no way out except possibly Las Virgenes Road and Mulholland Highway

From: RichB <rbevando@pacbell.net>
Sent: Saturday, May 1, 2021 10:23 AM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas project

Hello,

Please reconsider plans for new development at West Village Calabasas. Would assume since most retail has diminished due to changes of purchasing on the Internet can only see vacant stores. World had changed dramatically since covid, corporations now are having employees remain at home to work now and after covid comes to a rest. Corporations learned they save on real estate cost by having their

employees stay home, hotels will run vacant. Currently you have empty stores and big turn over as well at the Summit of California - Erewhon Shopping Center, commercial property is something of the pass.

We are against this development as proposed, I vote no to new development.

Rich Bevando

From: Justine Ayers <dirtyvixen2012@gmail.com>

Sent: Saturday, May 1, 2021 7:20 AM

To: info <info@cityofcalabasas.com>

Subject: City Council - West Village at Calabasas

Dear Council Members,

My family has lived here since our house was built. My grandparents were the original owners of my home. We have seen the in "progress" over the years and the impact it has had to this city. I feel that this development will hugely impact our safety and ability to evacuate during the increasingly growing fires we are having. It WILL negatively impact the traffic since Malibu canyon is an evacuation route for Malibu. Just the other day the freeway was shut down for the fire next to the New Hotel. Our freeways and streets are already impacted by vacationers and beach goers in the summer months.

The proposed grading and destruction of our hills goes against every reason we live here. We Do Not want to live near all these new buildings. Save our slice of heaven. Developing here is irresponsible and dangerous to the safety of our community. We already have a near empty eyesoar development at the intersection of Las Virgenes and Thousand Oaks Blvd. Empty buildings sit all along Agoura rd. We do not need anymore.

Thank you for your time,

Justine Ayers

From: Sayra Boerner <sayraboerner@gmail.com>

Sent: Saturday, May 1, 2021 12:18 AM

To: info <info@cityofcalabasas.com>

Subject: City Council - West Village at Calabasas

To Whom it May Concern:

I am a resident of Calabasas, and I am writing to let you know that I strongly oppose the proposed development project on Las Virgenes at Agoura Rd known as "West Village at Calabasas". It is an inappropriate project for development at that site and it violates many of our city codes.

I am I concerned for the negative impact it will have on the area with a loss of natural habitat, and the increased risk of Valley Fever due to the mold spores that will be released from that much earth being moved, as well as the greater issues of safety it would create for our entire community. The proposed project is in a high fire zone, and as it is at the moment when there are fires in the area the traffic is a nightmare and evacuation is difficult. Imagine how much worse it

would be if this project is approved and an additional 300 families are trying to evacuate? This project should not be allowed to come to fruition.

Please uphold your duty to the residents of Calabasas and enforce our city's existing laws by voting against this project.

Thank you for your time.

Sincerely,
Sayra Boerner
Calabasas resident

-----Original Message-----

From: Cyndilee Rice <cyndilee@sbcglobal.net>

Sent: Friday, April 30, 2021 9:15 PM

To: info <info@cityofcalabasas.com>

Subject: City Council- West Village at Calabasas project

Hello Council Members,

I'm writing you today regarding the pending West Village project, on Las Virgenes and Agoura Road. I strongly oppose this project being approved. That's already a bottleneck of traffic at that particular intersection. There are currently two additional projects on either side of this site, still under construction. I feel the developers are ignoring the confines of the land they purchased, and want you to amend the ordinances we already have in place to protect Calabasas. The plans for the space are just simply too big! The name says it, they want to build a village in the city! I've lived in Calabasas for 30 years and have seen what irresponsible development has done to our city. I thought that was one of the reasons Calabasas became a city. We decided that we wanted more control and a say, in what happens where we live. If we continue to disregard the city's protective ordinances and amend them for every project, why do we even have them? The city council and the planning commission are supposed to uphold the ordinances that have already been decided on. Not customize them for every project that comes along. I'm not allowed to cut down an Oak tree on my property, so why do developers continually get the green light, to do whatever they want with the space they buy?

This project brings nothing to the city except traffic & overcrowding. Will demolish open space, permanently destroy the view, disrupt wildlife, level and pave over multiple sites on the property and pose a serious evacuation challenge in an emergency. In the last few years alone, we've had multiple fires, a plane landing on the freeway, a deadly police shooting, and a helicopter crash. All at this very exit! The neighborhood north of the 101 on Las Virgenes only has one way out, that's on Las Virgenes. I know the developers say that, their project is so close to the freeway there wouldn't be a problem evacuating the project. That may be true for them, but for the rest of the people, the ones who already live here, we would be behind all those additional hundreds of cars and people. Stuck in a bumper to bumper gridlock traffic catastrophe! Years ago, before the many projects that have already been built and added cars and people to the area. We had a fire, and we had to evacuate A.E. Wright school, it wasn't pretty. Gridlock with not only cars, but buses too, filled with children. The huge fire in 2018, was terrifying, what people don't realize, is that when you have to evacuate in a fire, the smoke is thick, you can't see, cars stop because they can't see, but it blocks everyone! This is a big problem, when there is only one road out!

I choose to buy a home in Calabasas because I love this city. I love being able to see a mountain with no buildings on it. I have a long commute to work, but it's worth it to me, because of what we have here. If you turn Calabasas into Studio City, then you've taken away its charm. We may as well just move to the valley, and save ourselves the commute!

This area is already maxed out with what the current infrastructure can handle, enough is enough, we voted against this project before, I don't understand why it keeps coming back! Please listen to the people who live in this city. We need to send the message that no means no, we don't want this project! Thank you for your time.

Sincerely,
Cyndilee Rice

From: Judy Bagg <judybagg@yahoo.com>
Sent: Friday, April 30, 2021 8:35 PM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas

Please do not permit this development to be built.

From: Natasha Losada <natashalosada@me.com>
Sent: Friday, April 30, 2021 8:14 PM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas

Hello,

My name is Natasha Losada Stein and I live alongside my husband Alex and son Lucas at Deer Springs neighborhood. I write again to strongly oppose the development of West Village at Calabasas. The developer hasn't provided solutions to the problems that seem to drag on since the inception of this project. We believe it will have a negative impact environmentally and with traffic density in case of evacuation. We voted to keep this land as Open Space with Measure D. Please respect the will of voters. Thank you,

Natasha Losada Stein

From: Karen Fuchs <krf2@mac.com>
Sent: Friday, April 30, 2021 7:31 PM
To: info <info@cityofcalabasas.com>
Subject: West Village

Att: City Council members

This is to express a NO 'vote' on the West Village proposed development in Calabasas.

Karen Fuchs
3331 Via Verde Court
Calabasas Ca 91302

From: Lisa Scotoni <lscotoni@prodigy.net>
Sent: Friday, April 30, 2021 2:48 PM

To: info <info@cityofcalabasas.com>
Subject: City Council - AvalonBay Initiative - I want to vote

From: Evan Bryant <evantheos808@gmail.com>
Sent: Friday, April 30, 2021 2:26 PM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas Project

Hello, I am a fellow resident of Calabasas since 2001, and I very much disagree with and oppose the planned development projects at the Las Virgenes & Agoura Road intersection.

Thank you,
- Evan Bryant

From: Lau Films United <leyton.philbrook@gmail.com>
Sent: Friday, April 30, 2021 2:15 PM
To: info <info@cityofcalabasas.com>
Subject: city council - west village at calabassas project

I am a nearby resident and highly oppose this project. We are already overdeveloped here and need to protect the surrounding nature and wildlife. This project would create massive amounts of traffic, which is already a catastrophe. Go build apartments and malls in less developed areas such as Lancaster or Mojave.

From: Rogan Weiss <RoganWeiss@live.com>
Sent: Friday, April 30, 2021 2:13 PM
To: info <info@cityofcalabasas.com>
Subject: City council-west village at calabassas

Hello, my family and I have lived in Calabasas for more than 40 years. Although the old Western ways are long and far behind us, this project would be a nail in the coffin for what we know as historic Calabasas. Not only with the suffocate the very slim wildlife Corridor adjacent to the Santa Monica Mountains, but it would add a big strain on the already fragile ecosystems that are hanging by a thread. Please, make the right choice and do not allow this atrocity to go any further.

From: Joy Reints <jreints@opusd.org>
Sent: Friday, April 30, 2021 2:08 PM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas

Dear Council Members and Planning Commission,
I am writing this email in opposition to the development planned on Las Virgenes Road. The development is known as the West Village at Calabasas. I have lived in Calabasas since 1991. Since I have lived here I have watched the traffic levels increase dramatically. In just the past few years traffic has become gridlocked at the Agoura Rd Las Virgenes intersection. I don't even attempt to go to Alberstons Market between 4 and 6:30 pm. This project will only worsen traffic issues to a dangerous level. The last time this project was brought before the council and

planning commission it was denied. Traffic has only gotten worse since then. The number of empty offices and store fronts have increased since then. I can see NO reason the city should green light this project. I implore, please listen to the citizens of Calabasas and vote no on the West Village at Calabasas Project.

Joy Reints

From: Ian Bryant <iansbryant@gmail.com>
Sent: Friday, April 30, 2021 1:49 PM
To: info <info@cityofcalabasas.com>
Subject: City council - West Village at Calabasas project

To whom it may concern,

As a resident of the beautiful city of calabasas, a gateway to the natural splendor that is the Santa Monica Mountains, I stand in unison for the growing number of those who are whole heartedly against the new development that is proposed in the Las Virgenes/Malibu Canyon corridor at Agoura road. Not only would this create a growing number of traffic complications, but more importantly it would destroy the natural west facing hillside environment that not only gives Calabasas its unique character, but has stood the test of time. Do the right thing, and but an end to rampant development.

Thank you,

-Ian Samuel Bryant

23658 Clover Trail
Calabasas, CA USA

From: Kristie Christie <mrskristiechristie@gmail.com>
Sent: Friday, April 30, 2021 1:26 PM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas

Dear City Council,

Thank you for serving our community as you do. I recognize that you volunteer to better our community.

I'd like to plead with you to preserve this land that is being called the potential "West Village" of Calabasas. We are living with empty shopping centers at the Summit and up at Las Virgines. Those spaces have been approved and then are a disaster.

This hillside is one of the signature views that we all love as a part of living in Calabasas. I can't imagine our city without it. In addition, this hillside is prone to fire and so building in this space is irresponsible.

Our community voted overwhelmingly for Measure D to preserve open space, please honor the voice of the community. We do not want this developed.

Thank you,

Kristie Christie
5056 Dantes View Drive Calabasas, CA

-----Original Message-----

From: Timothy R. Bearer <timbearer@icloud.com>
Sent: Friday, April 30, 2021 12:59 PM
To: info <info@cityofcalabasas.com>
Subject: City Council-West Village at Calabasas Project

We are residents of Calabasas whose backyard is on Las Virgenes Road, within a mile of the proposed project.

We oppose this project wholeheartedly.

Tim and Beth Bearer
26600 Sunflower Ct.
Calabasas, Ca 91302

From: BETH BEARER <bethiebaby@me.com>
Sent: Friday, April 30, 2021 11:02 AM
To: info <info@cityofcalabasas.com>
Subject: City Council-West Village at Calabasas Project

Dear City Council Member,
I am extremely opposed to this project. I'm a local resident living off Las Virgenes Rd.
Thank you for your consideration.
Beth Bearer

From: Andrew R. Bearer <andrew.bearer@gmail.com>
Sent: Friday, April 30, 2021 10:50 AM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas Project

Hello Calabasas City Council Member(s),

My name is Andrew Bearer and I am a Calabasas resident living in the Lone Oak neighborhood on Las Virgenes Rd. adjacent to A.E. Wright middle school. I am writing this message to you to voice my utmost opposition to the proposed West Village development project. This project runs counter to all of the safety and quality of life aspects of our neighborhood that we value as the most important resources of our community. My family and I have lived here approximately 1 mile from the proposed West Village project site for over 25 years and witnessed the dramatic changes to the Las Virgenes Rd. corridor that the increase in resident density and associated traffic and heightened emergency evacuation pressures have incurred in our neighborhood over this time. I have lived through multiple dangerous fires here requiring

evacuation, which is why adding more people in a designated high fire risk area is particularly concerning given the increase in local wildfire frequency in the last 3 years especially. I understand the need to meet government mandated housing requirements, but putting current residents and potential new residents in a situation of increased danger to an already very precarious situation is simply not a viable rationale to providing safe housing and community infrastructure that meets these requirements. Please reference this Los Angeles Times article in regards to an LA Superior Court Judge's decision from earlier this month about the planning of new housing development in our LA county high fire risk areas:

- [Los Angeles Times - Judge Blocks Construction of Tejon Ranch Housing Development](#)

Your consideration is most appreciated,
Andrew Bearer

From: Lisa Kroning <lkro630234@icloud.com>
Sent: Friday, April 30, 2021 10:34 AM
To: info <info@cityofcalabasas.com>
Subject: West village at Calabasas project

To whom it concerns,

I am against this project for many reasons.

- 1)The Paxton project tore down the hill in the end the units didn't sell, now rentals.
- 2)Majority of businesses in this area do not survive.We dont need more empty businesses at the expense of the environment.
- 3) High fire zone. Would make it extremely difficult to evacuate.
- 4)We need to preserve what little natural space we have left.

Concerned resident,
Lisa Kroning

From: Humphry Knipe <humknipe@gmail.com>
Sent: Friday, April 30, 2021 9:52 AM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas

Dear sirs

I strongly advise against this destruction of the beautiful Calabasas hills.

Sincerely

Victor Knipe

From: Doonan, Owen P <owen.doonan@csun.edu>
Sent: Friday, April 30, 2021 8:21 AM

To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas

Local citizens voted overwhelmingly for Measure D to preserve zoned Open Space. We still feel strongly that this space should be preserved for the benefit of the community and the ecology of our town. I and several of my neighbors in the Mulholland corridor strongly oppose the West Village at Calabasas building project.

Prof. Dr. Owen Doonan
Professor of Art History
California State University Northridge
18111 Nordhoff St.
Northridge, CA 91330-8300
Email Owen.doonan@csun.edu

From: Annette Berger <annetteberger@ymail.com>
Sent: Friday, April 30, 2021 7:41 AM
To: info <info@cityofcalabasas.com>
Subject: City Council-West Village

We voted overwhelmingly for Measure D to preserve zoned Open Space.

Please vote no on this project.

From: Nanci Gamache <nanci.gamache@icloud.com>
Sent: Thursday, April 29, 2021 11:16 PM
To: info <info@cityofcalabasas.com>
Subject: City council against west village

Once again we are pleading with you to do the right thing and do not allow this to pass. It goes against everything our city stands for. Do not ruin our open space. Listen to your constituents....we do not want this!
Put it to rest once and for all.

Nanci and Tom Gamache
48 year residents of Calabasas

From: Keith Rivers <krfilms@gmail.com>
Sent: Thursday, April 29, 2021 11:01 PM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas

Just want you guys to know that my wife and I greatly oppose this project from happening.

We voted overwhelmingly for Measure D to preserve zoned Open Space.

Please do not destroy the beauty of this hillside.

It is irreversible.

Thank you for listening.

Best,

Keith

From: Jaime M. Brown <jkmazilu@gmail.com>
Sent: Thursday, April 29, 2021 10:52 PM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas

To the City Council of Calabasas:

I am writing to submit my opposition to the development of the West Village at Calabasas, and request that the City Council deny the application for this development.

I am a long time resident of Los Angeles. I grew up in Malibu and moved back after university to the West Side and recently moved to the quaint community of Monte Nido, right off Las Virgenes. My family and I chose this spot because of the picturesque landscape and to immerse ourselves in nature. Hearing that this is threatened by yet another real estate development project is disappointing and goes against Measure D to preserve Open Spaces such as the one on Las Virgenes. We moved here to be with nature, not with concrete.

Additionally, development of this area poses a fire risk to residents, such as my family, that I do not believe has been fully evaluated. We are limited to one way in, one way out, and the West Village development would bring additional congestion, particular during fires in this extreme fire risk area.

Lastly, the proposed movement of hillsides to support the foundation of the West Village exposes the community to unknown pollutants, particularly those that can cause Valley Fever. It is my understanding that other such projects have caused outbreaks of Valley Fever in the area. The risks of this should be fully evaluated.

Please deny approval of the West Village to keep our neighborhood picturesque and safe.

Thank you,
Jaime

Jaime M. Brown, PhD
Monte Nido, CA 91302

From: Michael Tonery <tonerym@gmail.com>
Sent: Thursday, April 29, 2021 10:22 PM
To: info <info@cityofcalabasas.com>
Subject: Opposition to West Village at Calabasas development

Dear Calabasas City Council,

I am a 30 year resident in the Deer Springs area and moved to Calabasas due to its beauty, lack of development and traffic that the SFV has faced over the past decades which has ruined its appeal overtime.

I strongly oppose the massive development that is proposed for the West Village Project off Las Virgenes Road on the west side of Calabasas.

It is hard to believe that our elected officials in the City of Calabasas who represent the people who live in Calabasas like myself would ever think of voting for this horrible development!

When elections come around our City Council candidates beg us for their vote and we always say we don't want anymore development- please protect our city and do not allow projects like this one you are considering!

You all took an oath to represent us in this City and now we are asking you as our elected officials to honor our NO vote for this project and preserve our beautiful Mountain View's along with not to increase the traffic and density that will play additional havoc that this project will place on our west side of Calabasas.

This decision if you vote for this project will have massive consequences for any council members who wishes to be re-elected to the city council from the majority of the west side residents which we will lose total trust of your campaign promises!

Thank you very much for your attention and support of this letter.

Sincerely,
Michael Tonery
26842 Cold Springs Street
Calabasas Hills, 91301

From: Susan Andaloro <keleomana@gmail.com>
Sent: Thursday, April 29, 2021 9:57 PM
To: info <info@cityofcalabasas.com>
Subject: city council-west village at Calabasas

I do not want this project to go forward. These developers can continue to ruin all the places that are already ruined, but we all moved here because we like it the way it is- not overdeveloped!

Thanks,
Sue Andaloro
Calabasas

From: Judith Hodgins <judithhodgins@gmail.com>
Sent: Thursday, April 29, 2021 9:45 PM
To: info <info@cityofcalabasas.com>
Subject: Las Virgenes open space

We vehemently oppose the bulldozing of the open space in Las Virgenes. Too much of it has already been destroyed! Do not approve any project in the open space on Las Virgenes road.

Bob and Judith Hodgins
25688 Whittimore Dr
Calabasas 91302

From: Laura Meadows <lathme@aol.com>
Sent: Thursday, April 29, 2021 8:21 PM
To: info <info@cityofcalabasas.com>
Subject: City Council- West Village at Calabasas

Hello,

I thought that this project was denied but here we are again. I strongly disagree with this development proceeding. It's a nightmare with traffic on this side of Calabasas. Today's small fire on the hillside of Las Virgenes was a nightmare to try and get from Agoura to my home in Mont Calabasas. With the 101 freeway closed Mureau Rd was a nightmare.

It's the same fear we had previous years with the fires. Every year it's getting worse and adding that much congestion on roads that are already backed up will be a nightmare. Please ask the residence who live on this side of Calabasas. This decision doesn't effect the majority of Calabasas and with the hotel going up this will add more people on this side of Calabasas.

The construction nightmare with Paxton was ridiculous. It took over 20 minutes to get to AE Wright everyday Previous years we would get there in 5 minutes, and look what happened with that development. Renting vs buying. It's a nightmare

Please do not approve this development.

Thank you,

Laura Meadows
26863 Mont Calabasas Dr
Calabasas, Ca 91302

From: Jennifer Lakin <jenniferelakin@gmail.com>
Sent: Thursday, April 29, 2021 6:52 PM
To: info <info@cityofcalabasas.com>
Subject: City council - West Village

Building the West Village is a remarkably bad idea. PLEASE DON'T do it.

From: shereeyablon@yahoo.com <shereeyablon@yahoo.com>
Sent: Thursday, April 29, 2021 5:36 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas project

To whom it may concern.

This project and all the negative consequences it will have in our community is unacceptable to the majority of us and something we are very opposed to in our area.

It will cause even more of traffic build up problem, noise, pollution, is a fire hazard, will kill the wildlife and nature, and destroy the open, beautiful mountain views.

Please listen to how we all feel, stop this project, and respect our communities' requests.

Thank you in advance.

Sheree Yablon
818.427.6038 Cell
Keller Williams Calabasas Estate Properties
23975 Park Sorrento Ste. 110
Calabasas CA 91302

From: Yahoo1 <Liliyat@yahoo.com>
Sent: Thursday, April 29, 2021 5:27 PM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas

All Calabasas residents oppose West Village. Please DO NOT ruin our beautiful city.

Sincerely
Liliya Telishevsky, resident since 1994

From: Joyce Barkin <joyce.barkin@gmail.com>
Sent: Thursday, April 29, 2021 3:21 PM
To: info <info@cityofcalabasas.com>
Subject: West village Calabasas

It is time to stop the building . Our lovely hills are being destroyed & the growth will continue to impact the already horrific traffic.

From: Ronna Leavitt <ronnaleavitt@mac.com>
Sent: Thursday, April 29, 2021 2:51 PM
To: info <info@cityofcalabasas.com>
Cc: James Bozajian - External <jrbozajian@earthlink.net>; James Bozajian <jbozajian@cityofcalabasas.com>; Mary Sue Maurer - External <mauredge@gmail.com>; Peter Kraut <pkraut@cityofcalabasas.com>; David Shapiro <dshapiro@cityofcalabasas.com>; Alicia Weintraub <aweintraub@cityofcalabasas.com>; Maricela Hernandez <mhernandez@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas Project

Dear City Council,

We would like to express our concerns about the proposed development at Las Virgenes and Agoura Road called The West Village. This is a terrible idea! We live across the street from the Paxton townhouse development. For many years, we endured terrible living conditions, due to that build. The excavation process took at least three years. Within those multiple years, we endured damage to our house (it was like a 3.5 earthquake daily), respiratory health problems Sinus infections, asthma attacks and valley fever), terrible

traffic congestion getting out of our community, and overall congestion within the area. Over the years it took them to build, we ended up with four construction nails in my tires, almost witnessed several major car accidents, and the worst part of it all, we watched the beautiful landscape across from our house get destroyed. These high end townhouses, that were supposed to be sold for almost a million dollars ended up being townhouses that could only be rented for a large amount of money, and now they are mostly vacant. Again, such a sad way to not make a dollar, all the while, destroying the habitat of many animals. We used to have deer on the hills grazing and now nothing!!

Growing up in the valley, we enjoyed getting off at "Malibu Canyon Road" and seeing the goats, sheep and cows graze the meadows, while we continued on the highway to the ocean. We were sad to see that the land was purchased and the animals no longer grazed there.

The point of moving and living in Calabasas is for the open space, not for the feel of a city, like Los Angeles. The more development that occurs in this beautiful community, the more it will turn into, and have the issues that larger areas, such as Woodland Hills, Tarzana, Van Nuys, Studio City, Hollywood, etc have...transient communities, higher crime rates, more pollution, traffic congestion. Is this what you want the city of Calabasas to turn in to? The Lost Hills Sheriffs Department is already understaffed and can barely patrol the community it serves now. Adding 180 new homes to the area, will stretch their ability to patrol the area and provide necessary resources to those in need.

Now, all you get when you get off the freeway is another hotel (more land destruction) that will most likely be vacant or occupied at a low rate. The idea that this side of Calabasas could endure many, many years of excavation, years of loud construction, with an increase in traffic (in an already VERY congested area) could turn into be very deadly, on so many levels. During the fires of 2018, evacuating was not easy. Lines of cars trying to escape the fires were long. Trying to get on the freeway was dangerous and long and when we turned around and to take Mulholland, that too was congested. If you think adding 180 new homes, which is about another 300 cars at the very least, to the already congested area, could turn out to be a deadly and dangerous idea.

The chances that the fires of 2018 would repeat itself are slim, however, who wants to take that chance? Not only would it be extremely dangerous to have more congestion in the area, but destroying more beautiful land, for no reason other than greed would be extremely sad, disappointing, and dangerous.

Basically, the company who purchased the land bought a lemon and it's unfortunate, but the residents and employees of Calabasas shouldn't suffer for their mistake.

With the most recent brush fire (4/29/21) off of Las Virgenes and 101 freeway, I was unable to get my son to his doctor's appointment as they closed the on ramp to the freeway. They are also evacuating the construction workers working on the hotel, off of the freeway. How would it be a good idea to add more people, in this area? Trying to evacuate would be a complete disaster!!! Sheltering in place, per the fire chief who spoke at the planning commission meeting, would be dangerous!!!

This is what Las Virgenes Road, Agoura Road, and the 101 looks like during a small brush fire. Imagine 1,000s of people trying to evacuate all at once?? This construction project is a TERRIBLE and dangerous idea!!!



We are AGAINST the idea of building and destroying this plot of land! If you want to keep Calabasas family friendly and a decent and safe place to live, you will reconsider these plans. Lets keep Calabasas safe, beautiful and a wonderful place to raise a family.

Best,
Ronna and Geoff Leavitt

From: Rodger Reiss <rodgereiss@gmail.com>
Sent: Thursday, April 29, 2021 2:11 PM
To: info <info@cityofcalabasas.com>
Subject: Development on Las Virgines and Agoura Rd

I have lived off Las Virgines and Piuma for 20 years and have seen the traffic and building become a real problem - PLEASE STOP AUTHORIZATION OF NEW COMMERCIAL/APT. BUILDINGS NOW!

We are ruining what once made Calabasas the dream of the Valley!

Please do your jobs and limit this perversion of our land and community!!

Thank you

Rodger Reiss

From: Margaret Hazan <mmhazan@gmail.com>
Sent: Thursday, April 29, 2021 10:42 AM

To: info <info@cityofcalabasas.com>
Subject: City council- west village at Calabasas

We voted overwhelmingly for Measure D to preserve zoned Open Space. We still feel strongly the same way. I voted in the last election for elected officials based on preserving our lands. Did you lie on the ballots? We don't need another gross office building. Do NOT build!

Margaret Hazan
818-294-2418

From: Bob Selvin <bobselvin@hotmail.com>
Sent: Thursday, April 29, 2021 9:38 AM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas Hearing

We don't want this project. We don't want extra traffic. We like our community the way it is. Please hear us. Please listen to the people who live here. I have lived here for over 30 years and love it here. Please don't destroy our city.

Thank you for listening.

Bob Selvin
26262 Adamor Rd.
Calabasas, CA 92302

Dear Members:

After participating in both meetings, April 15th, and 21st, we are even more disappointed in some of the members of the City of Calabasas. By the same token, we are very thankful that some members really care about Calabasas residents and our city. We would like to express our most sincere gratitude to Mr. Harrison. Towards the end of the meeting, following Mr. Harrison's remarks and comments, we were convinced that all the members present at the Zoom meeting would vote NO on the proposal. We were shocked and outraged to hear the 3 of you voting yes. What does it take for you to realize that you are getting paid to represent and protect us, the taxpayers/residents of the Calabasas, and not the developers? How difficult is it to realize that if the traffic status to evacuate was a disaster in 2018, this fact still remains to this date, and will get much worse if you approve this project. Based on developers/your argument the Village residents will have immediate access to 101. Great, we are very happy for them. But honestly is this the best argument you came up with in regard to the traffic issues? How about all the residents living at the far end of Las Virgenes road? Even a second grader can figure out that if you add more residents to our city, the traffic will be proportionately worse. And have you even considered all the risks involved if on top of the evacuation, there are some residents requiring immediate

care such as heart attack, etc... And who is there to guarantee that our city will not face another natural disaster of different kinds? How can Chief Smith guarantee that we will not have a more serious fire disaster in near future? If most of the occurred fire were so predictable to Chef Smith, then how came the City did not have a more efficient plan to evacuate. My brother-in-law was stock in Parkmore in the middle of all the houses in flame. You are willing to put the lives of our residents in danger, because you want to please the developers? Who gives you the right to endanger the residents, as well as the wildlife of our City. How can you in good faith listen to all the arguments from both days and still vote Yes? You will all be hold responsible of any lost life caused by your reckless approval of the project. This is not acceptable by us the residents. I am sorry to say that all our neighbors, friends and relatives have lost trust in the City of Calabasas, and that your reputation is less than desirable. You voted yes knowing well that the developer's Staff, and Mr. Summers twisted the truth, thus misleading the City Council. I believe you underestimated Mr. Harrison as well as the residents of Calabasas' knowledge on the matter.

Mr. Summers, For the past few years, every time we attend these City meetings, your arguments/statements always make us wonder who you are really representing?

Apparently based on your comments, it is rather obvious that you are not protecting our rights to safety, but on a contrary, your agenda is rather aligned with those developers. I truly hope that you resign and apply for a job with those developers. Your comments as well as the developers' statements are rather insulting to us residents. We are so thankful to have so many dedicated and highly educated residents in this matter to present us with the true facts. Last but not least we would like to extend our thanks to both Mr. Harrison and Mr. Lia for voting no on the Proposal, and our deepest disappointment to Mr. Mueller, Mr. Milstein and mostly Mr. Summers. I hope that all three of you listen to your conscience and vote No to protect our city and all of the residents of Calabasas. Once this project is approved it will be impossible to reverse all the damages to wildlife, as well as the life of the residents of the Calabasas.

We are all exhausted to constantly fight for our right to safety and safe living environment, because of these types of projects coming up nonstop. So many residents do not even have time to participate in these meeting/or express their disapproval and dissatisfaction. Please do your job and protect us, as required by your job description.

Respectfully:

Hamid Tabatabai

From: James Spadoni <jim@jcbackings.com>
Sent: Monday, May 3, 2021 8:33 PM
To: info <info@cityofcalabasas.com>
Subject: City Council / West Village at Calabasas Project

Hello, my name is Jim Spadoni and I'm a 23-year resident of Calabasas.

I enjoy hearing the enthusiasm and commitment of my fellow Calabasians that take the time to express their disappointment about the West Village project's latest attempt to be pushed through our broken system. I'm hearing countless residents oppose this project for specific code violations such as ([Code 17.20.150(B)3] - Development should preserve the hillside rather than alter the hillside to fit the development, [Code 17.20.070(C)] All development in a Scenic Corridor must comply with Scenic Corridor Guidelines and Hillside Development Standards, [Manufactured slopes cannot be counted as open space and Development shall respect natural surroundings and follow natural topography]). The only ones in favor of this project are nonresidents that are either part of the developer team or somehow related to the developer. Our city government is supposed to look out for the residents and not the side of this questionable project like the West Village project. Please have the developer of the West Village project adhere to all of the city codes and regulations already in place to build a more suitable project.

Please vote NO on this project tonight.

Thank you.

Jim Spadoni
3960 Lost Springs Drive
Calabasas, CA 91301
(818) 974-6760

From: Byron Chee <byron.k.chee@gmail.com>
Sent: Monday, May 3, 2021 4:59 PM
To: info <info@cityofcalabasas.com>
Cc: Byron Chee <byron.k.chee@gmail.com>
Subject: West Village Project

Dear Calabasas City Council,

I have lived in Deer Springs since mid-1990s.
The Council & Planning Commission have supported preserving the land for future generations that has been the single most reason we have not moved.
I do not support the West Village project and urge both the Council & Planning Commission to reject this project.

For our children and generations that follow, please preserve the land for all living residents including the Flora & Fauna that were here before us. They do not have a voice.

Sincerely,

Byron Chee

5-3-2021

Re: West Village at Calabasas project

Dear Planning Commissioners,

Although I realize that you are all aware of our City codes and laws for our beautiful land here in Calabasas, I want to remind you of a couple of codes that would be violated if this project were to be allowed to be constructed.

First, the code that states that the development should fit the land, rather than altering the land to fit the development is definitely being ignored. This proposal indicates that v-ditches and grading of the ancient landslide would replace our beautiful hillsides. (Code 17.20.150(B)3).

It doesn't make sense that we are still having to express our views against Alternative 5, since it is so similar to previous renderings.

Our Land Use Codes and General Plan state that Scenic Corridor must comply with Scenic Corridor Guidelines and Hillside Development Standards (Code 17.20.070©). Alternative 5 does not do that either.

Last, but certainly not least, if we were to allow New Homes to proceed with this development, the safety of our whole community would be compromised. As you remember, during the Woolsey fire, various roads were blocked and some citizens were unable to evacuate. Please do not allow this developer to cause harm to city residents by adding additional homes and non-essential businesses to our community.

It would be unacceptable to approve a development that violates so many codes. Please vote to enforce our own City Codes and just say "No" to New Homes. Ask them to propose something that will benefit the City of Calabasas, the land & the residents.

Regards,

Priscilla, Mel & Celene Lee
Calabasas residents since 1992

From: Amy Groth <amy.groth805@gmail.com>
Sent: Monday, May 3, 2021 12:59 PM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas project

I am against the proposed development for West Village at Calabasas project. Please vote no.

Thank you,

Amy Groth

From: Hayden Miller <haydenm29@yahoo.com>
Sent: Monday, May 3, 2021 12:57 PM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas project

I am against the disgusting proposed development. Please vote no.

Thank you,

Hayden Miller

From: rhea damon <damonrhead@sbcglobal.net>
Sent: Monday, May 3, 2021 11:19 AM
To: info <info@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas Hearing

To City Council: It's apparent that the same issues exist re: West Village at Calabasas, and the powers that be are not concerned about the safety and quality of life for the residents living in this part of Calabasas. My guess is that the city council members DO NOT live in the Las Virgenes corridor, or they would not be endorsing this development project.

Las Virgenes Rd. is already congested. There is ongoing and increased fire risk in the area, and increased traffic would be a major safety threat to escape. The natural beauty of the area is being destroyed. There will be increased pollution, destruction of wildlife habitats and desecration of the natural hills. Fabricated man-made hills can never replace them. The buildings' height and number of buildings do not fit the area, and will block the views of the hills. There are already too many homes and townhouses in this small area, and we don't need more retail stores to add to the congestion.

This project is out of compliance with the needs of the community and the vision for Open Space on which the City of Calabasas was founded. Please don't proceed with this oversized and destructive project. Rhea Damon/Las Virgenes area resident

From: Joe Chilco <joe.chilco@gmail.com>
Sent: Monday, May 3, 2021 11:18 AM
To: info <info@cityofcalabasas.com>
Cc: Maricela Hernandez <mhernandez@cityofcalabasas.com>
Subject: City Council - West Village at Calabasas - 5/12/21 public hearing - public comments

Attached please find a pdf containing public comments dated 5-3-21 regarding the West Village at Calabasas proposed project, submitted on behalf of myself and Volunteers For Responsible Development.

There are a total of 24 pages in the comments submitted.

Please acknowledge receipt of this email submission and confirm that all pages have been forwarded to all City Council members for inclusion in their packets in connection with the 5-12-21 public hearing referenced above.

Thanks,
Joe Chilco
Calabasas resident

From: Randi Drasin, MS, RDN <randisfitness@gmail.com>
Sent: Monday, May 3, 2021 9:49 AM
To: info <info@cityofcalabasas.com>
Subject:

Hello

I am writing to voice my opinion against the West Village Project. If the project is approved on any level, the beautiful views will be obstructed and replaced by massive buildings. Plus the gorgeous hillside will be destroyed with grading and a concrete jungle forever. PLEASE PLEASE PLEASE Vote NO on the organization's proposal and keep our peaceful community from this monstrosity being built

Thank you!
Calabasas Homeowner,

Randi Drasin

From: Susan Ellis <srellis8@gmail.com>
Sent: Tuesday, May 4, 2021 7:59 PM
To: info <info@cityofcalabasas.com>

Cc: Kindon Meik <kmeik@cityofcalabasas.com>
Subject: Code Review of Revenue Generating Home Activities

Hi.....please forward to the Planning Commision. Thank you.

Dear Planning Commissioners,

I urge you to recommend to uphold the 30 day minimum short term rental for all the reasons it was done in the first place.

Any exception would most certainly disrupt that particular neighborhood.

Thank you for your consideration.

Best regards,
Susan Ellis
Calabasas

From: Jennifer Hoffman <jenniferhalvarado@gmail.com>
Sent: Tuesday, May 4, 2021 7:41 PM
To: info <info@cityofcalabasas.com>
Subject: West Village - City Council

I would like to share that I am opposed to the West Village development.

Thank you,
Jennifer Hoffman

From: Sally Shoji <sally.shoji@gmail.com>
Sent: Tuesday, May 4, 2021 2:13 PM
To: info <info@cityofcalabasas.com>
Subject: West Village Development

To our friend James and the City Council:

Please continue to uphold the previous vote on Measure D, as well as traffic problems especially in emergencies with fires, landslide issues and preservation of open space. We have raised our three children who have enjoyed this wonderful environment and we have lived 57 years in this beautiful area. Let's continue to retain this for future children and families.

Gratefully,
Jim and Sally Shoji

From: Judy Bagg <judybagg@yahoo.com>
Sent: Tuesday, May 4, 2021 1:43 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas for City Council Meeting

It is not responsible to put families at risk with a FLAWED EVACUATION PLAN. Resident of Calabasas,
Judy Bagg

From: Denise Miller <deniseymiller@hotmail.com>
Sent: Tuesday, May 4, 2021 11:40 AM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas for City Council Meeting

This project is not good for Calabasas for many reasons. I would like to focus on 2 reasons for 2 minutes and ask 2 questions, This is my 2 cents

PROTECTED OPEN SPACE WILL BE GRADED, HILLSIDES DESTROYED

The City of Calabasas Codes (laws) do not allow this. The laws have words such as SHALL, MUST COMPLY, CANNOT.

Question: Would allowing the development to proceed "as is" be breaking the LAW?

FIRE SAFETY

This project is not safe for many reasons, Most importantly

EVACUATION PLAN IS FLAWED, FAMILIES COULD BE TRAPPED

During the Woolsey Fire I evacuated late. I had not gotten any notices and was oblivious to the danger. There are MANY stories of people who could not get out at all. It was so smoky we weren't sure where the on ramp was or if it was open but managed to get on to the 101 freeway. I think it was closed. The chilling part was pulling on the side of an empty freeway and looking back at where we had come from. Large plumes of dark ominous smoke. The gateway to the Santa Monica Mountains was an inferno and I feared for the families that were trapped.

Recent fire activity demonstrated families could be trapped. Don't need a fancy traffic study of fire statistics to know that. I stood at the corner of Las Virgenes Road and Agoura Road during recent fire and observed that there was total gridlock. No movement on either road. The freeway on ramp was closed and the freeway itself was jammed.

Question: Considering the safety of families during a fire. Would allowing the development to proceed "as is" be responsible??

From: ROBERT FLORIO <rflorio475@aol.com>
Sent: Tuesday, May 4, 2021 9:14 AM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas

Dear Council,

Please see attached Letter. A copy is pasted below in the body of this email.

With gratitude,
The Florio's

From: Bonnie Higa <bhiga@chartwellescrow.com>
Sent: Monday, May 3, 2021 5:44 PM
To: Arvin Petros <apetros@cityofcalabasas.com>; Rachel Biety <rbiety@cityofcalabasas.com>; Bob Burris <bburris@cityofcalabasas.com>; Michael Russo <mrusso@cityofcalabasas.com>
Subject: City of Calabasas West Village at Calabasas Project/One More Letter

Dear Commission:

My husband has already sent in a letter on behalf of our family absolutely opposing this project.

I would implore you to reflect very seriously about the fire danger that is our area. The fire department is already stretched to its limits, as we saw with the Woosley Fire. If you allow a project of this size to be built directly in the "HOT" Zone, resources will be diverted to saving the structures for this project, resources that we can not afford to waste.

In addition, in case you are not aware, the developer has already proven that they are not a good neighbor, when they intimidated your residents from gathering signatures and signing the petition to put this project on the ballot for a vote.

Not only did the developer try to intimate your residents, a member of your planning commission did as well. They argued that if we did not support the project, something bigger and more intrusive would get approved. That there is nothing the city can do if the developer crosses every "T" and dots every "I".

I would like to remind you that your neighboring council members in Malibu do not let a single thing get built in their city, that the residents do not want. Regardless of any efforts on developers' parts to cross every "T" and dot every "I", time and time again they get turned down.

Lastly, think about all the empty businesses and office space on our side. Particularly the giant mall built at the end of Las Virgenes, that sits virtually empty.

We do not need to gut our hillside, displace our wildlife, increase traffic in an already severely congested area, and increase fire danger all for the almighty dollar.

I ask you to think about the residents of your city, including wildlife, and vote no on this project.

Thank you for your time.

Bonnie Higa

From: Joanne Suwara <joasuw42@gmail.com>
Sent: Monday, May 3, 2021 3:50 PM
To: info <info@cityofcalabasas.com>
Subject: Please forward to City Council re West Village Hearing

May 3, 2021

To: Mayor Bozajian, May Pro Tem Maurer, Council Members Kraut, Weintraub and Shapiro:

Re: Wildfire Risks are **NOT** addressed in EIR as per CEQA Guidelines

The Amended Final EIR is Deficient and Should **NOT** be Certified

Updated CEQA Guidelines became effective on December 28, 2018. This included a new section, XX, which was added to Appendix G. The purpose of this amendment is to focus on projects located in very high fire severity zones. That would include the entire City of Calabasas.

When I looked in the Amended Final EIR, dated March, 2021, over two years after these updated guidelines became effective, I was shocked to find that this new section was nowhere to be found.

It is really unconscionable that so much time and money is spent on supporting the applicant's proposed project while ignoring the risks to and concerns of the residents. In the Amended Final EIR there are updated Traffic studies, updated Geology reports, and a new Alternative preferred by the developer.

Yet, the Section on Wildfire Risks is curiously missing. Safety in the event of wildfires is high on the list of residents' concerns, especially after their experiences during the Woolsey Fire.

The Woolsey Fire came right through the Las Virgenes Valley where over 8,000 people live (approximately 1/3 of Calabasas' residents). It destroyed 9 homes along with several businesses as it jumped the freeway, closed all roads in and out and burned on both sides of Las Virgenes Road on its way to Malibu.

The site for this proposed project is right in the middle of the path that Woolsey Fire took, the same path of numerous other fires over the years. It isn't a matter of "if" another wildfire occurs.....it is "when".

The following excerpts from The Center for Biological Diversity's article, Built to Burn (February 2021) say it better than I can.

When local officials approve more development in fire-prone areas we all pay the price. Californians suffer from unsustainable firefighting and recovery costs, degraded ecosystems and smoky air.

Reckless land use planning is causing fires to be more destructive. Development in Very High Fire Severity Zones increases the threat over time, places more people at risk, and destroys habitats that support high levels of biodiversity.

The science is clear that placing more homes and people in fire-prone areas puts more people in danger. Local officials should consider not approving more development in fire-prone areas and instead focus on increasing housing near city centers.

Please do not certify the EIR. Instead, advocate for responsible development.

I have attached Appendix G for your review. Not following the updated CEQA Guidelines should be enough reason to decline to certify the Amended Final EIR. It is deficient.

Thank you.

Joanne Suwara

APPENDIX G

ENVIRONMENTAL CHECKLIST FORM

NOTE: The following is a sample form that may be tailored to satisfy individual agencies' needs and project circumstances. It may be used to meet the requirements for an initial study when the criteria set forth in CEQA Guidelines have been met. Substantial evidence of potential impacts that are not listed on this form must also be considered. The sample questions in this form are intended to encourage thoughtful assessment of impacts, and do not necessarily represent thresholds of significance.

1. Project title: _____

2. Lead agency name and address:

3. Contact person and phone number: _____

4. Project location: _____

5. Project sponsor's name and address:

6. General plan designation: _____

7. Zoning: _____

8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

9. Surrounding land uses and setting: (Briefly describe the project's surroundings)

10. Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement.)

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact,” as indicated by the checklist on the following pages.

Aesthetics	Agriculture / Forestry Resources	Air Quality
Biological Resources	Cultural Resources	Energy
Geology/Soils	Greenhouse Gas Emissions	Hazards and Hazardous Materials
Hydrology/Water Quality	Land Use / Planning	Mineral Resources
Noise	Population / Housing	Public Services
Recreation	Transportation	Tribal Cultural Resources
Utilities / Service Systems	Wildfire	Mandatory Findings of Significance

DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors, as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analyses Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
<ul style="list-style-type: none"> a) Have a substantial adverse effect on a scenic vista? b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? 				
II. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
<ul style="list-style-type: none"> a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? d) Result in the loss of forest land or conversion of forest land to non-forest use? e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? 				
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
<ul style="list-style-type: none"> a) Conflict with or obstruct implementation of the applicable air quality plan? b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? c) Expose sensitive receptors to substantial pollutant concentrations? d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? 				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
<ul style="list-style-type: none"> a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? 				
V. CULTURAL RESOURCES. Would the project:				
<ul style="list-style-type: none"> a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5? b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? c) Disturb any human remains, including those interred outside of dedicated cemeteries? 				
VI. ENERGY. Would the project:				
<ul style="list-style-type: none"> a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? 				
VII. GEOLOGY AND SOILS. Would the project:				
<ul style="list-style-type: none"> a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides? b) Result in substantial soil erosion or the loss of topsoil? 				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				

VIII. GREENHOUSE GAS EMISSIONS. Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

X. HYDROLOGY AND WATER QUALITY. Would the project:

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
i) result in a substantial erosion or siltation on- or off-site;				
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;				
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				
iv) impede or redirect flood flows?				
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				

XI. LAND USE AND PLANNING. Would the project:

- a) Physically divide an established community?
- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

XII. MINERAL RESOURCES. Would the project:

- a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?
- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

XIII. NOISE. Would the project result in:

- a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b) Generation of excessive groundborne vibration or groundborne noise levels?
- c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

XIV. POPULATION AND HOUSING. Would the project:

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

XV. PUBLIC SERVICES. Would the project:

- a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Fire protection?				
Police protection?				
Schools?				
Parks?				
Other public facilities?				

XVI. RECREATION.

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

XVII. TRANSPORTATION. Would the project:

- a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?
- c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- d) Result in inadequate emergency access?

XVIII. TRIBAL CULTURAL RESOURCES.

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
 - ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				
c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				

XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

XXI. MANDATORY FINDINGS OF SIGNIFICANCE.

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)
- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

The Continuing Saga of the

**“West Village of Calabasas”
Project**

Submitted by
Carl Ehrlich
Calabasas - May 2021

Background

- Two developers tried to develop this property and failed when faced with the reality of the area topography
- The New Home Company proposed “Canyon Oaks,” but it failed, too
- The New Home Company briefly tried a denser, more business-oriented development in 2016 but never followed up
- The New Home Company proposed “West Village” in 2017
 - Voted down 3-2 in 2019
 - Came back with a revised plan and EIR in 2020
 - The revised EIR is currently up for review

EIR Actions to date

Revised EIR prepared and presented for public review in 2020:

- Public review revealed that it was full of carefully selected factoids and truisms
- Many Municipal Codes were ignored, misquoted, or glossed over
- The term: “Environmentally Superior” translates to: “Least Worst”
- Public correspondence received by Planning Commission:
 - 148 opposed
 - 1 in favor (by an organization whose members could benefit)

The Planning Commission reviewed and recommended acceptance –
April 21, 2021

.... But reality inevitably strikes >>

Reality # 1 - Aesthetics

- Project is taking a beautiful pastoral scene and making it into a bunch of 3-story residential buildings complete with cityfied driveway canyons.
- With the current revision, they've merely changed the building arrangement. And the extensive landslide mitigation task and encroachment into open space are still there.

Before:



After:



Protect the viewshed. No buildings over 35 feet as per code. All development in a Scenic Corridor must comply with Scenic Corridor Guidelines and Hillside Development Standards [Calabasas Municipal Code (CMC) 17.20.070(C)]

Excerpts from EIR

Confirm Viewshed Concern

Fig. 4.1-13

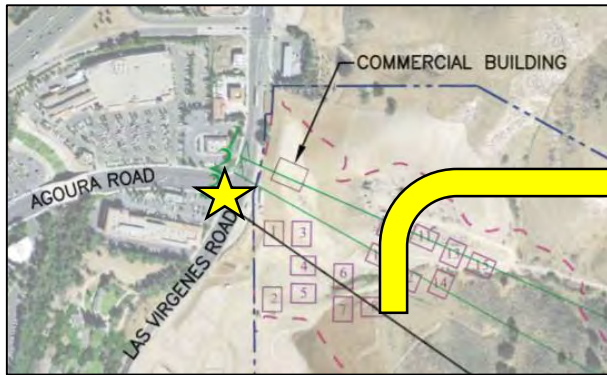
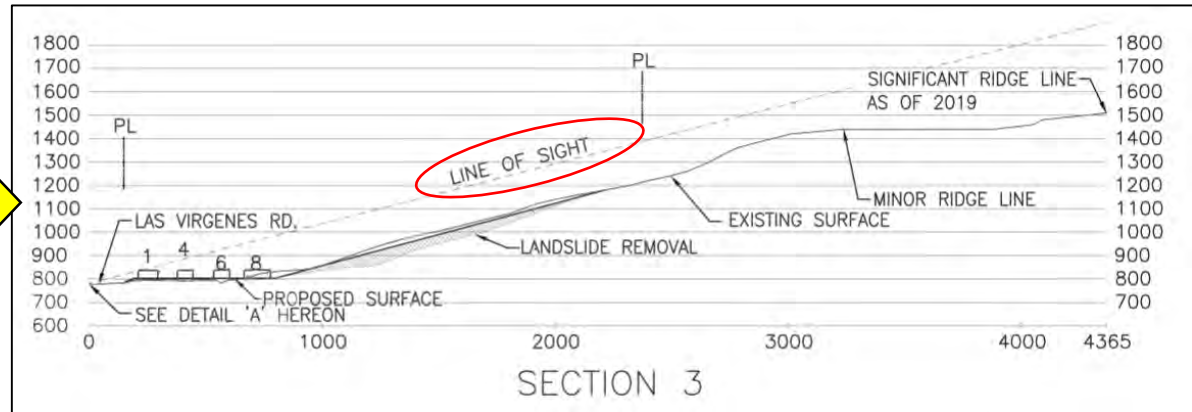


Fig. 4.1-16



★ Point of view

Fig. 4.1-10 Plate 2



Before

Now you see the hills . . .

Fig. 4.1-13 Plate 3



After

. . . Now you don't.

Reality # 2 – Wildfire Potential

- All of Calabasas is in a Fire Hazard Zone IV (the highest), including the project area.
- CMC Section 17.20.130 noted but not addressed in detail by EIR
- Fuel modification zones creating exclusions zones can't exist in canyon areas and around multi-dwelling units
- Project basically adds more fuel and connected buildings in the fire zone
- Fire insurance could be hard to get and/or may be expensive or both



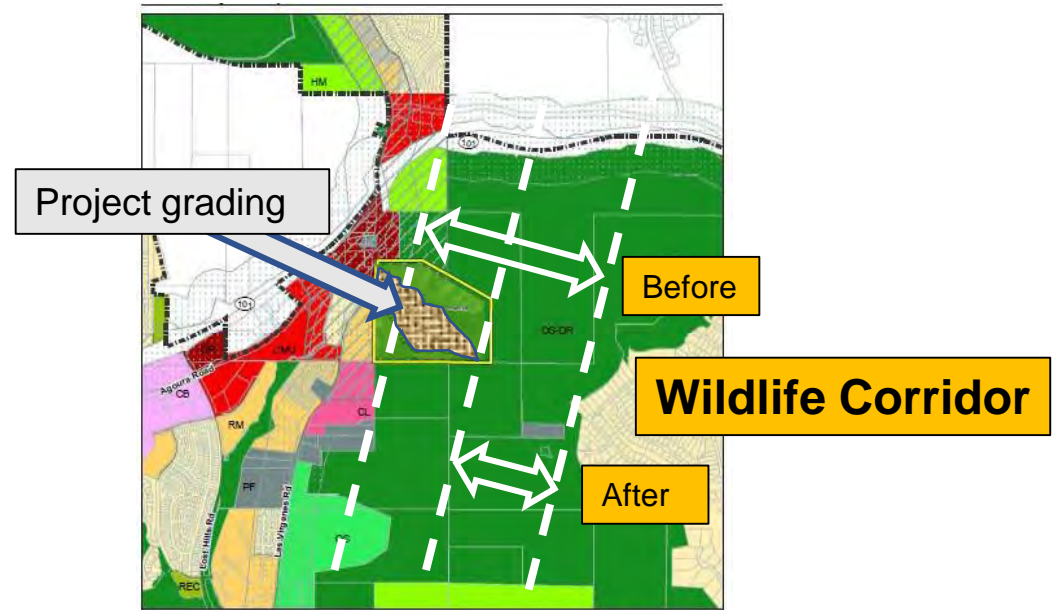
Fires jump roads and these roads can get jammed by evacuees (e.g., Woolsey fire)

*The Center for Biological Diversity “Built to Burn”: New Report on Development in Fire Zones

* Senate Bill SB 55: “*This bill would, -, prohibit the creation or approval of a new development, as defined, in a very high fire hazard severity zone or a state responsibility area.*”

Reality # 3 – Open Space

- Remedial grading extends into designated open space
- Established wildlife corridor will be narrowed significantly by remedial hillside development.
- There can't even be a cable box, let alone the 2 miles of concrete v-ditches that will be constructed.



Ref.: CDFW Letter Nov. 12, 2020 – Comment #1 Mountain Lion

Development should preserve the hillside rather than alter the hillside to fit the development [CMC 7.20.150(B)3], Manufactured slopes cannot be counted as open space [CMC 17.20.055(A)9]. The hillside/landslide in dedicated open space should be left undisturbed.

CMC 17.90.020 Defines "Development" as any grading or construction activity or alteration of the land, its terrain contour or vegetation...Even public utility structures are prohibited.

Reality # 4 – Future Landslides

- Extent of landslide remediation unchanged by Alternate 5
- Invasion of open space is unchanged from basic plan
- Density and design should fit the land without altering natural terrain.



Basic plan



Alternate 5

Development shall respect natural surroundings and follow natural topography [CMC 17.20.150(B)12]

Preserve natural drainage courses and provide drainage in a more natural appearing condition rather than with standard concrete box [vee] drainage channel. [General Plan Open Space Element – Policy III-15]

Reality # 5 – Traffic & Greenhouse Gases

- Existing gridlock during commute hours will only get worse by adding more cars. The opposite can't be true
- More cars will add to greenhouse gas pollution
- Added signals at the intersection will only increase stop time for all lanes as will more pedestrian crossings
- The commercial element is uncertain at best noting the number of vacancies in the local area already
- Of the 149 pieces of public correspondence submitted to the Planning Commission, 63 cited traffic congestion and 37 cited emergency evacuation as severe concerns

Reality # 6 – Water Usage During Construction

A few facts:

- Backfill requires water for proper compacting*
- This soil (silty-clay) requires 30-50 gal of water per cubic yard of backfill *
- Total soil to be compacted: 2,647,756 cubic yards (revised EIR page 2)
- Estimated resident usage: 37,714 gal per day (EIR Table 4.12-3)
- Water to be used for backfill: ~80 -130 million gallons**

This water would ordinarily supply:

8 to 13 years of estimated usage by West Village residents

or:

1½ - 2½ years supply to possible future Calabasas, Agoura Hills and local County developments, combined (EIR Table 4.12-9)

* *Soil Compaction Handbook* ** *Excludes dust prevention*

Summary of Findings

Facts about this proposal:

- EIR and project fail to comply with state and municipal laws, rules and plans.
- They disrespect the physical and natural environment: geology, biology, water, and air.
- They ignore the concerns of the people and businesses conveyed through public participation, and the No on F vote against their previously approved project.
- The EIR is deficient as it fails to provide adequate analysis of the increased fire risk caused by the development.

Closing Comments

Finally, all things being considered:

- **Just say NO and Deny this project!**
- Then lay the groundwork for future development into acceptable land utilization that respects land use codes.

May 1, 2021

City of Calabasas
City Council
Calabasas City Hall
100 Civic Center Way
Calabasas, CA 91302

Council Members

This letter is being submitted by two 38-year residents of the City of Calabasas (both prior to as well as after its incorporation) in opposition to the proposed West Village at Calabasas Project. Whereas the proposed increase in population from this project will negatively affect the quality of life of the citizens of your/our city, it even violates the very standards which our City Fathers themselves established, after much thought and consideration, specifically to protect its citizens, as outlined in the City of Calabasas' "Calabasas Municipal Codes for Land Use":

17.20.150(C)1 General Siting Principles. Buildings should be located in the most accessible, least visually prominent, and most geologically stable portion or portions of a site. Buildings should be located in the least visually prominent locations of a property, on open, grassy hillsides, where the prominence of buildings should be minimized by placing them in locations where they will be screened by existing vegetation, rock outcroppings, or depressions in topography.

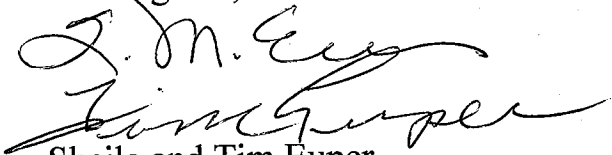
To ignore this provision would be a clear violation of our own City Land Use code. Further consideration should be given to conducting air quality standards testing in order to assure compliance with the National Ambient Air Quality Standards, as defined in the Clean Air Act Amendment of 1970.

Further, please consider the poll which was conducted by the Berkley Institute of Governmental Studies showing that 75% of those Californians polled support, strongly or somewhat strongly, that the state imposes limits on new housing development in high-risk wildfire areas. Can there be any doubt in your mind that we are in a high-risk wildfire area? Adding this further residential development to our existing population will only deplete the already stressed emergency services

available during a disaster, and places additional stress on existing routes of escape for your residents.

In conclusion, we believe that it is your duty to act, both primarily and solely, in the best interests of the citizens of Calabasas.

Best regards,

A handwritten signature in cursive script, appearing to read 'Sheila and Tim Euper', written in black ink.

Sheila and Tim Euper
5246 Edgeware Drive
Calabasas Hills, CA 91301

Re: West Village at Calabasas

5-2-21

Dear City Council Members,

We are writing to ask you to decline the approval of the current version of West Village at Calabasas for a number of reasons. The most important to me is the safety of our community. You well know that during the Woolsey Fire a number of residents were unable to evacuate, due to numerous roads being closed because of the encroachment of the fire. Our house was the only house in Saratoga Hills with extensive damage due to the fire, so you know we're very concerned about having such a potentially damaging development. The fire that we had this past week east of Las Virgenes Rd. serves as a reminder about how quickly and how little it takes to create severe traffic blockage.

Secondly, we're opposed to having to go through this again, since we already determined that we did not want to ruin the Open Space and beautiful hills in Calabasas. There are many City Codes which should apply to this proposed project, but, which obviously are being violated.

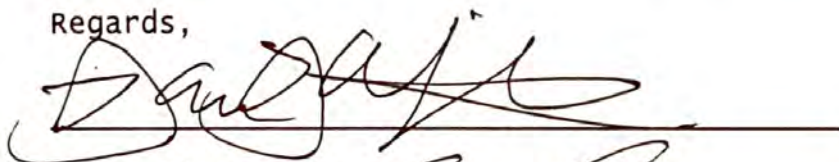
One is among the Land Use Codes and General Plan, which state that a development should preserve the hillside rather than alter it to fit the development. They also state that "...development must maintain the existing visual character of hillsides, recognizing both the visual importance of hillsides from public view areas and the importance of providing panoramic views from hillsides".

All development in a Scenic Corridor must comply with Scenic Corridor Guidelines and Hillside Development Standards. [(Code 17.20.070(C))]. This proposed project neither protects our safety nor preserves the hillsides.

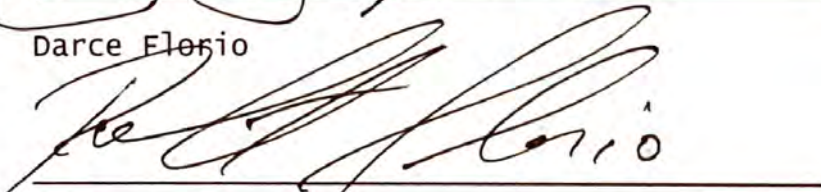
Please obey our City codes and just say "NO" to protect our land and citizens of Calabasas.

Thanks so much for considering our safety.

Regards,



Darce Florio



Robert Florio



Austin Florio

Calabasas Residents
Saratoga Hills

Mayor Bozajian and City Council members:

With regard to the West Village at Calabasas proposed project, please consider the following comments in your deliberations, submitted on behalf of myself and Volunteers For Responsible Development. There are a total of 24 pages.

I begin with an overview of key issues. This is followed by specific, detailed information on each.

Public safety: Public safety is a basis for denying the proposed project.

Fire risk – residential buildings in a box canyon in a very high fire risk area.

Traffic - it impacts emergency evacuation routes.

Open Space:

Preservation – 20 acres bulldozed is unacceptable.

Concrete v-ditches are a permanent land use not allowed.

Legal:

Enforce the laws - not compliant with 2030 General Plan and CMC.

EIR is deficient – no analysis of fire risk impacts.

“Arm’s length” process - Geologists did not reach an opinion independent of each other.

Affordable Housing:

It doesn’t make sense to grade 2.6 million cubic yards of dirt for 15-18 affordable units.

Convert existing vacant commercial buildings to residential. In-fill development.

RHNA – can be met by spreading 15-18 units over several other locations

Biological/Environmental:

Wildlife Corridor – reduction of width by one-quarter mile

Special Status Wildlife – mountain lions

Special Status Plants –

Destruction/burying of natural springs/seeps/wetlands

PUBLIC SAFETY – FIRE RISK

The Woolsey Fire awakened us to the fact that there is a “New Normal”. Wildfires are expected to be more frequent and more devastating. The annual summary of fires in California on the Cal Fire website confirm this fact. 2017 had more fires than in the last 9 years prior combined. 2018 was the most devastating in terms of lives and structures lost. This was especially evident on the west side where multiple homes were totally lost or damaged. Building new homes adjacent to open space plus adding hundreds of additional cars to already overburdened streets is a public safety issue that must be given serious consideration.

Urban wildfires occur frequently and pose a real public safety threat yet the EIR doesn't address it or state any mitigation.

The Fire Hazard Severity Zones identify fire hazard, not fire risk.

“Hazard” is based on the physical conditions that give a likelihood that an area will burn over a 30 to 50-year period without considering modifications such as fuel reduction efforts.

“Risk” is the potential damage a fire can do to the area under existing conditions.

Putting hundreds of people in a box canyon in a very high fire risk area is irresponsible and dangerous. The proposed project has a significant impact on public safety. Public safety is a basis for denying the proposed project.

Fire safe building practices can't make your home fireproof but they can improve the chances that it will still be standing after the wildfire is out. Most of the existing buildings and homes in the area were built 30 years ago or more. New building codes won't protect existing homes in the area from fire. That's the reality of the fire risk created by the proposed development.

At least 670 structures were destroyed inside the Malibu city limits, including more than 400 single-family homes with an estimated market value of at least \$1.6 billion. Older buildings burn.

On top of the impact to the residents of this project, the burning buildings in this project will set off fires in the Colony and throughout the neighborhood.

This is demonstrated in the report “Built to Burn” A report by the Center for Biological Diversity: California's Wildlands Development Are Playing With Fire

Bold Land-use Reforms Needed Now to Ensure Safer, Sustainable Future

February 2021

Tiffany Yap, DEnv/PhD, Senior Scientist

J.P. Rose, Staff Attorney

Peter Broderick, Staff Attorney

Aruna Prabhala, Urban Wildlands Program Director, Senior Attorney

This report is incorporated within and made a part of this comment letter.

TRAFFIC

The 3-acre brush fire beside the Las Virgenes 101 Southbound freeway burned all the way to the top of the hills. Traffic was immediately backed up on Las Virgenes Road and Agoura Road and access to the freeway was closed. This is what happened in a 3-acre fire on a critical egress route. While the Woolsey Fire was the most devastating and burned the greater acreage in California history, there have been smaller local fires. One such fire off Mureau Road resulted in the closure of the 101 freeway ramps, blocked egress by means of Mureau Road, which caused traffic to back up on Agoura Road, Lost Hills Road and on Las Virgenes Road north and south of the 101 freeway. Any reasonable person would conclude that local fires and the resulting lack of quick egress is a major public safety risk. How many times does this have to be repeated to prove the point? Once should be sufficient.

This is an excerpt from the 2030 General Plan EIR - Section 2.0 Project Description - Table 2-7

Potential Improvements to the Specific “Critical Intersections and Roadway Corridors” Las Virgenes Road.

Widen the two-lane road between Lost Hills Road and Agoura Road to provide four 12-foot travel lanes, a 15-foot landscaped median with left-turn pockets at intersections, and Class II bike lanes.

- Restripe the Las Virgenes Road/Oak Glen Street intersection to include 2 travel lanes and separate left-turn pockets on the northbound and southbound approach and a separate right turn lane on the southbound approach.
- Install traffic signal at the Las Virgenes Road/Oak Glen Street intersection.

- Restripe the southbound approach of the Lost Hills Road/Las Virgenes Road intersection to provide one left-turn lane, one through lane and one through + right-turn lane. The eastbound approach will also be re-stripped to provide one left + through lane and dual right-turn lanes.
- Restripe the northbound approach of the Las Virgenes Road/US 101 Southbound Ramp intersection to provide for two through lanes and a shared through-right lane. The through movements using the shared through/right-turn lane would be restricted to vehicles accessing the 101 SB ramp.

These were all “imagined” in 2008. They are not benefits of the West Village at Calabasas proposed project. It begs the question - why haven’t these traffic improvements been made long ago in response to the residents’ complaints about local traffic problems?

OPEN SPACE:

Per CMC 17.90.020.D - Definitions of specialized terms and phrases, "Development" “means any grading or construction activity or alteration of the land, its terrain contour or vegetation, including the addition to, erection, expansion, or alteration of existing structures.”

The CMC prohibits development and permanent uses of OS-DR zoned land. Concrete v—ditch infrastructure is permanent and part of the development.

This image of the Paxton project, located farther down Las Virgenes Road, taken in February 2021 proves this – even after 3 years, the concrete v-ditches are clearly visible. They are unnatural in appearance and a permanent feature of the hillsides, now scarred with their presence across this development.



Grading of Open Space-Development Restricted land does not meet the intent of the goals, objectives and policies of the General Plan. It does not meet the stated purpose and general intent of the zoning district and it does not share characteristics in common with OS-DR. Additionally, it would be of a greater intensity, density or generate more environmental impact than what is listed in the zoning district.

In May 2007, Rincon Consultants authored a Draft Issue Paper on Open Space for the City of Calabasas as part of its General Plan Update. They wrote on page 4 “Note that lands zoned OS do allow for single family residential development at a very low density, while the other zoning designations OS-DR and REC do not allow for development except for the recreational facilities permitted under REC.” At the time that Rincon wrote this, the West Village at Calabasas site was under different ownership and different zoning. Less than three years after Rincon’s writing, the zoning for the majority of the parcel would be changed to OS-DR. Clearly Rincon understood the concept that OS-DR lands do not allow development.

Grading on OS-DR land permanently changes its undisturbed, natural condition. Changing OS-DR land to manufactured slopes excludes it from the open space set aside calculation as specified in **CMC 17.20.055(A)9** - Cluster development standards. If the land is excluded as open space, then there has been a change that triggers Measure D. This also reduces the quantity of open space in the city, which is not consistent with the 2030 General Plan Open Space Element.

This vision of responsible development and protection of open space is also evidenced by City Council members unanimously supporting ballot arguments for Measure D (Ord. No. 2005-225, §1). In turn, at the ballot box, voters passed Measure D by an almost 90% majority showing the support of city residents for open space protection. Ironically, the EIR states that Measure D does not protect open space, but approving this project will.

The voting public again agreed with this vision with Measure F that rejected the previous project that had been approved for this site. In November 2016, Measure F resulted in 64.8% voting against to only 35.1% voting for the project. Every precinct in the city agreed. They did not want hillsides destroyed by bulldozers that turned them into manufactured slopes.

LEGAL

CMC 17.18.040(D) Development Standards. All development within the -SC overlay zoning district *shall* comply with all applicable provisions of the Performance Standards for Hillside Development and Urban Design Standards of Chapter 17.20, the Scenic Corridor Development Guidelines adopted by the council, all applicable provisions of this development code, and any applicable specific plan, master plan corridor design plan or design guidelines.

This project is inconsistent with General Plan Open Space Element Policy III-2, Hillside Management Policies III-12 and -14, Conservation Element Policy IV-2, and Land Use Element Policies II-10, -14 and -15. It’s also inconsistent with Safety Element policies. The City’s General Plan background report explains that “Consistent with Calabasas’ commitment to foster environmentally responsible development, the City’s 2030 General Plan Safety Element establishes the following policy: VII-4, which discourages development in landslide areas as the City’s *preferred* management strategy – as a higher priority than attempting to implement engineering solutions.”

Below are codes from the CMC and Policies from the 2030 Calabasas General Plan that are applicable to the Land Use and Planning of the West Village at Calabasas proposed development.

Open Space Element

Policy III-11: Maintain the existing visual character of hillsides, recognizing both the visual importance of hillsides from public view areas and the importance of providing panoramic views from hillsides.

Policy III-14: Preserve all significant ridgelines and other significant topographic features such as canyons, knolls, rock outcroppings, and riparian woodlands. Significant ridgelines are shown on Figure III-4. Exceptions may be granted to accommodate General Plan designated trails, viewpoints, and fuel modification measures needed for the protection of public health and safety.

Policy III-15: Preserve natural drainage courses and provide drainage in a more natural appearing condition rather than with standard concrete box drainage channels.

Conservation Element

Policy IV-2: Ensure that new developments, including roads, maintain the biotic habitat value of riparian areas, oak woodlands, habitat linkages, and other sensitive biological habitats.

Land Use Element

Policy II-8: Emphasize retention of Calabasas' natural environmental setting, neighborhood character, and scenic features as a priority over the expansion of urban areas.

Safety Element

Policy VII-4: Discourage development within potential landslide areas and areas with severe soil limitations as the City's preferred management strategy, and as a higher priority than attempting to implement engineering solutions.

AFFORDABLE HOUSING

The threat of "by right" approval of the project can be dealt with by simply removing the land parcel from the 6th RHNA cycle. In any event, that decision rests with the City Council. Another project can fulfill the requirement. Several alternative means to accomplish that were suggested during the April 15th public comments. It has no bearing on whether or not to approve the specific proposed development because it's not the one and only possibility.

BIOLOGICAL IMPACTS – WILDLIFE and PLANT LIFE

The General Plan's Conservation Element IV-2 explicitly lists loss of habitat linkages as "unacceptable biological impacts".

Expert comments provided by California Department of Fish and Wildlife warrants careful consideration. CDFW notes that in addition to constricting the Wildlife Linkage and Corridor one quarter mile, "An undisclosed amount will further impact the wildlife corridor when fuel modification and landslide remediation are included in the analysis." CDFW "concur with the City's Wildlife Corridor and Linkage designation that a minimum 1-mile wide corridor remain, to continue to allow safe and protected exchange of wildlife and access to perennial water."

There are 2.62 acres of jurisdictional waters and adjacent Riparian Habitat that fall under the authority of California Department of Fish and Wildlife. Approximately 76% will be "disturbed" by the proposed development. The CDFW states, "Indirectly impacting seeps through dewatering of the landslide slope may result in the removal of sensitive vegetation communities including oak (*Quercus lobata* alliance-S3) and walnut woodlands (*Juglans californica* alliance-S3) on the slope outside of the landslide remediation footprint due to dewatering the hill and lowering local groundwater levels." CDFW recommends "redesigning the Project to avoid impacts to the existing, natural seep-fed wetlands supporting sensitive vegetation communities including *Anemopsis californica*- *Juncus arcticus* var. *mexicanus* association (ranked S2). If this is not feasible, especially given that this feature facilitates regional wildlife movement and provides a source of water to wildlife, CDFW recommends creation of a similar habitat (including full hydrologic and geomorphic function) at a ratio that ensures no net loss of function and value."

California Native Plant Society comments included that all ground disturbance activities, especially from heavy machinery and grading, either permanently scar or alter soils, plant communities, biota, and introduce non-native species.

In comments submitted by experts from the California Department of Fish & Wildlife, the California Native Plant Society, Heal the Bay and the Santa Monica Mountains Conservancy, all recommend a smaller project in order to avoid environmental damage to habitat and its value.

EIR CERTIFICATION

The EIR cannot be certified. It is deficient because it fails to provide adequate analysis of the wildfire risk impacts of the proposed development. The EIR does not offer any analysis.

This deficiency isn't specific to the Woolsey Fire. The former California Attorney General joined CEQA lawsuits against proposed developments in San Diego and Northern California in high fire risk areas that failed to adequately assess whether a development would increase the wildfire risk.

CEQA guidelines state that, "The significant effects on the environment should be discussed with emphasis in proportion to their severity *and probability of occurrence*." The EIR acknowledges that, "The number and frequency of large magnitude earthquakes that may occur during the life of the proposed project cannot be predicted reliably."

The findings that the landslide must be remediated for public safety and the argument that concrete V-ditches are an allowed temporary land use are not supported by facts and cannot be made.

The proposed landscape plan violates the Scenic Corridor Ordinance No. 94-69.

The trees proposed on Las Virgenes Road will grow to heights that will block views.

LAS VIRGENES STREET TREES:

PLATANUS RACEMOSA - This large tree grows to 35 metres (110 ft) in height with a trunk diameter of up to one meter (three feet). https://en.wikipedia.org/wiki/Platanus_racemosa

This large tree grows to 35 meters in height, but is more commonly 20-25 meters, with a trunk diameter of up to one meter. [https://calscape.org/Platanus-racemosa-\(Western-Sycamore\)](https://calscape.org/Platanus-racemosa-(Western-Sycamore))

CEDRUS DEODARA - It is a large evergreen coniferous tree reaching 40–50m (131–164 ft) tall, exceptionally 60m (197 ft) with a trunk up to 3 m (10 ft) in diameter. https://en.wikipedia.org/wiki/Cedrus_deodara

QUERCUS AGRIFOLIA - Coast live oak typically has a much-branched trunk and reaches a mature height of 10–25 meters (33–82 ft). https://en.wikipedia.org/wiki/Quercus_agrifolia

LANDSLIDE – THERE IS NO PUBLIC SAFETY THREAT

A Geologist expert with 32 years experience has confirmed that the landslide at the West Village at Calabasas project, as mapped by the current consultant, failed to the northwest into the bottom of the existing canyon. The direction of movement is not toward Las Virgenes Road. Further movement of the landslide mass as mapped by the consultants is not possible since the mass has come to rest against the north (opposite) wall of the canyon. The north canyon wall prevents any additional movement of the slide mass from occurring since that canyon wall buttresses or impedes further movement in that direction. The existing landslide is presently at its lowest potential energy, is stable, and does not represent a hazard to the public or to adjoining properties.

The portion of the property north of the existing creek channel is not underlain by a landslide. Extensive grading in the form of fill placement has already been conducted on this portion of the property. The area south of the creek channel where the landslide exists is predominantly natural ground that has been designated as resource-protected open space.

Responsible development of this property should be limited to the area north of the creek channel where more stable geologic conditions exist and where past grading has already been conducted. Significant flat pad areas already exist on the northern portion of the site, and additional level pad areas can be created using conventional grading techniques where extensive remedial grading is not required to make a safe development. A project such as that would be consistent with more of the Calabasas Municipal Codes and General Plan Policies than the proposed project.

With regard to seismic activity on the project site, the Independent Geotechnical Peer Review by LGC, Valley Inc. states, “we generally conclude that the potential for on-site landslides to impact the adjacent Las Virgenes Road and/or the adjacent Shea Homes property under existing conditions is slight”.

The EIR states, “No active faults have been mapped in Calabasas...”

In Section 4.4. Geology/Soils of the EIR it states, “...the Alquist-Priolo Earthquake Fault Zone Act (APEHA)...requires studies within 500 feet of active or potentially active faults. No known active or potentially active faults traverse the site based on existing maps prepared by the State of California. Therefore, the project site is not located within an Alquist-Priolo Special Studies Zone.”

“Additionally, a deterministic seismic hazards analysis was completed to determine the maximum hazard exposure to the project site. These analyses determined it is probable that the project area will experience at least one moderate to severe ground shaking event from one of the nearby faults, which could be up to 7.3 in magnitude.”

A magnitude 7.1 earthquake occurred on July 6, 2019. Effects were felt across much of Southern California, parts of Arizona and Nevada, as far north as the San Francisco Bay Area, and as far south as Baja California, Mexico. And yet, a seismic event of this magnitude and one having a very large area of impact did not result in significant movement of the landslide on the project site. There is no mention of this fact in the EIR.

Likewise, the January 1994 Northridge earthquake, magnitude 6.7, which did significant structural damage to many homes in Calabasas did not result in significant movement of the landslide on the project site.

When questioned at the July 18, 2019 Public Hearing by then-Planning Commissioner Kraut, City Engineer Robert Yalda admitted that the City would not pay to remediate the ancient landslide if the development was not approved. Further, City Engineer Yalda admitted that the ancient landslide is not even on a list of potential landslide areas within the City that are being tracked. Commissioner Kraut concluded that the remediation of the ancient landslide was only to serve the development.

The 2008 zoning change to OS-DR of 61 acres located on the West Village at Calabasas land parcel was included in the 2030 General Plan. It created an Open Space buffer that was never intended to be developed, bulldozed or disturbed, but left in a natural state. See ORDINANCE NO. 2014-316. The document created by City staff as their presentation of File No. 140000288 dated May 13, 2004 to City Council includes the following: “On Page II-15 of the Land Use Element and Page III-2 of the Open Space Element, language is being added to each table to clarify that there are two zoning designations (OS and OS-DR) that correspond with the OS-RP land use designation, and that no development is allowed on lots zoned OS-DR.” The emphasis of the underlined text clearly indicates the City Council’s intention and leaves no doubt as to interpretation.

When a commenter stated that the landslide remediation requires very invasive grading that will provide a source of material to fill the existing canyon and create a super pad, the response to the comment was “Remedial grading is not proposed to provide source material for non-remedial grading.” This claim is unsubstantiated. The figures for “cut” on the West Village at Calabasas project are approximately 500,000 cubic yards more than the “cut” figures for the Canyon Oaks project. It’s the same landslide remediation proposed. The EIR for each of the projects stated that no soil would be exported. The massive difference in the “cut” figures is because the West Village at Calabasas project has more building pads proposed.

Manufactured slopes are still subject to slope failure, as acknowledged in the General Plan.

Andrew Price, the consultant of record for the project, testified that Leighton & Associates, Inc. worked with RJR Engineering and GeoLabs Westlake Village in 2010-2012 on another proposed project on the WV site, when the three companies came to a consensus of the landslide's characteristics. While he was engineering geologist for the City he reviewed the New Millennium project for the project site, along with The Oaks and The Colony project as the City's geotechnical reviewer.

He now claims that absolutely nothing can be built anywhere on the two parcels of the West Village site. He stated that he reviewed reports on the project going back to the 1980s from various consultants who worked on the West Village site. If this analysis was available all those years ago when he was working for the City during the creation of the 1995 General Plan, why wasn't it included in that document? That is an omission that cannot be overlooked when considering the validity of Mr. Price's claim.

Mr. Price's testimony included his statement that "Leighton & Associates also worked with RJR Engineering and GeoLabs Westlake Village in 2010-2012 on another proposed project on the project site, when the three companies came to a consensus of the landslide's characteristics." The claim of "Independent Peer Review" is suspect, as after "reevaluating the data", they have all come to the same conclusion which supports the developer's contention. As the consultant on the proposed project in the employ of the developer, Mr. Price's testimony must be considered in light of that fact and given any "weight" accordingly.

CONCLUDING STATEMENTS

The developer is wrong when it suggests that the proposed project is "pre-approved" because the General Plan imagined that 16 acres of the land parcel is zoned for development. The General Plan does not specify the details of any development on this land parcel. No development of this size is "pre-approved". There are other potential developments that might "fit the land" better. Just because 16 acres is *zoned* for development doesn't mean all 16 acres are *capable* of being developed for every project proposed.

Changes have occurred since the last General Plan update that have resulted in increased fire risk, impacts on traffic, and the need for effective emergency evacuation routes in the City and, in particular, in the limited egress communities on the west side. The reality of how the proposed project will impact all of these concerns is what should be considered. The resolution of denial should include these findings.

The policies and codes to protect open space, our fragile environment and our community's values are already in place. I urge you to enforce the laws that protect the public's interests and defend them in court, if necessary.

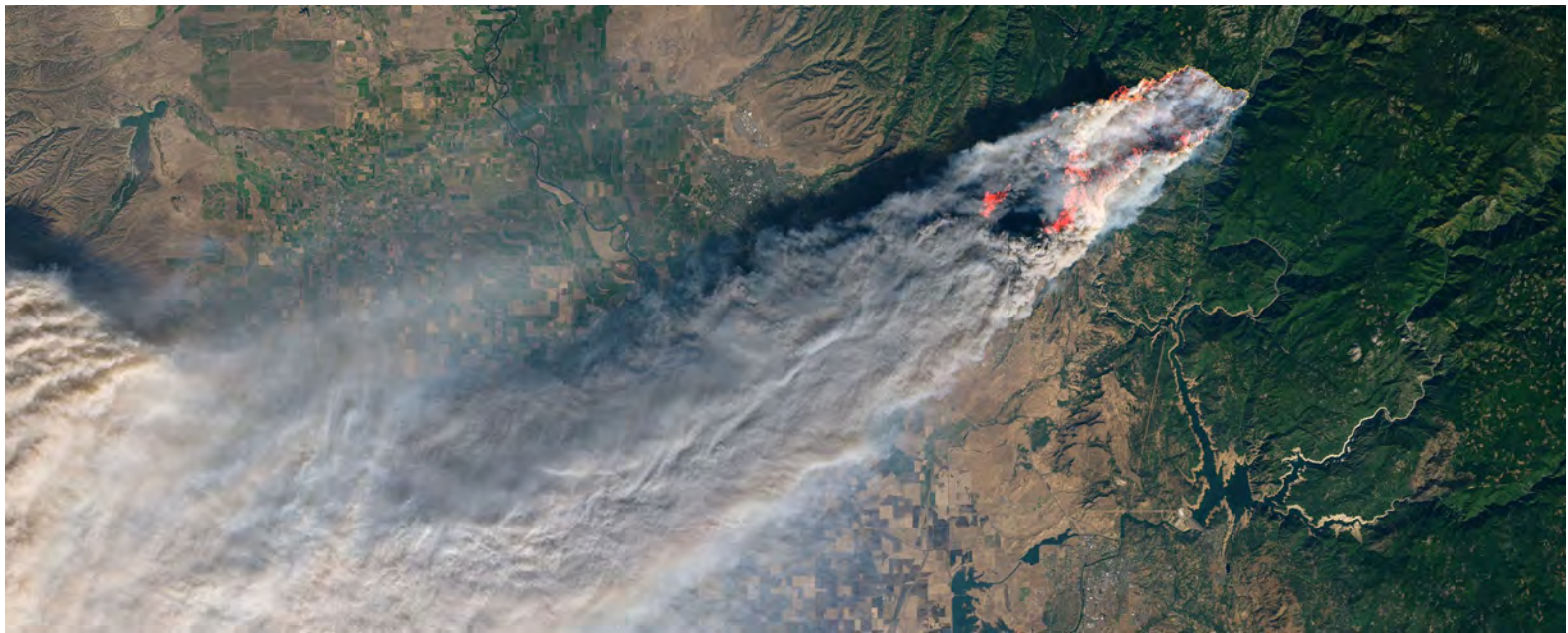
The City Council can make all the findings contained in the Resolution of Denial (RESOLUTION No. 2021-714).

I ask that the City Council deny certification of the EIR and the proposed project.

Thank you for your consideration of all these comments.

Joe Chilco, on behalf of myself, and Volunteers For Responsible Development
Calabasas resident
(address on file)
Submitted May 3, 2021

"Built to Burn" A report by the Center for Biological Diversity: California's Wildlands Development Are Playing With Fire
Bold Land-use Reforms Needed Now to Ensure Safer, Sustainable Future February 2021 follows:



Satellite image of the 2018 Camp Fire near Paradise, California / NASA.

Built to Burn:

California's Wildlands Developments Are Playing With Fire

Bold Land-use Reforms Needed Now to Ensure Safer, Sustainable Future

A report by the Center for Biological Diversity:

Tiffany Yap, DEnv/PhD, Senior Scientist

J.P. Rose, Staff Attorney

Peter Broderick, Staff Attorney

Aruna Prabhala, Urban Wildlands Program Director, Senior Attorney



February 2021

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Cover photo: Aftermath of the 2017 Tubbs Fire in the Coffey Park neighborhood of Santa Rosa, California / Bay Area Media Masters, CC-BY



Guenoc Valley area, where the 2020 LNU Complex Fire burned through / Drew Bird Photography

Executive Summary

Wildfires have occurred on California’s landscapes for millennia. They’re a natural and necessary process for many of California’s ecosystems. But some of the recent fires have been exceptionally harmful to communities

Since 2015 almost 200 people in the state have been killed in wildfires, more than 50,000 structures have burned down, hundreds of thousands have had to evacuate their homes and endure power outages, and millions have been exposed to unhealthy levels of smoke and air pollution. Meanwhile costs for fire suppression and damages have skyrocketed.

Policymakers must reckon with California’s wildfire history and acknowledge that reckless land-use policies are increasing wildfire risk and putting more people in harm’s way. Legislation that prioritizes the following proactive measures is needed immediately:

- Stop building new homes in highly fire-prone wildlands;
- Retrofit existing homes with high fire risk.

Where we place homes influences fire risk. Almost all contemporary wildfires in California, 95-97%, are caused by human sources such as power lines, car sparks and electrical equipment. Building new developments in highly fire-prone wildlands increases unintentional ignitions and places more people in danger.

Hotter, drier and windier conditions due to climate change make the landscape more conducive to wildfire ignitions and spread.

Most destruction to human communities from fire has been caused by wind-driven, human-ignited fires in highly fire-prone shrubland habitats. More than 2 million homes have high fire risk, and local governments continue to approve new construction in highly fire-prone wildlands. Such reckless sprawl development endangers all Californians.

Elected officials and planners need to consider the state's complex fire history and fire ecology to implement smarter land use that protects people and native biodiversity. Many of California's ecosystems have adaptations to survive and thrive with wildfires. But long-term fire resilience is varied depending on the habitat type and fire regime (i.e., the frequency, intensity, severity, spatial complexity and seasonality of fire over time). Changes to fire regimes threaten human communities as well as native habitats and wildlife.

Increased human ignitions due to sprawl development in highly fire-prone native shrublands are harmful to people and biodiversity. Native shrubland habitats, like chaparral and sage scrub, are adapted to high severity wildfires at relatively infrequent intervals ranging between 30 to 130 years or more. But increased fire frequency in these habitats is causing type conversion to non-native grasses and forbs that burn more easily throughout more of the year. This altered fire regime endangers human communities and the unique biodiversity those habitats support.

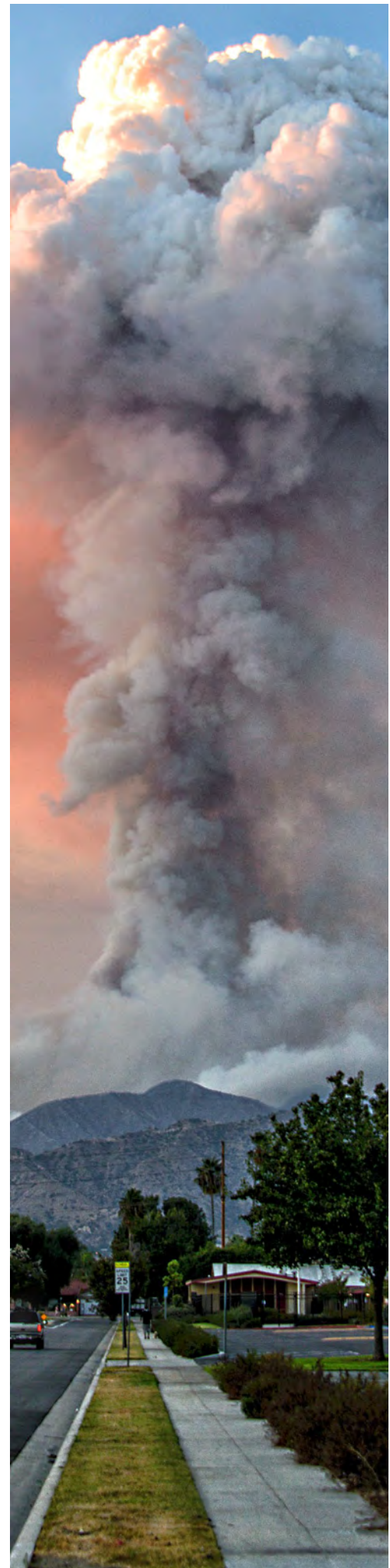
If California policymakers continue to expand development into highly fire-prone wildlands and dismiss the need for home hardening in high fire-risk areas, then more destructive fires will ignite and more structures will burn. More people will be killed by fires and have extended exposure to hazardous smoke. More firefighters and first responders will be put at risk. Some biodiversity and unique ecosystems will be lost. Fire suppression and recovery costs will continue to rise.

We must change these destructive land-use policies and prepare our communities to safely coexist with wildfire.

Californians Facing Unprecedented Wildfire Impacts

Wildfires have occurred on California's landscapes for millennia. Lightning strikes and indigenous burning drove fire regimes that varied by habitat, frequency, size, extent and seasonality (Kimmerer and Lake 2001; Stephens et al. 2007; Anderson 2018).

Approximately 4.4 to 11.9 million acres of land are estimated to have burned in California every year prior to European colonization due to lightning-caused fires and cultural burning (Stephens et al. 2007). But in the past 200 years, California's highly diverse habitats and their historical fire regimes have been disrupted (Stephens and Sugihara 2018). The impacts on human communities due to these changes have now become clear.



Pyrocumulus cloud from the 2020 Ranch 2 Fire near Azusa, California / Russ Allison Loar, Flickr CC-BY-ND

Recent fires have been exceptionally destructive to California communities (Figure 1a). Based on fire records from the past 100 years, fires have become deadlier and more destructive, and large fires are occurring at an increasing rate (Stephens and Sugihara 2018). Seventeen of the 20 largest wildfires, 18 of the 20 most destructive wildfires, and 11 of the 20 deadliest wildfires have occurred after 2003 (Cal Fire 2020a, 2020b, 2020c).

Meanwhile the cost of fire suppression and damages in areas managed by the California Department of Forestry and Fire (Cal Fire) has skyrocketed to more than \$23 billion during the 2015-2018 fire seasons (Figure 1b). After adjusting for inflation, this is more than double the wildfire cost for the previous 26 years of records combined. These harmful trends will continue unless policymakers reckon with the reckless land-use policies that put our communities in harm's way.

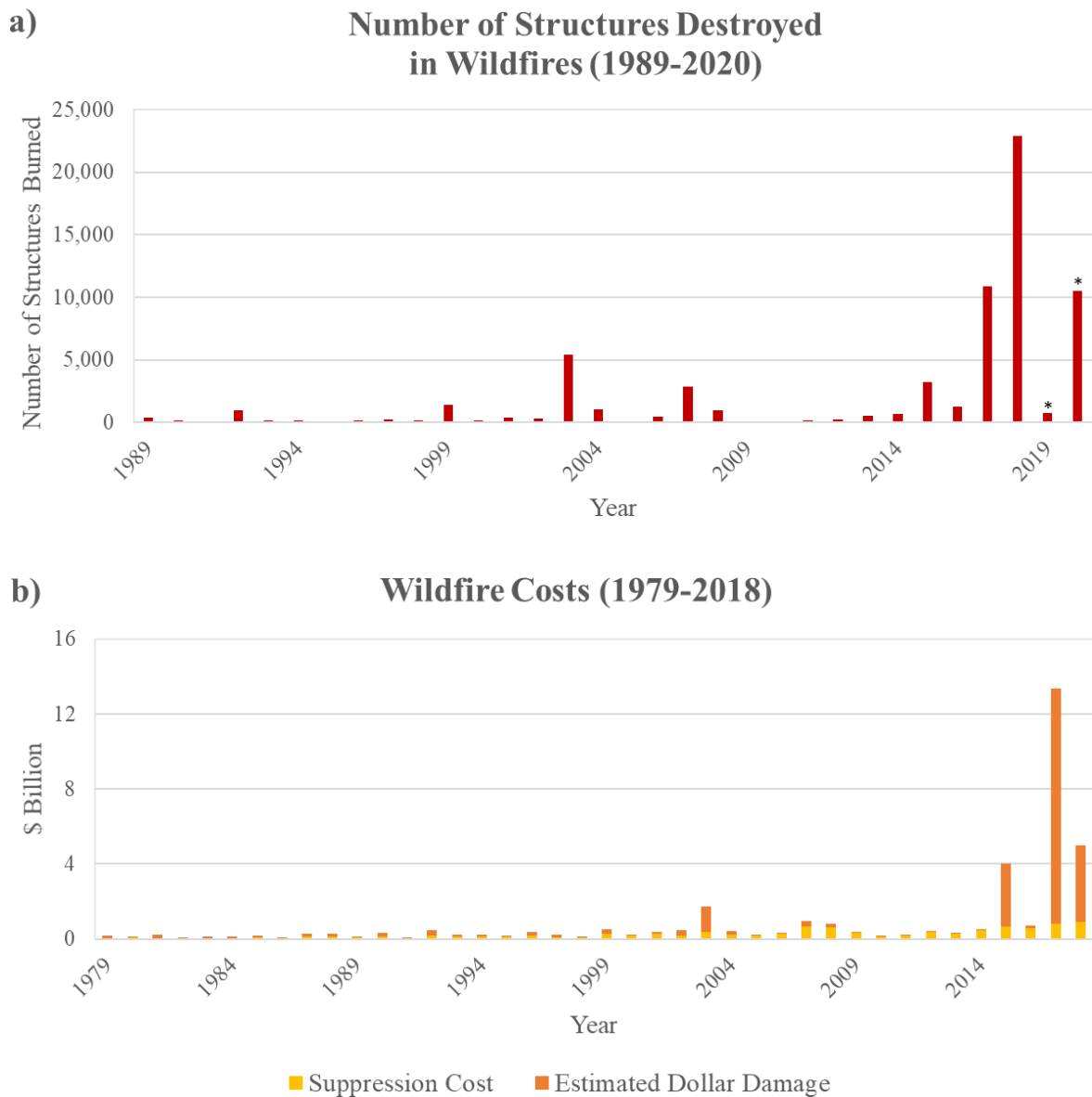


Figure 1. Wildfire destruction and costs over time. (a) Number of structures destroyed from 1989 to 2020 (*2019 and 2020 statistics are not finalized) and (b) Cal Fire wildfire-suppression and damage costs from 1979 to 2018, adjusted for inflation. Data source: Cal Fire (<https://www.fire.ca.gov/stats-events/>).



Owl soars over fire / U.S. Fish and Wildlife Service

Sprawl Disrupts Fire Regimes and Makes Wildlife More Vulnerable to Fire

Wildfires are a natural and necessary process in many of California's ecosystems, providing essential habitat for numerous species. For example, woodpeckers and many other animals of the Sierra Nevada rely on wildfire to create the dead trees, shrubs and post-fire vegetation within which these animals find the food they need to survive (e.g., Bond et al. 2009; Campos and Burnett 2015; Tailie et al. 2018; Blakey et al. 2019; Stillman et al. 2019). The critical role of wildfire in Sierra Nevada forests has been dramatically disrupted, however, by development, logging and fire suppression. As a result, these forests have a deficit of wildfire, meaning there's much less fire in these forests than there was historically — prior to 1800, an estimated 20 to 53 times more forest area burned each year in California than in recent decades (Stephens et al. 2007).

Researchers therefore recommend that more wildfires be allowed to burn each year in the backcountry, instead of being suppressed, in order to allow Sierra Nevada forests to rejuvenate and support the region's exceptional biodiversity. Continued sprawl development in these landscapes is an expanding impediment to efforts to restore natural fire regimes at any level.

California's shrubland habitats, on the other hand, such as chaparral and sage scrub, are experiencing a very different relationship with fire. These ecosystems are adapted to high-severity wildfires at relatively infrequent intervals ranging from 30 to 130 years or more (Keeley and Fotheringham 2001; Stephens et al. 2007; Keeley and Syphard 2018; Baker and Halsey 2020), but increased fire frequency from human ignition sources due to sprawl development is now causing these shrubland habitats to receive too much fire. This altered fire regime is the primary driver of habitat degradation and loss of biodiversity in these ecosystems (Keeley 2005) and leads to conversion of these important habitats to non-native grasses and forbs that burn more easily throughout more of the year, thereby compounding the problem of too much fire (Keeley 2005; Syphard et al. 2009; Balch et al. 2013; Sugihara et al. 2018; Syphard et al. 2019). Any additional sprawl development in these highly fire-prone habitats further undermines efforts to restore natural fire regimes and reduce human ignitions in these areas.

In addition to disrupting fire regimes, human activities have also put many of California's wild animals at risk of extinction. As a result, fire can sometimes have harmful consequences to endangered species that now only exist in very small, isolated populations due to massive habitat loss and fragmentation from sprawl development combined with other threats.

For example, two mountain lion deaths in the Santa Monica Mountains were attributed in part to the 2018 Woolsey Fire (Figure 2). Although mountain lions are highly mobile and generally able to move away from wildfires, these lions were unable to escape to safety because they were boxed in by roads and development. Such deaths can further destabilize the small mountain lion population that's already facing numerous other threats, including low genetic diversity, vehicle strikes and rodenticide poisoning, and make them more vulnerable to local extinction (Benson et al. 2016; Benson et al. 2019).

Similarly, researchers fear, post-fire landslides after the 2020 Bobcat Fire could be the end for remnant populations of sensitive species in the San Gabriel mountains that have been hard hit by sprawl development combined with disease, non-native predators and other threats, including Santa Ana suckers, unarmored threespine stickleback fish, speckled dace, arroyo chub, mountain yellow-legged frogs and western pond turtles (Figure 2) (Sahagun 2020). While historically these species would have been able to recolonize from neighboring populations after the loss of individuals or populations to fire impacts, that ability is now limited by the species' current small and fragmented population structure. Continued alteration of historical fire regimes due to sprawl development will further endanger those remnant populations.



Figure 2. *The burned paws of P-64, an adult male mountain lion whose death was attributed to the 2018 Woolsey Fire (left), and a mountain yellow-legged frog, whose remnant populations in the San Gabriel Mountains are threatened by post-fire landslides in the wake of the 2020 Bobcat Fire (right). Photo credits: National Park Service and U.S. Geological Survey (Adam Backlin).*

Poor Land-use Planning Fuels More Destructive Fires

Reckless land-use planning is causing fires to be more destructive. Development in highly fire-prone areas increases unintentional ignitions, places more people at risk, and destroys native shrubland habitats that support high levels of biodiversity. Almost all contemporary wildfires in California (95-97%) are caused by humans in the wildland urban interface (Syphard et al. 2007; Balch et al. 2017; Radeloff et al. 2018; Syphard and Keeley 2020).

For example, the 2019 Kincadee Fire, 2018 Camp and Woolsey fires, and 2017 Tubbs and Thomas fires were sparked by powerlines or electrical equipment. And although many of the 2020 fires were sparked by a lightning storm, the Apple Fire was caused by sparks from a vehicle, the El Dorado Fire was caused by pyrotechnics at a gender-reveal celebration, the Blue Ridge Fire was likely caused by a house fire, and electrical equipment is suspected to have ignited the Silverado and Zogg fires.

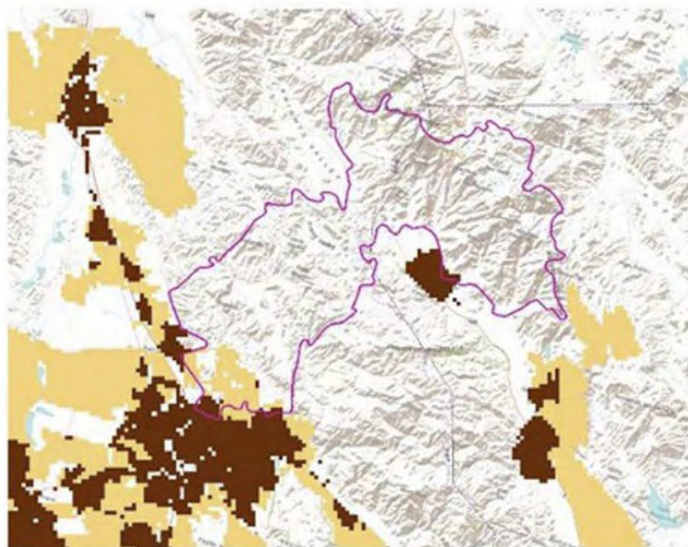
More than a million homes were built in the wildland-urban interface between 1990 and 2010 (Radeloff et al. 2018), and more than 2 million homes are located in high fire-risk areas (Verisk 2020). Such development in California's highly fire-prone wildlands is increasing wildfire frequency while placing more people in harm's way.

Recent fires highlight this issue: 15 of the 20 most destructive California wildfires have occurred in the past five years (Cal Fire 2020b). If current land-use practices continue, scientists estimate, 640,000 to 1.2 million new homes will be built in the state's highest wildfire-risk areas by 2050 (Mann et al. 2014), which will only worsen the devastating trend.

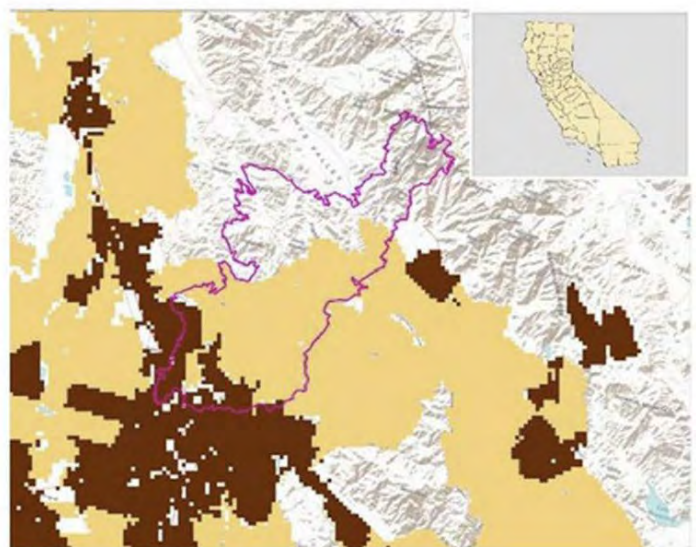
The contrast between the 1964 Hanly Fire and 2017 Tubbs Fire offers a poignant example of how expanding development in highly fire-prone areas increases fire risk. Both fires were caused by people: It's believed that the Hanly Fire was started by a hunter either discarding a cigarette or burning debris, while the Tubbs Fire was caused by faulty electrical equipment on private property.

These fires had similar footprints (Figure 2), yet the Tubbs Fire burned more than 5,500 structures and killed at least 22 people, while the 1964 Hanly Fire only burned about 100 structures and killed no one. From 1964 to 2017 the population of nearby Santa Rosa grew from 30,000 to 170,000 people — sprawl development had extended farther into fire-prone wildlands and put more people at fire risk (Figure 3) (Keeley and Syphard 2019).

a) 1964 Hanly Fire



b) 2017 Tubbs Fire



Low-density housing development
High-density housing development

Figure 3. A tale of two fires: the 1964 Hanly Fire (a) and the 2017 Tubbs Fire (b). Despite the similar fire footprints (shown with the purple line), the Hanly Fire caused no deaths, and only about 100 structures were destroyed, while the Tubbs Fire killed 22 people and destroyed more than 5,500 structures. Note the extension of housing development within the fire footprint after the Hanly Fire (Keeley and Syphard 2019).

Most destruction to human communities from fire has been caused by human-ignited fires in mixed shrubland habitats (Syphard 2020). Native shrublands like chaparral and sage scrub are highly diverse and adapted to high-intensity, relatively infrequent fires.



The 2017 Thomas Fire near the city of Ventura, California / European Space Agency

Placing developments in these highly fire-prone habitats ultimately increases fire threat over time. Continued sprawl is causing more frequent fires, which convert shrublands to non-native grasses that ignite more easily throughout more of the year. This perpetuates a dangerous cycle that increases wildfire ignitions, extends the fire season, and eliminates native shrubland habitats and biodiversity.

Wind is another important factor in wildfire risk. Foehn winds, referred to as the Santa Ana winds in the south and the Diablo or North winds in the north, commonly occur in the fall. These are dry, warm, strong winds that can spread fires dangerously fast. Winds were clocked at 40 to 95 miles per hour during the 2020 wildfire season. Wind-driven fires can cover 25,000 acres in one to two days as embers are blown ahead of the fires and toward adjacent fuels like flammable vegetation and/or structures (Syphard et al. 2011).

The 2018 Hill Fire in Ventura County spread three miles in 15 minutes (County of Los Angeles 2019). The speed at which these wind-driven fires can spread may overwhelm and outpace even the most experienced and capable agencies (County of Los Angeles 2019). And in some cases, high winds in developed areas may play a role in initiating wildfires. The 2018 Woolsey Fire, which killed three people and burned more than 1,600 structures, was sparked by powerlines that were knocked down by strong winds.

In addition, progressively hotter, drier and windier conditions due to climate change are making it easier for wildfires to ignite and spread. The number of days with extreme fire weather conditions in California has doubled since 1980, and further climate change will amplify that trend (Goss et al. 2020).

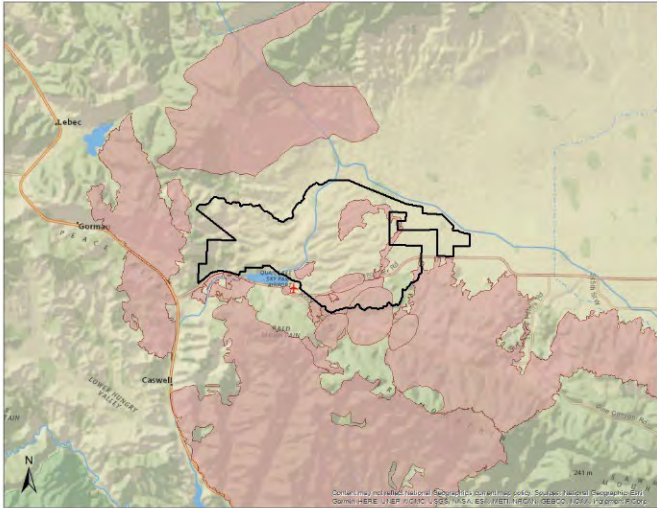
It's time for California to acknowledge that land use influences wildfire risk. Placing more homes in highly fire-prone areas increases the chances of causing larger and more destructive wildfires (Keeley and Syphard 2019; Syphard and Keeley 2020).

Policymakers Continue Approving Sprawl Development in Highly Fire-prone Areas

Local officials continue to approve sprawl projects in high-wildfire zones. For example, in December 2018 the Los Angeles County Board of Supervisors approved the 19,000-home Centennial development in high and very high fire-hazard severity zones on the remote northern edge of the county (Agrawal 2018a). Between 1964 and 2015, Cal Fire documented 31 wildfires larger than 100 acres within five miles of the 12,000-acre development site, including four within the project's boundaries (Figure 4a) (Agrawal 2018b).

Similarly, in April 2019 the board approved the 3,150-home Northlake development, which sits in a very high fire-hazard severity zone. Multiple fires have burned the Northlake project footprint over the last few years (Figure 4b). Both projects were approved by a 4-1 vote, with Supervisor Sheila Kuehl casting the lone opposition vote.

a) Centennial Development



b) Northlake Development

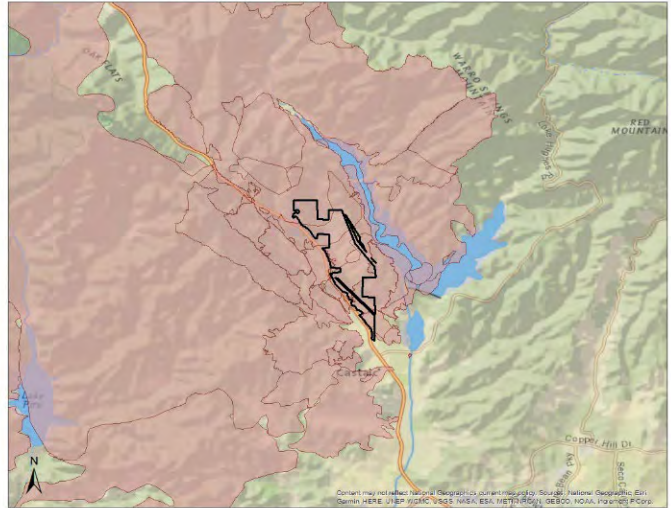


Figure 4: Wildfire burned areas in and near the recently approved development projects of Centennial (a) and Northlake (b). Black outlines indicate development areas, and red indicates previously burned areas.

This is a trend that's likely to continue throughout the greater Los Angeles region. The Southern California Association of Government's Regional Transportation Plan, which covers Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura counties and was approved in September 2020, estimates that an additional 154,300 housing units will be built in very high fire-hazard zones by 2045 (SCAG 2020).

San Diego County has similarly persisted in authorizing new sprawl development in rural, highly fire-prone areas of the county. In 2018 the county approved the 2,000-unit Newland Sierra project, which would have been constructed on 2,000 acres in a very high wildfire-hazard zone. Voters repealed the county's approval by referendum in March 2020, in part due to fire concerns. Also in 2018 the county approved the fire-prone Harmony Grove South and Valiano projects, with approximately 800 combined housing units. A judge halted these projects in 2020 after finding that San Diego county hadn't adequately addressed the safety and evacuation of potential new residents.

In 2019 and 2020, San Diego County approved two more new development projects (Otay Village 14 and Otay Village 13, respectively) with over 3,000 housing units on a combined 3,000 acres in the ecologically sensitive Otay region. The project sites have been burned in several separate fires over the past two decades. In a letter to the county urging it not to approve the Otay Village 13 project, the California attorney general cited “the increased risk of wildfire that the Project will create.”

Los Angeles and San Diego counties were named the top two counties in the state with the highest number of housing units located in high wildfire-risk areas (Verisk 2020). Together these counties and their local governments have recently approved the construction of more than 30,000 homes for almost 100,000 people in highly fire-prone areas (Table 1).

Table 1. *Approved development projects located in highly fire-prone areas in Los Angeles and San Diego counties. Number of people were estimated using 2019 U.S. Census data.*

County/Local Government	Approved Housing Project (Year Approved)	Number of Housing Units	Number of People	Status
Los Angeles	Centennial (2018)	19,333	57,806	Lawsuit is ongoing
Los Angeles	Northlake (2019)	3,150	9,419	Project blocked after successful litigation
San Diego	Newland Sierra (2018)	2,135	6,127	Project blocked after a successful referendum
San Diego	Harmony Grove South (2018)	453	1,300	Project blocked after successful litigation
San Diego	Valiano (2018)	326	936	Project blocked after successful litigation
San Diego	Otay Village 14 (2019)	1,119	3,212	Lawsuit is ongoing
San Diego	Otay Village 13 (2020)	1,938	5,562	Lawsuit is ongoing
City of Santee	Fanita Ranch	2,949	8,464	Lawsuit is ongoing
Total		31,403	92,826	

The problem of runaway development in risky areas is not confined to Southern California. For example, in 2020 Lake County approved a massive new luxury residential and resort project on 16,000 acres in the Guenoc Valley, northwest of Sacramento, over the objections of fire experts and the attorney general, who cited concerns about the project’s risks to public safety. At the time the county was considering the project, the site had experienced at least five fires since 2006. Less than two months after the county’s approval the site burned yet again in the 2020 LNU Complex Fire.

Wildfire Impacts Disproportionately Affect Low-income, Minority Communities

Impacts of wildfire disproportionately affect vulnerable communities with less adaptive capacity to respond to and recover from hazards like wildfire. Low-income and minority communities, especially Native American, Black, Latinx and Southeast Asian communities, are the most marginalized groups when wildfires occur (Davies et al. 2018).

Past environmental hazards have shown that those in at-risk populations (e.g., low-income, elderly, disabled, non-English-speaking, homeless) often have limited resources for disaster planning and preparedness (Richards 2019). Vulnerable groups also have fewer resources to have cars to evacuate, buy fire insurance, implement defensible space around their homes, or rebuild, and they have less access to disaster relief during recovery (Fothergill and Peak 2004; Morris 2018; Harnett 2018; Davis 2018; Richards 2019).



The 2020 Apple Fire north of Beaumont, California / Brody Hessin, CC-BY

In addition, emergency services often miss at-risk individuals when disasters happen because of limited capacity or language constraints (Richards 2019). For example, evacuation warnings are often not conveyed to disadvantaged communities (Davies et al. 2018). In the aftermath of wildfires and other environmental disasters, news stories have repeatedly documented the lack of multilingual evacuation warnings leaving non-English speakers in danger. (Gerety 2015; Axelrod 2017; Banse 2018; Richards 2019). Survivors are left without resources to cope with the death of loved ones, physical injuries and emotional trauma from the chaos that wildfires have inflicted on their communities.

Health impacts from wildfires, particularly increased air pollution from fine particulates ($PM_{2.5}$) in smoke, also disproportionately affect vulnerable populations, including low-income communities, people of color, children, the elderly and people with pre-existing medical conditions (Künzli et al. 2006; Delfino et al. 2009; Reid et al. 2016; Hutchinson et al. 2018; Jones et al. 2020).

Increased $PM_{2.5}$ levels during wildfire events have been associated with increased respiratory and cardiovascular emergency room visits and hospitalizations, which were disproportionately higher for low socioeconomic status communities and people of color (Reid et al. 2016; Liu et al. 2017; Hutchinson et al. 2018; Jones et al. 2020). Similarly, asthma admissions were found to have increased by 34% due to smoke exposure from the 2003 wildfires in Southern California, with elderly and child age groups being the most affected (Künzli et al. 2006).

Farmworkers, who are majority people of color, often have less access to healthcare due to immigration or economic status. They are more vulnerable to the health impacts of poor air quality due to increased exposure to air pollution as they work. Yet farmworkers often have to continue working while fires burn, and smoke fills the air, or risk not getting paid (Herrera 2018; Parshley 2018; Kardas-Nelson et al. 2020).

Unprecedented California wildfires are increasing negative health impacts within and beyond its borders. A recent study found that wildfire smoke now accounts for up to 50% of ambient fine particle pollution in the western United States (Burke et al. 2021). Land-use planning must improve now.



The 2018 Camp Fire near Paradise, California / U.S. Department of Agriculture

Policymakers must reckon with California's wildfire history and acknowledge that reckless land-use policies are increasing wildfire risk and putting more people in harm's way. The combination of sprawl development in highly fire-prone wildlands and altered fire regimes endangers communities.

Legislation that prioritizes the following proactive measures is needed immediately:

- Stop building new homes in highly fire-prone areas;
- Retrofit existing homes with high fire risk.

Stop Building New Homes in Highly Fire-prone Wildlands

The science is clear. Placing more homes and people in highly fire-prone areas leads to more human-caused ignitions and puts more people in danger. California should prohibit new development in high fire-risk areas to keep people safe and protect its rich biodiversity.

Californians broadly support this approach — 3 out of 4 want to restrict housing developments in wildfire-prone areas, according to a 2019 poll (Dillon 2019). Yet local governments like Los Angeles and San Diego counties continue to push for sprawl development in such areas.

Developers claim that compliance with building codes written in 2008 will make their developments fire safe. This is misleading and produces a false sense of security.

While some measures can reduce fire risk, they do not make structures or communities fireproof. In an analysis that included more than 40,000 structures exposed to wildfire between 2013 and 2018 in California, many "fire-safe" structures were destroyed (Syphard and Keeley 2019). And although an analysis conducted in the aftermath of the 2017 Camp Fire showed that new building codes improved home survival, with 51% of homes built to code undamaged compared to 18% of homes built prior to 2008, about half of the homes built to fire-safety codes were still destroyed in the blaze (Kasler and Reese 2019).

The best way to limit fire risk is to avoid building homes in highly fire-prone wildlands.



The 2009 Station Fire in La Crescenta, California / Anthony Citrano, CC-BY-NC-ND

Retrofit Existing Homes With High Fire Risk

Although there are steps that can be taken to reduce risk, they do not guarantee safety from fire. Limiting new development in highly fire-prone areas is critical to reducing risk. But for homes already in high fire-risk areas, home-hardening is important to minimize the chances of human ignitions and fire spread.

It is estimated that more than 2 million homes are located in high fire-risk areas (Verisk 2020). Investing resources primarily in fire suppression without adequately addressing the human-related cause of the fires will not reduce wildfire losses (Stephens et al. 2009). State funds must be equitably distributed to retrofit existing communities in fire-prone areas to reduce the chances of unintentional ignitions and minimize spread should a fire ignite.

Retrofits should include ember-resistant vents, fire-resistant roofs and irrigated defensible space immediately adjacent to (i.e., within 100 feet of) structures. Although such features do not make homes fireproof, they have been shown to improve the chances of structure survival in fires (Syphard et al. 2014; Syphard et al. 2017). External sprinklers with an independent water source could reduce structures' flammability when fires occur (California Chaparral Institute 2018). Rooftop solar and clean energy microgrids could reduce fire risk from utilities' infrastructure during extreme weather (Roth 2019).

The state must also engage, prepare and train homeowners to harden their homes, reduce the risk of fire ignitions and spread, and be ready to safely defend their homes or evacuate early when needed (Stephens et al. 2009). As communities rebuild from recent wildfire destruction, now is the time to instill a culture of coexistence with wildfire.

California policymakers can help our state meet this crucial challenge. Strong land use policies that consider the state's diverse fire history and ecology will help improve our relationship with wildfire and ensure a safer and healthier future for both humans and wildlife.

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**APPLICABLE CALABASAS MUNICIPAL LAND USE CODES
("Document")**

This Document in its entirety is made a part of and incorporated into the West Village at Calabasas EIR Comments - Calabasas Planning Commission dated July 2, 2019.

The following is a synopsis of applicable codes. The full codes are at the end of this document.

- 17.90.20** Development means any grading or construction activity or alteration of the land, its terrain contour or vegetation”
- 17.20.070(C)** Proposed development in a scenic corridor shall comply with Scenic Corridor Guidelines.
- 17.20.150(C)1** Buildings should be located in the most geologically stable portion or portions of a site
- 17.18.040(A)** The purpose of -SC zoning is to protect an important economic and cultural base of the city by preventing destruction of the natural beauty and environment of the city; safeguard open spaces.
- 17.18.040(D)** All development in -SC zoning shall comply with Performance Standards for Hillside Development and any applicable specific plan, master plan, corridor design plan or design guidelines.
- 17.20.050(A)** The following Performance Standards for Biotic Resources shall apply to all development:
1. Disturbances of biotic resources shall be avoided, to the extent feasible as determined by the review authority.
 2. Vegetative resources which contribute to habitat carrying capacity and other significant biotic features are to be preserved in their existing location and condition.
 3. The significant impacts identified in Table 6-2 in Chapter 17.60 shall be avoided, to the extent feasible as determined by the review authority.
- 17.20.055(A)** Topography and preservation of open space shall be balanced to determine location of lots. Open space shall be generally configured as large, contiguous areas of undisturbed native habitat. The set aside calculation should not include landscaping, manufactured slopes, or other artificially landscaped features but may include habitat restoration areas.
- 17.20.150(A)** All development shall comply with applicable hillside development performance standards of this chapter, including, but not limited to standards for hillside development addressing grading.
- 17.20.150(B)1** Performance Standards for Hillside Development. Projects within hillside areas shall be designed to protect important natural features and to minimize the amount of grading. The intent of this section is to limit the amount of grading on the steeper portions of a lot.
- 17.20.150(B)2** Grading and project design shall address and avoid impacts to habitat linkages and wildlife corridors.
- 17.20.150(B)3** A development should preserve the hillside rather than alter it to fit the development
- 17.20.150(B)6** Structures shall be sited in a manner that will
- (a) Fit into hillside contours and the form of the terrain;
 - (b). Retain outward views from units and maintain the natural character of the hillside; and
 - (c). Preserve natural hillside areas and ridgelines views from the public right-of-way
- 17.20.150(B)12** The overall scale/massing of structures shall respect the natural surroundings and unique visual resources of the area by incorporating designs which (i) minimize bulk and mass, (ii) follow natural topography, and (iii) minimize visual intrusion on the natural landscape.
- 17.13.020(A)4** Densities greater than the minimum may be permitted only if impacts of the proposed development are less than those in Table 6-2.

Full Text of Applicable Calabasas Municipal Land Use Codes

- 17.90.20** Development means any grading or construction activity or alteration of the land, its terrain contour or vegetation, including the addition to, erection, expansion, or alteration of existing structures.”
- 17.20.070(C)** “Proposed development and new land uses within a scenic corridor designated by the -SC overlay zoning district shall comply with the city’s Scenic Corridor Development Guidelines”.
- 17.20.150(C)1** General Siting Principles. Buildings should be located in the most accessible, least visually prominent, and most geologically stable portion or portions of a site. Buildings should be located in the least visually prominent locations of a property, on open, grassy hillsides, where the prominence of buildings should be minimized by placing them in locations where they will be screened by existing vegetation, rock outcroppings, or depressions in topography.
- 17.18.040(A)** Purpose. The purpose of the -SC overlay zoning district is to protect an important economic and cultural base of the city by preventing the destruction of the natural beauty and environment of the city; to safeguard and enhance property values; to protect public and private investment, buildings and open spaces; and to protect and enhance the public health, safety, and welfare.
- 17.18.040(D)** Development Standards. All development within the -SC overlay zoning district shall comply with all applicable provisions of the Performance Standards for Hillside. Development and Urban Design Standards of Chapter 17.20, the Scenic Corridor Development Guidelines adopted by the council, all applicable provisions of this development code, and any applicable specific plan, master plan corridor design plan or design guidelines.
- 17.20.050(A)** Biotic resource protection. The following Performance Standards for Biotic Resources shall apply to all development projects:
1. Disturbances of biotic resources shall be avoided, to the extent feasible as determined by the review authority.
 2. Vegetative resources which contribute to habitat carrying capacity (vegetative species diversity, faunal resting areas, foraging areas and food sources) and other significant biotic features are to be preserved in their existing location and condition.
 3. The significant impacts identified in Table 6-2 in Chapter 17.60 shall be avoided, to the extent feasible as determined by the review authority.
- 17.20.055** Cluster development Standards.
- A. Cluster Development Standards for HM and RR Zones. In accordance with General Plan policies, clustered development standards allow for superior subdivision design in situations where sensitive or significant natural features warrant preservation or conservation. By adhering to the following standards, clustered development will generally result in the preservation of a greater amount of open space with fewer impacts to the environment, including reduced site grading and a reduced development footprint, fewer oak tree impacts, fewer biological impacts, and minimization of the urban-wildland interface. Accordingly, the following standards apply to all clustered development projects:
5. Where an average slope for a project exceeds twenty (20) percent, dwelling units should be clustered together on the more level portions of a site and steeper areas should be preserved in a natural state.
 7. The following factors, among other relevant factors, shall be balanced to determine the location of lots: topography and efficiency of access, preservation of open space, need for secondary access, geologic hazards and constraints, visual impacts, and conservation of natural resources and landscape features.

9. The open space shall be generally configured as large, contiguous areas of undisturbed native habitat capable of serving the various purposes of such open space, including view preservation of the natural areas, habitat preservation and wildlife corridor preservation. The open space set aside calculation should not include lawns, landscaping, manufactured slopes, or other artificially landscaped features but may include habitat restoration areas.

17.20.150(A) Performance Standards. All development shall comply with the applicable performance standards of this chapter. These include, but are not limited to the performance standards for hillside development addressing grading, project site planning, architectural design, landscape treatment and slope maintenance, and hazards (seismic, geologic and fire).

17.20.150(B) Performance Standards for Hillside Development. Grading and project design shall conform to the city's grading ordinance (Title 15) and the following standards:

1. Projects within hillside areas shall be designed to protect important natural features and to minimize the amount of grading. To this end, grading plans shall conform to the following guidelines:

a. Slopes less than ten (10) percent: For property on slopes less than ten (10) percent, redistribution of earth over large areas may be permitted.

b. Slopes between ten (10) and twenty (20) percent: Some grading may occur on property on slopes between ten (10) and twenty (20) percent, but landforms must retain their natural character. Padded building sites may be allowed, but split level designs, stacking and clustering are required to mitigate the need for large padded building areas.

c. Slopes between twenty (20) and thirty (30) percent: Limited grading may occur on property on slopes between twenty (20) and thirty (30) percent; however, major topographic features including ridge lines, bluffs, rock outcroppings, and natural drainage ways shall retain their natural landforms. Special hillside architectural and design techniques shall be required in order to conform to the natural land form, by using techniques such as split level foundations of greater than eighteen (18) inches, stem walls, stacking and clustering.

d. Slopes between thirty (30) and fifty (50) percent: Development and limited grading can occur on property on slopes between thirty (30) and fifty (50) percent, but only if it can be clearly demonstrated that safety hazards, environmental degradation, and aesthetic impacts will be avoided. Variable setbacks and building structural techniques (e.g., stepped or post and beam foundations) is required for development and limited grading on these properties. Structures shall blend with the natural environment through their shape, materials and colors. Impact of traffic and roadways is to be minimized by following natural contours or using grade separations.

e. Slopes greater than fifty (50) percent: Except in areas limited in size and in isolated locations development in areas with slopes greater than fifty (50) percent shall be avoided.

The intent of this section is to limit the amount of grading on the steeper portions of a lot. In order to ensure compliance with the intent of this section, the director may require a slope analysis to determine areas and subareas of different slope conditions

17.20.150(B)2: Grading and project design shall address and avoid impacts to habitat linkages and wildlife corridors.

17.20.150(B)3 Overall project design and layout shall adapt to the natural hillside topography and maximize view opportunities to and from a development. A development should preserve the hillside rather than alter it to fit the development.

- 17.20.150(B)6** Structures shall be sited in a manner that will
- Fit into hillside contours and the form of the terrain;
 - Retain outward views from the maximum number of units and maintain the natural character of the hillside; and,
 - Preserve natural hillside areas and ridgelines views from the public right-of-way.

17.20.150(B)12: The overall scale and massing of structures shall respect the natural surroundings and unique visual resources of the area by incorporating designs which (i) minimize bulk and mass, (ii) follow natural topography, and (iii) minimize visual intrusion on the natural landscape.

17.13.020(A)4: Residential district general development standard. Densities greater than the minimum may be permitted up to the maximum *only if the impacts of the proposed development are less than those identified in Table 6-2 (Development Impacts of Individual Development Projects)* in Chapter 17.60 and are consistent with the performance standards in Chapter 17.20.

Table 6-2 Development Impacts of Individual Development Projects	
Issue	Development Impact
Preservation of Open Space	A new discretionary development project that would prevent the city from achieving (i) its open space objective of 4,000 acres of designated natural open space within the city limits, or (ii) an open space network of protected areas with a high degree of visual and physical continuity.
Hillside Management	Discretionary development projects that are not in compliance with hillside grading performance standards.
Biotic Resources	A discretionary development project that results in a net loss of habitat value in an area mapped as a significant ecological area, wildlife linkage or corridor on General Plan Conservation Element Figure IV-1, or that is otherwise identified as an area containing any biological species or habitat identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service. Figure IV-1 is to be updated periodically. The construction of channelized flood control works, debris basins, and retention/detention facilities within a perennial or intermittent stream or wetlands area and any net loss of wetland area.
Air Quality	<ul style="list-style-type: none"> A discretionary development project that: Interferes with attainment of Federal or State ambient air quality standards, hinders attainment of the greenhouse gas emission reduction objectives of AB 32, or is inconsistent with the AQMP. Causes a violation of the State's one hour or eight hour standard for carbon monoxide (CO).
Water Resources	<ul style="list-style-type: none"> A discretionary development project that: Involves an amendment to the zoning map that increases water consumption beyond water supplies available from the Las Virgenes Municipal Water District. Fails to incorporate best management practices in plumbing fixtures or is inconsistent with the city's Water Efficient Landscape Criteria. Is located in an area for which providing reclaimed water supplies is feasible, and could legally use reclaimed water supplies, but is not designed for such use. <ul style="list-style-type: none"> Is inconsistent with applicable NPDES permit requirements.

Soil Conservation	A discretionary development project where grading or subsequent operations result in deposits of soils on public streets or on downstream properties at a rate greater than natural erosion. Employment of "best management practices" and compliance with applicable NPDES requirements are presumed to reduce the impacts of a development to a less than significant level.
Energy Conservation	A discretionary development project that does not meet all applicable Title 24, California Code of Regulations and Calabasas Green Building Ordinance energy conservation requirements, and, in addition, does not employ best management practices for passive energy conservation.
Solid Waste Management	A discretionary development project inconsistent with the city's Source Reduction and Recycling Element.
Mineral Resources	Any extraction of mineral resources for off-site use that is inconsistent with the hillside management provisions of the General Plan.
Seismic, Geologic, Flooding, and Fire Hazards	<ul style="list-style-type: none"> • A discretionary development project that does not meet Title 15 of this Code. • Placement of a discretionary development project within a FEMA 100-year flood zone unless FEMA issues a letter of map revision indicating that the site has been removed from the 100-year flood zone. • Placement of development adjacent to a creek that has shown evidence of past erosion unless a hydrology study indicates that the project will not be subject to erosion-related damage and will not create further downstream erosion.
Noise	<ul style="list-style-type: none"> • A discretionary development project that: Would create noise in excess of the standards outlined in the Calabasas Noise Ordinance. • Is located in an area that currently exceeds or will exceed the "normally acceptable" range for the proposed use, as outlined on Figure VIII-3 of the General Plan Noise Element, unless mitigation can either reduce exterior noise levels to the normally acceptable level or achieve an acceptable interior noise level (45 dBA CNEL for residences) • Would generate traffic noise that would be audible at a sensitive receptor location and would increase the long-term CNEL along a roadway by <ul style="list-style-type: none"> — 7 dB or more where the existing CNEL is less than 50 dBA — 5 dB or more where the existing CNEL is between 50 dBA and 55 dBA — 3 dB or more where the existing CNEL is 55 dBA and 60 dBA — 2 dBA or more where the existing CNEL is between 60 dBA and 50 dBA — 1 dBA or more where the existing CNEL is between 65 dBA and 75 dBA — Any amount where the existing CNEL is greater 75 dBA
Hazardous Materials	A discretionary development project that is inconsistent with the most current Los Angeles County Hazardous Waste Management Plan.
Disaster Response	A discretionary development project that would be inconsistent with adopted standards of the city or other disaster response agency.
Population Growth	A discretionary development project that would result in a population or employment increase in excess of that included in SCAG's regional forecasts for the City of Calabasas, as accepted by the city,
Housing	<p>A discretionary development project that:</p> <ul style="list-style-type: none"> • Prevents the city from meeting its share of regional production needs (Table V-3 of the General Plan Housing Element) <ul style="list-style-type: none"> • Results in the net loss of any subsidized affordable housing units • Results in the net loss of rental housing at any time the vacancy rate for rental housing is below five percent (5%)

Land Use	<ul style="list-style-type: none"> • A discretionary development project that: Would cause significant impacts on other properties based on other standards included in this table • Is inconsistent with standards contained in the development code unless it can be demonstrated that a variance from applicable standards would not cause significant impacts on other properties based on other standards included in this table
Circulation	<ul style="list-style-type: none"> • A discretionary development project that: Roadway level of service along nearby streets exceeds the performance objectives outlined in the "Vehicular Circulation" objectives of the General Plan Circulation Element: <ul style="list-style-type: none"> — Prior to project development — Subsequent to project development — At General Plan buildout; and • The project will create a peak hour volume-to-capacity (V/C) increase in excess of the criteria outlined in General Plan Circulation Element Table VI-3.
Fiscal Management	A discretionary development project that increases the cost or lowers the level of municipal services or facilities that are being provided to existing development.
Community Design	A discretionary development project that would be inconsistent with a policy of the General Plan Community Design Element
Historical and Cultural Resources	A discretionary development project that impacts an identified historical or archaeological resource pursuant to Section 15064.5 of the State CEQA Guidelines or would be inconsistent with the city's Historic Preservation Ordinance.
Parks and Recreation	<p>A discretionary development project that:</p> <ul style="list-style-type: none"> • Prevents the use of an existing or proposed public or private park; or • Does not provide mitigation for increased demand for parks as required by this Development Code
Municipal Services and Facilities	<p>A discretionary development project that:</p> <ul style="list-style-type: none"> • Would not meet adopted performance standards of the affected municipal service or facility provider; or • Reduces the level of service provided to existing development below adopted performance standards of municipal service and facility providers; or ;eoll; • Results in any further reduction in the level of service to existing development where the level of service being provided to existing development is already below the adopted performance standards of municipal service or facility providers.
Responsible Regionalism	A discretionary development project that would create impacts in excess of these standards outlined in this table within other jurisdictions without providing offsetting benefits to those jurisdictions.
Quality of Life	<p>A discretionary development project that:</p> <ul style="list-style-type: none"> • The increase in nighttime intensity of light would be inconsistent with the city's Dark Skies Ordinance; or • Humidity, heat, cold, or glare is noticeable without instruments by the average person on an adjacent property; or • Unpleasant odors are created that would be perceptible by the average person on an adjacent property.

SOS SAVE OPEN SPACE

SANTA MONICA MOUNTAINS

May 3, 2021

Re: West Village Recirculated EIR with inadequate alternative analysis

Dear Calabasas City Council:

There is a feasible alternative as there is plenty of flat pad well away from the landslide. This superior alternative will save the resource protected scenic hillside in perpetuity and be consistent with OS-RP General Plan designation and the OS-DR zoning. This superior alternative will not require grading away the landslide which results in manufactured slopes and a "superpad" for the proposed development.

Your CEQA document is inadequate in that it does not have this alternative. This alternative meets the objectives of the project including requiring the essential 10% affordable housing. This feasible alternative would allow the council to not have to file a "Statement of Overriding Considerations" on the aesthetic impacts of moving the landslide and forever destroying the scenic hillside. This feasible alternative would save the majority of the protected oak trees. The fact is that: " There is plenty of flat pad located well away from the toe of the landslide that can be safely developed."

In order to meet the requirements of CEQA law, we request Calabasas City Council members include this new feasible alternative on the existing flat project area which: allows the required 10% affordable housing and preserves the protected OS-DR hillside

This new feasible alternative can and will meet the project objectives:

- 1) Preserves the OS-DR zoning and General Plan OS-RP.
- 2) Project on this flat pad is functionally compatible with the site condition, the protected oaks, and the environment.
- 3) Does establish a "village center" with 10 % affordable housing, some condos and retail commercial.
- 4) Creates and establishes a new public "recreational trail" shaded by the protected oaks.
- 5) Preserves and protects OS-RP open space as required. This then upholds the quantity of open space in the city which is consistent with the 2030 General Plan Open Space element.

This particular landslide left in its natural state is stable and is not a potential hazard. It is not a good scientific comparison to use the massive 600 ft high La Conchita landslide. There was agricultural watering at the top. There is the Red Mountain fault which extends through this

landslide's headscarp and the La Conchita landslide has many recorded episodes of recent movement within the last 100 years.

In the inadequate alternatives of this recirculated EIR, moving and destroying the landslide (GP designated OS-RP land) is considered development and removes and permanently destroys resource protected open space to become part of the manufactured slopes of this development. Per CMC 17.20.055(A)9: Grading on OS-DR land permanently changes its undisturbed, natural condition. Changing OS-DR land to manufactured slopes excludes it from the open space set aside calculation as specified in CMC 17.20.055(A)9 - Cluster development standards. If the land is excluded as open space, then there has been a change that triggers Measure D.

Please do not vote to certify this inadequate EIR. Please add this lower density alternative utilizing existing flat project areas with the required 10% affordable housing. Please deny the alternatives which remove the hillside to create a "superpad" and permanently destroy protected resource OS-RP designated land with manufactured slopes.

Mary Wiesbrock
Mary Wiesbrock, Chair

cc/ Alyse Lazar, Esq.

17.16.030 - Voter approval required for redesignation of open space for non-open space use.

A. Voter approval required as follows:

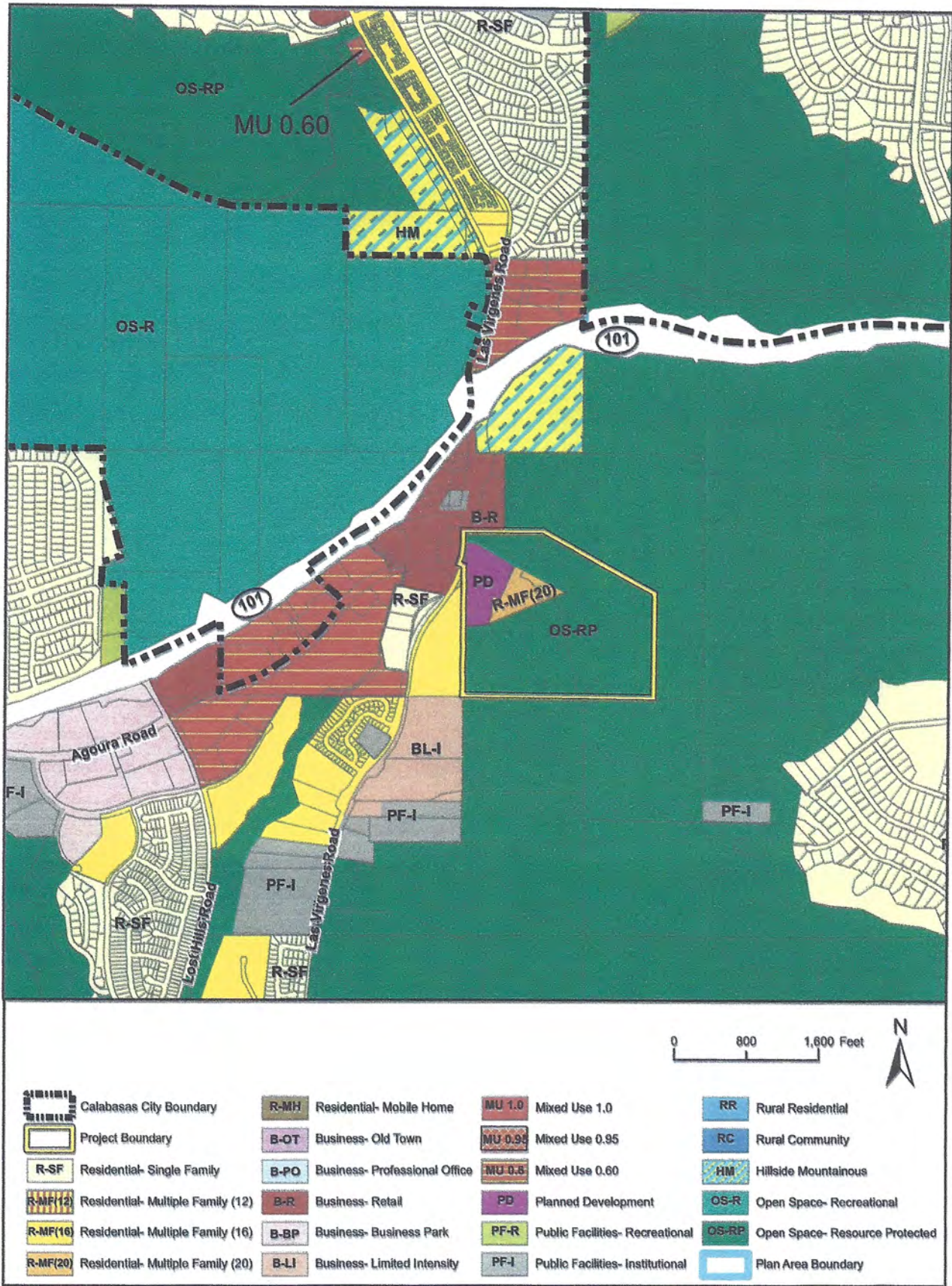
1. No amendment to the General Plan or any specific plan that would redesignate for non-open space use of any property in the city designated OS-R or OS-RP by the Land Use Map of the Calabasas General Plan, adopted on December 10, 2008 by Resolution Number 2008-1159 shall be effective for any purpose until that amendment has been approved by two-thirds of the voters of the city casting votes on the question. Prior to the placement of such amendment on the ballot, the city shall follow the procedures required by local, state, and federal law, including the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. f. Such an amendment may take effect only upon two-thirds approval of those casting votes on the question.
2. No amendment to the General Plan or any specific plan that would redesignate for non-open space use any property in the city designated PF-R by the Land Use Map of the Calabasas General Plan, adopted on December 10, 2008 by Resolution Number 2008-1159 shall be effective for any purpose without compliance with the applicable requirements of California law related to the protection of park lands, including Government Code Sections 25550.7, 37111, 37111.1, 38440 through 38462, 38501 through 38510 and Public Resources Code Sections 5400 et seq. If any future amendment of these sections reduce or eliminate requirements for a supermajority council vote or for a vote of the city's electorate, then such supermajority council vote or vote of the electorate shall continue to be required for the redesignation for non-open space use of property in the city designated PF-R.

B. Subsection A. of this section shall not apply to:

1. Amendments determined by the council, on the advice of the city attorney, to be necessary to avoid an unconstitutional taking of private property or otherwise required by law;
2. Reorganization, renumbering or updating elements of the General Plan in accordance with state law, provided that such actions do not reduce the property designated OS-R, OS-RP, and PF-R; or
3. Amendments which facilitate any of the following land uses: uses permitted in the PF land use district; uses in support of open space uses such as bus shelters, parking facilities, and comfort stations; and public utility facilities (e.g., antennae and pipelines).

C. Any land designated OS-R, OS-RP or PF-R after July 20, 2005, shall become subject to the requirements of this section upon such designation.

(Ord. No. 2010-265, § 3, 1-27-2010; Ord. No. 2015-325, § 2, 11-3-2015)



May 3, 2021

Dear Mayor Bozajian and City Council Members:

I appreciate the opportunity to comment on the West Village at Calabasas (“West Village”) proposed project. This project conflicts with the General Plan and the Calabasas Municipal Code, which requires denial of this project.

My comments will encompass both the original West Village proposal, as well as Alternative 5, unless noted. The two proposals have the same project footprint, development area and virtually the same impacts (as noted in the Recirculated EIR numerous times). The proposals differ in the number of residential units (180 for West Village; 146 for Alternative 5) and the number of buildings (15 for West Village; 22 for Alternative 5).

I think that most residents will acknowledge that *something* will be built on the land. Given the environmental constraints, the City must make sure it’s the right project for this site. I write this without hyperbole: if this project is approved, it will render the Open Space-Development Restricted designation meaningless. At the crux of your decision is whether OS-DR land can be permanently altered by development. If allowed, it would be a significant realigning of our city’s values and in opposition to our city’s founding principles.

The West Village at Calabasas EIR described the project as: *“The planned development would convert a portion of the site’s natural areas, which contain natural hillsides, oak trees, seep-fed wetland features, and ephemeral drainages, into graded pads designed to support buildings, roadways, drainage improvements, and re-contoured and remediated slopes. Overall, proposed grading would involve re-contouring the existing hillsides and filling the existing canyon feature to create a series of building pads.”*

The proposed project would grade just over 2.6 million cubic yards of earth, with 90% of it being done to remediate an ancient landslide in Open Space-Development Restricted land. Alternative 5 proposes an additional 11,000 cubic yards. To give you some perspective, the adjacent Paxton project grading was 161,700 cubic yards¹; West Village is sixteen times that amount of grading.

As you read the rest of my comments, please keep in mind the Calabasas Municipal Code’s definition of development²:

Development means any grading or construction activity or alteration of the land, its terrain contour or vegetation, including the addition to, erection, expansion, or alteration of existing structures.

General Plan:

The General Plan’s approach in the Open Space Element is to recognize basic property rights, limit the intensity of development to that which is consistent with environmental values and the carrying

¹ Paxton MND, p. 19

² CMC 17.90.020 Definitions

capacity of the land.³ The proposed 2.6 million cubic yards of grading over 35 acres indicates that this development exceeds the carrying capacity of the land; it's the wrong development for this site.

The General Plan notes that its policy (III-2) is to limit development intensity within lands designated as open space to that which is in keeping with the community's environmental values and will avoid significant impacts to environmental features, including riparian areas, wildlife habitats, wildlife movement corridors and habitat linkages. The General Plan makes an important distinction with Open Space-Development Restricted land that there is no basic (nor maximum) land use intensity allowed for OS-DR lands⁴

One of the defined functions of Open Space is Protection of Public Health and Safety⁵:

"Hillside areas within Calabasas are potentially unstable platforms for development and are also susceptible to wildfire. Thus, the General Plan includes policies and criteria to provide a margin of safety and protection against slope failure and wildfire. The application of these criteria will minimize the extent of hillside development and potentially increase the amount of land designated as open space. Also, maintaining open space lands in their natural state, and, correspondingly, restricting new development to infill areas and along only the fringes of the City's existing built-up areas, reduces exposure to wildfire.

The Approach to Hillside Management lays out the risks and approach to management:

"If development is improperly planned, the very amenities that people seek as precious attributes of hillside living can be altered or destroyed. In addition, the cumulative effects of improper hillside development can include alteration of sensitive biological habitats and habitat linkages, erosion and degradation of water quality, increased downstream runoff and flooding problems, slope failures, fire hazards.... Generally speaking, hillsides are unstable landforms. Consequently, development on hillsides increases the likelihood of soil erosion, silting of lower slopes, slope failure, and flooding. In addition, despite the best efforts of geologists and civil engineers, manmade slopes created by development within hillside areas can be subject to slope failure.

Overall, the preferred option for undeveloped hillside lands is to maintain them in their natural condition. However, as a means of balancing the desire and need for preserving hillside areas with a recognition of property rights, the General Plan defines those areas that, because of their environmental significance, require varying degrees of protection, and also provides for areas where development and varying degrees of landform modification may occur.... The basic development intensities of the land use map in the Land Use Element aim to maximize the amount of hillside area left in a natural state."

The General Plan permits the basic land use intensity if a project is consistent with the General Plan's goals, objectives, approaches, policies and performance standards. However, a greater intensity (up to the maximum) is permitted only if the impacts of the development are less than those listed in the "Maximum Acceptable Development Impacts" Table 6-2 in the Calabasas Municipal Code⁶. The first three impacts in that table are Preservation of Open Space, Hillside Management and Biotic Resources. Both West Village and Alternative 5 would create negative impacts in each of these categories.

³ General Plan Approach, Open Space Element

⁴ General Plan Land Use Element, Table II-1

⁵ General Plan Open Space Element, p. III-11

⁶ General Plan Policy II-15

Impacts to Preservation of Open Space:

The CMC defines the purpose of the Open Space District⁷:

“The OS zoning district is intended for areas of the city identified by the General Plan as having important environmental resources and hazards. The OS zoning district is consistent with the open space-resource protection land use district of the General Plan.”

And,

“OS-DR (Open Space-Development Restricted) District. The OS-DR zoning district is intended for areas of the city with existing open space that have been development restricted through the use of deed restrictions, conservation easements or dedications of common open space as part of an approved subdivision. The OS-DR zoning district will also accommodate publicly owned open space land.”

The land in question has remarkable environmental resources, as well as a hazard. That determined the Open Space zoning. The City went one step further and assigned it OS-DR zoning to restrict development of the land.

The CMC defines open space in its Cluster development standards⁸:

“The open space shall be generally configured as large, contiguous areas of undisturbed native habitat capable of serving the various purposes of such open space, including view preservation of the natural areas, habitat preservation and wildlife corridor preservation. The open space set aside calculation should not include lawns, landscaping, manufactured slopes, or other artificially landscaped features but may include habitat restoration areas.”

Note the term “undisturbed native habitat.” The developer proposes converting approximately 20 acres of Open Space-Development Restricted land into manufactured slopes. Regardless of whether they plant native habitat on those slopes, they are still *manufactured* slopes and cannot be counted as open space, per the CMC. If this development is approved, the City loses 20 acres of open space. This conflicts with the Development Impacts in CMC’s Table 6-2.

The EIR tries to make the argument that certain temporary use of OS-DR land is permissible. However, the use proposed for both the original West Village and Alternative 5 are *permanent* uses. Once natural slopes are converted to manufactured slopes, they remain that way. The miles of concrete V-ditches that will be poured onto those manufactured slopes are *permanent*. Because of the new, permanent use of the OS-DR for development, the total number of acres permanently impacted will be 35.8 acres, not the 11.13 acres the developer claims.

In their comments about counting manufactured slopes⁹ as open space, the California Department of Fish and Wildlife explained how “the value of this open space would be dramatically reduced for native plants and animals.” California Native Plant Society echoed the remarks. I strongly urge you to read the comments they submitted for the West Village proposal. Heal the Bay also submitted comprehensive comments regarding water quality and wetlands on the site that should be read.

At the 4/21/2021 Planning Commission public hearing for the project, the Assistant Attorney quoted¹⁰ Measure D¹¹, purporting that it allowed development on open space lands. He highlighted subsection B(3), which lists exceptions to Measure D:

⁷ CMC 17.16.010(C)

⁸ CMC 17.20.055(A)9

⁹ CDFW, CNPS & Heal the Bay Comments 2/19/2019

¹⁰http://calabasas.granicus.com/MediaPlayer.php?view_id=4&clip_id=7107, timestamp 033320

“Amendments which facilitate any of the following land uses: uses permitted in the PF land use district; uses in support of open space uses such as bus shelters, parking facilities, and comfort stations; and public utility facilities such as antennae and pipelines.”

There is no permitted use of OS-DR land other than temporary filming. The recontouring of natural open space hillsides into manufactured slopes and installing miles of concrete v-ditches is permanent development. It is not “in support of open space uses such as bus shelters, parking facilities, and comfort stations”. Allowing the conversion of OS-DR land to manufactured slopes (development, per the CMC) would be a de-facto rezoning of OS-DR lands without voter approval. That is a violation of Measure D. Voters overwhelmingly supported the protection of open space in the City by passing Measure D with 84% approval. Measure O, which removed the sunset clause of Measure D, passed in 2015 with 97.6% voter approval. If the Council considers approving these actions, *it requires a vote of the people* .

The CMC is clear on allowable uses. Table 2-2 in the CMC lists allowable land uses. The only use that is listed for OS-DR zoning is temporary filming. As an example of the extent the OS-DR is supposed to be protected from other uses, the only signs that are allowed on OS-DR are for educational or directional signs for the purpose of identifying trails or other amenities in the OS-DR.¹²

The CMC allows acknowledges that not every conceivable land use could be written into the CMC. That’s why it gives the Community Development Director (CDD) the authority to make a “determination of similar use.” The CDD makes a determination of similar use if the proposed use is similar to one or more other permitted and listed uses.¹³ The CMC states the CDD¹⁴:

“... may attach restrictions to the use, in addition to those required by this development code, which will ensure that the use:

- b. Will not injure the value of adjoining or abutting property;*
- c. Will not result in any significant environmental damage*
- e. Will be in conformity with the General Plan and/or applicable specific plan(s).”*

The proposed project will cause at least one of the homes in The Colony to take a hit on its property value due to the proximity of the proposed project’s buildings. My comments will cover the environmental damage the proposed project will inflict and how it does not comply with the General Plan and other specific plan(s).

Additionally, when making a determination of similar use, certain findings must be made¹⁵. Among those are:

- 1. The proposed use meets the intent of, and is consistent with, the goals, objectives and policies of the adopted General Plan;*
- 2. The proposed use meets the stated purpose and general intent of the zoning district in which the use is proposed to be located;*
- 4. The proposed use shares characteristics common with, and is not of a greater intensity, density or generate more environmental impact than, those listed in the zoning district in which it is to be located.*

I believe it’s a reasonable conclusion to say that recontouring OS-DR hillsides into manufactured slopes does not meet the stated purpose and general intent of OS-DR. The proposed use is clearly of a greater intensity, density and will generate more environmental impact than the listed uses of OS-DR.

¹² CMC 17.30.030(C)

¹³ CMC 17.11.020(A)1.

¹⁴ CMC 17.11.020(A)2

¹⁵ CMC 17.11.020(C)

At the 4/21/2021 public hearing, Commissioner Mueller stated, *“I don’t recall a project that involved such a significant impact in an area that has close to fifty oak trees... That’s a significant intrusion on that property.”*¹⁶ It’s worth noting that at 2.6 million cubic yards of grading, it’s significantly more intrusive than its predecessor, Canyon Oaks (2.1 million cubic yards). In a referendum, voters across the City rejected Canyon Oaks by a margin of nearly 2:1.

A document dated May 13, 2014 was used by City staff to conduct a presentation in preparation for the annexation of several parcels along Agoura Road¹⁷. Two of the undeveloped parcels were to have the land use designation Open Space-Resource Protected (OS-RP). The presentation included the following statements in support of the land use designation and zoning:

“The proposed land use designations will preserve and strengthen the existing land use patterns, and will not invite or encourage any further development.” (emphasis in original document).

“On page II-15 of the Land Use Element and Page III-2 of the Open Space Element, language is being added to each table to clarify that there are two zoning designations (OS and OS-DR) that correspond with the OS-RP land use designation, and that no development is allowed on lots zoned OS-DR.” (emphasis in original document).

The clear intent of that language and emphasis in the City’s document is protection of OS-DR land and that “no development is allowed”.

Impacts to Hillside Management:

The proposed project and Alternative 5 are grossly out of compliance with the CMC’s Hillside Management. Performance Standards for Hillside Development are specified in CMC 17.20.150(B):

“Grading and project design shall conform to the city’s grading ordinance (Title 15) and the following standards:

1. Projects within hillside areas shall be designed to protect important natural features and to minimize the amount of grading.

The code further makes clear:

“The intent of this section is to limit the amount of grading on the steeper portions of a lot.”

2. Grading and project design shall address and avoid impacts to habitat Linkages and wildlife corridors.

3. Overall project design and layout shall adapt to the natural hillside topography and maximize view opportunities to and from a development. A development should preserve the hillside rather than alter it to fit the development.

6. Structures shall be sited in a manner that will:

a. Fit into hillside contours and the form of the terrain;

b. Retain outward views from the maximum number of units and maintain the natural character of the hillside; and,

c. Preserve natural hillside areas and ridgelines views from the public right-of-way.

12. The overall scale and massing of structures shall respect the natural surroundings and unique visual resources of the area by incorporating designs with (i) minimize bulk and mass, (ii) follow natural topography, and (iii) minimize visual intrusion on the natural landscape.

Note use of the word “shall”, which makes these standards mandatory. The project proposes filling in the canyon in order to accommodate a larger development than what the land allows. That is wildly inconsistent with these standards. West Village and Alternative 5 do not minimize the amount of

¹⁶ http://calabasas.granicus.com/MediaPlayer.php?view_id=4&clip_id=7107, timestamp 014107

¹⁷ <https://www.cityofcalabasas.com/home/showdocument?id=11447>

grading, protect important natural features, or follow the natural topography. The analogy of trying to fit a square peg in a round hole comes to mind. The proposed project is the antithesis of these codes.

CMC 17.20.070(C) states:

“Proposed development and new land uses within a scenic corridor designated by the -SC overlay zoning district shall comply with the city’s Scenic Corridor Development Guidelines.”

Especially pertinent among those guidelines is:

“Grading shall be kept to an absolute minimum.”

Use of the word “shall” leaves no wiggle room.

CMC 17.18.040 lays out requirements within the -SC overlay zone:

Scenic Corridor (-SC) overlay zone.

A. Purpose. The purpose of the -SC overlay zoning district is to protect an important economic and cultural base of the city *by preventing the destruction of the natural beauty and environment of the city*; to safeguard and enhance property values; to protect public and private investment, buildings *and open spaces*;

D. Development Standards. All development within the -SC overlay zoning district *shall comply with all applicable provisions of the Performance Standards for Hillside Development and Urban Design Standards of Chapter 17.20, the Scenic Corridor Development Guidelines adopted by the council, all applicable provisions of this development code, and any applicable specific plan, master plan corridor design plan or design guidelines.*

The Las Virgenes Gateway Master Plan (LVGMP) would be one of the “applicable specific plan, master plan corridor design plan” referenced in 17.18.040(D). It states its policy for Hillside Management:

Minimize the alteration of existing land forms and maintain the natural topographic characteristics of hillside areas, allowing only the minimal disruption required to recognize basic property rights.

With 2.6 million cubic yards of grading and filling in the canyon, the proposed project and Alternative 5 are far from “only the minimal disruption”. West Village and Alternative 5 far exceed basic property rights. The original proposed project asks for 180 units, which is the maximum build out for residential units. The CMC and the General Plan¹⁸ both state:

“Densities greater than the minimum may be permitted up to the maximum only if the impacts of the proposed development are less than those identified in Table 6-2 (Development Impacts of Individual Development Projects) in Chapter 17.60 and are consistent with the performance standards in Chapter 17.20”

And,

“Allowed density will be determined through the conditional use permit process, and the maximum density may be approved only where the project complies with all applicable provisions of the development code.”

The General Plan reminds us

*“The assignment of maximum development intensity to the land uses identified on the General Plan Land Use Map does **not** imply that all parcels could be developed at their maximum intensity or that any specific parcel is entitled to the maximum intensity.”* (emphasis in original)

Both projects are inconsistent with the CMC. Both must be denied.

¹⁸ CMC 17.13.020(A)4, General Plan Land Use Policy II-15

Impacts to Biological Resources/Wildlife Linkage and Corridor:

One of the biggest impacts for which there is no mitigation is the 25% loss of Wildlife Linkage and Corridor. The developer cites the use of wildlife-friendly fencing as a mitigation measure. *Fencing does not make up for the elimination of one quarter of the Wildlife Linkage and Corridor.* CMC 17.20.150(B)2 is clear:

“Grading and project design shall address and avoid impacts to habitat linkages and wildlife corridors.” Once again, note the use of the word “shall” in the code. Fencing does not address loss of acreage. This loss is unmitigated. Both West Village and Alternative 5 do not comply with the CMC.

The Las Virgenes Gateway Master Plan, which must be followed, per CMC 17.18.040(D), states its policy for Biotic Resources:

“Ensure that new development protects riparian areas, oak woodlands, habitat linkages and other biologically sensitive habitats.”

Neither project protects habitat linkages. Furthermore, the California Department of Fish and Wildlife emphasized the importance of the Wildlife Linkage and Corridor for California mountain lions. Mountain lions in Southern California have been listed as part of CDFW’s evolutionarily significant unit (ESU). This affords Southern California mountain lions protection under the California Endangered Species Act (CESA) during the review period to determine their listing. While actual sightings are rare, we know mountain lions *are* in Calabasas. In September 2020, a mountain lion was killed trying to cross the 101 freeway near Parkway Calabasas. It was photographed within sight of the Bob Smith car dealership, about two miles from the Wildlife Linkage and Corridor – not very far for a mountain lion.

In one of the EIR Responses that I received, it was stated that the City had not established a minimum width for the Wildlife Linkage and Corridor. A minimum width does not need to be set. We have codes and policies that protect the existing Wildlife Linkage and Corridor. A twenty-five percent loss of that Linkage and Corridor conflicts with the CMC and the applicable Master Plan.

The OS-DR land in question is rich and vibrant. It’s home to five species that the California Department of Fish and Wildlife consider Special Animals. It’s home to near-rare plants (Catalina Mariposa lily and California black walnut). Four year-round, spring-fed wetlands are crucial to the survival of many species. The developer proposes paving over and relocating these rare and fragile ecosystems. I posed a question in one of my comment letters asking for statistics on the success/failure rate of reconstructed wetlands. It was never answered. I later received my answer by reading comments submitted by Heal the Bay which stated:

“Nationwide, methods to replace wetlands have largely proven unsuccessful in fully recreating the biodiversity and habitat lost in areas where the wetlands have been impacted or destroyed. Research shows that in general, mitigation requirements in 401 and 404 permits have been shown to be insufficient to ensure high performance in mitigated wetlands.”

For a better picture than I can provide of the impacts to biological resources, I urge you to reread the previous comments by California Department of Fish and Wildlife, California Native Plant Society, Heal the Bay and Santa Monica Mountains Conservancy.

Landslide in OS-DR:

The developer contends that the ancient landslide in OS-DR land is now a major public safety hazard that must be remediated for any development on the project site. At the 4/15/21 Planning Commission hearing, City staff confirmed that there were no new studies or borings done and that the landslide “is

one of the most well-studied sites in this city, throughout our history.”¹⁹ Yet throughout the years, there was never a mention that remediation was necessary, regardless of project size. One of Rincon’s geologists also worked on our city’s General Plan. And yet no mention of the supposedly imminent public safety hazard was ever mentioned. At the 7/18/2019 public hearing, the City engineer stated that the landslide wasn’t even on the City’s “watch list”. Robert Yalda testified that no mitigation would be necessary if the project did not go forward.²⁰ Just over a minute after that statement, Mr. Yalda stated that it would not slide into Las Virgenes Road. The 2019 public hearing included testimony that this ancient landslide is not a hazard because it is buttressed by the north wall of the canyon. After examining all of the data presented and testimony by the City engineer at the 2019 public hearings, then-Commissioner Kraut concluded “...the proposed landslide mitigation within the open space is simply to maximize the developable land...The development is the reason we’re mitigating the landslide.”²¹ Remediating the landslide in OS-DR land is simply a scheme by the developer to enable a larger project than what the land can carry.

The General Plan is clear in its approach to development in/near landslide areas:

*“...despite the best efforts of geologists and civil engineers, manmade slopes created by development within hillside areas can be subject to slope failure. Overall, the preferred option for undeveloped hillside lands is to maintain them in their natural condition. The General Plan defines those areas that, because of their environmental significance, require varying degrees of protection and also provides for areas where development and varying degrees of landform modification may occur.”*²²

Once again, the preferred management strategy is avoidance. The Open Space-Development Restricted land is zoned as such because of its environmental significance; it’s zoned “Development Restricted” for protection. If the OS-DR land was an area “where development and varying degrees of landform modification may occur” it would have been zoned differently.

Additionally, the General Plan’s Environmental and Infrastructure Constraints states:

“Consistent with Calabasas’ commitment to foster environmentally responsible development, the City’s 2030 General Plan Safety Element establishes the following policy:

*Policy VII-4 Discourage development within potential landslide areas with severe soil limitations as the City’s preferred management strategy, and a higher priority than attempting to implement engineering solutions.”*²³

Both West Village and Alternative 5, are inconsistent with the General Plan Policy. The General Plan clearly acknowledges that engineering solutions exist, but makes clear the *preferred* and *responsible choice* is discouraging development in potential landslide areas.

Wildfires:

The General Plan’s Safety Element policies for dealing with wildfires echoes its policy on landslides:

VII-14 Discourage development and encourage sensitive siting of structures within hazardous fire areas as higher priorities than attempting to implement fuel modification techniques that would adversely affect significant biological resources

The Recirculated EIR has a glaring omission: the recurring risk of wildfires. The EIR mentions the Woolsey fire only in the context of it not requiring a new EIR. The EIR mentions rare seismically-induced risks but ignores the reality of recurring wildfires in our area. The entire City of Calabasas is in a Very

¹⁹ http://calabasas.granicus.com/MediaPlayer.php?view_id=4&clip_id=7103, timestamp 013334

²⁰ http://calabasas.granicus.com/MediaPlayer.php?view_id=4&clip_id=6714, timestamp 004210

²¹ http://calabasas.granicus.com/MediaPlayer.php?view_id=4&clip_id=6714, timestamp 010313

²² General Plan Approach, Hillside Management, p. 77

²³ General Plan, Environmental and Infrastructure Constraints, p. 429

High Fire Risk Severity Zone, per Cal-Fire. The entire project site burned in the Woolsey fire. Since December 2018, CEQA has required that wildfire impacts be analyzed. CEQA 15126.2(a) states:

“The EIR shall also analyze any significant environmental effects the project might cause or risk exacerbating by bringing development and people into the area affected. For example, the EIR should evaluate any potentially significant direct, indirect, or cumulative environmental impacts of locating development in areas susceptible to hazardous conditions (e.g. floodplains, coastlines, wildfire risk areas), including both short-term and long-term conditions, as identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazard areas.” (emphasis in original)

This goes beyond just assuring the City that development will be built to code and certain sprinklers or roofing material will be used. The EIR is deficient because this analysis has not been included.

A small portion of Las Virgenes Road was expanded to four lanes with the Paxton development. However, it bottlenecks down to just two lanes for the majority of the road south of the site. Las Virgenes Road is a designated disaster route, meaning that one lane must remain open for first-responder vehicles. This effectively reduces Las Virgenes Road to a single lane for evacuations. Woolsey and other smaller fires have shut down the 101, as well as Agoura and Mureau Roads, which are alternates to the 101. How many residents live south of the proposed site? How would this development impact evacuation in the Malibu Canyon area? What about Monte Nido and Malibu? Residents from all three communities would rely on a mostly single lane for miles for evacuation before it expands to another lane. How will building in a Very High Fire Hazard Severity Zone (in a box canyon nonetheless) impact fires in our area? Are we adding more fuel to the next wildfire? None of this is addressed. This omission renders the EIR deficient.

Possible Recommendation:

In considering approval for West Village or Alternative 5, the Tentative Tract Map cannot be approved without required findings. CMC 17.41.100(A) states:

Required Findings for Approval: The review authority may approve a tentative map only when it shall first find that the proposed subdivision, together with the provisions for its design and improvement:

- 1. Is consistent with the General Plan, and any applicable specific plan, and*
- 2. That none of the findings for disapproval in subsection (D) of this section can be made. The findings shall apply to each proposed parcel as well as the entire subdivision....*

The preceding pages show all the instances in which both West Village and Alternative 5 are inconsistent with the General Plan and applicable specific plans.

Item 2 above is what’s crucial. The findings for disapproval are easily met.

Subsection (D), Findings Requiring Disapproval:

A tentative tract map shall be denied if the review authority makes any of the following findings:

- 1. The proposed subdivision including design and improvements is not consistent with the General Plan or any applicable specific plan;*
- 2. The site is not physically suitable for the type or density of the proposed development;*
- 3. The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or injure fish or wildlife or their habitat;*
- 7. The proposed subdivision is not consistent with all applicable provisions of this development code, the Municipal Code, or the Map Act.*

Note the phrase “*shall be denied* if the review authority *makes any* of the following findings.” If just one of the above findings can be met, the Tentative Tract Map must be denied. Both West Village and Alternative 5 meet four of the Findings Requiring Disapproval.

At the April 21, 2019 Planning Commission public hearing, Commissioner Mueller recommended approval with a recommendation of 135 units (a 25% reduction from the original 180 units). This 25% reduction is an arbitrary number and does not reflect an improvement in the development impacts. As long as there is development south of the creek and there is grading (development, per CMC) in the OS-DR, there will be significant environmental impacts. Rather than stating a specific number of units, the *location* of units is what should have been specified.

The developer purchased this land in 2012. At the time of the purchase, it had the same zoning as today. It had the same geologic constraints in the Open Space-Development Restricted land that it has today. Every parcel of land has limitations and zoning restrictions. Just because 16 acres is zoned for development does not mean that it is developable. This developer cannot reasonably expect to develop a portion of land that's not zoned for development any more than I can expect to build a market in my yard. *It's not zoned for it.* The philosophy of our city's General Plan and our development code is that "development should fit the land." Clearly, neither West Village at Calabasas nor Alternative 5 fit the land.

I stated at the beginning of my comments, *something* will be built on the land. But because of the environmental constraints, the utmost care must be taken in approving a project for this particular site. The land can carry a much smaller project. The minimum area for Planned Development is five acres; however, it may be less,²⁴ provided the Community Development Director finds:

- (i) there's unique character to the site or to the proposed land use; and
- (ii) the proposed reduction is consistent with the goals of the General Plan

A smaller development would be far more consistent with our General Plan and CMC. There has been no community support for the proposed project and the previous proposed project because of the massive grading and intrusion into OS-DR land. A smaller, completely residential project could be proposed. A smaller project that is north of the creek can avoid development of the OS-DR land, avoid remediation of the landslide and avoid the environmental devastation that the West Village/Alternative 5 project will inflict. I also believe that the commercial component should be removed. The City has a glut of vacant commercial space. We do not need more. The community would be better served by using that square footage for residential units (how about affordable housing units?). I believe a development as I described could garner community support.

I noted in Impacts to Biological Resources that we have codes and policies that protect our Wildlife Linkage and Corridor. Our City has codes that define and protect Open Space-Development Restricted land. Our codes support denial of this project. But in order for the codes to actually work, we just need our decision-makers to implement them. I urge you to deny this proposed project and any of its current alternatives 2 through 5.

Best regards,
 Frances Alet
 Calabasas

²⁴ CMC 17.16.040 Planned Development additional standards

**Comments submitted for distribution to
the Planning Commission for the April
15 and 21, 2021 Planning Commission
Meetings and not included in
Attachment D, Exhibit Q**



CALIFORNIA NATIVE PLANT SOCIETY

Los Angeles / Santa Monica Mountains Chapter
15811 Leadwell Street Van Nuys, CA 91406-3113

April 12, 2021

Glenn Michitsch, Senior Planner
Community Development Department
100 Civic Center Way
Calabasas, CA 91302

Sent electronically to: gmichitsch@cityofcalabasas.com

RE: Comments to City of Calabasas Planning Commission

West Village at Calabasas

Dear Members of the Planning Commission,

I write to you on behalf of the Los Angeles / Santa Monica Mountains chapter of the California Native Plant Society. We urge you to deny the West Village plan, on the basis of this project proposal's significant ecological impact, negative effects on open space, and implications for wildfire risk. As our chapter and others, including the Calabasas Coalition, have established throughout the CEQA process, Alternative #5, the present proposal, like its previous iteration, carries with it a significant environmental burden — and at present, one without corresponding public benefit.

That is not to say that there is not *some* type of development that is appropriate for this site. But Alternataive #5 is not it. This proposal, by virtue of its large environmental footprint and the required

construction to grade it, damages the sensitive (and ever-diminishing) open space in the Calabasas foothills. It threatens a critical wildlife corridor for mountain lions and other fauna. It destroys sensitive native California flora, including Coast Live Oak, Southern California Black Walnut, and the rare Mariposa Lily, along with the plants' habitat. Being an overly large development, it presents an undue risk for both wildfire starts and potential damage on the wildland interface. Indeed, this is an area that has burned before (Woolsey Fire, 2018) and will assuredly burn again. And finally, the project undercuts Calabasas' aspirations as a green, sustainable city – all for a development that promises little more than unused commercial space and under-affordable housing.

The Calabasas Planning Commission has rejected strikingly similar development plans in the past for this site, including the 2019 West Village project and its predecessor, Canyon Oaks. This current plan deviates little from those versions and should be denied like its previous iterations.

The damage this development, as presently planned, would do to our local hillsides is simply too much. Grading and re-contouring of the land will irreversibly degrade both the site's ecological and aesthetic value. And the risk of wildfire for this large of a development cannot be understated. For these reasons, we at the Los Angeles and Santa Monica Mountains chapter of the California Native Plant Society urge that you vote to deny the proposed West Village plan, as currently envisioned.

Sincerely,

Snowdy Dodson

Co-President

LA / SMM Chapter of the California Native Plant Society

From: Luresa G Byrne <byrne1o1@pacbell.net>
Sent: Tuesday, April 13, 2021 7:53 AM
To: info <info@cityofcalabasas.com>
Subject: public comment West Village at Calabasas Project

Planning Commission

Comments on the Final EIR for West Village at Calabasas Project#160008152

Honorable Commissioners,

After reading the Environmental Impact Reports and their many appendices, I am left confused and concerned. This environmental review fails to buttress its conclusions of "less than significant impact/no mitigation necessary" to any clear evidence or explanations of such assumptions. Side-stepping any true consideration of the real-life, real-time impacts this project would have on the people living in this city and the surrounding environment. Making the argument that the hillside rising up, as if Agoura Road just keeps on going east across Las Virgenes, must be remediated (re-engineered and bulldozed) as a matter of "public safety" because clearly it is an ancient landslide. Public safety is a big deal to "we" the public.

How can an environmental impact assessment like this one get through the first layer of the vetting process with so many shady analytics and biased projections? Are there people at the city who read these technical appendices in order to substantiate or verify what assumptions are being formulated within them? I found too many inconsistencies to list and outdated calculations used in the generation of projected impacts from this project. Which again, are less than significant. I will attach herein the 2-3 pages of inaccurate, outdated, or unsubstantiated conclusions that I found in my reading of the environmental reports and appendices. I am told by seasoned veterans of the 'city process' that I can list as many inconsistencies as I would like, but since the report has already done the statistics and analytics and justified their claims of hardly any impacts; it really won't do any good.

The notion that any developer would be assisted or allowed to grade, shovel, build, or pave on *Designated DEVELOPMENT RESTRICTED, RESOURCE PROTECTED OPEN SPACE* without the approval by vote of the residents of this city is wrong and flies in the face of Measures O and D.

The Safety Element of the General Plan (Chapter VII) addresses the relationship between natural and manmade hazards and existing and future development. Key features of this element are the definition of "acceptable risk" and identification of the extent to which natural and manmade hazards will be managed in order to protect public health and safety. Herein lies my problem: More than 2 ½ million cubic yards of earth will be cut, then filled, then compacted-all right there off Las Virgenes Blvd. Aside from the claim that all this particulate matter from the earth work and the diesel engines

spewing VOC's while moving this earth will have a "less than significant impact", and aside from the claims that utilities will not see impacts that are significant therefore do not need to be analyzed at all, nor does Fire Fighting infrastructure need to be analyzed or law enforcement capabilities and therefore not required further investigation.

There is no analysis or plan or contingency with regards to our water supply and its quality or availability when the next wildfire rages through this valley. Water is essential for our health and well being and for the fire fights which have become more frequent and more intense. LVMWD already advertising water restrictions and pending drought conditions, but this huge project will have "less than significant impact" on all that stuff.

Even worse, the report assumes that movement of 2 and 1/2 million cubic yards of earth being graded , moved, filled and compacted on site, over 2-3 years, will NOT HAVE A SIGNIFICANT IMPACT on regional/local air quality and will not be a problem for sensitive receptors living within a mile of this project.

Such ludicrous assumptions hold no place in the planning of a city like Calabasas. Using outdated statistical analyses, forced assumptions based on theoretical constructs, and repeatedly failing to substantiate the assumptions made in this report is again, completely inappropriate and falls short of the intended purpose of Environmental Impact Reviews. Providing reliable projections regarding protections of the area's natural resources is the responsibility of the Lead Agency and the project developer.

The EIR's for this project are flawed and inadequate for the CEQA purposes of;

- A. disclosing potential significant and irreversible impacts.
- B. identifying ways to reduce or avoid environmental destruction.
- C .preventing permanent loss of natural resources through feasible alternatives

I urge city planners and commissioners along with councilmembers to hold developers to higher standards with an expectation of honest and reliable data gathering, valid and reliable analytics and well supported evidence that whatever project they intend to develop in this city-will actually be good for this city and it's residents.

Sincerely,

Luresa Poe Byrne, M.A.

Public safety is the justification for destruction of hillsides and all the natural resources they provide home for. But what about us?

Air quality is a public safety and health concern.

The availability of fresh, clean water is a public safety concern.

Available law enforcement and fire fighters is another public safety concern.

Wildfires, floods, and earthquakes are another public safety concern.

Personal safety in a climate of respiratory viral pandemic is a public safety emergency/concern.

So, where are all the charts and tables and statistics/analytics for these public safety concerns?

Apparently, for the safety and well-being of Calabasas residents...you must deny this project.

The following information is for illustration of the claims I make against the validity and appropriateness of the information contained in these environmental review reports.

Regarding Air and GHG Emissions and Traffic VMT(vehicle miles traveled) used in air quality analysis and estimated projections:

EIR allows claim of "mixed -use village plan project"/zoning and land use enhancing..., which then allows them to use NCHRP 684-which refers to "internal trip capture estimation tool" or ITE

What I have learned about ITE is as follows: TRB's National Cooperative Highway Research Program report 684 estimates how many trips will be generated within a mixed -use development-trips for which both the origin and destination are within the development.

And, internal trip capture methodology estimates the number of trips from each individual land use AS A FREE STANDING DEVELOPMENT, then applying an internal trip capture rate for each individual land use spec and then a balancing process to the original estimates.....leading to a GENERATED ESTIMATE OF internal and external trips that only involve the project (development) and does not include the VMT/numbers for adjacent streets, arterial streets or anything outside the development.

In the Appendix B- Air Quality technical appendix

The first several worksheets are 2018 counts. No Traffic study counts will be considered that are more than 2 years old-CARB/SCAQMD

The Intersection Capacity Analysis Data Sheets are all counts taken in our Pandemic year dated 6-30-2020 and no counts should be considered from the year 2020.... there were 17 cars on the freewayreally inappropriate. And this area is referred to as a low VMT generating corridor....less than 110 daily trips...no way!

Internal trip capture estimations were dated 4-20-2020

On page 2 of 9: Table 1 shows the VMT Baseline for Calabasas and it is from 2020 numbers! pg 145/155

And on page 70 of 155 and through the rest of this appendix-look at ICU Worksheets indicating levels of service at our intersections within the corridor- many are functioning at the lowest levels of "E" and "F" with many "D"'s.

THIS PROJECT MAGICALLY GETS THEM ALL FUNCTIONING AT C'S OR AT LEAST NO WORSE , THEREFORE, THE IMPACT IS LESS THAN SIGNIFICANT AND NO FURTHER ANALYSIS IS REQUIRED.

And last, for now, They have included in their "analysis" the Trolley and Shuttle (City) as Calabasas Transit Routes or ways to somehow off set the CO2 e issue because people walk, bike, and use the city transportation.

The shuttle and trolley are not even running and the Metro Transit has changed their stops also.

The Project size and scope and the constraints/impacts should trigger lead agency push for a HOT SPOT ANALYSIS AND A HEALTH HAZARD ASSESSMENT. A mobile source air toxics analysis should be required along with initial grading plans and I cannot find anything like that-anywhere.

There is no evidence that there were adjustments for the "seasonal" traffic (summer increase in VMT) or safety analysis for traffic accidents within the corridor and report claims it does not need to do a cumulative assessment because each of the 3 projects noted are within the SCAQMD thresholds. No mention of LANDfill, Composting Facility, stationary sources -gas stations/nail salons/ wood fire grills, etc., or upcoming Wildlife Overpass project to begin 2022 or Rindge Dam removal project to start 2025 and use Las Virgenes for 8 years as a truck route to bring dirt to our landfill and to Ventura county.

Here is my issue bullet points: Report argues that it is not necessary to do a "real" cumulative analysis.

1. West Village , Rondell, and Paxton are noted.
2. Landfill is a source of criteria pollutants- no analysis
3. Nail salons, dry cleaners, and gas stations are source

points-and there are several within 1000 feet of
project. no analysis

4. composting program-another source point no analysis

5. and the 101 source point.....no analysis

6. CAL TRANS WILDLIFE OVERPASS- projected start date,
2022-no analysis

7. Rindge Dam Removal- 8 year project to begin 2025

Now, I cannot find a "mobile air toxics analysis" or the necessary "congestion management plan" to address project related traffic concerns, except that they will put in a right turn lane into driveway and a left turn lane- and they will notify folks when they have to close lanes or do the road work on Las Virgenes. All their fleet vehicles and workers vehicles will be "on-site" so no worries-we won't even notice them working there. ????

From what I have read, this area or project does not qualify for "carbon offset" and SB 375 and Climate Protection Act of 2006 and ARB require "Sustainable Communities Strategy". Is that something our City is responsible for having? Is the Congestion Management Plan the City also?

Here is what really bites-We are in a canyon-topography and atmospheric conditions-crap stays down in the canyon for longer periods and is less easily dispersed. The assumption/conclusion that movement of 2 1/2 million cubic yards of dirt, first to cut...then movement of 2 1/2 million cubic yards of dirt to fill and re-compact is reported to not have a significant impact to local air quality or the health of the 1000's of sensitive receptors living and working within 1 mile. And the VOC's coming off every piece of heavy equipment used to move 5 million cubic yards of earth will "not exceed SCAQMD thresholds" so the impacts are class III-less than significant. ????

We are non-attainment region for PM dust particulates. Report admits that local thresholds of PM will be exceeded, but they will mitigate.

No where in this document do I find an analysis of the outrageous amounts of FRESH WATER that will be used for their dust mitigation measures throughout the projects earth moving and construction activities and here is what I finally learned (took awhile) about how the "filling in" of the canyon will happen, for every cubic yard of earth that is re-compacted (fill)-(2 1/2 million cubic yards) 30-50 gallons of fresh water will be necessary.

FOR EVERY CUBIC YARD OF EARTH RELOCATED INTO FILL AND COMPACTED, 30-50 GALLONS OF FRESH WATER ARE NEEDED.

We are already hearing of restrictions on our water usage and upcoming drought conditions getting worse-which correlates with increased wildfire risks,

but I cannot find ANY ANALYSIS OR MENTION OF THE POTENTIAL BILLIONS OF GALLONS OF WATER THAT WILL BE USED TO MAKE IMPERVIOUS SURFACES IN THE WATERSHED TO PUT THEIR BUILDINGS ON.

this is fresh water that is used and as we continue to navigate a global pandemic and the return of dry, drought producing conditions, the availability of water will move to the top of our priority list. Water District admits to not having sufficient infrastructure after Woolsey experience.

From: Ronna Leavitt

Sent: Monday, April 12, 2021 10:44 PM

To: info

Subject: West Village at Calabasas Public Hearing

Dear Planning Commission,

We would like to express our concerns about the proposed development at Las Virgenes and Agoura Road called The West Village. This is a terrible idea! We live across the street from the Paxton townhouse development. For many years, we endured terrible living conditions, due to that build. The excavation process took at least three years. Within those multiple years, we endured damage to our house (it was like a 3.5 earthquake daily), respiratory health problems Sinus infections, asthma attacks and valley fever), terrible traffic congestion getting out of our community, and overall congestion within the area. Over the years it took them to build, we ended up with four construction nails in my tires, almost witnessed several major car accidents, and the worst part of it all, we watched the beautiful landscape across from our house get destroyed. These high end townhouses, that were supposed to be sold for almost a million dollars ended up being townhouses that could only be rented for a large amount of money, and now they are mostly vacant. Again, such a sad way to not make a dollar, all the while, destroying the habitat of many animals. We used to have deer on the hills grazing and now nothing!!

Growing up in the valley, we enjoyed getting off at "Malibu Canyon Road" and seeing the goats, sheep and cows graze the meadows, while we continued on the highway to the ocean. We were sad to see that the land was purchased and the animals no longer grazed there.

The point of moving and living in Calabasas is for the open space, not for the feel of a city, like Los Angeles. The more development that occurs in this beautiful community, the more it will turn into, and have the issues that larger areas, such as Woodland Hills, Tarzana, Van Nuys, Studio City, Hollywood, etc have...transient communities, higher crime rates, more pollution, traffic congestion. Is this what you want the city of Calabasas to turn in to? The Lost Hills Sheriffs Department is already understaffed and

can barely patrol the community it serves now. Adding 180 new homes to the area, will stretch their ability to patrol the area and provide necessary resources to those in need.

Now, all you get when you get off the freeway is another hotel (more land destruction) that will most likely be vacant or occupied at a low rate. The idea that this side of Calabasas could endure many, many years of excavation, years of loud construction, with an increase in traffic (in an already VERY congested area) could turn into be very deadly, on so many levels. During the fires of 2018, evacuating was not easy. Lines of cars trying to escape the fires were long. Trying to get on the freeway was dangerous and long and when we turned around and to take Mulholland, that too was congested. If you think adding 180 new homes, which is about another 300 cars at the very least, to the already congested area, could turn out to be a deadly and dangerous idea.

The chances that the fires of 2018 would repeat itself are slim, however, who wants to take that chance? Not only would it be extremely dangerous to have more congestion in the area, but destroying more beautiful land, for no reason other than greed would be extremely sad, disappointing, and dangerous.

We are AGAINST the idea of building and destroying this plot of land! If you want to keep Calabasas family friendly and a decent and safe place to live, you will reconsider these plans. Lets keep Calabasas safe, beautiful and a wonderful place to raise a family.

Best,
Ronna and Geoff Leavitt

From: Ed Constantian <eddy@eddy.com>
Sent: Monday, April 12, 2021 6:42 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

Attention Planning Commission,

RE: West Village at Calabasas Public Hearing

As a long-time resident of Calabasas, I am against the development of yet another commercial mega-complex. The over development of Calabasas will only result in even more traffic and congestion. As civil servants, you represent your constituents. The overwhelming majority of Calabasas residents are opposed to this project. This proposed development comes before you for the third time after it has been rejected twice before. Please do the right thing and deny this proposed monstrosity.

I trust and hope that your decisions take into consideration the sentiments of the overwhelming majority of Calabasas residents.

Thank you,

Ed Constantian
Calabasas Resident

From: Maya Shulman <mshulman@sflg.us>
Sent: Monday, April 12, 2021 3:49 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

New year, same circus. Are the materials for environmental studies will be available prior to the Zoom hearing?

Please advise.

Maya Shulman, Esq.

Calabasas, CA 91302

From: Lynne Tracy <lynnetracy@sbcglobal.net>
Sent: Monday, April 12, 2021 2:43 PM
To: info <info@cityofcalabasas.com>
Subject: Planning Commission - West Village at Calabasas project

I am writing to express my opinion on the West Village at Calabasas project.

As a resident in Stonecreek community down the street from this project, I have tracked all plans since 2003. While the developer was initially interested in the community's opinions, as I gathered from meetings and calls with them, this decidedly changed over time, especially after the community put the project to a ballot vote.

Despite the community pointing out issues with their plans, much related to grading an unstable site, they have only come back with worse plans and have 'dug in' with no willingness to communicate for the betterment of their project and our community.

If the community seems weary of accepting what developers say, historically there is very good reason as we have been misled in the past by Blue Marble (Paxton), and had poor construction when Shea Homes built The Colony.

While there are many issues, the two I wish to highlight herein is that of safety and traffic. We know that:

The City of Malibu created their evacuation plan which dedicated Malibu Canyon as one of their evacuation zones - Zone 12 Latigo Canyon Rd to Malibu Pier .

" These are the five main evacuation routes to be utilized:

1) NB Pacific Coast Hwy (to Oxnard)

- 2) Kanan Rd
- 3) Malibu Canyon Rd
- 4) Topanga Canyon Rd(only as needed)
- 5) SB Pacific Coast Hwy (to LA / I-10) D "

<https://www.malibucity.org/DocumentCenter/View/26832/FINAL-Evacuation-Plan-8192020>

This will mean at least an additional 25% of the population of Malibu will be coming through Malibu Canyon during a natural disaster, and most likely more given the other exits points for Malibu.

Add this to the Canyon residents, Monte Nido, schools along the corridor, and then Las Virgenes neighborhoods all moving towards safety from the West and the neighborhoods on the northside of the freeway moving west.

We saw firsthand during the Woolsey fire the difficulties we had getting out of and into our communities. We are seeing more frequent fires in this State for various reasons and we as a city and community cannot close our eyes and hope/wish we will not have another Woolsey threat again.

Having a project like West Village will put a huge strain on the already impacted Las Virgenes/101 corridor on a daily basis, and in times of disasters- our safety is in jeopardy.

I find it very frustrating when each development is discussed to have them viewed as stand alone projects rather than the cumulative sum of all the projects together, e.g., Weintraub hotel, Paxton apartments, etc.

While I support the developer's right to build, as I have always for the land owners, doing so has to make sense for the area on multiple fronts: mitigation; size/scale; lack of infrastructure (roads) to support the population; safety; traffic; etc.

I am not in favor of the current plan and want to see a smaller footprint for this project, less density, and possibly an alternate route in and out of the project, e.g., a new road through to the eastside.

Thank you for your time and consideration.

Best Regards,
Lynne Tracy, M.A., LMFT, CRC, ABVE/D
Vocational Counseling
P.O. Box 8333, Calabasas, CA 91372
Direct: (818) 880-6460

From: Joanne Suwara <joasuw42@gmail.com>

Sent: Monday, April 12, 2021 11:42 AM

To: info <info@cityofcalabasas.com>

Subject: To All Planning Commissioners re West Village Hearing 4/15/21

<https://www.cityofcalabasas.com/home/showpublisheddocument?id=20194>

To All Planning Commissioners:

Attached you will find a direct link to the Comment Letters from agencies and the public and Responses made to them by the City.

This link was not included in your agenda packet and I had a difficult time finding it. These letters, many from state and local agencies, express concerns about the proposed project. I am calling your attention to them so that you will see both sides as you move forward.

Thank. You.

Joanne Suwara

From: Larry Willett <larrywillett@yahoo.com>
Sent: Monday, April 12, 2021 11:02 AM
To: info <info@cityofcalabasas.com>
Subject: Fw: West Village Development

Dear Commissioners:

Aside from the obvious destruction of our viewshed, there is another more important factor with this development. The potential loss of life and property from wildfires.

Any of you who live in west Calabasas and experienced the Woolsey fire knows exactly how dangerous it was and can be. My family and I live in the

Malibu Canyon area just north of the proposed West Village development.t where there is only very limited access and egress.

There were 9 homes fully destroyed. The fire raged down Parkmor, into the creek and up the hill to our home on Redbluff. We were lucky this time. The fire only burned our hillside and fence and did not jump to our home however, we did encounter severe smoke and other damage. Our neighbors had it worse. The complete back of their home was gutted by the fire.

Not only did the fire itself make it difficult for us to escape, but the amount of people in our area all trying to evacuate caused gridlock.

There was no place SAFE to go. The freeway was closed. Mureau Road was closed. Las Virgenes was closed.

There were people from Calabasas Parkway to Lost Hills all trying to run for their lives. Fortunately, this time, no one lost their lives.

A lot of our neighbors, including us, have either had their homeowner's insurance cancelled or the rates have gone up astronomically since we are in a fire zone.

I am attaching some pictures to refresh your memories of the devastation of the Woolsey fire. I have plenty of photos and videos showing the devastation in our community alone which I will be more than happy to provide as further evidence not to allow this development.

This development will add many more people to the bottleneck in the Agoura and Las Virgenes Roads area that already exists. Do not endanger our citizens. I do not feel it is in the best interest for our public safety for the current residents to allow this development. It is not a matter of "if" another massive fire will occur but "when" it will occur. Decline this project.



Sincerely,
Larry Willett
714-231-2315

From: Bob Selvin <bobselvin@hotmail.com>
Sent: Monday, April 12, 2021 10:21 AM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas

We don't want any development at Las Virgenes and Agoura Road. We can not handle any more traffic. Please do not approve this project.

Thank you,

Bob Selvin
26162 Adamor Rd.
Calabasas, CA 91302

From: Joyce Greenberg <greenberg.joyce@gmail.com>
Sent: Monday, April 12, 2021 8:39 AM
To: info <info@cityofcalabasas.com>
Subject: Planning Commission - West Village at Calabasas project

I would like to express my view on this project with one word... NO !

Over the past 4 years citizens of Calabasas have said it loud and clear that this is not an appropriate use for this site. And this was prior to the Woolsey fire that devastated our community,

The City of Malibu created their evacuation plan which dedicated Malibu Canyon as one of their evacuation zones - Zone 12 Latigo Canyon Rd to Malibu Pier .

" These are the five main evacuation routes to be utilized:

- 1) NB Pacific Coast Hwy (to Oxnard)
- 2) Kanan Rd
- 3) Malibu Canyon Rd
- 4) Topanga Canyon Rd(only as needed)
- 5) SB Pacific Coast Hwy (to LA / I-10) D "

<https://www.malibucity.org/DocumentCenter/View/26832/FINAL-Evacuation-Plan-8192020>

This will mean an additional 25% of the population of Malibu will be coming through Malibu Canyon during a natural disaster.

Add this to the Canyon residents, Monte Nido then Las Virgenes neighborhoods all moving towards safety from the West and the neighborhoods on the northside of the freeway moving west.

Having a project like West Village will put a huge strain on the already impacted Las Virgenes/101 corridor on a daily basis, and in times of disasters- it's a matter of *safety!*

Yes the developer has the right to build but not to this size or scale due to the lack of infrastructure and the current roads.

Perhaps West Village would consider creating an NEW road over the mountains to the Eastside of Calabasas? I'm sure the homeowners at The Oaks would be all for it.

Thank you
Joyce Greenberg

From: Karin X. Randolph <Karin.X.Randolph@kp.org>
Sent: Monday, April 12, 2021 7:19 AM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

To Whom It May Concern,

I've lived at Malibu Canyon Villas on Las Virgenes Road for 32 years and have watched the over development around me with dismay . I doubt many moved here for a noisy, bustling city experience. The development taking place is ruining what makes this area so special. Traffic, noise and litter has definitely increased. I don't have exact numbers but it seems crime also has gone up. Now instead of looking at hills, I watch several people walk their dogs past the new homes and let them defecate without clean up. I can only imagine how disruptive the huge eyesore project

planned next will be. The motel/hotel by the Mobile station isn't even completed. This area for the last almost 5 years has been under construction beginning with the tree removal and widening of the Las Virgenes Road. Just please stop.

Sincerely,

Karin Randolph

From: Melissa Olen <melissaolen1@gmail.com>
Sent: Sunday, April 11, 2021 4:55 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

Dear Planning Commissioners,

My name is Melissa Olen and I have lived in Calabasas since 2003. I am writing to ask you to deny the current West Village proposal because:

1. It is essentially the same proposal you denied back in 2018 and it has somehow been resurrected with a new coat of paint (same bad impacts, same grading of open space)

2. It is in violation of the General Plan and city code

I understand that the developer is entitled to build something on the land they purchased, however they are not entitled to create their own development code when they do it. They have to follow the rules as defined by our city, the same rules that were in place when they purchased the property.

As a city planner it is imperative that you make sure developers build within the guidelines, just like the residents must do when building or changing their residential properties. Fair is fair. Just because developers have deep pockets and can make more noise doesn't mean they get to change the rules. If they want their proposal to be taken seriously, then they need to write a serious proposal that adheres to the guidelines. I understand that a compliant proposal is probably not as lucrative for them, but that's not the City's problem, they knew what they were buying when they bought it.

Finally, I am aware that city staff works hard to collect & vet information about these proposals and put it all together for review. Within this process, they definitely should make recommendations, but they are not elected and they are not decision makers. Unfortunately, it seems that, particularly with this proposal, they are really acting as if they are a decision making body. Additionally, it has been brought to light that they may have worked with the developer in a non-transparent way to get this version of the proposal back in front of the planning commission with minimal changes from the version that was already denied. If true, this is very wrong and I hope it gets the oversight it deserves. In the meantime, I implore you to base your evaluation of this project on its merits (or lack thereof) and whether or not it violates our General Plan. Please do not approve this non-compliant proposal.

Thank you for your time.
Melissa Olen

From: dee sam <ucla181818@yahoo.com>
Sent: Sunday, April 11, 2021 1:30 PM
To: info <info@cityofcalabasas.com>
Subject: planning commission- west village at calabastas

We are residents at the colony. We have lived here in calabastas for many years. We love the small town feel of this city and are very proud of the hard work we endured to finally be able to purchase a home here and contribute to our community.

You approved Paxton as a condo project. It is not, it is a series of apartment buildings. It appears that the City was aware this would happen. Now you are permitting it to happen again. We DO NOT NEED more apartments and condos. If you argue that people need to have affordable housing just look to Woodland Hills where apartment buildings are going up fast and Woodland Hills is less than an eight minute drive to Calabasas. You are aware that there will be a major project in the future which includes affordable housing and apartments in Woodlands Hills along with hotel etc. You discussed in your previous meetings that many of the business building on Agoura rd may be vacant and those may potentially become apartments.

If you approve 180/190 condos/apartments on Las Virgenes you are endangering all of our lives as we will be trapped when the next fire occurs. It is too congested on Las Virgenes during rush hour and weekends. There are people traveling at high rates of speed and no enforcement.

Build houses on the west village site. Let people come live their California dream of home ownership in a small town feeling city. We are not West Hollywood, woodland hills. People do not come here to live in cramped congested environments.

From: Andrea Josephson <AndiJ4@aol.com>
Sent: Sunday, April 11, 2021 10:42 AM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

Please vote no! There are only 2 roads East. The 101 Fwy and Mureau Rd. These are both heavily congested compacted by car dealership deliveries and Round Meadow School. Beyond traffic is the inability to evacuate during fires to heavily congested roads. I've lived in this area 30 years. The new city of Calabasas that was formed years ago wouldn't have thought twice about this project. It would be NO!!!

Andrea Josephson

PS what's with the tarped building next to the dry cleaners on Calabasas Rd. EYESORE!!! It's been at least 2 or 3 years!

From: Cyndilee Rice <cyndilee@sbcglobal.net>
Sent: Sunday, April 11, 2021 9:21 AM
To: info <info@cityofcalabasas.com>
Subject: To Planning Commission

Hello Folks,

I'm writing to you today about my opposition to the proposed, "West Village of Calabasas", development project. The title is fairly accurate, it is an actual village the developers would like to build. We've already been down this same road, repeatedly, voicing our opinions about this project. It gets voted down and then reappears the next year with a few minor changes. But, basically the same project. This one goes against all the protections we have in place for development of our hillsides. This project is too big for the space! This area is already overburdened with traffic, being as it's one of the few canyons to get to the beach. During any emergency, whether that be a fire, a plane landing on the freeway, a helicopter crash, a shooting on the freeway... all these things have happened within the last few years here, at this exact exit! It's already almost impossible to get to safety when any one of these events occur. The developers might say, it's so close to the freeway, all the people would be able to get out from this project... But, for the rest of us, stuck behind those hundreds of additional cars, trying to get out, we would not be so lucky. This would be a catastrophe waiting to happen! That last fire was terrifying, it was coming from more than one direction, (which that has happened in multiple fires over here) and we only have one way out. Two other projects are finishing up construction on either side of this site. (Which will already add hundreds of additional cars & people) Enough is enough, I've lived here over 30 years, and have seen the massive irresponsible development of this beautiful canyon. With pretty much NO additional infrastructure. All in Calabasas territory, it stops when the canyon changes to Malibu.

I'm asking you to do the right thing here, listen to the citizens of your city, keep them safe, and deny this project once and for all. Do you really want this to be the legacy of the city of Calabasas? Known as the city who allowed the destruction of Malibu Canyon? Please take these decisions very seriously! Once this is done, it's forever.... you can't undo it later!

Thank you for your time,
Cyndilee Rice

From: Rochelle Fayngor <rfayngor@gmail.com>
Sent: Sunday, April 11, 2021 8:56 AM
To: info <info@cityofcalabasas.com>
Subject: West Village Project

Dear City Hall Members,

My name is Rochelle Fayngor, and I am a 25 year-old resident of the City of Calabasas. I have been fortunate to call Calabasas my home for most of my life, and I have always enjoyed the tranquility and beauty of the City. I was saddened to learn about the proposed real estate development on Las Virgenes Road.

I have lived off of the Las Virgenes exit since I was six years old. I know the name of every street and every business off of the exit. I also know that it would be a mistake to allow real estate developers to build in this area.

I have many reasons for believing that this proposal would be a mistake if allowed to continue. I believe, and know many people agree, that the beauty of Calabasas comes from its unique rolling hills. The hills off of the Las Virgenes exit have already been subjected to many housing developments, each one decreasing the aesthetic of our hills. There are also several trails near the proposed build site, which would no longer be accessible to the public.

Additionally, the proposed build, which will have 180 residential units and several retail stores, will have a huge impact on the traffic in the area. Assuming each home has at least one car, with many homes having two or even three, the number of cars leaving this community will range from 180-540 daily. Any number in this range poses a significant increase on the already problematic traffic situation, especially during rush hour. Furthermore, this does not include the number of cars that will frequent the new retail center, as well as the Paxton development, which is on the same exit and street as this proposed build. However, most importantly, the COVID-19 pandemic has forced many businesses to shutter their doors, leaving countless empty retail spaces. Additional retail spaces will force the City to spend more money and time on a project that will not benefit the residents in the long term.

Lastly, over the past ten years, devastating fires forged paths through Southern California. Sadly, Calabasas was not exempt from these fires, and many homes were lost. My family had to evacuate, and fortunately, we returned to a still-standing home. Building even more homes on a hill that has burned multiple times in the past few years will make it even more difficult for the brave and hard working firefighters to save our homes. Every home in danger is one that they strive to protect, and

building additional homes in such close proximity to one other will make their jobs exponentially harder.

This proposed housing project will be at least the third project on Las Virgenes Road in the last ten years. I have personally participated in the previous protests and petitions to stop building off of this exit in the past. I do not believe that any proposed building project has enough positive potential-value to be accepted. The residents of Calabasas do not take our City for granted. We protest, write emails, and attend meetings in order to protect something we know is worth preserving.

I urge you to please take my thoughts, and numerous other residents' beliefs and opinions into consideration before you vote for this development. I believe that further building into our stunning hills will actually decrease the value of our City. In a world where developments are taking over nature, I believe it is our duty to try to protect natural beauty when and where we see it.

Thank you very much,

Rochelle Fayngor

--

From: Coralie Marlowe <gulliver27@icloud.com>

Sent: Sunday, April 11, 2021 8:42 AM

To: info <info@cityofcalabasas.com>

Subject: West village development

We are in fire danger area. No more buildings and occupants , they are an addition to fire danger, traffic snarls in time of evacuation

Coralie

From: Roya Azizi <roya91302@gmail.com>

Sent: Saturday, April 10, 2021 9:54 PM

To: info <info@cityofcalabasas.com>

Subject: Over Development ??????????

Hi,

Why do we need to keep fighting with the City for overdevelopment? Can't we vote for those who are our real representatives?

How many times do we need to vote "No" for more development & how many times we need to have a hearing?

Please no more developments, & please do not sell the mountains to individuals

Thank you,

R. Azizi
Calabasas Resident

From: Anita McQuillan <antrim8@sbcglobal.net>
Sent: Saturday, April 10, 2021 9:21 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

Dear Planning Commission,

I am concerned about the proposed development of West Village at Calabasas because:

This new proposal has the same concerns as before — the proposed development does not fit the land

resulting in these major issues:

- 1 - Years of grading and destruction of designated Open Space, which will create significant environmental damage and change the natural hillsides to manufactured slopes with miles of concrete v-ditches.
- 2 - Building of multi-story residential buildings in a box canyon in a Very High Fire Severity Zone.
- 3 - Adding traffic to already overburdened roadways, especially in any emergency requiring evacuation. During the Woolsey Fire all roads in and out of the Las Virgenes Valley including the Freeway, Mureau Road, Agoura Road, Las Virgenes Road and Mulholland Highway were closed either by fire or to provide access for first responders.

Sincerely,

Anita McQuillan

From: Kg <diver161@sbcglobal.net>
Sent: Saturday, April 10, 2021 9:15 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

Dear Planning Commission Members,

My family and I are very concerned about the West Village proposed development project and urge you to reject the current proposal.

Our primary concerns are as follows:

- 1). Destruction and damage to the natural hillsides and beauty of the surrounding environment, not to mention impact on wildlife in the area.
- 2) Additional traffic that will be generated clogging up already overloaded roadways.
- 3). Increased risk of fire and reduced access to emergency services and first responders.

Thank you for your time and consideration.

Ken Grock

From: rhea damon <damonrhead@sbcglobal.net>
Sent: Saturday, April 10, 2021 6:32 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

Dear Planning Dept.- The primary reason I moved to Calabasas in 1990 was for the natural beauty and tranquility of the Las Virgenes area. This beauty will be destroyed by structures that don't suit the area, and will destroy the hillsides. I watched on TV with horror, when the Woolsey fire was raging, and existing homes and townhouses, including mine, came so close to being ashes. The danger to residents will be multiplied many times over as so many more people and cars will make it impossible to use the roads and evacuate. The fire danger is so high in this area that insurance companies won't insure people like me and all who live here. Please don't destroy the hillsides, views, wildlife and all who make this their home. Thank you. Rhea Damon/Malibu Canyon Villas resident

From: Jennifer Prince <info@jennyprince.com>
Sent: Saturday, April 10, 2021 6:05 PM
To: info <info@cityofcalabasas.com>
Subject: Planning Commission - West Village at Calabasas

Dear Planning Commission:

My husband and I have lived in the Malibu Canyon area of Calabasas for 20 years. We would like to voice our continued opposition to the West Village project in its current iteration. There has been enough over development in our small canyon in recent years, ruining slowly the charm and beauty of the place, creating more traffic. Imagine the gridlock traffic this project will generate! The views that we cherish will be destroyed permanently. Please, do not allow the developer to go forward with construction of this eyesore and traffic nightmare.

Sincerely,

Jennifer Prince
Marlin Lyzun

From: Jay Tabatabai <jaytaba@hotmail.com>
Sent: Saturday, April 10, 2021 4:21 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

- 1 - Years of grading and destruction of designated Open Space, which will create significant environmental damage and change the natural hillsides to manufactured slopes with miles of concrete v-ditches.
- 2 - Building of multi-story residential buildings in a box canyon in a Very High Fire Severity Zone.
- 3 - Adding traffic to already overburdened roadways, especially in any emergency requiring evacuation. During the Woolsey Fire all roads in and out of the Las Virgenes Valley including the Freeway, Mureau Road, Agoura Road, Las Virgenes Road and Mulholland Highway were closed either by fire or to provide access for first responders.

Jay Tabatabai
26152 Kenrose Circle
Calabasas 91302

From: RichB <rbevando@pacbell.net>
Sent: Saturday, April 10, 2021 4:20 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

Please reconsider plans for new development at West Village Calabasas. Would assume since most retail has diminished due to changes of purchasing on the Internet can only see vacant stores. World had changed dramatically since covid, corporations now are having employees remain at home to work now and after covid comes to a rest. Corporations learned they save on real estate cost by having their employees stay home, hotels will run vacant.

Honestly your previous development on Lost Hills Road and Agoura Road has been an eye sore, don't trust the planning commission, please get your eyes checked!

From: Jillian Esby <science_rocks@mac.com>
Sent: Saturday, April 10, 2021 3:50 PM
To: info <info@cityofcalabasas.com>
Subject: Against West Village Development

Our family is STRONGLY OPPOSED to the development on Agoura Road and Las Virgenes. Please count us among the opposed for the following reasons:

- 1 - Years of grading and destruction of designated Open Space, which will create significant environmental damage and change the natural hillsides to manufactured slopes with miles of concrete v-ditches.
- 2 - Building of multi-story residential buildings in a box canyon in a Very High Fire Severity Zone.
- 3 - Adding traffic to already overburdened roadways, especially in any emergency requiring evacuation. During the Woolsey Fire all roads in and out of the Las Virgenes Valley including the Freeway, Mureau Road, Agoura Road, Las Virgenes Road and Mulholland Highway were closed either by fire or to provide access for first responders.

Thank you,
~ Jillian and Eric Esby
91302

From: Nancy Nager <nancybnager@gmail.com>
Sent: Saturday, April 10, 2021 3:48 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

I am a Calabasas resident and hereby register my opposition to the construction of the West Village at Calabasas. It is destructive to the health of the residents of Calabasas, its hills, views, and canyon.

Nancy E.B. Nager
Attorney at Law
22287 Mulholland Highway
Suite 250
Calabasas, CA 91302

From: Marcia Weiss <msmarcia@roadrunner.com>
Sent: Saturday, April 10, 2021 3:23 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

PLEASE STOP! WE DON'T WANT THIS.

As a resident for 35 years I want to continue to enjoy the beauty of our hillsides. We need to be without more risk of danger in this fire zone. Why take away the beauty we've enjoyed by creating overpopulation and more traffic.

This area is just too small for all this development. We do not need it or want it.

JUST STOP.

Marcia Weiss

From: Terry Landry <lefonk@aol.com>
Sent: Saturday, April 10, 2021 3:18 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

PLEASE do not let the West Village development proceed in any way, shape, or form. Outside developers come into our beloved canyon and pave, pave, pave. Look at this abomination! It's the worst yet, in a series of absolutely horrific projects blighting our once-scenic corridor. What does this planning commission have against natural beauty? How many vacancies have to blight our hillsides? How crowded does Las Virgenes have to become with traffic, before the commission understands there's no other route out of the area during a fire? Who's on the payroll of these rapacious developers, that the CITIZENRY is ALWAYS on the losing end of this decades-old "pave the entire canyon" effort?

Do something for the residents for ONCE. ENOUGH!!

Terry Landry
818.371.6197 mobile

From: mhestrin@aol.com <mhestrin@aol.com>
Sent: Saturday, April 10, 2021 3:14 PM
To: info <info@cityofcalabasas.com>
Cc: mhestrin@aol.com <mhestrin@aol.com>
Subject: West Village at Calabasas Public Hearing

Hello,

I am a long time resident of Calabasas, and like so many others, I live here because of the charm and intimate, "country feel" of our community. I feel very strongly in favor of the PRESERVATION of its unique character. I also strongly oppose extensive building projects such as the proposed West Village which will most assuredly erode the essence of our small community by introducing more traffic congestion, more people, more commerce, potentially more crime, and more homogeny to communities like Woodland Hills, Northridge, or Canoga Park

Calabasas is a very special place and we wish to preserve its character and unique attributes--none of which will withstand continued commercialization and development!

Thank you for your consideration and evaluation of our concerns.

Respectfully,

Mark Hestrin, M.D.
310-903-1980

From: Wesley Idol <wesidol67@gmail.com>
Sent: Saturday, April 10, 2021 2:56 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

I live on Parkmor, off of Las Virgneses, on the other side of the FWY from the proposed development. The local economy will not support this development and it will forever destroy our beautiful community. Please continue to serve Calabasas by sending these developers away for a third time.

-Wes Idol
310-963-7225

From: Lisa Stalvey <malibulisa@icloud.com>
Sent: Saturday, April 10, 2021 2:53 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

I've lived here for 21 years and the reason was because there wasn't so much housing everywhere- there is ABSOLUTELY NO REASON other than GREED for you to destroy yet ANOTHER HUNDREDS IF NOT THOUSANDS OF INNOCENT animals for MONEY. Calabasas's charm was about open spaces and quaint living. I absolutely OPPOSE THIS -

May God Bless You And Protect You

From: Coralie Marlowe <gulliver27@icloud.com>
Sent: Saturday, April 10, 2021 9:58 AM
To: info <info@cityofcalabasas.com>
Subject: Building in Calabasas

I vote NO

Sent from my iPhone Coralie Marlowe

From: Coralie Marlowe <gulliver27@icloud.com>
Sent: Saturday, April 10, 2021 8:11 AM
To: info <info@cityofcalabasas.com>
Subject: Building a village

Destroy our beautiful land and increase crime is not an option for a calabahas resident for over44 years. Let my property go

Coralie

From: HL Rasnick <hlrscuba@gmail.com>
Sent: Saturday, April 10, 2021 7:10 AM
To: info <info@cityofcalabasas.com>
Subject: I vote NO

After the Woosley fire and the destruction

To calabahas and surrounding areas, I am very sickened to see the proposal for the west village off Las Virgines

I drive that road to go to my doctor and I love the view facing East off agoura road opening up to the wide open space. That horrific construction would really ruin this expanse. I'm surprised that the commercial

Building to the north of the gas station got approved. Our open spaces are closing to the building of concrete buildings. Please don't let this Pass. It shouldn't be for money. The chose should be for the environment

Thanks
H Lynne

From: Bernadette Joyce <berniejoyce2@icloud.com>
Sent: Friday, April 9, 2021 6:59 PM
To: info <info@cityofcalabasas.com>
Subject: West village on las virgenes

It would be a tragedy and a disappointment in the Calabasas government to approve this development. We don't need more traffic, pollution and development. We need to keep whatever natural beauty is left in Calabasas.

Sent from my iphone

From: Julie Shane <presentsofmine@gmail.com>
Sent: Friday, April 9, 2021 3:06 PM
To: info <info@cityofcalabasas.com>
Subject: To: Planning Commission

RE: West Village at Calabasas proposed development

I wish to submit the following for consideration in the upcoming Planning Commission Meetings on 4/15 and 4/21.

It's an irresponsible use of resources to continue revisiting the subject of this proposed development. How many different ways can the public say "no?"

Like so many residents, we moved to Calabasas many years ago, in part because the area is so naturally beautiful. So much of the hillsides and open spaces have been preserved, making this a truly desirable place to live. Home prices and property taxes reflect this.

I strongly oppose the proposed development in support of protecting our natural hillsides and open spaces. Our own City Land Use Codes (below) do not allow this kind of development. Is the will of a well-funded developer more influential and therefore more important than the will of the city's own residents? Is the plan to keep allowing this issue to be rewrapped and repropose in the hope that residents will grow weary and stop fighting it?

Please, put a decisive end to this project.

Thank you,
Julie Shane

CITY OF CALABASAS LAND USE CODES • Development should preserve the hillside rather than alter the hillside to fit the development [Code 17.20.150(B)3] • All development in a Scenic Corridor must comply with Scenic Corridor Guidelines and Hillside Development Standards [Code17.20.070(C)] • Manufactured slopes cannot be counted as open space [Code17.20.055(A)9] • Development shall respect natural surroundings and follow natural topography [Code 17.20.150(B)12]

From: Jennifer Lakin <jenniferelakin@gmail.com>
Sent: Friday, April 9, 2021 1:11 PM
To: info <info@cityofcalabasas.com>
Subject: Planning Committee - West Village Calabasas

It's quite simple really....
PLEASE
stop allowing the destruction of our area's natural beauty.

From: Fredda Hamilton <HFredda@aol.com>
Sent: Thursday, April 8, 2021 9:51 PM
To: info <info@cityofcalabasas.com>
Subject: I Am Against The West Village At Calabasas Project

April 8, 2021

TO: Calabasas Planning Commission Commissioners

Calabasas City
Councilmembers

I CONTINUE to oppose the proposed West Village at Calabasas Project.

Bad location! Calabasas is already an OVERBUILT city. Too much traffic congestion: North, South, East and West!

I opposed the Paxton Condos, which became Apartments. Now Las Virgenes Road is a NOISY FREEWAY!!! EXCESSIVE SPEED is a real problem!!!

I opposed the Under Construction Cambria Hotel whose name is Calabasas-Malibu. by the 101.

In *advance*, I oppose the planned *multi-use* buildings by the Calabasas Library! (Apartments et al □)

Fredda Hamilton
BM/Law/Honors MBA
Calabasas Resident since 1993
HFredda@aol.com
818 472-0451 (cell)

From: Bedwe <bedwe@aol.com>
Sent: Thursday, April 8, 2021 7:43 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

Hello,

I am a resident of Calabasas for over 20 years. The citizens of Calabasas have already spoken on this development and have said NO. Why is it back on the table for discussion?

I live off of Las Virgenes, and need the roadway to either get to the freeway, food shopping at Albertsons or to visit family in Malibu. We are already prisoners in our homes on the weekend. If you want to go out there is grid lock on the freeway, and on Las Virgenes if you want to go towards Malibu and spend the day at the beach or visit friends and relatives, there is bumper to bumper traffic.

By adding more traffic onto Las Virgenes that this development will bring, We will never be able to get anywhere on the weekends and even during the week. Soon school will be back in session and Las Virgenes is busy in the mornings, throughout the day during different pickup and drop off times. Don't even get me started trying to go to Albertsons around dinner time, the traffic is backed up. Especially on Las Virgenes coming from the Malibu direction, sometimes you can't even make a left turn on to Las Virgenes from Agoura Road during rush hour, because of the back up on Las Virgenes to Lost Hills.

These developers want to ruin our scenic route.

I do remember that there was some laws about not developing along our scenic corridor. Just because most of our founding fathers of our City have passed, this does not give the new city representatives or our city planners the right to change their minds on what should be developed in our city.

Our City planners are paid their salaries and benefits by us the taxpayers, and they need to do the what if right for our city and the wishes of its citizens. They should not be courting developers, if that is what they want to continue to do, then we need to terminate their employment and find able body employees who will fight for this city and our rights, and not destroy our beautiful city.

They keep bringing this issue back, hoping we will get tired of it and just say yes, WELL THEY ARE WRONG!!!

Please make sure that this development does not get approved and we don't hear about it again. We want it dead and buried.

Thank you

Dany Sharon
26085 Adamor Rd
Calabasas, CA 91302

From: Susan Ellis <srellis8@gmail.com>
Sent: Thursday, April 8, 2021 5:41 PM
To: info <info@cityofcalabasas.com>
Subject: NO on West Village

Hi...

Please forward to the Planning Commission and City Manager. Thank you.

Dear Planning Commissioners,

This proposed development is completely unacceptable for the proposed location for a multitude of reasons. Among them:

Over two million cubic yards of soil is slated to be removed. The spread of Valley Fever, a potentially serious illness caused by a fungus that lives in the soil in the Southwestern United States would be a possibility should that much soil be disturbed. Not to mention the hardship on the community with the heavy equipment moving that incredible amount.

The entire City of Calabasas is in a "very high fire hazard severity zone". Certainly, development on this property is a horrendous idea given the density that is already in the area should an evacuation be in order. Another fire could be so much worse than the recent terrible Woolsey fire.

This property is not just a vacant lot. It is hillsides with wetlands and home to five different species that the California Department of Fish and Wildlife has categorized as "Special Animals".

I could go on, but I am sure you will receive other letters with more of the reasons this development cannot be allowed to take place.

Thank you for your consideration.

Sincerely,
Susan Ellis
26329 W Plata Lane
Calabasas 91302

From: Tamiko Watson <tamiko95@yahoo.com>
Sent: Thursday, April 8, 2021 4:31 PM
To: info <info@cityofcalabasas.com>
Subject: West Village project

To whom it may concern, I am strongly against this project being built. Not only does it take away from the Beautiful Mountains that Calabasas has to offer, but this will create more traffic in a already heavily populated traffic area, it will also affect our beautiful and already endangered wildlife. I strongly oppose this!

Calabasas resident,
Tamiko A. Watson

From: Tonia Arey <toniareagent@gmail.com>
Sent: Thursday, April 8, 2021 4:23 PM
To: info <info@cityofcalabasas.com>
Subject: West Village Project

I'm a resident of Calabasas - I live off of Parkmor Rd.
The West Village Project (WVP) is an absolute heinous attempt to "preserve" the natural environment, there is a much better way: DO NOT ALLOW THE WVP TO BE PASSED.

They originally began this project seven years ago when the population was A LOT less and now it's significantly more - there is only one fire station in the area and as it is their resources are drained nearly every day and several times a day when the sun is out and the weather is nice because this results in massive amounts of traffic with people going to and from the beach. As it is, Las Virgenes Rd., Agoura Rd. and the 101 south become a massive congested bottleneck with nowhere to go - people think they will travel further and faster by taking Mureau Rd which only creates more havoc. I live off of Parkmor Rd and Las Virgenes, my parents live off of Liberty Canyon Rd. and on the weekends if I visit them and leave their home between 3PM - 6PM it usually takes me 30-45 min. to travel 2 miles to get home - this is ALL from beach traffic going home - now factor in the increased amount of people living/visiting WVP, you might as well rename this area of Calabasas to Times Square. Additionally, with the increase of people can the developers really guarantee that there will not be one signal amount of trash or extra emissions littered all over what will be left of our beautiful hills. Oh wait, I haven't even mentioned or factored in the Weintraub development - If this goes through maybe change or add the fwy exit sign at Las Virgenes to WELCOME TO HELL

Tonia Arey
Pinnacle Estate Properties, Inc.
REALTOR | DRE Lic. 01965544
toniaarey.com
c: 818-269-7914

From: Jennifer Hoffman <jenniferhalvarado@gmail.com>
Sent: Thursday, April 8, 2021 1:37 PM

To: info <info@cityofcalabasas.com>

Subject: West Village at Calabasas

As a resident, I am adamantly opposed to the current version of plans for the West Village of Calabasas.

It is wrong to even give consideration to any development that intends to smash into protected open space to further the developers private interest.

I seriously doubt any private resident would be granted a permit to build or do improvements on their personal property if that project not only went outside boundaries of property lines, but also damaged protected, public open space.

Why does a developer get special consideration? Because they are wealthy? That is not OK.

This project is clearly not favored by the voting public. We proved that in 2016.

Thank you,
Jennifer H. Alvarado

From: Jolie Willett <joliwillett@yahoo.com>

Sent: Thursday, April 8, 2021 1:35 PM

To: info <info@cityofcalabasas.com>

Subject: West Village Development

Dear Commissioners,

There are many problems with the proposed development at West Village. The loss of a beautiful viewshed. The construction of homes in a landslide area. Adding to the traffic gridlock that strangles the freeway and local roads during the PM rush hour.

What is most troubling and terrifying, however, is building homes and adding more traffic in a very high fire risk area. This project will put people's lives at risk for no valid reason!!!

Those of us who lived here through the Woolsey fire experienced first hand what it is like to be trapped! The freeway was closed. Local roads were closed, There was nowhere to go or a way to get there.

The Planning Commission should do the right thing and deny the West Village project 5-0.

Please let your voice be heard.

Sincerely,
Jolie Willett

From: nancy harvey <nharvey9@gmail.com>
Sent: Thursday, April 8, 2021 10:23 AM
To: info <info@cityofcalabasas.com>
Subject: Proposed development at Agoura Rd. & Los Virgenes

I remember when I lived in the San Fernando Valley and would drive the Malibu Canyon Road to get to the Beach and remarking what a lovely unblemished area this was. And as a result, this is where I decided to move in 1989.

We live off Los Virgenes Road on Alizia Canyon Drive and were always delighted to be in a more open air space.

But, unfortunately, as the years rolled on by, this area has been built up and up destroying much of the open space that I so loved and moved here to enjoy. Now here comes another attempt to take away more open space.

Since we live in a fire prone area, it makes no sense at all to keep building and building. This does not even consider the impact of more cars joining the already heavy traffic build up in that area which contributes to the unhealthy air due to car emissions. Stop doing this so you can increase your tax base. Isn't this all about money instead of thinking of the peace of mind and good health of your residents. Please put a stop to this new development.

From: Ryan King <ryankingstates@gmail.com>
Sent: Thursday, April 8, 2021 9:38 AM
To: info <info@cityofcalabasas.com>
Subject: Re: West Village Development Returning to Planning Commission April 2021

My family and I live in Agoura Hills and are deeply bothered by new information that a development company wants to build in the Westlake Hills destroying nature and wildlife. Not to mention building in a very high fire size area killing the views, peace and tranquility the land provides. Many of us have left the city to get away from the hillside homes and the traffic it causes. Please deny their request to build.

Thank you!

From: Denise Miller <denisemiller@hotmail.com>
Sent: Thursday, April 8, 2021 8:49 AM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

Dear Planning Commisioners,

There are many reasons this project is not good for Calabasas, too many to put in this letter.

The City of Calabasas Land Use Codes DO NOT ALLOW this project to be approved as proposed.

They cannot take Open Space, remove a hillside and put it back together. MANUFACTURED SLOPES CANNOT BE COUNTED AS OPEN SPACE!

CITY OF CALABASAS LAND USE CODES

- Development should preserve the hillside rather than alter the hillside to fit the development [Code 17.20.150(B)3]
- All development in a Scenic Corridor must comply with Scenic Corridor Guidelines and Hillside Development Standards [Code17.20.070(C)]
- Manufactured slopes cannot be counted as open space [Code17.20.055(A)9]
- Development shall respect natural surroundings and follow natural topography [Code 17.20.150(B)12]

Thank you and please uphold our land use codes.

Sincerely,

Denise Y Miller
4341 Willow Glen Street
Calabasas, CA 91302

From: Kevin Moghtanei <kevin@dcclaw.com>
Sent: Wednesday, April 7, 2021 9:31 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

With regard to the proposed "West Village" project, I am writing to strenuously submit my opposition.

This project is absolutely unnecessary, as it will lead to an increased danger of fire, a destruction of open spaces for local wildlife, increase problematic traffic, damage to picturesque views of the hills and canyons, among other problems.

Further, a proposed construction project of this scale will lead to environmental and health hazards for local residents and wildlife alike, a risk that we are not prepared to accept. The contamination of air and water will further strain our local natural resources, upon which we all so dearly depend upon.

I grew up in a neighboring city, and have observed the local areas sadly turning into concrete jungles. What are we leaving behind for our progeny? Do we even care about preservation of nature in an already stressed locale?

Having lived and worked in Los Angeles County for virtually my whole life, I have traveled all over on a daily basis. Sadly, I have watched the decline of natural beauty, the increase of fire zones, an explosion of traffic, and overall reduction in quality of life.

When I exit the freeway to come home after a long day at work, I always marvel at the beauty of the local area. I always exit Las Virgenes, when I see the location of the proposed project, I always wish and pray that we put a stop to this.

Let's not allow this gem of an area to go to waste.

Kevin Moghtanei

From: Chelsea Biegler <chelsealbiegler@gmail.com>
Sent: Wednesday, April 7, 2021 9:12 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

Dear City of Calabasas,

My family and I just moved here from Sherman Oaks seven months ago. We decided to move to Calabasas to escape the concrete jungle of LA and to surround our child and dogs with more natural scenery. It would be such a shame to lose the views of the canyons. Not to mention, the further destruction of space for our local wildlife! Further, the project will likely increase traffic which can be a public safety hazard with the increase of cars. Perhaps builders can infuse money to renovate/remodel existing properties rather than destroying open spaces of land which we all value so much.

Sincerely yours,
Chelsea Moghtanei

From: Peter Lamden <peterlamden@gmail.com>
Sent: Wednesday, April 7, 2021 7:25 PM
To: info <info@cityofcalabasas.com>
Subject: Please preserve open space

As brand new homeowners in Calabasas i can say the number one reason we moved here from Santa Monica is to enjoy the open space and appreciate the nature that seems to be held in the same high regard by all our neighbors.

The west village development at las virgenes and Agoura rd aims to go against all the standards we believed to be in place in Calabasas. It will have a non reversible impact on the landscape, the wildlife, traffic off and on the freeway, and it's carbon emissions will be felt for miles around.

Say no to big money developers. Protect the land

Pete Lamden
(310) 849-1598

From: Kelly Yang
Sent: Wednesday, April 7, 2021 7:02 PM
To: info <info@cityofcalabasas.com>; Stephen Monick <smonick@gmail.com>
Subject: West Village at Calabasas Public Hearing

Hi,

We are the owners of _____, right next to the proposed development, and we are adamantly against the West Village plan and will be greatly affected by it. All of us who live at the Colony already have to endure the excessive traffic on Las Virgenes, from all the people coming from Malibu, which is so bad that we often cannot even get out of our own gate. The proposed development will make the traffic situation even worse, and ruin the environment. Please do not approve it.

Thanks,
Stephen Monick and Yang Yang

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From: Ninjanance <ninjanance@aol.com>
Sent: Wednesday, April 7, 2021 5:51 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

Please don't allow the destruction of our beautiful hillside. The people of Calabasas have voted this down before. We do not want this big box housing development!! We have wildlife living there whose homes will be destroyed along with the loss of natural resources, congestion, and pollution. No! No! No!

From: Thomas Marsilio <marsiliolaw@hotmail.com>
Sent: Wednesday, April 7, 2021 5:02 PM
To: info <info@cityofcalabasas.com>
Subject: NO TO WEST VILLAGE PROJECT

No no no no no and hell no!

From: Lyle Weiser <stikkyone@aol.com>
Sent: Wednesday, April 7, 2021 4:52 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

This housing development has been rejected TWICE before.
I opposed the development before, and I oppose any development now. Let's keep our dwindling natural resources intact.
The Las Virgenes Corridor is the heart of Calabasas, and it provides the only link to local mountain ranges....it also sits in a fire zone.
No development on this land.
Lyle Weiser

From: Gary Mittin <glmittin@gmail.com>
Sent: Wednesday, April 7, 2021 2:52 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

To All: This project will destroy the integrity of our community with noise and traffic.

The city MUST prevent this eyesore from happening, and save the countless ancient oak trees and precious natural resources from demolition.

Thank you,
Gary Mittin

From: Fran McInerney <franmcinerney@gmail.com>
Sent: Wednesday, April 7, 2021 2:47 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

Dear Sirs,

I was horrified to see the story poles at the corner of Las Virgenes and Agoura Road!

The proposed project is way too big!!

PLEASE don't let this project go through. It will be a permanent eyesore in our lovely community.

Fran McInerney
Park Jacaranda, Calabasas

From: Melina Byrne <melina.byrne@sbcglobal.net>
Sent: Wednesday, April 7, 2021 2:38 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

Dear City of Calabasas and the Planning Commission,

I have been a resident for over 20 years, and am astonished at how many times we've this project come up for a vote. How many more years will we be at this. The citizens of Calabasas have spoken, and it's your job and your duty to listen and respond to what we have voted for, and for what we have NOT voted for. Why keep making us repeat this cycle of combating what will be the biggest mistake the city will ever make if the destruction of the hills and canyon are destroyed for sake of big-box buildings.

Please think of Paxton and what a mistake that was. Did we not learn from this atrocious assault on the Las Virgenes Corridor? Why are we supporting developers that want to push the maximum amount of destruction? Where is the eco-friendly design?

The idea that we have to keep asking whether we should destroy our iconic hills, rip out an almost ancient canyon, pollute our waterways, and obstruct views that belong to everyone, is absolutely ridiculous.

I'm asking you all to do what you promised when you took on your current position, which is to balance the needs of the environment with the needs of the community. We clearly said no to this destruction, but you insist on allowing these developers to keep coming at us with the worst kind of ecological nightmare that isn't necessary.

Please read the environmental report and see what I'm referring to.
We don't want all this pollution and the take-down of our iconic hills.

We don't want anymore Paxtons!!

Melina F. Byrne

From: heather dieffenbach <thedteam@sbcglobal.net>
Sent: Wednesday, April 7, 2021 2:11 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

To Whom it May Concern,

We are 100% in opposition of the West Village project being approved. We have lived off Las Virgenes for almost 16 years and continue to see useless development in our area. The commercial property at the end of Las Virgenes sits basically vacant, the townhome project has added years of traffic issues not to mention air quality problems from construction and the behemoth hotel being built next to a gas station has caused major traffic issues already and I can't even imagine what it will be like when it is finally open.

We need to preserve Las Virgenes not only for the wildlife, ancient Oak Tress but for all of our community members. We have major traffic issues already not to mention what would happen if another fire were to erupt in our community. Please vote no on this project for a third time and send a message to developers that Calabasas is not just about increasing revenue we are about quality of life for our citizens.

Thank you,
Heather and Dan Dieffenbach

From: Alex Barder <barderalex@me.com>
Sent: Wednesday, April 7, 2021 1:48 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

Hi there - I'm a homeowner in Calabasas. I am absolutely against the West Village at Calabasas construction which is in discussion.

Please reject this construction & development from happening. We need to preserve the Las Virgenes corridor. There is already too much construction there. If we let construction and development go unhinged, it will get out of hand, as it is clearly starting to.

Thank you very much for your understanding.

Best,

Alex Barder
Calabasas Homeowner

From: Meredith Gendell <mgendell@mgendell.com>
Sent: Wednesday, April 7, 2021 1:35 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

To Whom it May Concern:

I am an owner in the Colony in Calabasas, located right next to where this potential construction will occur.

I want to express my lack of support for this project - again. It is very frustrating that we are going through this process again (and have been living with story poles for a year and half on that land). This land development makes absolutely no sense. Besides the obvious of ruining more beautiful land in Calabasas, the most recent construction on the other side of Paxton townhomes have had difficult selling! Now they are renting them because they can't sell them. Why would we build more and ruin more beautiful land when we can't even sell what has already been built?

And the traffic congestion is terrible, especially around rush hour and on beach days. I can't even get out of my development onto Las Virgenes because the traffic is all backed up. Why on earth would you add more congestion (and the traffic analysis that was done last time that said there would no impact is total BS).

My daughter goes to school at AE Wright and the last thing we need is more traffic on Las Virgenes to make it even less safe for my child to walk to school.

This project makes no sense for our community and I am highly against it - again.

From a Calabasas Resident-

Meredith Gendell

From: Bob Selvin <bobselvin@hotmail.com>
Sent: Wednesday, April 7, 2021 11:40 AM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas project

I am against West Village project. We voted against it before and we still don't want it. Please represent the people and do what we want. We want the project stopped. We simply can not handle the density in this area. I will make commuting impossible.

Thank you,

Bob Selvin – registered voter and home owner in Calabasas for 32 years

From: bruce auerbach <brubachco@aol.com>

Sent: Wednesday, April 7, 2021 11:38 AM

To: info <info@cityofcalabasas.com>

Subject: west village opposition

going on record again to voice my **STRONG** opposition to this horrible project. i was one of the residents who went door to door having residents sign the petition to put this on the ballot.

we overwhelmingly voiced our objection to this project then and still do all these years later.

you have a moral obligation to listen to the citizens of our great city to deny this project. our city is terribly overbuilt and as the planning commission you need to vote the people's way and not the developer's way.

STOP the Madness!

Bruce Auerbach
Calabasas, CA

From: sarah waters <sarahf.waters@gmail.com>

Sent: Wednesday, April 7, 2021 10:36 AM

To: info <info@cityofcalabasas.com>

Subject: West Village at Calabasas Public Hearing

Hello,

I am a resident/home owner in Calabasas. I currently reside in the community the Colony- the one which will be the most impacted by the West Village proposal, I am also a board of director.

I would like to strongly vote against this development.

It simply **DOESN'T FIT**.

It obstructs the views and privacy of the current community, the Colony, and the traffic will be unbearable! the traffic on las virgenes/Malibu Canyon has gotten so bad that it is now unsafe and hard to exit our community. Most mornings and late afternoons the traffic merging onto the 101 south is so backed up we can't get out at all. With a new community of 180 multi-family homes the traffic will be unbearable and will make this road very dangerous.

I support growth and community expansion but it has to make sense- this proposal does not make sense. It will negatively impact many people in the area and their quality of life.

I will be very disappointed in the city of Calabasas if this large scale proposal is approved.

Thank you

From: Janet Laird <greenjkl@gmail.com>
Sent: Tuesday, April 6, 2021 11:35 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

I'm writing this email to oppose the current proposal to develop this land in the west side of Calabasas.

We were one of the first families living in Calabasas when it became a city in 1991. Our kids went to school here, both in LVUSD schools and at Viewpoint School. I myself was employed with LVUSD, as well as volunteered at different schools for many years. I have also served on the board of directors for two different HOAs.

Most people move here because of the natural beauty of the area, our quality schools and our safe and friendly environment. Our valuable natural resources MUST not be squandered in return for commercial and residential development that do not follow the city's plans. This area is a scenic corridor. It is protected by local laws.

Malibu Canyon, extending from the 101 to the ocean in Malibu is one of the most iconic drives in Southern California. We don't need more commercial development at a time when local businesses are failing, not just because of the pandemic, but before the pandemic, the area was struggling.

Residential development is an option but not at the expense of grading our hillsides and reducing the natural beauty of the area. This plan needs to be revised for the improvement of the community, not for another build and run scheme.

Thank you for your consideration.

Sincerely,

Janet Laird

From: Jeanet Moltke <jmoltke@yahoo.com>
Sent: Tuesday, April 6, 2021 5:11 PM
To: info <info@cityofcalabasas.com>
Cc: alexmla48@yahoo.com <alexmla48@yahoo.com>; Anna Sophia Moltke <annamoltke1@gmail.com>
Subject: West Village/Canyon Oaks development

The people of Calabasas already voted on this project when they voted NO on prop F. Please listen to the people who live here and don't allow this project to continue.

Thanks,

Jeanet Moltke, Alex Mogtaderi, Anna Sophia Mogtaderi

From: Kim Kaplan <kimberlykaplan@earthlink.net>
Sent: Tuesday, April 6, 2021 5:06 PM

To: info <info@cityofcalabasas.com>

Subject: Planning Commission at West Village Calabasas.

To whom it may concern,

I am vehemently opposed to building on our beautiful landscape and destroying the open spaces we have left in Calabasas. Please do not proceed with this plan. Thank you very much.

Kimberly Kaplan

818-421-9348

From: Kelly Spadoni <kspud0313@gmail.com>

Sent: Tuesday, April 6, 2021 4:20 PM

To: info <info@cityofcalabasas.com>

Subject: Planning Commission - West Village at Calabasas project

Dear Planning Commissioners,

I am writing to ask you all to please deny the current proposed development for the same reasons that it was denied previously.

SIZE AND SCOPE OF PROJECT TOO LARGE

- Number and height of buildings do not fit the property
- Buildings will block the VIEW of the rolling hillsides
- Is there a demand for condos and retail? Paxton Townhomes turned into rentals; retail space available throughout the City

TRAFFIC

- Traffic study does not reflect reality

WILDFIRE CONCERNS

- Calabasas has the highest Fire Danger Rating which is: Very High Fire Hazard Severity Zone
- The 101 freeway is the only designated route for emergency evacuation. Need to improve evacuation routes
- When the freeway is closed, Agoura and Mureau Roads are clogged with overflow traffic. There is no way out except possibly Las Virgenes Road and Mulholland Highway

EXCESSIVE GRADING

- Violates Restricted Open Space creating artificial manufactured hills
- Creates harmful air pollution from dust and exhaust fumes
- Destroys wetlands, natural springs and wildlife habitats
- Creates water pollution threatening the federally listed California Red Legged Frog

These current laws should be followed:

CITY OF CALABASAS LAND USE CODES

- Development should preserve the hillside rather than alter the hillside to fit the development [Code 17.20.150(B)3]
- All development in a Scenic Corridor must comply with Scenic Corridor Guidelines and Hillside

Development Standards [Code17.20.070(C)]

- Manufactured slopes cannot be counted as open space [Code17.20.055(A)9]
- Development shall respect natural surroundings and follow natural topography [Code 17.20.150(B)12]

This developer seems to have no interest in being a good neighbour to our community. If they did, they would listen to the valid concerns of the residents and work with us to develop something that the community is on board with. Instead we must waste more time reminding them of the same issues that were already addressed and previously denied.

Thank you for your time.

Sincerely,

Kelly & Jim Spadoni
Calabasas residents since 1997

From: Bob Ferber <k9kittee@yahoo.com>
Sent: Tuesday, April 6, 2021 2:59 PM
To: info <info@cityofcalabasas.com>
Cc: Thecalabasascoalition Info <info@thecalabasascoalition.org>
Subject: OPPOSITION TO West Village 2021

I am voicing my strong opposition to the West Village 2021 proposed development. We've been through this before...this is just another repackaged attempt to circumvent the will of the residents of Calabasas. I don't need to go into detail why since they have all been articulated before: devesting and irreversible impact on the environment, destruction of designated Open Space, in a Very High Fire Severity Zone and the addition of even more horrible traffic and congestion than we already have...which is honestly already ruining the quality of life for Calabasas. In fact, I know people that already dread visiting Calabasas because of the traffic and gridlock at all the major intersections!!! This will only add to it...during construction and after completion.

ROBERT FERBER

From: Carol Hahn <hellocarolann@hotmail.com>
Sent: Tuesday, April 6, 2021 11:57 AM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

Oh, no, not more development to ruin the beautiful hillsides of Calabasas and Malibu Canyon. Enough is enough!

There is already enough development in this area, and adding more residences and stores will increase traffic and density. I'm angry just looking at the story poles. It is ugly and nerve-racking.

Not to mention, there are a lot of commuters who drive south on the 101 freeway, exit at Las Virgenes and go south through Malibu Canyon to drive to work on the westside of Los Angeles. This intersection and area is going to be an even worse nightmare than it already is. It will add to the terrible gridlock that already exists.

How many more stores do we need? We have enough stores! Many shops, stores, businesses and restaurants had to close during the pandemic, there are already enough businesses in the Las Virgenes area.

Why do greedy developers look at rolling hillsides, beautiful open spaces, and natural beauty with dollar signs in their eyes? They don't care because they live in wealthy, rural areas in huge homes on acres of property, and don't have to deal with traffic and unsightly density. I hate developers – go away!

Thank you.
Carol Hahn

From: Marla Robbins <marla.robbins@me.com>
Sent: Monday, April 5, 2021 5:23 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

I highly urge you to deny the building of West Village Calabasas!! Once again the only outcome of this will be a lot more traffic & buildup of congestion which means accidents & problems that will require more police & highway patrolling.

The beauty of Calabasas is openness & easiness to the beaches. Also, right now businesses have closed because of slow traffic. Example: the shopping center on the corner of Las Virgenes & Thousand Oaks Blvd haven't been able to fill the vacancies of stores much less keep them open. So what are we supposed to do - build yet another shopping center "maybe" bringing more traffic - or have people open businesses only to have to close them because of poor business. Seriously, take a ride to the center on Las Virgenes & you'll see a lot of empty, unopened stores. Why do this??

I implore you to **NOT** allow/pass this center to be built for all of the above-mentioned reasons.

Thank you
Marla Robbins

From: Joan Hurley <joanieh@roadrunner.com>
Sent: Monday, April 5, 2021 3:13 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

To Whom It May Concern

I am a resident of the City of Calabasas, and live off of Lost Hills Road, only one exit away from the development being proposed at Las Virgenes and Agoura Roads. I am very concerned about the irresponsible proposed development as it stands. Specifically, my concerns are 1) the oversize of the project; 2) grading of protected open space, including bulldozing an ancient landslide area; 3) the destruction of the visual character of the hillsides; 4) the violation of multiple City laws, including land use codes, scenic corridor guidelines, and the fact that manufactured slopes cannot be counted as open space; 5) traffic impacts on an already-taxed area, having implications for evacuation routes in case of local fires; and 6) the impact to wildlife from a development of this scope and size.

For these reasons, I urge the Planning Commission to reject this proposal, just as the voters did in 2016 and the Commission did in July 2019. The developer needs to reduce the density and number of buildings for the entire project, and address the permanent environmental impacts and violation of City codes.

Thank you for the opportunity to express my opinion on this matter.

Sincerely,
Joan Hurley

From: tamiko fuote <tfuote@gmail.com>
Sent: Sunday, April 4, 2021 3:07 PM
To: info <info@cityofcalabasas.com>
Subject: West Village Proposed development

Now as before, I am not in favor or agreement with the West Village proposed development as it stands now.

It appears that West Village developers have not adhered to the General Plan for Calabasas insofar as they still plan to grade an extensive amount of earth that impacts the old slide area as defined in the EIR. This area is also under the "Open Space" protective restrictions.

We have so little Open Space left in Calabasas and this intersection of Agoura Rd and Las Virgenes Rds has a very high visual exposure for the residents and visitors to our City as it is at the beginning of our Scenic Corridor.

We already have a hotel complex under construction at the Freeway entrance to the 101 Southbound which undermines the "rural" description of this part of Calabasas.

In conclusion, the West Village project is threatening to change the environment of this area forever. This parcel of land is very sensitive environmentally, visually and in identity to West Calabasas. It is a keystone of West Calabasas and needs to be handled with the least visual and environmental impact, not to mention the impossible traffic concerns connected to more building here.

You can use my name

Tamiko Fuote

From: Nanci And Tom <ntgamache@gmail.com>
Sent: Thursday, March 25, 2021 2:39 PM
To: info <info@cityofcalabasas.com>
Subject: West village

We are writing as concerned citizens. We strongly oppose the plans of building West village. After the Council and the citizens have said NO, here it comes again. When will It be enough! The size and scope of this project is just too large; the amount of grading involved is excessive; didn't the Wolsey fire prove that we have way too many people and not enough safe exits for evacuation; traffic on the canyon roads and the 101 are monstrous, and on and on. Vote this project down once and for all. Listen to the people who have to live with it. Be responsible to the land use codes of our city. Do not allow this project to go forward and ruin our beautiful area.
NO! NO! NO!!!!!!

Nanci and Tom Gamache

From: Joel Popson <joelpopson@gmail.com>
Sent: Thursday, March 25, 2021 12:11 PM
To: info <info@cityofcalabasas.com>
Subject: Against west village at Calabasas.

Stop development in the Santa Monica mountains and its corridors. We care about quality of life here. Traffic and pollution are principal effects of over development and destroy quality of life. STOP IT!

From: Ellie Bracken <elliebracken7@gmail.com>
Sent: Monday, March 22, 2021 3:04 PM
To: info <info@cityofcalabasas.com>
Subject: To Planning Commission Re: West Village proposal

This has been presented before. The story lord have not changed. It is terrible for traffic. If you're on the board for Calabasas City Hall and you live here you would know what we're talking about 4;30 to 6:00 traffic funnels onto the freeway and bottles up. How many of you actually live here that you want this development to be put into our neighborhood. The structure was 8 feet away from someone who lives in the colony. That is ridiculous.

From: Kate Nott <kathryn_nott@hotmail.com>
Sent: Monday, March 22, 2021 11:58 AM
To: info <info@cityofcalabasas.com>
Subject: Proposed development of West Village 2021

I oppose building at 4790 Las Virgenes Road.

- This is wonderful, designated Open Space, and it should stay that way.
- Traffic in this area is already overburdened, especially in any emergency requiring evacuation.
- Building of multi-storey residential buildings in a box canyon is a very severe fire risk.

Please leave this land **undeveloped**, and the residents safe, for all to enjoy for generations to come.

Sincerely,

Kathryn E. Nott

From: Aditi Soory <aditisoory@gmail.com>
Sent: Sunday, March 21, 2021 12:34 PM
To: info <info@cityofcalabasas.com>
Subject: Planning Commission - West Village at Calabasas project

Hello

I am a resident of Deer Springs Community(Calabasas) and very much concerned about the revised planned development of West Village at Calabasas.

The project has been denied multiple times as we all know the negative impact of such a project. My biggest concern is that either the established rule will not be followed or the developer will find a workaround to get it approved.

I do have full confidence in our city commission to make the right decision and **stop** such a project to proceed.

Thank You
Aditi Soory
Deer Spring , Calabasas

From: Raghu Iyer <sraghuiyer@gmail.com>
Sent: Sunday, March 21, 2021 12:23 PM
To: info <info@cityofcalabasas.com>
Subject: Planning Commission - West Village at Calabasas project

Hello

I am a resident of Deer Springs Community(Calabasas) and very much concerned about the revised planned development of West Village at Calabasas.

Every development I have noticed which has been approved in past years has directly or indirectly impacted our city be it natural trails/ scenic beauty/ pollution levels. These are the things which make our beautiful city "Calabasas " a nice place to live.

My biggest concern is that we are following similar paths like other cities that have allowed rampant development which led to ruining the city charm and impacting nature. The biggest challenges stem from the basic intent of these developments :

"Developers would like to maximize revenue even if it requires to bend the rules of finding loopholes vs Resident wants to keep their neighborhood safe and preserve natural beauty"

I really hope we don't make any bad decisions made today that will have a long-term negative impact. I know it's sometimes hard for the city to fight big corporations but that's where Calabasas residents and representatives have been so good all these years. I hope we follow our established rules and don't allow anyone to go around these rules for short-term/personal benefits.

Let's preserve Calabasas Natural Beauty.

Thank You
Raghu Iyer

From: Melinda Portaro <melindaleep@yahoo.com>
Sent: Saturday, March 20, 2021 4:58 PM
To: info <info@cityofcalabasas.com>
Subject: Planning Commision

I am writing regarding the proposed plans for the development of the the land on Las Virgenes and Agoura Rd. The development of this land not only affects our local community and its ability to handle evacuations in the event of a fire or other emergency, it also affects the surrounding neighboring communities, such as Hidden Hills and Agoura Hills. These communities need to be informed so that they may also express their concerns about how this land is developed. I'm asking to make sure the general public be made aware, so they may get involved.

From: Nancy Futterman <ninjanance@aol.com>
Sent: Friday, March 19, 2021 4:32 PM
To: info <info@cityofcalabasas.com>
Subject: Planning commission—West Village at Calabasas project

Please don't allow this development on our beautiful hillside. The community doesn't want this development as a similar development was soundly voted down in 2016. We don't want the extra traffic or the destruction of our green natural hills. Thanks, Nancy Futterman —Calabasas resident for 32 years

From: Dana Sharon <danash@HeffINS.com>
Sent: Friday, March 19, 2021 10:26 AM

To: info <info@cityofcalabasas.com>

Subject: Planning Commission - West Village at Calabasas project!!

Hello,

The citizens of Calabasas have spoken already through an election that they do not want this project.

Why are we wasting meeting, time and expense going over this project again.

The traffic is already terrible on that stretch of Las Virgenes, pre COVID. Maybe the project manager is stating now it is not and using Covid -19 as an excuse, but once schools are back in session and business open, this stretch of road will have congestion once again.

Do not fall for this developers lies!

Pull up your big boy leadership pants and tell this developer **NO.**

Wishing you good health,

Dana Shores

The Continuing Saga of:

**“Trying To Make a Silk Purse
Out of A Sow’s Ear”**

aka (this time around):
West Village of Calabasas

Carl Ehrlich
Calabasas

Short history of trying to get that “silk purse”

[Editorial note: This used to be a nice pastoral setting during the early-mid 1960’s and before because of the natural springs that are on the site. And then came the developers and the folks who made them toe the mark.]

<u>Date</u>	<u>Event</u>
1991	Baldwin Co. proposes "Calabasas Park West"
2003	Baldwin Co. <u>gives up</u> and sells west portion of property
2006	Messinger Co. consolidates east and west portions of property
2012	Messinger <u>gives up</u> New Home Co.(NHC) buys property
2016	NHC proposes "Canyon Oaks" Defeated by referendum High density version of "Canyon Oaks" proposed by NHC during referendum period but discarded (File # 160003152)
2017	Calabasas"
2018	Draft EIR submitted
2019	DEIR denied but left room for resubmittal
2020	Revised draft EIR submitted – deleted Alt. 4 (which had been supported by the Commission) and added Alt. 5

Ref.: Our City/Current Projects/West Village/History

But it isn't about making a "silk purse" after all!

**It's really more the reverse:
making a sow's ear out of a silk
purse!**

They're taking a beautiful
pastoral scene and making it
into a bunch of 3-story
residential buildings complete
with cityfied driveway canyons.



With this revision, they've
merely changed the building
arrangement. And the
extensive landslide mitigation
task and encroachment into
open space are still there.

Before:



After:



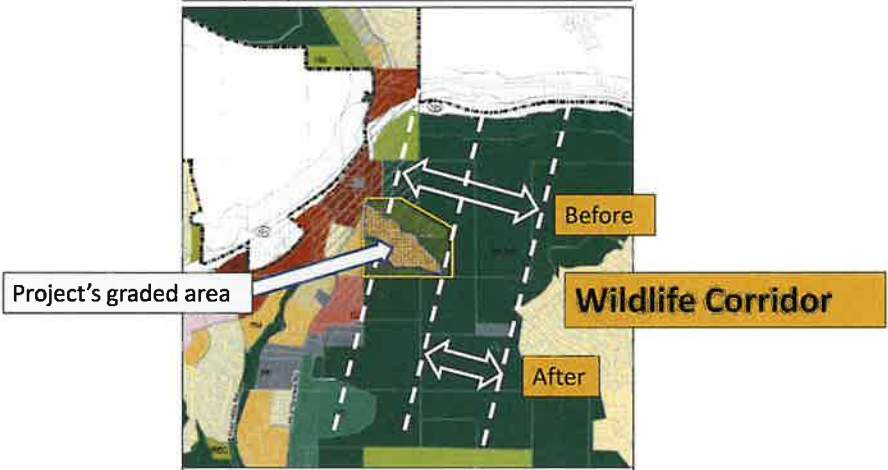



How does that new Alternate 5 compare to the original (basic) plan?

Original (Basic) Plan	Alternate 5	Comparison – Alternate 5 has::
<ul style="list-style-type: none"> • 180 elevator-served units • 15 buildings • 66 acres open space • 18 affordable units • 3-story maximum • Garage and surface-level parking • 5,867 sq. ft. of neighborhood-serving retail • Trailhead connections • 15,680 sq. ft. Community Park and public gathering space 	<ul style="list-style-type: none"> • 146 walk-up units • 22 buildings • 66 acres of open space • 15 affordable units • 3-story maximum • Tuck under and surface-level parking • 5,867 sq. ft. of neighborhood-serving retail • Trailhead connections • Recreation center and pool for West Village residents • Community Playfield and Greenbelt • Extended buffer for adjacent residential and Las Virgenes Rd. 	<ul style="list-style-type: none"> • Fewer units • More buildings • No change –violates open space; retains permanent terraced slopes • Reduced number of affordable units • No changes • Tuck-under garages could be susceptible to earthquakes • No change • No change – public parking? • Community excluded (no comparative size indicated) • But no Community allowed? • * Good

[Image & Claim credits: westvillagecalabasas.com]

Our mountain lions and other critters will pay a price for New Homes to get that “silk purse”



Project's graded area

Before

Wildlife Corridor

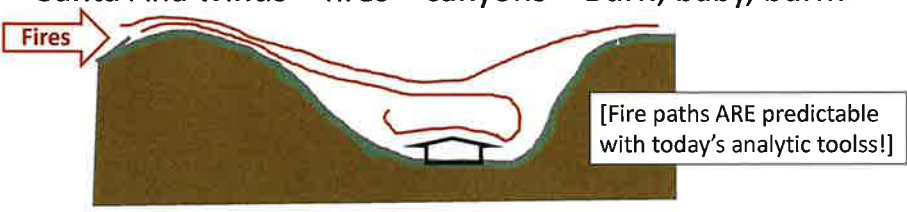
After

Ref.: CDFW Letter Nov. 12, 2020 – Comment #1 Mountain Lion

Fire hazards are a cost of that “silk purse”

New construction + high fire danger area =
“Built To Burn”*

Santa Ana winds + fires + canyons = Burn, baby, burn!



[Fire paths ARE predictable with today's analytic tools!]

* Sierra Club “Built to Burn”: New Report on Development in Fire Zones
* Senate Bill SB 55: “This bill would, ---, prohibit the creation or approval of a new development, as defined, in a very high fire hazard severity zone or a state responsibility area.”

The “silk purse” saga current bottom Line:

- Just like the storybook Emperor, the revised project only has another new suit of clothes, all else is the same.
- Alternate 5 just has a little more (and a little less) of the same stuff as the original (basic) design has.

Retain the Commission's initial negative recommendation in the findings to be submitted to the City Council, and:

Just say NO! again!

April 12, 2021

Calabasas Planning Commission
100 Civic Center Way
Calabasas, CA. 91302

Dear Planning Commissioners:

Thank you for the opportunity to comment on the proposed West Village at Calabasas Alternative 5. My comments may feel similar to comments received by the Planning Commission in 2019. That's because Alternative 5 offers virtually no substantive change from the original West Village at Calabasas project, which was denied by the Planning Commission in July 2019.

The original West Village at Calabasas was described in the EIR:

"The planned development would convert a portion of the site's natural areas, which contain natural hillsides, oak trees, seep-fed wetland features, and ephemeral drainages, into graded pads designed to support buildings, roadways, drainage improvements, and re-contoured and remediated slopes. Overall, proposed grading would involve re-contouring the existing hillsides and filling the existing canyon feature to create a series of building pads."

This will be the same for Alternative 5. The Recirculated EIR offers no meaningful alternative; every alternative calls for landslide remediation in Open Space-Development Restricted land.

Alternative 5 offers a reduced number of units (from 180 to 146), yet increases the number of buildings (from 15 to 22). Parking has also been changed to incorporate "tuck-under" parking (which proved to be disastrous in the Northridge earthquake). However, all other aspects and impacts of Alternative 5 are substantially the same as the original West Village. The Recirculated EIR repeatedly states that impacts are the same. So, as if it were déjà vu:

Calabasas Municipal Code 17.90.020 defines development:

Development means any grading or construction activity or alteration of the land, its terrain contour or vegetation, including the addition to, erection, expansion, or alteration of existing structures.

If this definition is ignored, it renders the Open Space-Development Restricted designation meaningless.

The Calabasas Municipal Code lists a series of development impacts in CMC Table 6-2 that are to be avoided. The top three categories are Preservation of Open Space, Hillside Management and Biotic Resources. Both West Village and Alternative 5 would create negative impacts in each of these categories.

Impacts to Preservation of Open Space:

The CMC also defines open space in its Cluster development standards, 17.20.055(A)9:

"The open space shall be generally configured as large, contiguous areas of undisturbed native habitat capable of serving the various purposes of such open space, including view preservation of the natural areas, habitat preservation and wildlife corridor preservation. The open space set aside calculation should not include lawns, landscaping, manufactured slopes, or other artificially landscaped features but may include habitat restoration areas."

Note the term “*undisturbed* native habitat”. The developer proposes converting approximately 20 acres of Open Space-Development Restricted land into manufactured slopes. Regardless of whether they plant native habitat on those slopes, they are still *manufactured* slopes and cannot be counted as open space, per the CMC. If this development is approved, the City loses 20 acres of open space.

The EIR tries to make the argument that certain temporary use of OS-DR land is permissible. However, the use proposed for both the original West Village and Alternative 5 are *permanent* uses. Once natural slopes are converted to manufactured slopes, they remain that way. The miles of concrete V-ditches that will be poured onto those manufactured slopes are *permanent*. Because of the new, permanent use of the OS-DR for development, the total number of acres permanently impacted will be 35.8 acres, not the 11.13 acres the developer claims.

In their comments about counting manufactured slopes as open space, the California Department of Fish and Wildlife and California Native Plant Society explained how “the value of this open space would be dramatically reduced for native plants and animals.”

Impacts to Hillside Management:

The proposed project and Alternative 5 are grossly out of compliance with the CMC’s Hillside Management. Performance Standards for Hillside Development are specified in CMC 17.20.150(B):

“Grading and project design shall conform to the city’s grading ordinance (Title 15) and the following standards:

1. *Projects within hillside areas shall be designed to protect important natural features and to minimize the amount of grading.*

The code further makes clear:

“The intent of this section is to limit the amount of grading on the steeper portions of a lot.”

2. *Grading and project design shall address and avoid impacts to habitat Linkages and wildlife corridors.*
3. *Overall project design and layout shall adapt to the natural hillside topography and maximize view opportunities to and from a development. A development should preserve the hillside rather than alter it to fit the development.*
6. *Structures shall be sited in a manner that will:*
 - a. *Fit into hillside contours and the form of the terrain;*
 - b. *Retain outward views from the maximum number of units and maintain the natural character of the hillside; and,*
 - c. *Preserve natural hillside areas and ridgelines views from the public right-of-way.*
12. *The overall scale and massing of structures shall respect the natural surroundings and unique visual resources of the area by incorporating designs with (i) minimize bulk and mass, (ii) follow natural topography, and (iii) minimize visual intrusion on the natural landscape.*

Note use of the word “shall”, which makes these standards mandatory. The project proposes filling in the canyon in order to accommodate a larger development than what the land allows. That is wildly inconsistent with these standards. West Village and Alternative 5 do not minimize the amount of grading, protect important natural features, nor follow the natural topography. The analogy of trying to fit a square peg in a round hole comes to mind. The proposed project is the antithesis of these codes.

CMC 17.20.070(C) states:

“Proposed development and new land uses within a scenic corridor designated by the -SC overlay zoning district shall comply with the city’s Scenic Corridor Development Guidelines.”

Especially pertinent among those guidelines is:

“Grading shall be kept to an absolute minimum.”

Use of the word “shall” leaves no wiggle room.

CMC 17.18.040 lays out requirements within the -SC overlay zone:

Scenic Corridor (-SC) overlay zone.

A. Purpose. The purpose of the -SC overlay zoning district is to protect an important economic and cultural base of the city *by preventing the destruction of the natural beauty and environment of the city; to safeguard and enhance property values; to protect public and private investment, buildings and open spaces;*

D. Development Standards. All development within the -SC overlay zoning district *shall comply with all applicable provisions of the Performance Standards for Hillside Development and Urban Design Standards of Chapter 17.20, the Scenic Corridor Development Guidelines adopted by the council, all applicable provisions of this development code, and any applicable specific plan, master plan corridor design plan or design guidelines.*

The Las Virgenes Gateway Master Plan (LVGMP) would be one of the “applicable specific plan, master plan corridor design plan” referenced in 17.18.040(D). It states its policy for Hillside Management:

Minimize the alteration of existing land forms and maintain the natural topographic characteristics of hillside areas, allowing only the minimal disruption required to recognize basic property rights.

With 2.6 million cubic yards of grading and filling in the canyon, the proposed project and Alternative 5 are far from “only the minimal disruption”. West Village and Alternative 5 far exceed basic property rights. Even if only the grading is considered, both projects are inconsistent with the CMC. It must be denied.

Impacts to Biological Resources:

One of the biggest impacts for which there is no mitigation is the 25% loss of Wildlife Linkage and Corridor. The developer cites the use of wildlife-friendly fencing as a mitigation measure. *Fencing does not make up for the elimination of one quarter of the Wildlife Linkage and Corridor.* CMC 17.20.150(B)2 is clear:

“Grading and project design shall address and avoid impacts to habitat linkages and wildlife corridors.”

Once again, note the use of the word “shall” in the code. Fencing does not address loss of area. This loss is unmitigated. Both West Village and Alternative 5 do not comply with the CMC.

The Las Virgenes Gateway Master Plan, which must be followed, per CMC 17.18.040(D), states its policy for Biotic Resources:

“Ensure that new development protects riparian areas, oak woodlands, habitat linkages and other biologically sensitive habitats.”

Neither project protects habitat linkages. Furthermore, the California Department of Fish and Wildlife emphasized the importance of the Wildlife Linkage and Corridor for California mountain lions. While actual sightings are rare, we know mountain lions are in Calabasas. In September 2020, a mountain lion was killed trying to cross the 101 freeway near Parkway Calabasas. It was photographed within sight of the Bob Smith car dealership, about two miles from the Wildlife Linkage and Corridor – not very far for a mountain lion.

The OS-DR land is rich and vibrant, home to near-rare plants (Catalina Mariposa lily and California black walnut). Four year-round, spring-fed wetlands are crucial to the survival of many species. The developer proposes paving over and relocating these rare and fragile ecosystems. I posed a question in one of my comment letters asking for statistics on the success/failure rate of reconstructed wetlands. It was never answered. I later received my answer by reading comments submitted by Heal the Bay which stated:

"Nationwide, methods to replace wetlands have largely proven unsuccessful in fully recreating the biodiversity and habitat lost in areas where the wetlands have been impacted or destroyed. Research shows that in general, mitigation requirements in 401 and 404 permits have been shown to be insufficient to ensure high performance in mitigated wetlands."

For a better picture than I can provide of the impacts to biological resources, I urge you to reread the previous comments by California Department of Fish and Wildlife, California Native Plant Society, Heal the Bay and Santa Monica Mountains Conservancy.

Landslide in OS-DR:

The developer contends that the ancient landslide in OS-DR land is now a major public safety hazard that must be remediated, regardless of whether the land is developed. Where was this concern when the developer purchased the land in 2012? At the 2019 public hearing, the City engineer stated that it wasn't even on the City's "watch list". Years passed between the developer's purchase and their Canyon Oaks proposal, without a word about public safety. The 2019 public hearing included testimony that this ancient landslide is not a hazard because it is buttressed by the north wall of the canyon. Remediating the landslide in OS-DR land is simply a scheme by the developer to enable a larger project than what the land allows.

The General Plan is clear in its approach to development in/near landslide areas:

"...despite the best efforts of geologists and civil engineers, manmade slopes created by development within hillside areas can be subject to slope failure. Overall, the preferred option for undeveloped hillside lands is to maintain them in their natural condition. The General Plan defines those areas that, because of their environmental significance, require varying degrees of protection and also provides for areas where development and varying degrees of landform modification may occur."

The Open Space-Development Restricted land is zoned as such because of its environmental significance; it's zoned "Development Restricted" for protection. The OS-DR land is not one of the areas "where development and varying degrees of landform modification may occur."

Additionally, the General Plan's Environmental and Infrastructure Constraints states:

"Consistent with Calabasas' commitment to foster environmentally responsible development, the City's 2030 General Plan Safety Element establishes the following policy:

Policy VII-4 Discourage development within potential landslide areas with severe soil limitations as the City's preferred management strategy, and a higher priority than attempting to implement engineering solutions."

Both West Village and Alternative 5, are inconsistent with the General Plan Policy. The General Plan clearly acknowledges that engineering solutions exist, but makes clear the *preferred and responsible choice* is discouraging development in potential landslide areas.

Wildfires:

The Recirculated EIR has a glaring omission: the recurring risk of wildfires. The EIR mentions the Woolsey fire only in the context of it not requiring a new EIR. The EIR mentions rare seismically-induced risks but ignores the reality of recurring wildfires in our area. The entire City of Calabasas is in a Very High Fire Risk Severity Zone, per Cal-Fire. The entire project site burned in the Woolsey fire. A small portion of Las Virgenes Road was expanded to four lanes with the Paxton development. However, it bottlenecks down to just two lanes for the majority of the road south of the site. Las Virgenes Road is a designated disaster route, meaning that one lane must remain open for first-responder vehicles. This effectively reduces Las Virgenes Road to a single lane for evacuations. Woolsey and other smaller fires have shut down the 101, as well as Agoura and Mureau Roads, which are alternates to the 101. How many residents live south of the proposed site? How would this development impact evacuation in the Malibu Canyon area? None of this is addressed. This omission should render the EIR insufficient.

Possible Recommendation:

In the event that the Planning Commission recommends West Village or Alternative 5, it cannot obtain Tentative Tract Map approval without ignoring the required findings. CMC 17.41.100(A) states:

Required Findings for Approval: The review authority may approve a tentative map only when it shall first find that the proposed subdivision, together with the provisions for its design and improvement:

- 1. Is consistent with the General Plan, and any applicable specific plan, and*
- 2. That none of the findings for disapproval in subsection (D) of this section can be made. The findings shall apply to each proposed parcel as well as the entire subdivision....*

However, subsection (D), Findings Requiring Disapproval are easily met:

A tentative tract map shall be denied if the review authority makes any of the following findings:

- 1. The proposed subdivision including design and improvements is not consistent with the General Plan or any applicable specific plan;*
- 2. The site is not physically suitable for the type or density of the proposed development;*
- 3. The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or injure fish or wildlife or their habitat;*
- 7. The proposed subdivision is not consistent with all applicable provisions of this development code, the Municipal Code, or the Map Act.*

Once again, note the phrase “*shall be denied* if the review authority *makes any* of the following findings.” If just one of the above findings can be met, the Tentative Tract Map must be denied. Both West Village and Alternative 5 meet four of the Findings Requiring Disapproval.

The developer purchased this land in 2012. At the time of the purchase, it had the same zoning as today. It had the same geologic constraints in the Open Space-Development Restricted land that it has today. Every parcel of land has limitations and zoning restrictions. This developer cannot reasonably expect to develop a portion of land that’s not zoned for development any more than I can expect to build a market in my yard. The philosophy of our city’s General Plan and our development code is that “development should fit the land.” Clearly, neither West Village at Calabasas nor Alternative 5 fit the land.

West Village at Calabasas was denied recommendation by the Planning Commission in July, 2019. The decision was made, in part, due to the massive amount of grading and environmental impacts to the

Open Space-Development Restricted land. The Planning Commission bent over backwards in advising the developer to return with another project. The Commission went as far as suggesting a smaller project north of the creek in order to avoid the immense amount of grading and environmental damage. Instead, the developer chose to ignore all of that and returned with Alternative 5, which has virtually the same impacts. This project does not comply with many General Plan policies and municipal codes. It must be denied recommendation for all the same reasons as the original West Village project.

Sincerely,
Frances Alet
Calabasas

Glenn Michitsch

From: Maricela Hernandez
Sent: Tuesday, April 13, 2021 8:59 AM
To: Bob Burris
Cc: Glenn Michitsch; Maureen Tamuri; Tom Bartlett
Subject: FW: Planning Commission 4-15-21 - West Village at Calabasas public hearing - public comments - agenda item #1

Bob, did you see/distribute this?

Thanks!

Mari Hernandez, City Clerk

Master Municipal Clerk

California Professional Municipal Clerk



From: Joe Chilco <joe.chilco@gmail.com>
Sent: Sunday, April 11, 2021 6:54 PM
To: info <info@cityofcalabasas.com>
Cc: Maricela Hernandez <mhernandez@cityofcalabasas.com>
Subject: Planning Commission 4-15-21 - West Village at Calabasas public hearing - public comments - agenda item #1

I ask that the Planning Commissioners consider the following in their deliberations regarding the denial or approval of the West Village at Calabasas proposed development.

When questioned at the July 18, 2019 Public Hearing by then-Planning Commissioner Kraut, City Engineer Robert Yalda admitted that the City would not pay to remediate the ancient landslide if the development was not approved. Further, City Engineer Yalda admitted that the ancient landslide is not even on a list of potential landslide areas within the City that are being tracked. Commissioner Kraut concluded that the remediation of the ancient landslide was only to serve the development. At that time, a majority of the Planning Commissioners agreed and voted to deny the project, as this excerpt from the recorded minutes of that July 18, 2019 meeting states:

“Commissioner Harrison made a motion to deny draft Resolution No. 2019-689 with an added hope that the applicant will return with a modified version of Alternative 4. The motion was seconded by Commissioner Mueller, to include language recommending that the applicant come back with any alternative they wish to propose, and further directing staff to prepare a revised resolution supporting a denial. Commissioner Harrison accepted the amendments to the motion.

Vote on the motion: 3-2 (motion passed).”

The landslide at the West Village at Calabasas project, as mapped by the current consultant, failed to the northwest into the bottom of the existing canyon. The direction of movement is not toward Las Virgenes Road. Further movement of the landslide mass as mapped by the consultants is not possible since the mass has come to rest against the north (opposite) wall of the canyon. The north canyon wall prevents any additional movement

of the slide mass from occurring since that canyon wall buttresses or impedes further movement in that direction. The existing landslide is presently at its lowest potential energy, is stable, and does not represent a hazard to the public or to adjoining properties in its current, undisturbed state. The City Engineer concurs on that last point and so stated in the Public Hearing on the proposed project on July 18, 2019.

The existing debris basin located at the west side of the site is designed to intercept and contain debris, and to protect offsite areas from debris flows. The potential for damaging debris flows to mobilize onto adjoining properties/roadways is completely mitigated by the existing debris basin that provides that level of protection currently.

The contention that the construction of concrete V-ditches is an allowed temporary land use cannot be supported with facts. Absent the development, the City would not build infrastructure of this kind on OS-DR land. Hence, the concrete V-ditches are part of the development.

The following pictures, taken during construction of the Paxton project on April 10, 2018 and the pictures subsequently taken three years later on February 21, 2021 of the manufactured hillsides with concrete V-ditches as they exist today at that project, prove that concrete V-ditches are permanent and they are still very visible.



Paxton project on April 10, 2018









Paxton project on February 21, 2021

The 2008 “up zoning” to OS-DR of 61 acres located on the West Village at Calabasas land parcel was included in the 2030 General Plan. It created an Open Space buffer that was never intended to be developed, bulldozed or disturbed, but left in a natural state.

As it has already been established that the ancient landslide poses no imminent threat to public safety and in light of the fact that 61 acres of Open Space already exist as a mitigation buffer, there is no need to remediate this ancient landslide.

However, putting hundreds of people in a box canyon in a Very High Fire Hazard Severity Zone is irresponsible and dangerous. This is a public safety concern that is not addressed in the EIR. There is no mitigation. The proposed project has a significant impact on this public safety issue. Public safety is a basis for denying the proposed project.

Given the above, the West Village at Calabasas development, as currently proposed, should not be approved.

Per CEQA, the Planning Commissioners are required to deny the project if any of the findings in a. b. or c. below can be made:

- a. The proposed subdivision...is not consistent with the General Plan, or any specific plan.

This project is inconsistent with General Plan Open Space Element Policy III-2, Hillside Management Policies III-12 and -14, Conservation Element Policy IV-2, and Land Use Element Policies II-10, -14 and -15. It's also inconsistent with Safety Element policies. The City's General Plan background report explains that "Consistent with Calabasas' commitment to foster environmentally responsible development, the City's 2030 General Plan Safety Element establishes the following policy: VII-4, which discourages development in landslide areas as the City's *preferred* management strategy – as a higher priority than attempting to implement engineering solutions."

The project is also inconsistent with the Las Virgenes Gateway Master Plan that states maximum densities *shall be balanced against topographic and natural site constraints*.

- b. The site is not physically suitable for the type or density of the proposed development.

The site is not physically suitable for the density of this proposed development. A smaller project north of the creek would be more consistent with the CMC, General Plan and other plans. The project is more than twice the size in acreage and density of its immediate neighbors with the same topography.

- c. The design of the subdivision or proposed improvements are likely to cause substantial environmental damage or injure fish or wildlife or their habitat.

In comments submitted by experts from the California Department of Fish & Wildlife, the California Native Plant Society, Heal the Bay and the Santa Monica Mountains Conservancy, all recommend a smaller project in order to avoid environmental damage to habitat and its value.

The Planning Commissioners are required to deny the project if just one of the above findings can be made. All three can be made.

The rules and codes to protect open space, our fragile environment and our community's values are already in place.

The public made it clear when they voted by nearly 2:1 against the Canyon Oaks development. West Village at Calabasas has all the same destructive impacts. The public rejects it for the same reasons.

I urge you to enforce the laws that protect the public's interests, as was intended and expressed by a majority of the Planning Commissioners at the July 18, 2019 Public Hearing, and to act in accordance with the CEQA requirement that you must deny approval.

Thank you.

Joe Chilco
Calabasas resident
(address on file)

Re West Village at Calabasas Public Hearing

4-12-21

Dear Planning Commissioners,

Although I realize that you are all aware of our City codes and laws for our beautiful land here in Calabasas, I want to remind you of a couple of codes that would be violated, if this project were to be allowed to be constructed.

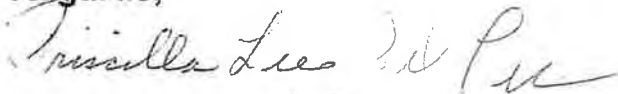
First, the code that states that the development should fit the land, rather than altering the land to fit the development is definitely being ignored. This proposal indicates that v-ditches and grading of the ancient landslide would replace our beautiful hillsides. (Code 17.20.150(B)3).

The public and the planning commission previously rejected a similar plan with the public voting against the similar project, with our No on F vote in 2016. Yet we are still having to express our views against Alternative 5.

Our Land Use Codes and General Plan also state that Scenic Corridor must comply with Scenic Corridor Guidelines and Hillside Development Standards (Code 17.20.070©). Alternative 5 does not do that either.

Last, but certainly not least, if we were to allow New Homes to proceed with this development, the safety of our whole community would be compromised. As you remember, during the Woolsey fire, various roads were blocked and some citizens were unable to evacuate. Please do not allow this developer to cause harm to city residents by adding additional homes and businesses to our community.

Regards,



**Priscilla Lee & Melvin Lee
Calabasas residents**

Re: West Village at Calabasas Public Hearing

4-8-21

Dear Planning Commission Members,

We are writing to ask you to decline to approve the current version of West Village at Calabasas for a number of reasons. The most important to me is the safety of our community. You well know that during the Woolsey Fire a number of residents were unable to evacuate, due to numerous roads being closed because of the encroachment of the fire. Our house was the only house in Saratoga Hills with extensive damage due to the fire, so you know we're very concerned about having such a potentially damaging development.

Secondly, we're opposed to having to go through this again, since we already determined that we did not want to ruin the Open Space and beautiful hills in Calabasas. There are many City Codes which should apply to this proposed project, but, which obviously are being violated.

One is among the Land Use Codes and General Plan, which state that a development should preserve the hillside rather than alter it to fit the development. They also state that "...development must maintain the existing visual character of hillsides, recognizing both the visual importance of hillsides from public view areas and the importance of providing panoramic views from hillsides".

All development in a Scenic Corridor must comply with Scenic Corridor Guidelines and Hillside Development Standards. [(Code17.20.070(C))]. This proposed project neither protects our safety nor preserves the hillsides.

Please just say "NO". Thanks in advance.

Regards,



Darce Florio



Robert Florio

Calabasas Residents

4-12-21

Re: West Village at Calabasas Public Hearing

Dear Planning Commission Members,

My wife and I are asking you to reject the developer's most recent proposal to develop the "West Village at Calabasas". First of all, city residents previously rejected this very similar project with our No on F vote about 5 years ago. We rejected it for many good reasons, most importantly because it would create a safety issue for the whole community.

As you already know, we live in a high fire risk zone. Approving more homes and businesses to be built at this site would jeopardize our whole city, making it even more difficult for residents to evacuate.

Further, our code, Code 17.20.150(B)12 says that a development shall respect the natural surroundings, and should follow the natural topography. This proposed development does not do that.

Please reject this proposal and help protect our land and, most importantly, our residents.

Kind regards,

A handwritten signature in black ink, appearing to read 'Carlos DeLarios', written in a cursive style.

Carlos DeLarios

4-6-21

Planning Commission West Village

Dear City of Calabasas Planning Commissioners,

Please reject the West Village proposal that New Homes is submitting to you. As you know, we are in a high fire potential area, and during the Woolsey Fire, our community was blocked and some were unable to vacate in a timely manner. Building extra homes in this area is very dangerous and puts all our lives at risk.

Thank you in advance.

A handwritten signature in cursive script that reads "Janice Robinson". The signature is written in dark ink and is positioned above the printed name.

Janice Robinson
Saratoga Hills Resident
Calabasas

Glean Michitsch

From: Bob Burris
Sent: Friday, March 19, 2021 10:52 AM
To: Maureen Tamuri; Glenn Michitsch; Tom Bartlett; Kindon Meik; Matthew Summers; Maricela Hernandez
Cc: Michael Russo; Arvin Petros; Rachel Biety
Subject: Fw: Planning Commission - West Village at Calabasas project!!

Bcc'd to Commissioners

From: Dana Sharon <danash@HeffINS.com>
Sent: Friday, March 19, 2021 10:26 AM
To: info <info@cityofcalabasas.com>
Subject: Planning Commission - West Village at Calabasas project!!

Hello,

The citizens of Calabasas have spoken already through an election that they do not want this project.

Why are we wasting meeting, time and expense going over this project again.

The traffic is already terrible on that stretch of Las Virgenes, pre COVID. Maybe the project manager is stating now it is not and using Covid -19 as an excuse, but once schools are back in session and business open, this stretch of road will have congestion once again.

Do not fall for this developers lies!

Pull up your big boy leadership pants and tell this developer **NO**.

Wishing you good health,

Dana Sharon



 A DIVISION OF HEFFERNAN INSURANCE BROKERS

Dana Sharon

Account Manager

danash@heffins.com

<http://www.rgeb4u.com>

direct: (213) 787-4178

20750 Ventura Blvd Suite 350

Woodland Hills, CA 91364

main: (818) 444-7722

Glenn Michitsch

From: Jaclyn Rackerby
Sent: Monday, April 12, 2021 1:05 PM
To: Glenn Michitsch
Subject: FW: New Homes Company/West Village development

-----Original Message-----

From: tom hayduk <thayduk29@gmail.com>
Sent: Monday, April 12, 2021 11:00 AM
To: Jaclyn Rackerby <jrackerby@cityofcalabasas.com>
Subject: New Homes Company/West Village development

To the Calabasas Planning Commission: I am writing this note to express my opposition to New Home Company's proposed development of "West Village" located east of Las Virgenes Blvd. I first hiked in this canyon in the mid 2010's while employed as the Restoration Manager for Mountains Restoration Trust. We were asked to help support this earlier development plan by collecting seed from native plants in the area for the mitigation program. I later learned that this unique wetland containing the largest colony of yerba mansa (*Anemopsis californica*) I had ever seen in the Santa Monica Mountains and two standing wells that also had historical value were all proposed for removal/replacement as mitigation in other portions of the property. I told the development group that I could not support the intended destruction of these unique wetlands and thus MRT did not offer any support for the project.

About one month ago I revisited this wetland (via trail from Calabasas dog park) to view its current state following a very dry winter. The yerba mansa wetland was saturated with spring water and had been able to withstand invasion of non-native grasses and forbs. These wetlands are most unique and worthy of preservation and enhancement and any future development project should be limited to the disturbed terrain found on west side of the property and not involve the destruction of hillsides or wetlands contained within the property.

Sincerely,

Tom Hayduk
thayduk29@gmail.com



Los Angeles/Ventura Chapter

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Rick White, *Larrabure Framing*

April 13, 2021

Commissioner Wendy Fassberg, Chair
Commissioner Michael Harrison, Vice-Chair
Commissioner Robert Lia
Commissioner John Mueller
Commissioner Dennis Washburn
Commissioner Daniel Milstein, Alternate Member
City of Calabasas
100 Civic Center Way
Calabasas, CA 9130

Re: Approve West Village Housing Project – BIA-LAV Support Letter

Dear Chair & Commissioners,

The Los Angeles/Ventura Chapter of the Building Industry Association of Southern California, Inc. (BIA), is a non-profit trade association of nearly 1,200 companies employing over 100,000 people all affiliated with building housing for all. On behalf of our membership, we would like to express our support for the approval of the West Village housing development project. During this unprecedented time, housing is needed now, more than ever. This project will provide homeownership opportunities for many families across the City of Calabasas.

We hope the Commission truly considers the reality that is being shaped when a well-crafted and positively intentioned housing project is approved. The New Home Company has done their due diligence to address City and community concerns. This project is being built within the allowable guidelines of the City's recent General Plan updates, as well as the City's current Housing Element study. These are all positive metrics and seemingly consistent with the goals of the City, and the State's Housing Accountability Act. We hope to point to the City of Calabasas as an example of working with the development community to get to a place where housing can be produced. This will give other builders the certainty and confidence to evaluate future housing opportunities within the Calabasas. The Commission has the chance to help meet the City's housing needs and we encourage you to move that goal forward by approving this project.



Los Angeles/Ventura Chapter

As referenced, California is facing one of the most drastic housing shortages in the nation. A recent University of Southern California Report estimates that by 2025, the State needs 1.1 million units of housing to fill this gap and the Southern California Association of Governments estimates that, without being caught up on the backlog, the LA Metro area needs 1.4 million units of housing by 2029. The City of Calabasas, alone, will be responsible for providing 354 new housing units by 2029 as projected by the Regional Housing Needs Assessment (RHNA) allocation numbers. The West Village project is a step in the right direction in helping to alleviate this crisis by replacing an underutilized site with 180 units. The project includes 18 affordable units (10% of total project footprint) reserved for very-low income housing. Every new unit of housing in the County is necessary.

There are many added benefits for the City that result from the production of housing. This project will strengthen the local economy with new investment and generate revenue for Calabasas. This project will accumulate taxes and fees contributing to City operations and it will create construction jobs during this difficult economic condition. Estimates show that for each unit of housing at least two jobs are produced. Further, the infusion of work and future residents will help support local businesses.

We are proud to support these critical efforts in the creation of housing opportunities. For these reasons, we would like to urge the City to approve the New Home Company housing development. Thank you for your consideration of this request. Should you have any questions, please contact BIA-LAV Vice President, Diana Coronado at dcoronado@bialav.org.

Sincerely,

Diana Victoria Coronado
Vice President
BIA-Los Angeles/Ventura

Sent via e-mail

CC:

Maureen Tamuri, AICP, Community Development Director



Re: West Village comments for hearing and the record

Dear Calabasas Planning Commissioners and City Council:

Save Open Space/Santa Monica Mountains (SOS) opposes the West Village development proposal as it violates and is inconsistent with the laws, policies and ordinances of the City of Calabasas. It is inconsistent with the City's General Plan (OS-RP), Zoning Ordinance (OS-DR), Scenic Corridor Guidelines, Hillside Development Standards, and Las Virgenes Gateway guidelines. It is also part of a critical habitat linkage mapped in the Natural Resource Management Plan for the SMMNRA issued in 1982. (Habitat Linkage and Corridor Map- see attachment 1 and 2)

Open Space is required by California Government Code - Section 65560-65570 :: Article 10.5. (h) "Open-Space Land; means any parcel on area of land that is devoted to open space use as defined in this section, it is designated on a local open space plan as any of the following: (1) Open Space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species... (6) open space for the protection of features.

The City of Calabasas wisely protected this scenic and natural resource land and habitat linkage by implementing an existing deed restriction for the zoning of a part of this property as OS-DR and by designating it OS-RP in its General Plan.

OS-DR (majority of property's Zoning)

It needs to be fully disclosed to the public that this property is partly zoned OS-DR. OS-DR is Open Space land whereby "development is restricted through deed restriction, conservation easement, or dedication of this open space as part of an approved development." More than 50% of the subject property is shown as dark green on the official Zoning map of the City. Dark green means OS-DR. Was this originally part of the Baldwin deed restricted Open Space? Per Public Records Act, we request to view the Baldwin tract map and approval materials.

On page 44, please properly disclose to the public by correcting the Zoning map by putting the OS-DR designation inside the yellow boundary project site. (See attachment 3)

Definition of land development: the massive grading for this proposed project is considered "alteration of natural terrain" and is development. This major landform grading/alteration (total cut and fill non remedial grading totals ½ a million cubic yards and remedial grading totals 4.8

million cubic yards of earth) is land development and is not allowed on OS-DR land. Development is allowed on the part of the property zoned PD and RM.

What page is the slope analysis? A slope analysis is required per hillside development 17.20.150. What part of the project site is over 50% slope? Any development/land alteration "shall" not be allowed in slopes over 50%.

OS-RP (General Plan)

The fact that the proposed project will forever alter the OS-RP (shown dark green in General Plan p.43) by massive grading (total over 5 million cubic yards) footprint as shown on p.39. This protected open space no longer will have its resources protected: 1) by the destruction of many oak trees and Heritage oaks, 2) by impacting a designated NPS habitat linkage (see attachments 1 and 2) which protects habitat for our now designated endangered species -our southern California mountain lion by State Fish and Wildlife and 3) by breaking Calabasas's protective laws by forever destroying the protected natural scenic resources. This proposed development is inconsistent with all city policies for OS-RP.

Since this proposed development will amend the OS-RP designated land into a manufactured graded area, the general plan designation of OS-RP can no longer apply. To be consistent with this proposed land development change, a General Plan Amendment (GPA) will be needed as this designated open space is destroyed, lost to development, and its character forever altered to become part of this proposed new planned development. (PD and RM) This development proposal to be consistent with its new land use will then need a GPA from OS-RP to PD and RM. The required approvals then will need to go to a vote of the residents of Calabasas per Measure O passed by 97.6% of the voting residents.

Scenic Corridor Overlay Zone

It is also protected by having the designation of : 17.18.040 - Scenic corridor (-SC) overlay zone. Purpose of Caabahas's Scenic Corridor: "The purpose of the -SC overlay zoning district is to protect an important economic and cultural base of the city by preventing the destruction of the natural beauty and environment of the city."

Hillside regulations require a slope analysis map. A slope analysis is required per hillside development 17.20.150.

Where are the 30--50 % slopes located? Is the majority of the project site over 50% slope? If so, legally all development/land alteration "shall" be avoided."

Drainage

Why is this project removing existing officially mapped flood control easement areas? Are these easement areas seen our attachment # 6- colored in blue? In the text of the document: There is an existing 10,776-cy detention basin, which is one of two detention basins constructed as part of the adjacent single-family residential tract and located in the southwest portion of the project. Why remove these existing drainage structures? The Cit/County already has an easement for flood control acreage where these are located. (See attachment #^)

Please comply with our Public Records Act request. Please make our requested changes to the maps in the EIR document. Where is the slope analysis map of this project site? If it is not in the environmental document, please correct this inadequacy.

Please deny this proposed project which violates many of the City of Calabasas laws protecting its valuable natural resource open space, its scenic corridor, a critical habitat linkage area for our now considered endangered species of So Cal's mountain lions, and protected oak trees..

Mary Wiesbrock

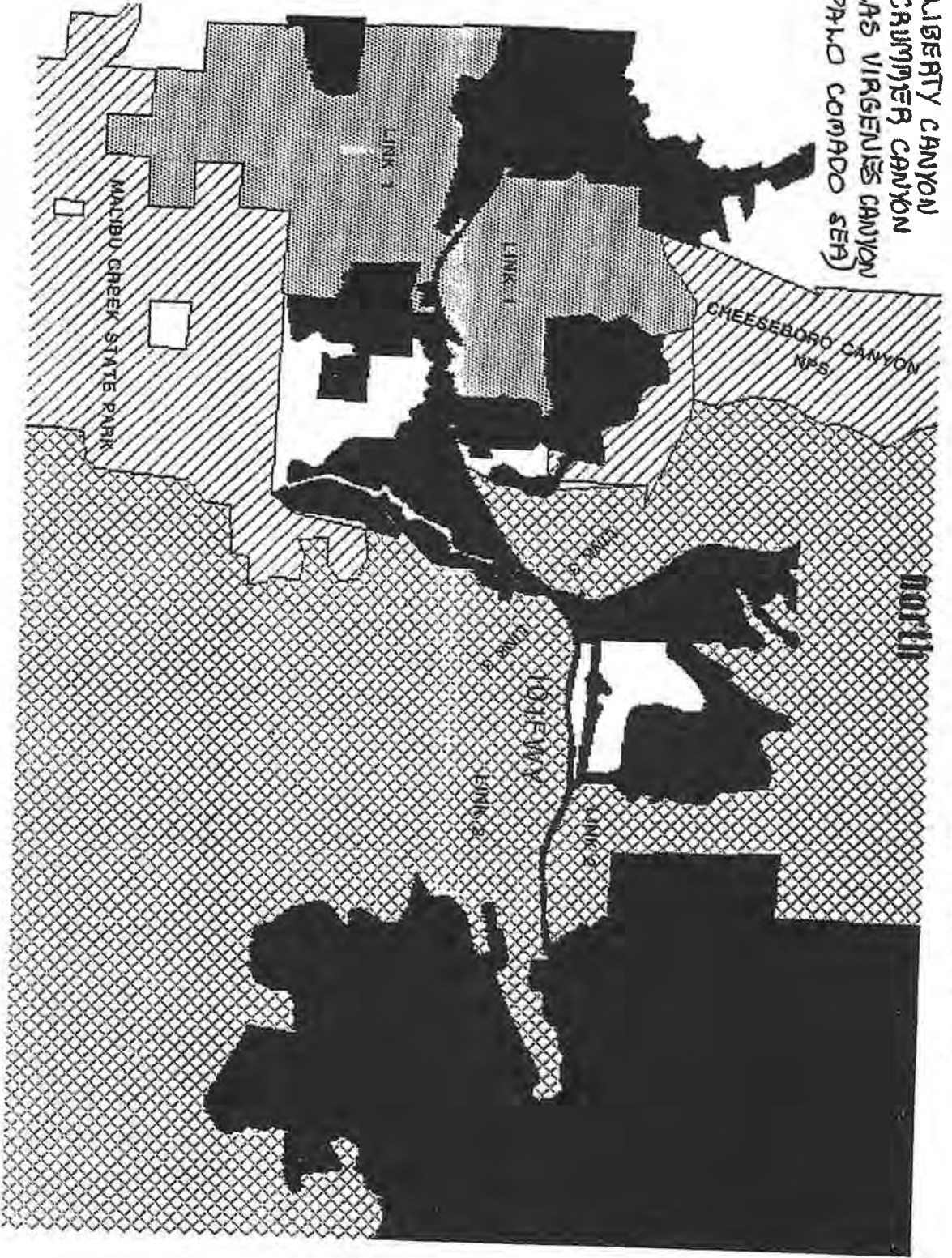
Mary Wiesbrock, Chair

April 13, 2021



HABITAT LINKAGES
SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA

- LINK 1 LIBERTY CANYON
- LINK 2 CRUMPTON CANYON
- LINK 3 LAS VIRGENES CANYON
(PALO COMADO SEA)



1 mile

Wildlife Corridors

The establishment of wildlife corridors has been mandated now by Prop. 70, but I have yet to find the documentation. Prop. 70 implementation is the responsibility of the Santa Monica Mountains Conservancy, and by way of cooperative management, of the Park Service.

The establishment of wildlife corridors is also the operative policy of the SMMNRA, as embodied in the Draft Natural Resource Management Plan for the SMMNRA, issued in 1982. This Plan was subjected to review, and approved as it stood. It was never reprinted with a new cover, and is therefore still referred to as a draft. As with other administrative procedures adopted pursuant to legislation, it is binding upon Park Service personnel, and has the force of law.

The document states:

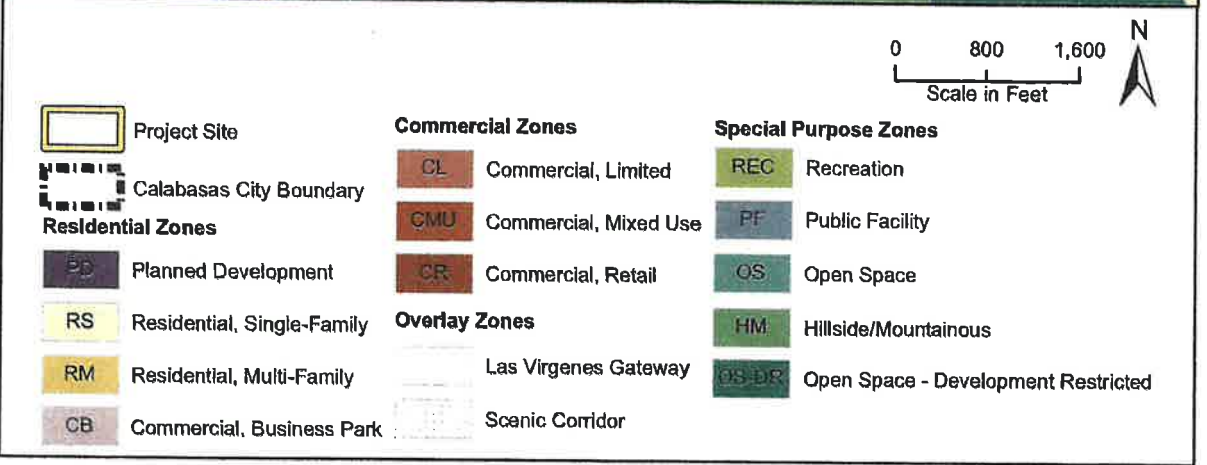
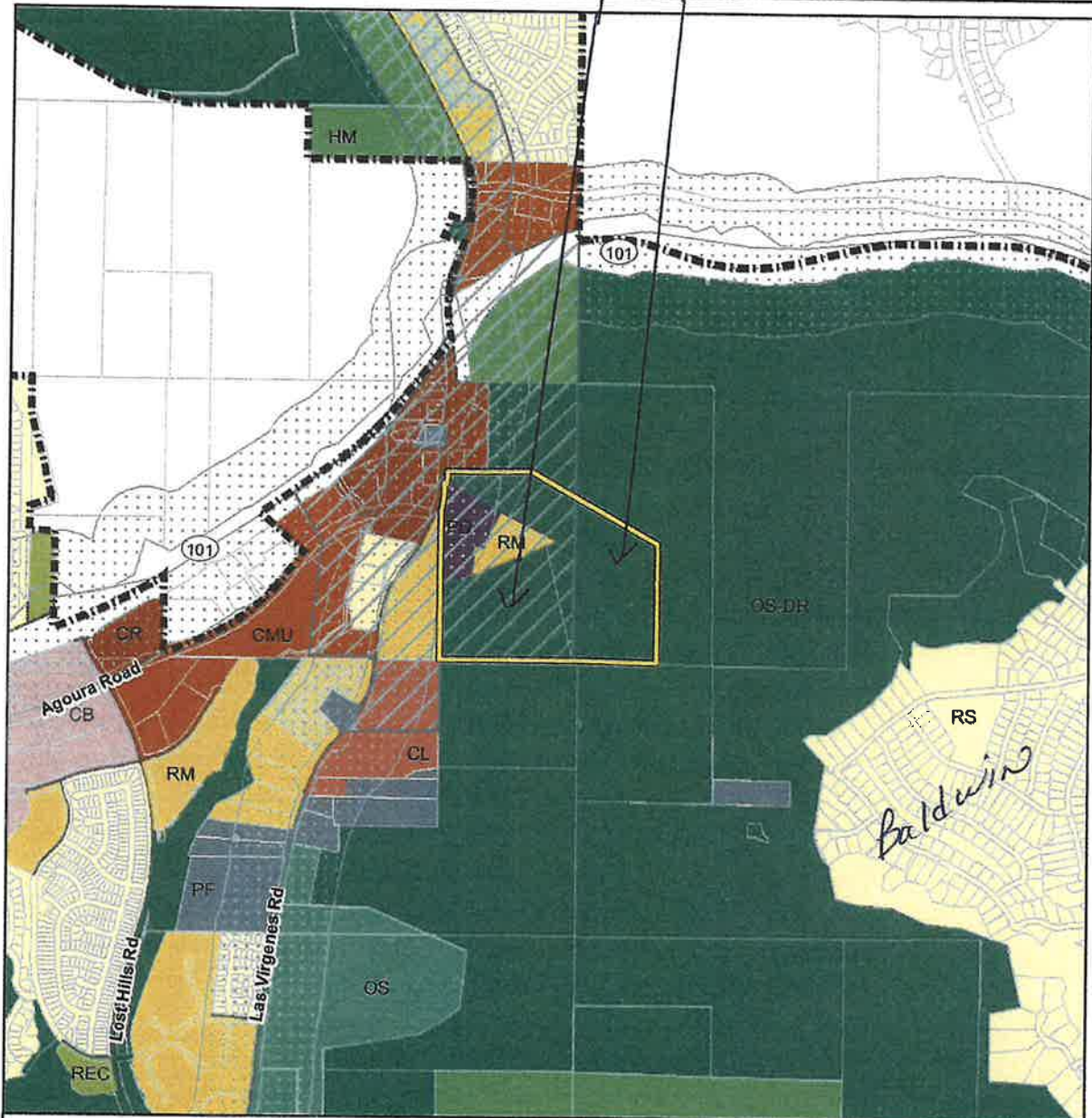
"One of the most important concepts for managing wildlife populations in the Santa Monica Mountains is the principle of maintaining open spaces between areas of urban development for purposes of wildlife movement. These 'wildlife corridors' are essential for stabilization of wildlife population dynamics with the carrying capacity of a specific habitat for a specific species. Without natural corridors for movement, certain populations of wildlife will become isolated within principal feeding areas, resulting in over-utilization of that habitat by a particular species. In a natural ecosystem, when the carrying capacity of a habitat is overextended by the number of individuals utilizing it, intraspecific competition will result in either emigration of individuals until the carrying capacity is reached, or population decline due to death by starvation, disease, or both.

"The opposite of this situation is also true. When a wildlife population drops below the carrying capacity of the environment due to predation, disease or some other limiting factor, it becomes essential that another individuals of the species migrate into the area to breed with the existing population and replenish its numbers. Therefore, one of the primary tasks of the wildlife management program for the Santa Monica Mountains will be to identify essential wildlife habitats and corridors and make recommendations to local land management agencies and private landowners for protection of wildlife habitat to prevent localized extinction."

The recently issued Land Capability Study (1979) identifies a wildlife network connecting some 90,000 acres which encompass key habitats for wildlife. The identified network is declared to be the minimum requirement to maintain the ecological balance to support diverse and healthy wildlife populations. Palo Comado Canyon and Cheeseboro Canyon have been identified as an integral link in the wildlife network connecting the Santa Monica Mountains with the Simi Hills, and with the Santa Susana Mountains and San Gabriels beyond.

add OS-DR zone

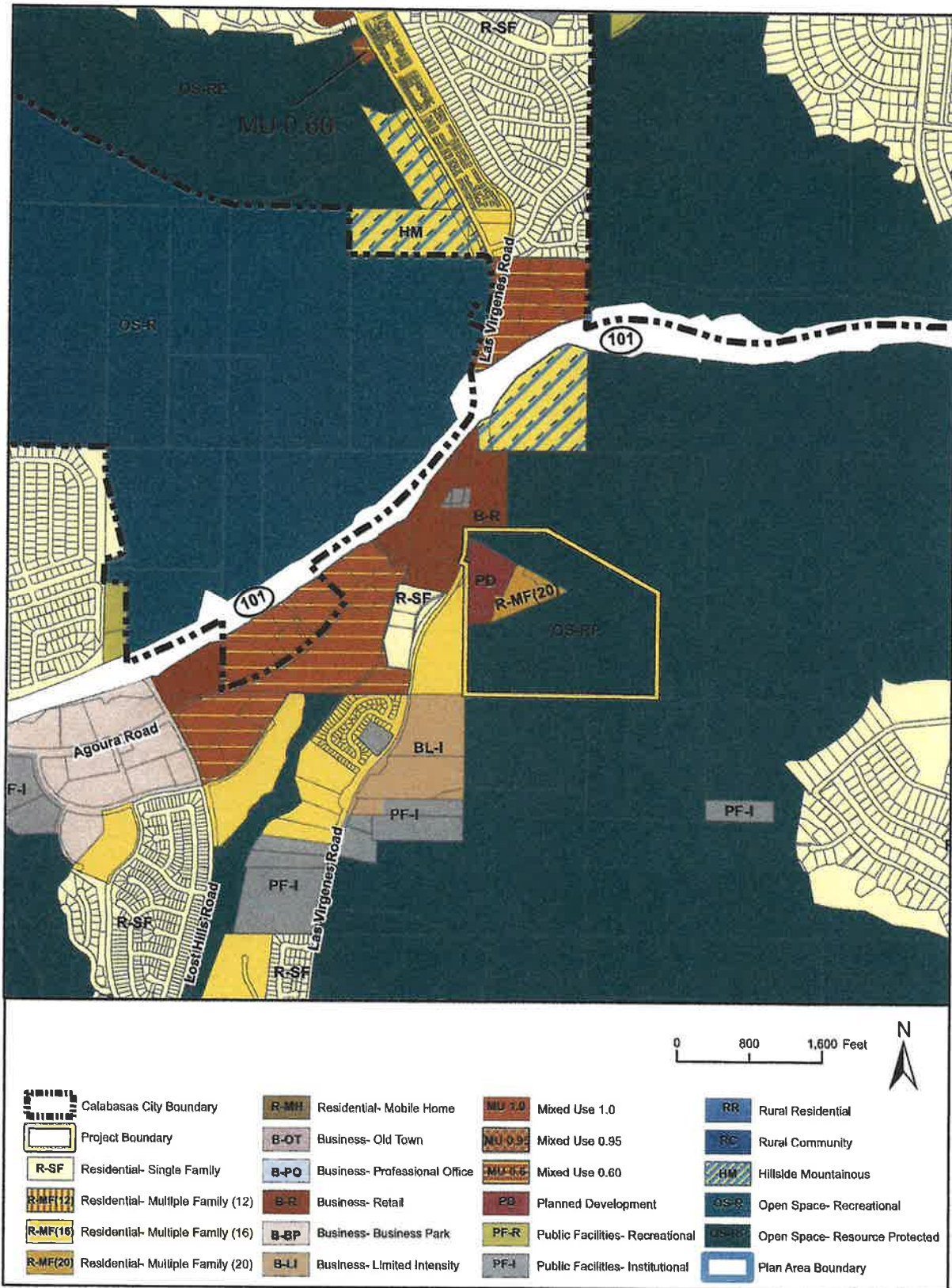
3



Site Zoning

Figure 2-4
 City of Calabasas

Source: City of Calabasas, 2016.



Source: City of Calabasas, 2016

Site Land Use Designations

Figure 2-3

5



Imagery provided by Esri and its licensors © 2018.

Land Use Vicinity Map

Figure 2-2

2069

78 SHEET

P.A. 2089-78

TRA 11402 10884 11405 10943

REVISED 96032815002004-02 970523

20010618 2004030310004001-02 2008070202-02

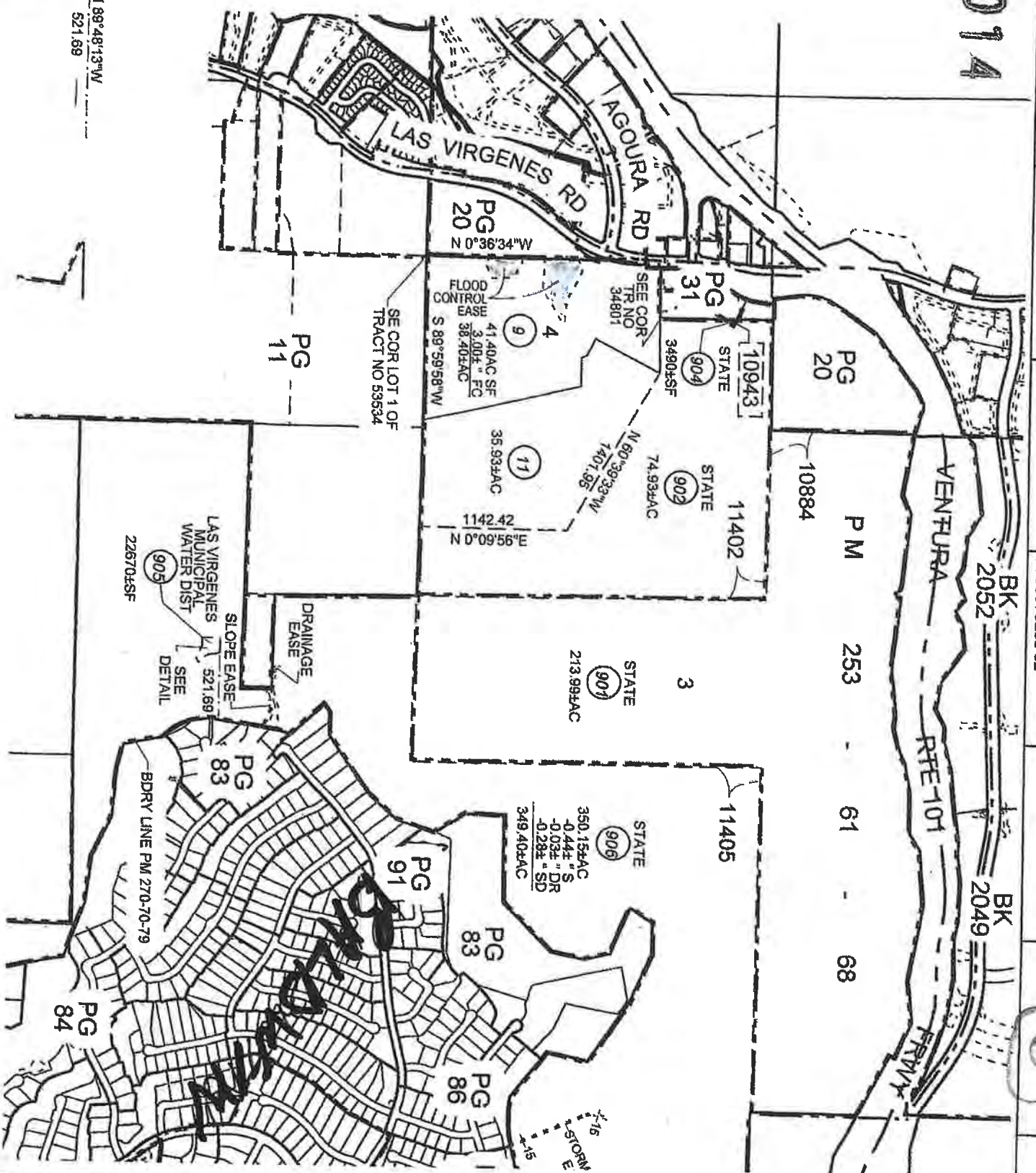
2013080702-02

2014



MAPPING AND GIS SERVICES SCALE 1" = 1000'

EAST 125.55' 14.99' 19'44"E N 89°48'13"W 521.69'



6

From: Brian Louis <blouis@hcisystems.net>

Sent: Tuesday, April 13, 2021 4:35 PM

To: info <info@cityofcalabasas.com>

Subject: OBJECTIONS TO THE CONTINUED PLANNED DEGRADATION OF THE LOS VIRGENES SCENIC CORRIDOR.

To whom it may concern:

I am strongly opposed this new building project on Las Virgenes referred to West Village as currently proposed.

The story poles indicate that the proposed location and height of the buildings at the front of this property would destroy the view shed for people driving or walking along Las Virgenes.

This defect could be remedied or mitigated by lowering and/or removing the proposed building(s) closest to Las Virgenes. Failure to lower or remove the buildings at the front of this development would amount to further trampling of the letter and spirit of the ordinance enacted to protect Los Virgenes Scenic corridor.

The City may be obligated to allow owners to develop their properties, but developers are also obligated to propose developments that meet both the letter and intent of the Las Virgenes Scenic Corridor development requirements. These requirements cannot be met by submitting misleading renderings of the view of this development taken from the elevation of Agoura and Lost Hills roads that disguise the actual damage this project would do to the view shed.

It is very concerning as a 25-year tax paying resident of Calabasas that the City Planners and the City Council have approved so many projects so close to together, so tall and so close to Las Virgenes on a corridor which is designated as Scenic.

Some of the apartments and homes which line the east side of Las Virgenes were allowed to be too tall and too close to Las Vergines. These developments have already disfigured much of the natural beauty of the mountains which was supposed to have been protected by the Scenic Corridor designation.

I beg you not to approve this project as proposed. Past projects approved and built on Las Virginias have been allowed to move forward which have greatly diminished Las Virgenes as a scenic corridor. Do not add this project to that list of mistakes.

Please do not allow this project to move forward without modification that would substantially mediate the damage this project would have on the current Las Virgenes corridor view shed.

Sincerely,

Brian Louis
Calabasas Resident

From: John Suwara <johsuwa@yahoo.com>
Sent: Tuesday, April 13, 2021 3:01 PM
To: info <info@cityofcalabasas.com>
Cc: Joanne M Suwara <joasuw42@yahoo.com>; John Suwara <johsuwa@yahoo.com>
Subject: April 15, 2021 Planning Commission Meeting.

The Calabasas Coalition™



"Voices of the Community"

Email: Info@thecalabasascoalition.org
www.thecalabasascoalition.org

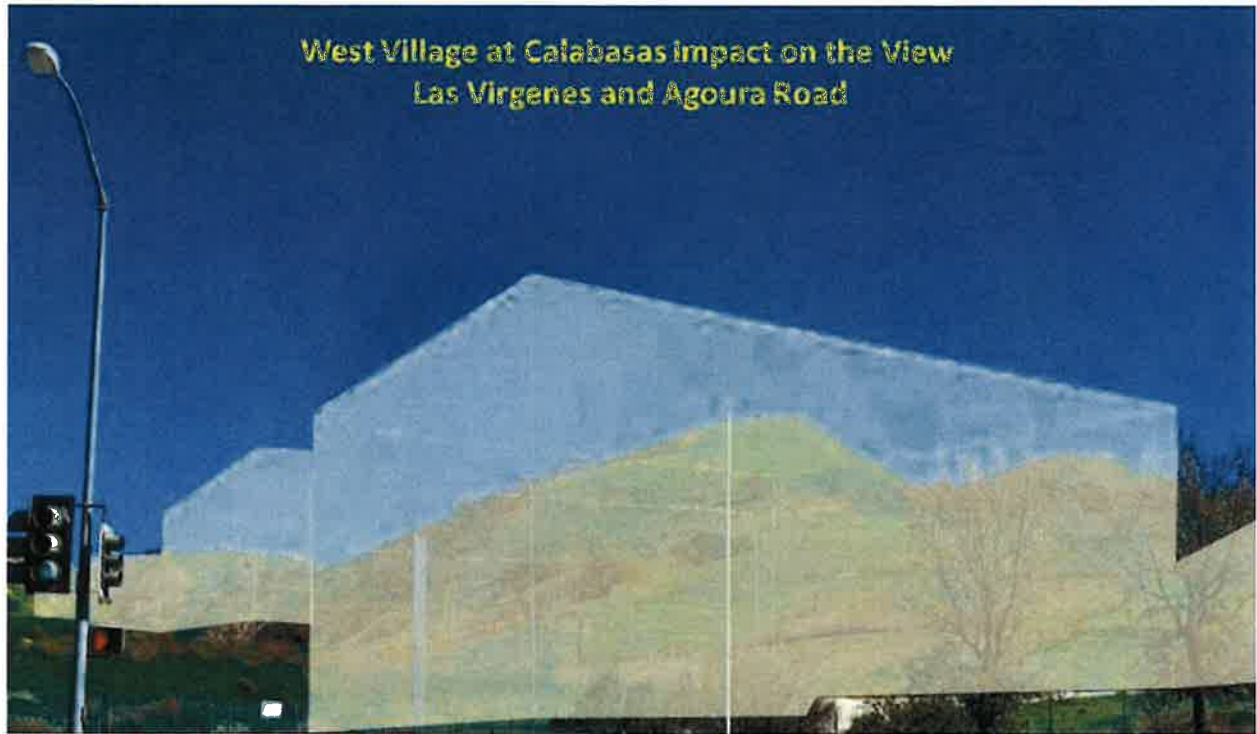
April 12, 2021

City of Calabasas
Planning Commission
100 Civic Way
Calabasas, CA 91302

Subject: West Village at Calabasas EIR Comments:

Dear Planning Commissioners:

Thank you for this opportunity to discuss this proposed project. This massive development will completely change the scenic character of Las Virgenes Road in the scenic corridor. The large 3 story buildings, if built, will loom over Las Virgenes Road forever impacting the view. This photograph illustrates that impact with semi-transparent shading between story poles outlining the buildings. In the background is the outline of the hills masked by the buildings. This impact cannot be mitigated.



If this project goes forward the natural hillsides shown in the background will be replaced by manufactured slopes containing miles of concrete structures. The developer for this project is proposing to grade the natural hills shown in the background for at least 3 years, using large earth movers. The reason for the grading is supposedly to mitigate an ancient landslide, a landslide that hasn't moved in centuries. It has even been referred to as a prehistoric landslide. This landslide will not move unless disturbed. Therefore, do not allow these hills to be disturbed by grading. Please follow the CMC, General Plan, Scenic Corridor and other laws adopted by Calabasas residents to protect our city and its' environment.

The developer is proposing to move 2.5 million cubic yards of dirt to supposedly remediate an ancient landslide. The real reason, however, for moving massive amounts of dirt from the hillside into the canyon is to provide fill to create flat mega-pads for the large buildings.

It is estimated that 3 years will be needed to grade before starting construction. Residents that observed Paxton say that project required 4 to 5 years for grading less than 200 thousand cubic yards of dirt. West Village is much larger. Is the 3-year grading estimate too optimistic?

A little History.

The Developer bought this property back in 2013 years after the current Calabasas General Plan was adopted. The General Plan was a community effort with active resident participation and adopted in 2008. Zoning has not changed for the West Village at Calabasas land since adoption of the General Plan.

In 2010 the City of Calabasas published the 500 page+ Calabasas Land Use and Development Code Manual. There is an excellent table in Chapter 17.11 that has Zoning across the horizontal axis and the vertical axis lists allowable land use. The zone OS-DR is listed on the horizontal

axis as one column under ZONE with all the permitted land uses listed along the vertical axis. The Table starts on Page 28 and goes to Page 39. There is only one land use permitted per the Table for land zoned OS-DR. It is found on Page 38 and it is Temporary for Location Filming.

In 2016 the developer proposed housing for the property plus a hotel. The project was named Canyon Oaks and basically proposed the same destruction of the natural hills as is being requested for the West Village at Calabasas. The Canyon Oaks project was approved, but a zoning change was required to build the hotel. Calabasas residents did not approve of the project and gathered the signatures required to have the zoning change placed on the ballot in the 2016 General Election. Residents overwhelmingly voted to deny the zoning change and sent the project back to the drawing board..

The developer returned in 2017 with a new version of the project now named the West Village at Calabasas on the same land. Planning Commissioners in July 2019, after 3 nights of hearings by majority vote, voted to deny this project. At the time staff promised to come back with a Resolution of Denial in a timely manner. Staff decided, unbeknownst to the Public and perhaps some, if not all of the members of the Planning Commission to not prepare and bring back to the Planning Commission a Resolution of Denial. This was only disclosed to the Public in October 2020.

A Resolution of Denial is finally contained in the packet for the July 15, 2021 meeting. In general, it is a summary of why this project violates so many CMCs. The Planning Commission made the right decision.

During the almost 2 years between the hearing in July, 2019 and now, staff and the applicant have had a lot of time to submit more justification for this project. Except for the massive amount of new material submitted, the project is still basically the same with the same issues. The project was not appropriate then and it is still not appropriate.

The proposed project would cause a significant and unavoidable impact to the visual character of the site and because the proposed development includes grading of the large, existing landslide on the prominent southern hillside slope which is zoned Open Space-Development Restricted which is prohibited by the CMC.

The "Resolution of Denial" states that grading is required to make the project consistent with the General Plan and development code. It is not clear how the excessive grading for this project is legal since it violates all sort of CMCs.

It further states that 19 percent (14.4 acres) of the project site would be graded for residential and commercial development and for both retention basins on the northern slope (non-remedial grading). US Fish and Wildlife in their letter to the Calabasas Planning Department in April 2019 noted that the retention basin directly behind the Colony was potential habitat for the California Red Legged Frog (CRLF). That same retention basin has also served to collect debris before flowing through the underground tunnel under Las Virgenes Road into Las Virgenes Creek. This project is going to destroy possible habitat for the CRLF and move it to the far side of the

development. It adds another 1000 feet for a frog to travel. Much of that would be through the new project.

Water Purification,

The County of Los Angeles has recently spent approximately 12 million dollars to build an underground detention basin and water purification plant at Gates Canyon Park. Water runoff from the mostly northern slope of the Mountain Gate Development bordering the park at Thousand Oaks Blvd is being diverted into a large detention basin underneath the park. It is stored there until treated prior to being released into underground water replenishment wells or for park irrigation. It will save and purify water reducing pollution that flows into Gates Canyon Creek. Within a mile of the park Gates Canyon Creek flows into Las Virgenes Creek to Malibu Creek and down to the ocean at Malibu.

Great project. Information signs are posted. It is well worth time to take a walk around the park to learn about it.

The West Village at Calabasas even with BMP will increase the pollution in Las Virgenes Creek. This is to suggest that the same type of facility that is at Gates Canyon Park be built by the developer for the West Village at Calabasas. Do it now and make part of the cost of the project rather than wait for taxpayers to pick up the tab down the road.

Open Space

An additional 27 percent of the site (21 acres) consisting of Open Space-Development Restricted land is proposed to be graded and have remedial landscaping and drainage systems built on the hillside in violation of CMC. The grading per CMC changes the zoning to something other than Open Space which requires Calabasas voter approval. Voter approval has not been obtained for this zoning change. Therefore, it must continue to remain Open Space Development Restricted which prohibits grading on that land.

This level of grading, particularly of the southern hillside violates CMC, is excessive and that the proposed economic, social, and other benefits of the project do not outweigh the harm caused by the project's significant, unavoidable environmental impact on the site.

The Project is also Not Consistent with the Calabasas General Plan and Calabasas Municipal Code, thus the Required Permits Cannot be Approved. The General Plan states that undeveloped hillside lands are to be maintained in a natural condition by minimizing alteration of existing landforms and avoiding mass graded "mega-pads" for development. (General Plan Policies III-11; III-12, III-16.)

Calabasas Municipal Code Section 17.20.150 requires that all grading and project design conform to the City's grading ordinance and must adapt to the natural hillside topography and maximize view opportunities to and from a development.

The City requires developments to preserve the existing visual character of hillsides, rather than alter the hillside environment to fit the development. The proposed project does not comply with the City's hillside protection requirements, in both the General Plan and Calabasas Municipal

Code. The proposed project design requires significant grading beyond the scope envisioned in the general plan and thus to a level prohibited by the Calabasas Municipal Code. The amount and location of grading, including the landslide remediation, results in the project failing to comply with the City's hillside development standards. The project calls for the hill to be entirely graded to enable the development, violating the above General Plan policies which call for maintaining natural conditions by minimizing alterations of natural landforms and require the existing visual character of hillsides to be maintained. (General Plan Policies III-11, III-12, III16.)

Furthermore, the proposed final, manufactured slope consisting of approximately 21 acres of graded, manufactured slope and concrete drainage channels in the southern hillside area, is prohibited by Section 17.20.055(A)(9) of the Calabasas Municipal Code which prohibits manufactured slopes as a final feature in open space areas. General Plan Policy III-15 also prohibits building permanent structures such as concrete box drainage channels,

The proposed project is also in conflict with Code and General Plan prohibitions on development in open space. The General Plan requires that management of lands designated as open space to remain open space be a priority for the City. General Plan Policy III-2 states specifically that the City will limit "the permitted intensity of. development within lands designated as open space to that which is consistent with the community's environmental values and that will avoid significant impacts to sensitive environmental features..."

Calabasas Municipal Code Section 17.16.030(A) also prevents development in areas designated as open space that would result in redesignating for non-open space use of any property in the city designated OS-R or OS-RP by the Land Use Map of the Calabasas General Plan unless that redesignation was approved by two thirds of the City's voters.

Permanent grading of a hillside to facilitate residential development qualifies as development, and thus the project is prohibited without voter approval under Section 17.16.030(A) because the proposed permanent grading of the approximately 21.4 acre southern hillside area is located on land designated OS-RP by the City's General Plan Land Use Map. It is recommended this project be denied as it lacks voter approval.

A note on Mountain Lions



It is noted in the EIR that no mountain lions have been recorded on the property. However, there are mountain lions that do not have tracking collars such as the lion shown in the picture. These lions although elusive are sometimes seen. About 5 years ago a mountain lion was reported by a resident in the Oaks living near the West Village at Calabasas Open Space.

Unfortunately, more recently, a mountain lion was found dead on the 101 southbound lane towards the top of the Calabasas Grade on the morning of September 23, 2020. This borders the Open Space on the south side of the Freeway and is within 2 miles of the West Village at Calabasas Open Space where the developer proposes reducing the wildlife

corridor and linkage by 25%.

I hope a survey has been done regarding the Mountain Lion and other endangered/threatened species on this property.

From: jaycee64@aol.com <jaycee64@aol.com>

Sent: Tuesday, April 13, 2021 2:25 PM

To: info <info@cityofcalabasas.com>

Subject: To Planning Commission - West Village at Calabasas Public Hearing Comments

Dear Planning Commission,

I am a long-time resident of Calabasas and an active participant in the community, I am against the West Village at Calabasas proposal you are hearing at your April 15th and 21st meetings. I urge the Planning Commission to once again deny it.

This 2021 proposal is nearly the same as the previous and has the same City municipal code violations. When the Commission denied the last proposal in July 2019, that should have been a sign that they needed to rethink their plan and follow the recommendations to NOT take down the hillside and develop in open space. They have not because that dirt is what they want, regardless of the environmental destruction that will occur. Development in Calabasas "shall" respect the natural surrounding and follow natural topography.

As a resident who lives across the street from Paxton, I know first hand the disruption hillside grading has on the community and how projected development times always extend far beyond prediction. We are looking at years and years of environmental devastation. In the case of West Village, we have codes in place that support a denial. This is a bad plan and once again we are relying on the Planning Commission to make that clear.

The developer needs to go back to the drawing board and create a proposal which doesn't require extreme environmental impacts and grading of hillsides in open space. Had they responded with an appropriate proposal after the Canyon Oaks Measure F ballot initiative in 2016, or even taken the Planning Commission's 2019 decision seriously, they would be building right now.

Thank you for your time.

Jacy Shillan
Calabasas

From: Louis, Tami <TLouis@rssc.com>
Sent: Tuesday, April 13, 2021 2:00 PM
To: info <info@cityofcalabasas.com>
Cc: Brian Louis <blouis@hcisystems.net>
Subject: West Village at Calabasas Public Hearing

To whom it may concern:

We strongly oppose this new building project on Las Virginias referred to West Village.

It is very concerning as a 25 year resident of Calabasas that the City Planners have approved so many projects so close to together on this corridor which is supposed to be **Scenic**.

The already built apartments and structures have been approved too tall and all of the buildings have wiped away the natural beauty of the mountains and have killed and deferred wildlife accustomed to this area. It is bad enough we are going to have a hotel which will worsen the **traffic** let alone all the **NOISE**.

The traffic is already horrible and this additional project (WEST VILLAGE) will only lead to more pollution and traffic delays.

We beg you not to approve this project. The building projects on Las Virginias are out of control and we feel Calabasas and the peace that attracted us to settle here has be already altered enough.

Tami Louis
Calabasas Resident
818 261 3646

From: Joanne Suwara <joasuw42@gmail.com>
Sent: Tuesday, April 13, 2021 12:00 PM
To: info <info@cityofcalabasas.com>
Subject: Attn: Planning Commission re West Village

**THE ENVIRONMENT IS NO ONE'S PROPERTY TO DESTROY.
IT'S EVERYONE'S RESPONSIBILITY TO PROTECT.**

Dear Honorable Commissioners:

Regarding the West Village proposed project, like the several iterations before this one, the developer is saying it is not feasible to build unless they grade acres of precious open space and remediate an "ancient/active" landslide, as they call it.

As a retired school teacher, that term sounds like an oxymoron to me. Ancient landslides are defined as being inactive and stabilized. They don't need to be remediated. In fact, messing

with them can destabilize them, causing more harm than good in the long-run. As for this landslide being active, it has not moved in the over 45 years I have lived off of Las Virgenes Road. During torrential rains and a 6.4 earthquake it has remained stable and has posed no threat to the community. Geologists have said it hasn't moved in centuries! In fact, it had never even been on any City "watch-list" – that's telling in itself!

Remediating the landslide and grading the iconic hillsides, moving almost 2 ½ million cubic yards of dirt, is the developer's ploy to create mega building pads to maximize the number of units they can cram into this beautiful canyon.....and to maximize their profits to the hilt.

I know there are pages and pages of geological reports, all of which are way too complex for a layman like me to make sense of. However, common sense tells me to leave well-enough alone. Any construction should not disturb either the landslide or the dedicated open space.

In addition to relying on common sense you have the law on your side as well when making this decision. The applicant should be required to obey the laws on the books, as written, and should not be re-interpreting the General Plan, cherry-picking phrases out of context.

As an example, the EIR states that the General Plan Open Space Element Policies, while generally seeking to minimize landform alteration in Open Space, feature several exceptions for health, safety, welfare and preservation of "basic property rights". It cites Policy III-12 in support of "basic property rights". Policy III-12 reads, in full: "Minimize the alteration of existing landforms and maintain the natural topographic characteristics of hillside areas, allowing only the minimal disruption required to recognize basic property rights."

Revisionism at its finest! This lack of respect for our General Plan as it was written is not acceptable.

No one is saying they cannot build on their land. We are saying, however, that whatever they build should not disturb the landslide or destroy the natural dedicated open space. Economic feasibility.....whether it pencils out for them to make the profit they'd like.....that's their problem – not ours.

What is our problem is having more housing crammed into a box canyon in a Very High Fire Severity Zone. It's a recipe for disaster.

What is our problem is having already over-burdened roadways clogged with more traffic. In the event of a disaster like the Woolsey Fire adding almost 500 more people to the mix, along with the thousands of the rest of us, will put us all in peril due to insufficient evacuation routes.

What is our problem is 5,800 sq. ft. of commercial space in an area already rife with vacant store fronts.

What is our problem is years of grading resulting in poor air quality, the risk of contracting Valley Fever, and an all-round decline in our quality of life.

What is our problem is the permanent loss of a view that will be obliterated by 15 3-story concrete buildings.

What is our problem is the loss of a canyon teeming with wildlife like badgers, raptors, and deer and rare botanical species like Yerba Mansa and the Mariposa Lily. There are also many heritage oaks and a beautiful expanse of purple sage that will be gone forever.

The bottom line is that a smaller, more responsible project that respects the codes and laws of our city and protects the precious little open space we have left is what should be built there.

Let the land dictate the use.

Thank you.

**Joanne Suwara
Calabasas resident since 1975**

From: Simon Halpern <simon.halpern@gmail.com>
Sent: Tuesday, April 13, 2021 11:17 AM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

City of Calabasas,

I am not in favor of the West Village project for the following reasons:

- A project of nearly identical specifications was *already proposed and voted on*, and was overwhelmingly voted down.

The direction of that vote more than adequately describes the community's interest in a project of this scope at this location.

In brief: the question of whether or not to allow the West Village project to proceed has been asked and answered.

- Traffic Concerns: Las Virgenes Rd gets more and more congested each year. It is a *single lane* canyon road that thousands rely on. This project would negatively impact traffic levels along an already severely crowded access route. Aside from the additional traffic impact (should the project proceed as proposed), the immediate congestion brought on by construction vehicles would be noisy and disruptive, to say the least.

- Hillside Degradation: Views would be impacted and grading would have permanent and irrevocable effects on the natural landscape. *Those of us who live in this area appreciate these views.* The hills are precious to us, and months-years of construction to destroy them to make the limited lots more crowded is both saddening, unnecessary and not in the best interests of the present and future community members.

Development on purchased land is one thing. The current West Village project is a behemoth, however, and should be opposed for the greater interests of the Calabasas community. Development should *fit the land*, and the West Village project clearly pushes the envelope in an unfavorable direction.

In my opinion, only a project that fits the land should be allowed. Environmentally speaking, the West Village project is a disgrace and should not be considered as currently proposed.

Thank you for your time,

Simon Halpern

Resident of Steeplechase at 4240 Lost Hills Road,
within walking distance of Las Virgenes and Agoura Rd.

From: Alexandra Chernukha <alex@alexandsergei.com>

Sent: Tuesday, April 13, 2021 12:30 PM

To: info <info@cityofcalabasas.com>

Subject: West Village at Calabasas Public Hearing

To Whom It May Concern:

Thank you for all you do for our wonderful city! I am deeply appreciative for your hard work and proud to live here

I just wanted to reach out to express my concerns about the West Village project and ask that you please rule against this project once again. I feel that it will negatively impact our city and our environment.

Thanks!

Alex

Alexandra Chernukha

DJB Homes International

at Keller Williams Realty

From: Bob Rosenberg <rbrosenb@earthlink.net>
Sent: Wednesday, April 14, 2021 2:56 PM
To: 'info@cityofcalabasas.com' <info@cityofcalabasas.com>
Subject: New Home;'s Proposal of West Village

To: Calabasas Planning Committee Members and the New Home Developers

I don't understand what you don't understand about "NO" and why we have to vote to approve this development AGAIN when the community has voted it down on referendum No on F nearly five years ago. Changing the name of the development and bringing it up to vote again, doesn't change the circumstance of voting NO before. In addition to the previous problems discussed:

- Environmental impact which was proved by geological studies
- Years of grading
- Overdevelopment of the area
- Traffic impact on Las Virgenes Road at Agoura Road, Las Virgenes being the only main road in our area
- Loss of open space

These are some of the issues needed to be addressed:

- More empty spaces in our area
- The Woolsey fire which demonstrated the importance of the emergency route of Las Virgenes Road to PCH. The route of the fires through this area goes right through the property you want to develop and was demonstrated by that fire.
- The constant possibility of earthquakes – of which there have been several mild ones recently in the area
- This sizeable development having only one way out – on to a congested Las Virgenes Road which in an emergency would create a chaotic situation

As a member of this community why would we want to approve this development and you leave us with all of the issues brought up? The charge of all who live here is to preserve the community of Calabasas and to continue to enjoy it for all the reasons that make this area so appealing. Once it is gone it can't be replaced. We hope you can look at this area not as a developer, but see it as a place you would like to live and enjoy the peaceful surroundings. That's why we all moved here and we don't want to see it further impacted with overdevelopment at the price of its natural beauty.

We hope you see this as a sincere consideration of your decision.

Most Sincerely,

Bob and Marilyn Rosenberg

From: Fataneh Tabatabai <gctabatabai@gmail.com>
Sent: Wednesday, April 14, 2021 3:07 PM
To: info <info@cityofcalabasas.com>
Subject: To Planning Commission"

To whom it may concern,

My name is Fataneh Tabatabai, Calabasas resident since June 1991. I am writing to you in regard to West Village Proposal. Before continuing , I would like to thank all the Calabasas City members who care enough about the well being of the city residents, as well as the environmental and safety issues of our beautiful city.

In the past few years, it has become a constant challenge for us residents trying to protect the safety of the residents as well as the environment. The issues we have with West Village Proposal involve the followings:

- 1) Buildings will block the view of the rolling Hillside.
- 2) Traffic. The traffic is already bad enough, and what is reflected in the study is far from reality.
- 3) Calabasas is located in a "very High fire zone". I am not sure how many of you City Councils remember the fire tragedy of 2018? Many of us were stuck and had difficulty fleeing the area. That was pretty scary experience. I was sure that the 2018 fire will be a wake up call for all of you who are in favor of adding more and more developments to our city. Unfortunately I was wrong and here we go again, another development: West Village.
- 4) City of Calabasas's land use code should be respected and followed.
- 5) Last but not least, why do we even need more developments? When will that stop? Like the Weintraub project was not bad enough to damage the hillside and wildlife, now this project? What are you planning to do to this beautiful City of ours? Your job is to protect the residents, the city, wildlife and the environment. It is time that the entire City Councils committees put the safety of residents and the city ahead of pleasing those prominent developers.

I hope that every member of the City council rejects the West Village Proposal, respecting the wishes of Calabasas residents. We are against this Proposal, and would like to maintain and enjoy the beautiful nature of our city. We do not wish to live in Manhattan like city.

Respectfully,

Fataneh and Hamid Tabatabai
5306 Edgeware Drive
Calabasas CA 91301

From: Chris Kurjanowicz <ckurjanowicz@gmail.com>

Sent: Wednesday, April 14, 2021 2:51 PM

To: info <info@cityofcalabasas.com>

Subject: Planning Commission-West Village @Calabasas Project

Please deny this request for more housing and commercial retail development. Residents in the Santa Monica Mountains have long respected the beauty and importance of open space. This project was voted down years ago.

The significant difference today that makes West Village even less viable is the negative economic impact of the global pandemic. According to population figures from the California Department of Finance, LA County lost 40,036 residents from July 1, 2019 to July 1, 2020. This was the steepest decline of any county in the state of California. Note that this only reflects a few months of Covid19. An acceleration of the exodus can be expected. Also, inbound migration to California was severely hampered by Covid19. New visas weren't granted to immigrants hoping to come to the state for work opportunities and would-be newcomers faced a precarious job market. Today, LA County has one of the highest unemployment rates in the state.

We also don't need more dense housing when the only transportation access is the highly congested 101. New communities should be built in Moorpark, Simi Valley and Chatsworth along the rail line.

As for commercial retail space, take into consideration the abundance of available space due to Covid19 consequences. As a state/county, we are still not fully open and more business closures can be expected.

I cannot think of one positive reason to move forward with West Village.

Thanks for your support for the residents and commuters of the Santa Monica Mountains and Calabasas.

Chris Kurjanowicz
25632 Monte Nido Drive
Calabasas, CA 91302

From: wendy@outcastinternational.com <wendy@outcastinternational.com>
Sent: Wednesday, April 14, 2021 12:43 PM
To: info <info@cityofcalabasas.com>
Subject: Development West Village at Calabasas (formerly Canyon Oaks) - PROPOSED

To Whom It May Concern,
We are residents of Monte Nido Calabasas.
I am writing to you to share our disappointment in learning that once again there is a proposal to build at 4790 Las Virgenes Road.

This site has already been rejected and for some reason this developer proposes another development-seems like the same development.
We are confused and angered why local residents aren't being heard.

We are loosing our green spaces due to these greedy developers and are constantly harassed with their proposals.
Our beautiful environment is a draw card for tourists and locals. Please stop these developers from turning Las Virgenes Road into another cement city.
Our area is truly unique and should not fall prey to another developer.
If you have ever walked the State trails behind this land you know this is a very special and much needed area for wildlife.
We do not need another building we need to protect this land and keep it open land.

Regards,
Wendy Green
Reithe Ave Calabasas

From: Jane Fileff <janefileff@earthlink.net>
Sent: Wednesday, April 14, 2021 12:15 PM

To: info <info@cityofcalabasas.com>

Subject: Stop the Building

Dear City Council ,

I live in Malibu .. My route is Malibu Canyon on a regular basis . The traffic that is occurring form these developments are congesting our roads and becoming unreasonable .

I oppose any more development and ask you to please stop ruining the rural feel of our town. .

Thank you

Sincerely,

Jane Fileff
Malibu Homeowner

From: Leticia Aloï <letaloi@aol.com>

Sent: Wednesday, April 14, 2021 9:44 AM

To: info <info@cityofcalabasas.com>

Subject: NO MORE DEVELOPEMENT

Dear City Council ,

I grew up in Agoura and now live in Malibu .. My route is Malibu Canyon on a regular basis . The traffic that is occurring form these developments are congesting our roads and becoming unreasonable .

I oppose any more development and ask you to please stop ruining the rural feel of our town. .

Thank you

Sincerely,

Leticia Aloï
Malibu Homeowner

Glenn Michitsch

From: Dianne Gubin <diannegubin@gmail.com>
Sent: Thursday, April 15, 2021 2:44 PM
To: Glenn Michitsch; info
Subject: TONIGHT! Objection to Building 4790 Las Virgenes Road, at the intersection of Las Virgenes and Agoura Roads.

Hi Glenn, Taking time out of a very busy day to let you know that I'm going to be on the Zoom tonight.

I'm very concerned that **YOU ARE NOT LISTENING TO THE COMMUNITY. We ABSOLUTELY DO NOT WANT THIS DEVELOPMENT:** The land is located at 4790 Las Virgenes Road, at the intersection of Las Virgenes and Agoura Roads.

On April 15th and 21st, the developer will once again come before the Planning Commission **with the same project that has been denied twice before – NOTHING HAS CHANGED!** The first rejection was in 2016 when it was known as Canyon Oaks and appeared on the ballot as Measure F. Calabasas Voters overwhelmingly defeated it. It then returned as West Village at Calabasas, and it was denied by a 3-2 vote of the Planning Commission in July 2019.

This new proposal has the same concerns as before — the proposed development does not fit the land resulting in these major issues:

- 1 - Years of grading and destruction of designated Open Space, which will create significant environmental damage and change the natural hillsides to manufactured slopes with miles of concrete v-ditches.
- 2 - Building of multi-story residential buildings in a box canyon in a Very High Fire Severity Zone.
- 3 - Adding traffic to already overburdened roadways, especially in any emergency requiring evacuation. During the Woolsey Fire all roads in and out of the Las Virgenes Valley including the Freeway, Mureau Road, Agoura Road, Las Virgenes Road and Mulholland Highway were closed either by fire or to provide access for first responders.

It is appreciated if you listen to the community and the people who live here. We DO NOT WANT THIS PROJECT.

Thank you,

Dianne

Dianne Gubin
DianneGubin@gmail.com
M: 818-642-6188

From: Bricklin Alan <alanbricklin@gmail.com>
Sent: Thursday, April 15, 2021 11:03 AM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

Dear Mayor Bozajian and council members

Bonnie and I have been residents of Calabasas for forty five years. We've always appreciated and "defended" the beautiful hills and open spaces of the city. Both of us realize that development, both residential and commercial, can contribute to the vitality of a city when done with an eye to preserving the "ambience" and the features that make the city a desirable place to live and raise a family. Unfortunately, the proposed West Village project does not meet the criteria to contribute to or maintain the beauty of our city. We respectfully urge the city council to reject the proposal for the West Village development. Thank you.

Bonnie and Alan Bricklin

From: Jonathan Halabe <jonathanhalabe@gmail.com>
Sent: Thursday, April 15, 2021 9:20 AM
To: info <info@cityofcalabasas.com>
Subject: Calabasas Planning Commission

Dear Commissioners,

My name is Jon and I've been a resident of Calabasas for over 10 years. Do not move forward with this project. There is major concern by all Calabasas residents about the increasing fires in the area. This project would be a disaster should WHEN another fire strikes the area.

CITY OF CALABASAS LAND USE CODES • Development should preserve the hillside rather than alter the hillside to fit the development [Code 17.20.150(B)3] • All development in a Scenic Corridor must comply with Scenic Corridor Guidelines and Hillside Development Standards [Code17.20.070(C)] • Manufactured slopes cannot be counted as open space [Code17.20.055(A)9] • Development shall respect natural surroundings and follow natural topography [Code 17.20.150(B)12]

Best regards,

Jon Halabe

From: Jackie Marenstein <jackiemarenstein@att.net>
Sent: Thursday, April 15, 2021 9:18 AM
To: info <info@cityofcalabasas.com>
Subject: Plea

Please tell New Home Company NO to West Village at Calabasas.

Elizabeth Parker

From: Glenn Michitsch
Sent: Thursday, April 15, 2021 3:06 PM
To: Tom Bartlett; Maureen Tamuri; Matthew Summers; Joe Power; Lindsey Sarquilla; Annaliese Miller
Cc: Elizabeth Parker
Subject: FW: TONIGHT! Objection to Building 4790 Las Virgenes Road, at the intersection of Las Virgenes and Agoura Roads.

Glenn Michitsch
Senior Planner, LFED AP
City of Calabasas
Tel: 818-224-1707
gmichitsch@cityofcalabasas.com

From: Dianne Gubin <diannegubin@gmail.com>
Sent: Thursday, April 15, 2021 2:44 PM
To: Glenn Michitsch <gmichitsch@cityofcalabasas.com>; info <info@cityofcalabasas.com>
Subject: TONIGHT! Objection to Building 4790 Las Virgenes Road, at the intersection of Las Virgenes and Agoura Roads.

Hi Glenn, Taking time out of a very busy day to let you know that I'm going to be on the Zoom tonight.

I'm very concerned that **YOU ARE NOT LISTENING TO THE COMMUNITY. We ABSOLUTELY DO NOT WANT THIS DEVELOPMENT:** The land is located at 4790 Las Virgenes Road, at the intersection of Las Virgenes and Agoura Roads.

On April 15th and 21st, the developer will once again come before the Planning Commission with the same project that has been denied twice before – **NOTHING HAS CHANGED!** The first rejection was in 2016 when it was known as Canyon Oaks and appeared on the ballot as Measure F. Calabasas Voters overwhelmingly defeated it. It then returned as West Village at Calabasas, and it was denied by a 3-2 vote of the Planning Commission in July 2019.

This new proposal has the same concerns as before — the proposed development does not fit the land resulting in these major issues:

- 1 - Years of grading and destruction of designated Open Space, which will create significant environmental damage and change the natural hillsides to manufactured slopes with miles of concrete v-ditches.
- 2 - Building of multi-story residential buildings in a box canyon in a Very High Fire Severity Zone.
- 3 - Adding traffic to already overburdened roadways, especially in any emergency requiring evacuation. During the Woolsey Fire all roads in and out of the Las Virgenes Valley including the Freeway, Mureau Road, Agoura Road, Las Virgenes Road and Mulholland Highway were closed either by fire or to provide access for first responders.

It is appreciated if you listen to the community and the people who live here. We DO NOT WANT THIS PROJECT.

Thank you,

Dianne

Dianne Gubin
DianneGubin@gmail.com
M: 818-642-6188

P: (626) 381-9248
F: (626) 389-5414
E: info@mitchtsailaw.com



155 South El Molino Avenue
Suite 104
Pasadena, California 91101

VIA U.S. MAIL & E-MAIL

April 21, 2021

City of Calabasas Planning Commission
100 Civic Center Way
Calabasas, CA 91302

City of Calabasas Planning Division
Maureen Tamuri, AICP, Community Development Director
Glenn Michitsch, LEED AP, Senior Planner
100 Civic Center Way
Calabasas, CA 91302

Email to: info@cityofcalabasas.com
mtamuri@cityofcalabasas.com
gmichitsch@cityofcalabasas.com

RE: AGENDA ITEM NO. 1: Comments on the Recirculated Final
Environmental Impact Report for the West Village at Calabasas Project
(SCH No. 2017091009)

Dear Chair Fassberg, Planning Commissioners, Ms. Tamuri and Mr. Michitsch,

On behalf of the Southwest Regional Council of Carpenters (“**Commenter**” or “**Carpenter**”), my Office is submitting these comments on the City of Calabasas’s (“**City**” or “**Lead Agency**”) Recirculated Final Environmental Impact Report (“**RFEIR**”) (SCH No. 2017091009) for the West Village at Calabasas Project (“**Project**”). The Project proposes the development of residential, commercial, and public open space/trail uses on an undeveloped site of approximately 77.22 acres located immediately east of the Las Virgenes Road/Agoura Road intersection (“**Project Site**”). The residential component of the Project includes 180 multi-family units, 5,867 square-foot retail center, community park and open space.

The Southwest Carpenters is a labor union representing 50,000 union carpenters in six states and has a strong interest in well ordered land use planning and addressing the environmental impacts of development projects.

Individual members of the Southwest Carpenters live, work and recreate in the City and surrounding communities and would be directly affected by the Project's environmental impacts.

Commenter expressly reserves the right to supplement these comments at or prior to hearings on the Project, and at any later hearings and proceedings related to this Project. Cal. Gov. Code § 65009(b); Cal. Pub. Res. Code § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* (2004) 124 Cal. App. 4th 1184, 1199-1203; see *Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121.

Commenter expressly reserves the right to supplement these comments at or prior to hearings on the Project, and at any later hearings and proceedings related to this Project. Cal. Gov. Code § 65009(b); Cal. Pub. Res. Code § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* (2004) 124 Cal. App. 4th 1184, 1199-1203; see *Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121.

Commenter incorporates by reference all comments raising issues regarding the EIR submitted prior to certification of the EIR for the Project. *Citizens for Clean Energy v City of Woodland* (2014) 225 Cal. App. 4th 173, 191 (finding that any party who has objected to the Project's environmental documentation may assert any issue timely raised by other parties).

Moreover, Commenter requests that the Lead Agency provide notice for any and all notices referring or related to the Project issued under the California Environmental Quality Act (“**CEQA**”), Cal Public Resources Code (“**PRC**”) § 21000 *et seq.*, and the California Planning and Zoning Law (“**Planning and Zoning Law**”), Cal. Gov't Code §§ 65000–65010. California Public Resources Code Sections 21092.2, and 21167(f) and Government Code Section 65092 require agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body.

The City should require the Applicant provide additional community benefits such as requiring local hire and use of a skilled and trained workforce to build the Project. The City should require the use of workers who have graduated from a Joint Labor Management apprenticeship training program approved by the State of California, or have at least as many hours of on-the-job experience in the applicable craft which would be required to graduate from such a state approved apprenticeship training

program or who are registered apprentices in an apprenticeship training program approved by the State of California.

Community benefits such as local hire and skilled and trained workforce requirements can also be helpful to reduce environmental impacts and improve the positive economic impact of the Project. Local hire provisions requiring that a certain percentage of workers reside within 10 miles or less of the Project Site can reduce the length of vendor trips, reduce greenhouse gas emissions and providing localized economic benefits. Local hire provisions requiring that a certain percentage of workers reside within 10 miles or less of the Project Site can reduce the length of vendor trips, reduce greenhouse gas emissions and providing localized economic benefits. As environmental consultants Matt Hagemann and Paul E. Rosenfeld note:

[A]ny local hire requirement that results in a decreased worker trip length from the default value has the potential to result in a reduction of construction-related GHG emissions, though the significance of the reduction would vary based on the location and urbanization level of the project site.

March 8, 2021 SWAPE Letter to Mitchell M. Tsai re Local Hire Requirements and Considerations for Greenhouse Gas Modeling.

Skilled and trained workforce requirements promote the development of skilled trades that yield sustainable economic development. As the California Workforce Development Board and the UC Berkeley Center for Labor Research and Education concluded:

. . . labor should be considered an investment rather than a cost – and investments in growing, diversifying, and upskilling California’s workforce can positively affect returns on climate mitigation efforts. In other words, well trained workers are key to delivering emissions reductions and moving California closer to its climate targets.¹

The City should also require the Project to be built to standards exceeding the current 2019 California Green Building Code to mitigate the Project’s environmental impacts and to advance progress towards the State of California’s environmental goals..

¹ California Workforce Development Board (2020) Putting California on the High Road: A Jobs and Climate Action Plan for 2030 at p. ii, available at <https://laborcenter.berkeley.edu/wp-content/uploads/2020/09/Putting-California-on-the-High-Road.pdf>

I. THE PROJECT WOULD BE APPROVED IN VIOLATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

A. Background Concerning the California Environmental Quality Act

CEQA has two basic purposes. First, CEQA is designed to inform decision makers and the public about the potential, significant environmental effects of a project. 14 California Code of Regulations (“CCR” or “CEQA Guidelines”) § 15002(a)(1).² “Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions *before* they are made. Thus, the EIR ‘protects not only the environment but also informed self-government.’ [Citation.]” *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d 553, 564. The EIR has been described as “an environmental ‘alarm bell’ whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return.” *Berkeley Keep Jets Over the Bay v. Bd. of Port Comm’rs.* (2001) 91 Cal. App. 4th 1344, 1354 (“*Berkeley Jets*”); *County of Inyo v. Yorty* (1973) 32 Cal. App. 3d 795, 810.

Second, CEQA directs public agencies to avoid or reduce environmental damage when possible by requiring alternatives or mitigation measures. CEQA Guidelines § 15002(a)(2) and (3). *See also, Berkeley Jets*, 91 Cal. App. 4th 1344, 1354; *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d 553; *Laurel Heights Improvement Ass’n v. Regents of the University of California* (1988) 47 Cal. 3d 376, 400. The EIR serves to provide public agencies and the public in general with information about the effect that a proposed project is likely to have on the environment and to “identify ways that environmental damage can be avoided or significantly reduced.” CEQA Guidelines § 15002(a)(2). If the project has a significant effect on the environment, the agency may approve the project only upon finding that it has “eliminated or substantially lessened all significant effects on the environment where feasible” and that any unavoidable significant effects on the environment are “acceptable due to overriding concerns” specified in CEQA section 21081. CEQA Guidelines § 15092(b)(2)(A–B).

² The CEQA Guidelines, codified in Title 14 of the California Code of Regulations, section 150000 et seq, are regulatory guidelines promulgated by the state Natural Resources Agency for the implementation of CEQA. (Cal. Pub. Res. Code § 21083.) The CEQA Guidelines are given “great weight in interpreting CEQA except when . . . clearly unauthorized or erroneous.” *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal. 4th 204, 217.

While the courts review an EIR using an “abuse of discretion” standard, “the reviewing court is not to ‘uncritically rely on every study or analysis presented by a project proponent in support of its position.’ A ‘clearly inadequate or unsupported study is entitled to no judicial deference.’” *Berkeley Jets*, 91 Cal.App.4th 1344, 1355 (emphasis added) (quoting *Laurel Heights*, 47 Cal.3d at 391, 409 fn. 12). Drawing this line and determining whether the EIR complies with CEQA’s information disclosure requirements presents a question of law subject to independent review by the courts. *Sierra Club v. Cnty. of Fresno* (2018) 6 Cal. 5th 502, 515; *Madera Oversight Coalition, Inc. v. County of Madera* (2011) 199 Cal. App. 4th 48, 102, 131. As the court stated in *Berkeley Jets*, 91 Cal. App. 4th at 1355:

A prejudicial abuse of discretion occurs “if the failure to include relevant information precludes informed decision-making and informed public participation, thereby thwarting the statutory goals of the EIR process.

The preparation and circulation of an EIR is more than a set of technical hurdles for agencies and developers to overcome. The EIR’s function is to ensure that government officials who decide to build or approve a project do so with a full understanding of the environmental consequences and, equally important, that the public is assured those consequences have been considered. For the EIR to serve these goals it must present information so that the foreseeable impacts of pursuing the project can be understood and weighed, and the public must be given an adequate opportunity to comment on that presentation before the decision to go forward is made. *Communities for a Better Environment v. Richmond* (2010) 184 Cal. App. 4th 70, 80 (quoting *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal. 4th 412, 449–450).

B. CEQA Requires Revision and Recirculation of an Environmental Impact Report When Substantial Changes or New Information Comes to Light

Section 21092.1 of the California Public Resources Code requires that “[w]hen significant new information is added to an environmental impact report after notice has been given pursuant to Section 21092 ... but prior to certification, the public agency shall give notice again pursuant to Section 21092, and consult again pursuant to Sections 21104 and 21153 before certifying the environmental impact report” in order to give the public a chance to review and comment upon the information. CEQA Guidelines § 15088.5.

Significant new information includes “changes in the project or environmental setting as well as additional data or other information” 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 (including a feasible project alternative).” CEQA Guidelines § 15088.5(a). Examples of significant new information requiring recirculation include “new significant environmental impacts from the project or from a new mitigation measure,” “substantial increase in the severity of an environmental impact,” “feasible project alternative or mitigation measure considerably different from others previously analyzed” as well as when “the draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.” *Id.*

An agency has an obligation to recirculate an environmental impact report for public notice and comment due to “significant new information” regardless of whether the agency opts to include it in a project’s environmental impact report. *Cadiz Land Co. v. Rail Cycle* (2000) 83 Cal. App. 4th 74, 95 [finding that in light of a new expert report disclosing potentially significant impacts to groundwater supply “the EIR should have been revised and recirculated for purposes of informing the public and governmental agencies of the volume of groundwater at risk and to allow the public and governmental agencies to respond to such information.”]. If significant new information was brought to the attention of an agency prior to certification, an agency is required to revise and recirculate that information as part of the environmental impact report.

Based on the deficiencies noted below, the City must revise and recirculate the Recirculated Final EIR for public review and comment.

A. The Mountain Lions’ Change to “Candidate” Status is Significant New Information that Requires Recirculation

In April 2020, the California Fish and Game Commission (“Commission”) accepted for consideration a petition to list mountain lions in certain parts of Coastal and Southern California as threatened or endangered under the California Endangered Species Act. RFEIR, p. 34. Such a decision grants mountain lions “candidate” status, which means they receive the same protections as listed endangered and threatened species under the California Endangered Species Act while the Commission considers whether or not to list them. *Id.*; California Fish and Game Code Section 2085. The RFEIR admits that the City of Calabasas, including the Project Site, are included in the

geographical area covered by the Commission's decision. *Id.* The RFEIR further admits that the Original FEIR acknowledged that the Project Site is within the range of the mountain lions. *Id.* However, the RFEIR goes on to dismiss any significance the newly bestowed "candidate" status on the mountain lions as they relate to the Project. The RFEIR cites to a study from 2006 (Penrod et. Al, 2006) for the proposition that the Project Site "is not part of the vital movement corridor for this species" and concludes that the Project would have less than significant impact on the movement of mountain lions with mitigation measures. RFEIR, pp. 34-35. The RFEIR then claims that the change in status of mountain lions do not alter the Original FEIR's conclusions of less than significant impacts. *Id.*

However, the combination of at least two significant new information triggered the recirculation requirement: the April 2020 change in status of mountain lions to "candidate" status and the devastating string of wildfires that has and continues to plague the Project area, including the 2018 Woolsey fire. Despite the fact that mountain lions have been given "candidate" status, the City failed to conduct a meaningful survey in and around the Project area to determine the occurrence and change in behavior/movement of the mountain lions. Rincon Consultant's "Updated Biological Resources Survey report" from 2020 only briefly surveyed vegetation on the Project site and did not conduct any protocol special-status species surveys. RFEIR, Appendix I, pp. 1-2. Thus, such a general and cursory report did not provide any information regarding the occurrence and the use of the Project Site and nearby area by the mountain lions.

Coupled with the change in status of the mountain lions, the Project Site was "fully burned" by the Woolsey Fire in November 2018, which the RFEIR admits "altered the project site." RFEIR, Appendix I, p. 1; RFEIR, p. 70. Moreover, the Original FEIR's reliance on a 2006 study to dismiss the Project Site as an important movement corridor for the mountain lions can no longer be reliable in light of wildfires having ravaged the Project Site and the surrounding areas. Simply put, the City failed to analyze and mitigate the Project's impacts to the now special status species, mountain lions, in light of the altered landscape including the Project Site.

The City must revise and recirculate the RFEIR to include the analysis and mitigation of any potential impacts to mountain lions and their movement corridor.

B. The RFEIR and FEIR Fail to Adequately Describe the Project.

It is well-established that “[a]n accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR.” *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193. “A curtailed, enigmatic or unstable project description draws a red herring across the path of public input.” *Id.* at p. 198.

Neither the RFEIR nor the Original FEIR adequately describes the Proposed Project’s provision of affordable housing. While the Original FEIR does not outright state how many affordable housing units the Proposed Project would include, it passingly states that the Applicant is requesting “two concessions for increased building and wall height in accordance with the affordable housing provisions of California Code of Regulations Title 7, Division 1, Chapter 4.3, Section 65915(d)(2)(B)” in order to comply with the development standards contained in the City’s Land Use and Development Code. FEIR, p. 285. Then, in reliance on the Density Bonus law, the FEIR concludes that the Project would not have significant land use impacts. *Id.*

The RFEIR further obfuscates how the Proposed Project would qualify for the concessions under the Density Bonus law. In the Project Description section, the RFEIR does not even describe how many affordable housing units the Proposed Project would provide. Moreover, both the RFEIR and FEIR fail to explain what percentage density bonus the Project qualifies for and what the Project’s base density is. See Gov. Code §65915(b)(3). Without this information, it is impossible to determine how much density bonus and how many incentives under the Density Bonus law the Project could receive.

In the RFEIR’s Response to Comments, the City claims that the Original Final EIR adequately describes the Proposed Project’s eligibility under the Density Bonus law and reject this comment as not pertaining to any environmental impacts. Responses to Comments on the Recirculated Draft EIR (“Responses to Comments”), p. 155. The City is wrong. First, as described in detail above, neither the Original FEIR nor the RFEIR adequately and clearly explain how many of the 180 proposed residential units the Proposed Project will dedicate to affordable housing. Next, because the City is using the incentives from the Density Bonus law to deviate from the applicable development standards, the Proposed Project’s eligibility under the Density Bonus law is squarely relevant to the land use impacts.

Thus, the RFEIR and FEIR fail to adequately describe the Project’s eligibility for a density bonus and whether the Project could obtain the required approvals under the Density Bonus law.

C. The RFEIR and FEIR Fail to Adequately Disclose, Analyze and Mitigate the Project’s Wildfire Risks to Residents and Occupants of the Project

The RFEIR acknowledges that the Project Site is in a high wildfire risk zone and that a recent, catastrophic wildfire, the Woolsey Fire of November 2018, actually burned the Project Site itself. RFEIR, pp. 33, 62. The RFEIR even admits that the Woolsey Fire altered the Project Site condition compared to the condition that existed at the time the Notice of Preparation of the original EIR for the Project was completed in September 1, 2017. *Id.* at pp. 33-34.

Despite the recent wildfire burning the Project Site in addition to the California Department of Forestry and Fire Protection’s (or “CAL FIRE”) designation of the entire City of Calabasas a “Very High Fire Hazard Severity Zone,”³ the City failed to analyze the Project’s Wildfire impacts as required by CEQA Guidelines Appendix G Section XX.⁴

CEQA Guidelines Appendix G Section XX applies to the Project because it applies to projects located in or near state responsibility areas or lands classified as very high fire hazard severity zones. As such, the City was required to consider whether the Project would:

- (a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- (b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- (c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines

³ CALFIRE (2011) Very High Fire Hazard Severity Zones in LRA As Recommended by CALFIRE, *available at* <https://osfm.fire.ca.gov/media/5809/calabasas.pdf>

⁴ California Natural Resources Agency (2018) Guidelines for the Implementation of the California Environmental Quality Act, available at http://resources.ca.gov/ceqa/docs/2018_CEQA_FINAL_TEXT_122818.pdf

or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

- (d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

CEQA Guidelines Appendix G, Section XX.

Considering the recent Woolsey Fire burning the Project Site, the evidence of existing landslide having occurred on the Project Site, and the Project Site being located in a “Very High Fire Hazard Severity Zone,” the City’s failure to analyze the Project’s wildfire impacts under Appendix G Section XX is extremely puzzling and alarming and constitutes a clear violation CEQA’s requirements.

In the Responses to Comments, the City claims that it was not required to conduct any analysis under Section XX of the Appendix G Checklist because it was added to the CEQA Guidelines 7 days after the Original Draft EIR commenced on December 21, 2018. Responses to Comments, p. 155. Then, curiously, the City conducts an informal, off the cuff analysis of Section XX, concluding without adequate and thorough analysis, that the Project would not result in a significant impact relate to wildfire risk. *Id.*, pp. 155-56. Nowhere in this “analysis” does the City mention how the Project Site has recently burned in the Woolsey fire nor the specific analysis pertaining to each of the required analyses under Section XX (a)-(d), including: (a) what is the adopted emergency response plan or emergency evacuation plan and how would the Proposed Project impact the implementation of such plan(s), (b) what specific slope, prevailing winds and other factors could exacerbate wildfire risks in the Project area, (c) what infrastructure may exacerbate fire risks temporarily or permanently (rather than conclusively stating that the proposed project already discusses these issues), and (d) expose people or structure to significant risks including flooding or landslides after a fire (rather than generally citing to the hydrology section in the Original Final EIR, which does not specifically discuss the risks after a highly likely recurrence of wildfire).

The City must revise the RFEIR to complete an adequate analysis under CEQA Guidelines Appendix G Section XX and recirculate it for public review.

D. The RFEIR Fails to Adequately Disclose, Analyze and Mitigate the Project's Vehicle Miles Traveled (VMT) Impacts

California passed SB743 requiring lead agencies to conduct VMT analyses from July 2020. The RFEIR purports to revise the FEIR to include the now-required VMT analysis. However, the RFEIR concludes that the Project is “screened out” from further VMT analysis and concludes that the Project will have less than significant VMT related impacts. RFEIR, p. 338.

First, the RFEIR claims the commercial component of the Project is “less than 50 ksF” and consists of local serving shops which “can be screened out from further VMT analysis under Screening Criterion 1: Project Size.” RFEIR, p. 338. And in its Responses to Comments, the City reiterates that “less than 50 ksF” size of the commercial component of the Project automatically screens the Project from VMT analysis. Responses to Comments, p. 157.

However, contrary to what the RFEIR claims, the Office of Planning and Research’s (“OPR”) December 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA (“Technical Advisory”)⁵ does not set “less than 50 ksF” as a threshold. Nothing in the Technical Advisory sets such a “screening criteria.” It merely states that “retail developments including stores larger than 50,000 square feet might be considered regional-serving, and so lead agencies should undertake an analysis to determine whether the project might increase or decrease VMT.” Technical Advisory, p. 17. Instead, the actual threshold for retail projects is whether “a net increase in total VMT may indicate a significant transportation impact.” *Id.* at p. 16. The Technical Advisory states that “estimating the total change in VMT (i.e., the difference in total VMT in the area affected with and without the project) is the best way to analyze a retail project’s transportation impacts.” *Id.* Thus, the City was required to determine whether the Project would lead to an increase in VMT impacts, rather than applying a nonexistent screening criteria to avoid having to conduct such an analysis.

Moreover, the RFEIR’s VMT Analysis by Fehr & Peers claims that land use projects that generate less than 110 daily trips and local-serving retail projects can be screened out. RFEIR, Appendix G, p. 4. However, this analysis is deeply flawed and illogical for many reasons, mainly because the RFEIR’s own Project Trip Generation information

⁵ Governor’s Office of Planning and Research (2018) Technical Advisory on Evaluating Transportation Impacts in CEQA, *available at* https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf

provides that the commercial component of the Project would generate an average daily trip figure of 1,303 trips. RFEIR, Table 4.10-46. As stated by the Technical Advisory, the presumption of a less than significant transportation impact for small projects do not apply if there is substantial evidence otherwise. Technical Advisory, p. 12. The RFEIR itself provides the very substantial evidence that this is not the type of project that should be screened out of the mandated VMT analysis and the City's Responses to Comments that the commercial component was screened out based upon the "less than 50 ksf" language brings it back to the fact that no such "screening criteria" was established by the Technical Advisory.

Next, the RFEIR claims the residential component of the Project meets the "low VMT area" screening criteria due to "its location in a low VMT area for residential land uses." RFEIR, p. 321. Thus, the RFEIR concludes that the Project does not require a VMT analysis and that the Project's VMT impacts will be less than significant.

However, the low VMT area screening envisioned by the Technical Advisory only applies to residential or office projects, not mixed use projects that combines residential and commercial components like the Project.⁶ Moreover, separating the two components of the Project for screening purposes to evade the VMT requirement undermines the entirety of CEQA.

In its Responses to Comments, the City cites to page 17 of the Technical Advisory that allows lead agencies to evaluate each component of a mixed-use project independently and apply the significance threshold for each project type included. Responses to Comments, p. 157. However, in the screening portion of the Technical Advisory, there is no mention of separating each component of the project for screening purposes.

Here, the City is misapplying and misinterpreting the OPR's Technical Advisory to improperly screen the Project to avoid further VMT analysis. While the Technical Advisory allows the use of screening thresholds "to quickly identify when a project should be expected to cause a less-than-significant impact without conducting a detailed study" (Exhibit B, p. 12), such screening tools should not and cannot be used as a way to avoid conducting the VMT analysis.

In the end, the RFEIR failed to adequately analyze and disclose the Project's VMT impacts because it determined, incorrectly, that such analysis was not required. Such

⁶ *Id.* pp. 12-13 (Map-based screening for residential and office projects.)

failure violated CEQA.

E. The RFEIR and FEIR Fail to Adequately Disclose, Analyze and Mitigate the Project's Land Use Impacts

1) *The RFEIR and FEIR Fail to Demonstrate Consistency with SCAG's RTP/SCS Plan*

Senate Bill No. 375 requires regional planning agencies to include a sustainable communities strategy in their regional transportation plans. Gov. Code § 65080, sub.(b)(2)(B.) CEQA Guidelines § 15125(d) provides that an EIR “shall discuss any inconsistencies between the proposed project and... regional plans. Such regional plans include... regional transportation plans.” Thus, CEQA requires analysis of any inconsistencies between the Project and the relevant RTP/SCS plan.

In April 2012, SCAG adopted its 2012-2035 RTP/ SCS (“2012 RTP/SCS”), which proposed specific land use policies and transportation strategies for local governments to implement that will help the region achieve GHG emission reductions of 9 percent per capita in 2020 and 16 percent per capita in 2035.

In April 2016, SCAG adopted the 2016-2040 RTP/SCS (“2016 RTP/SCS”)⁷, which incorporates and builds upon the policies and strategies in the 2012 RTP/SCS⁸, that will help the region achieve GHG emission reductions that would reduce the region’s per capita transportation emissions by eight percent by 2020 and 18 percent by 2035.⁹ SCAG’s RTP/SCS plan is based upon the same requirements outlined in CARB’s 2017 Scoping Plan and SB 375.

On September 3, 2020, SCAG adopted the 2020 – 2045 RTP / SCS titled Connect SoCal (“2020 RTP/ SCS”).¹⁰ The 2020 RTP / SCS adopts policies and strategies aimed at reducing the region’s per capita greenhouse gas emissions by 8% below 2005 per capita emissions levels by 2020 and 19% below 2005 per capita emissions levels by 2035.¹¹

⁸ SCAG (Apr. 2016) 2016 RTP/SCS, p. 69, 75-115 (attached as Exhibit D).

⁹ *Id.*, p. 8, 15, 153, 166.

¹⁰ SCAG (Sept 2020) Connect SoCal: The 2020 – 2045 Regional Transportation Plan / Sustainable Communities Strategy of the Southern California Association of Governments, available at https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf?1606001176

¹¹ *Id.* At xiii.

For both the 2012 and 2016 RTP/SCS, SCAG prepared Program Environmental Impact Reports (“PEIR”) that include Mitigation Monitoring and Reporting Programs (“MMRP”) that list project-level environmental mitigation measures that directly and/or indirectly relate to a project’s GHG impacts and contribution to the region’s GHG emissions.¹² These environmental mitigation measures serve to help local municipalities when identifying mitigation to reduce impacts on a project-specific basis that can and should be implemented when they identify and mitigate project-specific environmental impacts.¹³

Here, the Original FEIR claims the Project is consistent with SCAG’s 2016-2040 RTP/SCS Plan¹⁴ (“RTP/SCS Plan”) through the analysis of nine general goals or policies of that plan. (FEIR, pp. 257-259.) However, the goals that the FEIR analyzes for Project consistency are not applicable at the project level, only at a plan level to inform implementation of the RTP/SCS Plan. Thus, the FEIR incorrectly relies upon plan level goals outlined in the RTP/SCS. In the 2016 RTP/SCS Plan, SCAG states that:

The RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health. Ultimately, the Plan is intended to help guide transportation and land use decisions and public investments... This Plan’s goals are intended to help carry out our vision for improved mobility, a strong economy and sustainability.”¹⁵

The City’s Responses to Comments merely dispute that Commenter has failed to present evidence to refute the conclusions of the Original FEIR. (Responses to Comments, p. 157.) As stated in our initial comment letter, which is reiterated here below, neither the RFEIR nor the Original FEIR demonstrates that it is consistent with many of the RTP/SCS Plan’s *project-level* goals, including:

¹² *Id.*, p. 116-124; see also SCAG (April 2012) Regional Transportation Plan 2012 – 20135, fn. 38, p. 77-86 (attached as Exhibit E).

¹³ SCAG 2012 RTP/SCS (attached as Exhibit E), p. 77; see also SCAG 2016 RTP/SCS, fn. 41, p. 115.

¹⁵ SCAG 2016-2040 RTP/SCS Plan, pp. 63, 65 (emphasis added)

Land Use and Transportation

- Providing transit fare discounts¹⁶;
- Implementing transit integration strategies¹⁷; and
- Anticipating shared mobility platforms, car-to-car communications, and automated vehicle technologies.¹⁸

GHG Emissions Goals¹⁹

- Reduction in emissions resulting from a project through implementation of project features, project design, or other measures, such as those described in Appendix F of the State CEQA Guidelines,²⁰ such as:
 - o Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.
 - o The potential siting, orientation, and design to minimize energy consumption, including transportation energy.
 - o The potential for reducing peak energy demand.
 - o Alternate fuels (particularly renewable ones) or energy systems.
 - o Energy conservation which could result from recycling efforts.
- Off-site measures to mitigate a project's emissions.

¹⁶ SCAG 2016 RTP/SCS, pp. 75-114

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ SCAG 2012 RTP/SCS (Mar. 2012) Final PEIR MMRP, p. 6-2—6-14 (including mitigation measures (“MM”) AQ3, BIO/OS3, CUL2, GEO3, GHG15, HM3, LU14, NO1, POP4, PS12, TR23, W9 [stating “[l]ocal agencies can and should comply with the requirements of CEQA to mitigate impacts to [the environmental] as applicable and feasible ... [and] may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.” (Emphasis added)]); see also *id.*, Final PEIR Appendix G (including MMs AQ1-23, GHG1-8, PS1-104, TR1-83, W1-62); SCAG 2016 RTP/SCS (Mar. 2016) Final PEIR MMRP, p. 11–63 (including MMs AIR-2(b), AIR-4(b), EN- 2(b), GHG-3(b), HYD-1(b), HYD-2(b), HYD-8(b), TRA-1(b), TRA-2(b), USS-4(b), USS-6(b)).

²⁰ CEQA Guidelines, Appendix F-Energy Conservation, http://resources.ca.gov/ceqa/guidelines/Appendix_F.html.

- Measures that consider incorporation of Best Available Control Technology (BACT) during design, construction and operation of projects to minimize GHG emissions, including but not limited to:
 - Use energy and fuel-efficient vehicles and equipment;
 - Deployment of zero- and/or near zero emission technologies;
 - Use cement blended with the maximum feasible amount of flash or other materials that reduce GHG emissions from cement production;
 - Incorporate design measures to reduce GHG emissions from solid waste management through encouraging solid waste recycling and reuse;
 - Incorporate design measures to reduce energy consumption and increase use of renewable energy;
 - Incorporate design measures to reduce water consumption;
 - Use lighter-colored pavement where feasible;
 - Recycle construction debris to maximum extent feasible;
- Adopting employer trip reduction measures to reduce employee trips such as vanpool and carpool programs, providing end-of-trip facilities, and telecommuting programs.
- Designate a percentage of parking spaces for ride-sharing vehicles or high-occupancy vehicles, and provide adequate passenger loading and unloading for those vehicles;
- Land use siting and design measures that reduce GHG emissions, including:
 - Measures that increase vehicle efficiency, encourage use of zero and low emissions vehicles, or reduce the carbon content of fuels, including constructing or encouraging construction of electric vehicle charging stations or neighborhood electric vehicle networks, or charging for electric bicycles; and
 - Measures to reduce GHG emissions from solid waste management through encouraging solid waste recycling and reuse.

Hydrology & Water Quality Goals

- Incorporate measures consistent in a manner that conforms to the standards set

by regulatory agencies responsible for regulating water quality/supply requirements, such as:

- o Reduce exterior consumptive uses of water in public areas, and should promote reductions in private homes and businesses, by shifting to drought-tolerant native landscape plantings(xeriscaping), using weather-based irrigation systems, educating other public agencies about water use, and installing related water pricing incentives.
- o Promote the availability of drought-resistant landscaping options and provide information on where these can be purchased. Use of reclaimed water especially in median landscaping and hillside landscaping can and should be implemented where feasible.
- o Implement water conservation best practices such as low-flow toilets, water-efficient clothes washers, water system audits, and leak detection and repair.
- o Ensure that projects requiring continual dewatering facilities implement monitoring systems and long-term administrative procedures to ensure proper water management that prevents degrading of surface water and minimizes, to the greatest extent possible, adverse impacts on groundwater for the life of the project. Comply with appropriate building codes and standard practices including the Uniform Building Code.
- o Maximize, where practical and feasible, permeable surface area in existing urbanized areas to protect water quality, reduce flooding, allow for groundwater recharge, and preserve wildlife habitat. Minimized new impervious surfaces to the greatest extent possible, including the use of in-lieu fees and off-site mitigation.
- o Avoid designs that require continual dewatering where feasible.
- o Where feasible, do not site transportation facilities in groundwater recharge areas, to prevent conversion of those areas to impervious surface.
- Incorporate measures consistent in a manner that conforms to the standards set by regulatory agencies responsible for regulating and enforcing water quality and waste discharge requirements, such as:
 - o Complete, and have approved, a Stormwater Pollution Prevention Plan (“SWPPP”) before initiation of construction.

- o Implement Best Management Practices to reduce the peak stormwater runoff from the project site to the maximum extent practicable.
- o Comply with the Caltrans stormwater discharge permit as applicable; and identify and implement Best Management Practices to manage site erosion, wash water runoff, and spill control.
- o Complete, and have approved, a Standard Urban Stormwater Management Plan, prior to occupancy of residential or commercial structures.
- o Ensure adequate capacity of the surrounding stormwater system to support stormwater runoff from new or rehabilitated structures or buildings.
- o Prior to construction within an area subject to Section 404 of the Clean Water Act, obtain all required permit approvals and certifications for construction within the vicinity of a watercourse (e.g., Army Corps § 404 permit, Regional Waterboard § 401 permit, Fish & Wildlife § 401 permit).
- o Where feasible, restore or expand riparian areas such that there is no net loss of impervious surface as a result of the project.
- o Install structural water quality control features, such as drainage channels, detention basins, oil and grease traps, filter systems, and vegetated buffers to prevent pollution of adjacent water resources by polluted runoff where required by applicable urban stormwater runoff discharge permits, on new facilities.
- o Provide structural stormwater runoff treatment consistent with the applicable urban stormwater runoff permit where Caltrans is the operator, the statewide permit applies.
- o Provide operational best management practices for street cleaning, litter control, and catch basin cleaning are implemented to prevent water quality degradation in compliance with applicable stormwater runoff discharge permits; and ensure treatment controls are in place as early as possible, such as during the acquisition process for rights-of-way, not just later during the facilities design and construction phase.
- o Comply with applicable municipal separate storm sewer system discharge permits as well as Caltrans' stormwater discharge permit including long-term sediment control and drainage of roadway runoff.

- o Incorporate as appropriate treatment and control features such as detention basins, infiltration strips, and porous paving, other features to control surface runoff and facilitate groundwater recharge into the design of new transportation projects early on in the process to ensure that adequate acreage and elevation contours are provided during the right-of-way acquisition process.
- o Design projects to maintain volume of runoff, where any downstream receiving water body has not been designed and maintained to accommodate the increase in flow velocity, rate, and volume without impacting the water's beneficial uses. Pre-project flow velocities, rates, volumes must not be exceeded. This applies not only to increases in stormwater runoff from the project site, but also to hydrologic changes induced by flood plain encroachment. Projects should not cause or contribute to conditions that degrade the physical integrity or ecological function of any downstream receiving waters.
- o Provide culverts and facilities that do not increase the flow velocity, rate, or volume and/or acquiring sufficient storm drain easements that accommodate an appropriately vegetated earthen drainage channel.
- o Upgrade stormwater drainage facilities to accommodate any increased runoff volumes. These upgrades may include the construction of detention basins or structures that will delay peak flows and reduce flow velocities, including expansion and restoration of wetlands and riparian buffer areas. System designs shall be completed to eliminate increases in peak flow rates from current levels.
- o Encourage Low Impact Development (“LID”) and incorporation of natural spaces that reduce, treat, infiltrate and manage stormwater runoff flows in all new developments, where practical and feasible.
- Incorporate measures consistent with the provisions of the Groundwater Management Act and implementing regulations, such as:
 - o For projects requiring continual dewatering facilities, implement monitoring systems and long-term administrative procedures to ensure proper water management that prevents degrading of surface water and minimizes, to the greatest extent possible, adverse impacts on groundwater for the life of the

- project, Construction designs shall comply with appropriate building codes and standard practices including the Uniform Building Code.
- o Maximize, where practical and feasible, permeable surface area in existing urbanized areas to protect water quality, reduce flooding, allow for groundwater recharge, and preserve wildlife habitat. Minimize to the greatest extent possible, new impervious surfaces, including the use of in-lieu fees and off-site mitigation.
 - o Avoid designs that require continual dewatering where feasible.
 - o Avoid construction and siting on groundwater recharge areas, to prevent conversion of those areas to impervious surface.
 - o Reduce hardscape to the extent feasible to facilitate groundwater recharge as appropriate.
 - Incorporate mitigation measures to ensure compliance with all federal, state, and local floodplain regulations, consistent with the provisions of the National Flood Insurance Program, such as:
 - o Comply with Executive Order 11988 on Floodplain Management, which requires avoidance of incompatible floodplain development, restoration and preservation of the natural and beneficial floodplain values, and maintenance of consistency with the standards and criteria of the National Flood Insurance Program.
 - o Ensure that all roadbeds for new highway and rail facilities be elevated at least one foot above the 100-year base flood elevation. Since alluvial fan flooding is not often identified on FEMA flood maps, the risk of alluvial fan flooding should be evaluated and projects should be sited to avoid alluvial fan flooding. Delineation of floodplains and alluvial fan boundaries should attempt to account for future hydrologic changes caused by global climate change.

Transportation, Traffic, and Safety

- Institute teleconferencing, telecommute and/or flexible work hour programs to reduce unnecessary employee transportation.
- Create a ride-sharing program by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and

unloading for ride sharing vehicles, and providing a web site or message board for coordinating rides.

- Provide a vanpool for employees.
- Provide a Transportation Demand Management (TDM) plan containing strategies to reduce on-site parking demand and single occupancy vehicle travel. The TDM shall include strategies to increase bicycle, pedestrian, transit, and carpools/vanpool use, including:
 - Inclusion of additional bicycle parking, shower, and locker facilities that exceed the requirement.
 - Direct transit sales or subsidized transit passes.
 - Guaranteed ride home program.
 - Pre-tax commuter benefits (checks).
 - On-site car-sharing program (such as City Car Share, Zip Car, etc.).
 - On-site carpooling program.
 - Distribution of information concerning alternative transportation options.
 - Parking spaces sold/leased separately.
 - Parking management strategies; including attendant/valet parking and shared parking spaces.
- Promote ride sharing programs e.g., by designating a certain percentage of parking spaces for high-occupancy vehicles, providing larger parking spaces to accommodate vans used for ride-sharing, and designating adequate passenger loading and unloading and waiting areas.
- Encourage the use of public transit systems by enhancing safety and cleanliness on vehicles and in and around stations, providing shuttle service to public transit, offering public transit incentives and providing public education and publicity about public transportation services.
- Build or fund a major transit stop within or near transit development upon consultation with applicable CTCs.
- Work with the school districts to improve pedestrian and bike access to schools

and to restore or expand school bus service using lower-emitting vehicles.

- Purchase, or create incentives for purchasing, low or zero-emission vehicles.
- Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles.
- Promote ride sharing programs, if determined feasible and applicable by the Lead Agency, including:
 - Designate a certain percentage of parking spaces for ride-sharing vehicles.
 - Designate adequate passenger loading, unloading, and waiting areas for ride-sharing vehicles.
 - Provide a web site or message board for coordinating shared rides.
 - Encourage private, for-profit community car-sharing, including parking spaces for car share vehicles at convenient locations accessible by public transit.
 - Hire or designate a rideshare coordinator to develop and implement ridesharing programs.
- Support voluntary, employer-based trip reduction programs, if determined feasible and applicable by the Lead Agency, including:
 - Provide assistance to regional and local ridesharing organizations.
 - Advocate for legislation to maintain and expand incentives for employer ridesharing programs.
 - Require the development of Transportation Management Associations for large employers and commercial/ industrial complexes.
 - Provide public recognition of effective programs through awards, top ten lists, and other mechanisms.
- Implement a “guaranteed ride home” program for those who commute by public transit, ridesharing, or other modes of transportation, and encourage employers to subscribe to or support the program.
- Encourage and utilize shuttles to serve neighborhoods, employment centers and major destinations.
- Create a free or low-cost local area shuttle system that includes a fixed route to

popular tourist destinations or shopping and business centers.

- Work with existing shuttle service providers to coordinate their services.
- Facilitate employment opportunities that minimize the need for private vehicle trips, such as encourage telecommuting options with new and existing employers, through project review and incentives, as appropriate.
- Organize events and workshops to promote GHG-reducing activities.
- Implement a Parking Management Program to discourage private vehicle use, including:
 - Encouraging carpools and vanpools with preferential parking and a reduced parking fee.
 - Institute a parking cash-out program or establish a parking fee for all single-occupant vehicles.

Utilities & Service Systems

- Integrate green building measures consistent with CALGreen (Title 24, part 11), U.S. Green Building Council's Leadership in Energy and Environmental Design, energy Star Homes, Green Point Rated Homes, and the California Green Builder Program into project design including, but not limited to the following:
 - Reuse and minimization of construction and demolition (C&D) debris and diversion of C&D waste from landfills to recycling facilities.
 - Inclusion of a waste management plan that promotes maximum C&D diversion.
 - Development of indoor recycling program and space.
 - Discourage exporting of locally generated waste outside of the SCAG region during the construction and implementation of a project. Encourage disposal within the county where the waste originates as much as possible. Promote green technologies for long-distance transport of waste (e.g., clean engines and clean locomotives or electric rail for waste-by-rail disposal systems) and consistency with SCAQMD and 2016 RTP/SCS policies can and should be required.
 - Develop ordinances that promote waste prevention and recycling activities

such as: requiring waste prevention and recycling efforts at all large events and venues; implementing recycled content procurement programs; and developing opportunities to divert food waste away from landfills and toward food banks and composting facilities.

- o Develop alternative waste management strategies such as composting, recycling, and conversion technologies.
- o Develop and site composting, recycling, and conversion technology facilities that have minimum environmental and health impacts.
- o Require the reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
- o Integrate reuse and recycling into residential industrial, institutional and commercial projects.
- o Provide recycling opportunities for residents, the public, and tenant businesses.
- o Provide education and publicity about reducing waste and available recycling services.
- o Implement or expand city or county-wide recycling and composting programs for residents and businesses. This could include extending the types of recycling services offered (e.g., to include food and green waste recycling) and providing public education and publicity about recycling services.

The RFEIR and the Original FEIR fail to mention or demonstrate consistency with the above listed measures and strategies of the SCAG RTP/SCS Plan. The RFEIR should be revised to indicate what *specific project-level* mitigation measures that will be followed to demonstrate consistency with the RTP/SCS Plan.

2) *The City fails to review the Project's consistency with the 2020 RTP/SCS*

CEQA Guidelines section 15125(d) requires that an environmental impact report “discuss any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans. *See also Golden Door Properties, LLC v. County of San Diego* (2020) 50 Cal. App. 5th 467, 543.

The Project’s environmental documents fail as an informational document since the Project’ RFEIR fails to discuss consistency with the 2020 RTP / SCS.

B. Due to the COVID-19 Crisis, the City Must Adopt a Mandatory Finding of Significance that the Project May Cause a Substantial Adverse Effect on Human Beings and Mitigate COVID-19 Impacts

CEQA requires that an agency make a finding of significance when a Project may cause a significant adverse effect on human beings. (PRC § 21083(b)(3); CEQA Guidelines § 15065(a)(4).)

Public health risks related to construction work requires a mandatory finding of significance under CEQA. Construction work has been defined as a Lower to High-risk activity for COVID-19 spread by the Occupational Safety and Health Administration. Recently, several construction sites have been identified as sources of community spread of COVID-19.²¹

The City, in its Responses to Comments, claim that COVID-19 is the environment's impact on the project, which is not required to be analyzed under CEQA. (Responses to Comments, p. 158.) However, as noted above, CEQA requires that the City make a finding of significance when a project may cause a significant adverse effect on human beings, including bringing workers onto the Project Site, resulting in the spread of COVID-19. (PRC § 21083(b)(3); CEQA Guidelines § 15065(a)(4).)

SWRCC urges that the City adopt additional CEQA mitigation measures to mitigate public health risks from the Project's construction activities. SWRCC requests that the Lead Agency require safe on-site construction work practices as well as training and certification for any construction workers on the Project Site.

In particular, based upon SWRCC's experience with safe construction site work practices, SWRCC recommends that the Lead Agency require that while construction activities are being conducted at the Project Site:

Construction Site Design:

- The Project Site will be limited to two controlled entry points.
- Entry points will have temperature screening technicians taking temperature readings when the entry point is open.

²¹ Santa Clara County Public Health (June 12, 2020) COVID-19 CASES AT CONSTRUCTION SITES HIGHLIGHT NEED FOR CONTINUED VIGILANCE IN SECTORS THAT HAVE REOPENED, available at <https://www.sccgov.org/sites/covid19/Pages/press-release-06-12-2020-cases-at-construction-sites.aspx>.

- The Temperature Screening Site Plan shows details regarding access to the Project Site and Project Site logistics for conducting temperature screening.
- A 48-hour advance notice will be provided to all trades prior to the first day of temperature screening.
- The perimeter fence directly adjacent to the entry points will be clearly marked indicating the appropriate 6-foot social distancing position for when you approach the screening area. Please reference the Apex temperature screening site map for additional details.
- There will be clear signage posted at the project site directing you through temperature screening.
- Provide hand washing stations throughout the construction site.

Testing Procedures:

- The temperature screening being used are non-contact devices.
- Temperature readings will not be recorded.
- Personnel will be screened upon entering the testing center and should only take 1-2 seconds per individual.
- Hard hats, head coverings, sweat, dirt, sunscreen or any other cosmetics must be removed on the forehead before temperature screening.
- Anyone who refuses to submit to a temperature screening or does not answer the health screening questions will be refused access to the Project Site.
- Screening will be performed at both entrances from 5:30 am to 7:30 am.; main gate [ZONE 1] and personnel gate [ZONE 2]
- After 7:30 am only the main gate entrance [ZONE 1] will continue to be used for temperature testing for anybody gaining entry to the project site such as returning personnel, deliveries, and visitors.

- If the digital thermometer displays a temperature reading above 100.0 degrees Fahrenheit, a second reading will be taken to verify an accurate reading.
- If the second reading confirms an elevated temperature, DHS will instruct the individual that he/she will not be allowed to enter the Project Site. DHS will also instruct the individual to promptly notify his/her supervisor and his/her human resources (HR) representative and provide them with a copy of Annex A.

Planning

- Require the development of an Infectious Disease Preparedness and Response Plan that will include basic infection prevention measures (requiring the use of personal protection equipment), policies and procedures for prompt identification and isolation of sick individuals, social distancing (prohibiting gatherings of no more than 10 people including all-hands meetings and all-hands lunches) communication and training and workplace controls that meet standards that may be promulgated by the Center for Disease Control, Occupational Safety and Health Administration, Cal/OSHA, California Department of Public Health or applicable local public health agencies.²²

The United Brotherhood of Carpenters and Carpenters International Training Fund has developed COVID-19 Training and Certification to ensure that Carpenter union members and apprentices conduct safe work practices. The Agency should require that all construction workers undergo COVID-19 Training and Certification before being allowed to conduct construction activities at the Project Site.

²² See also The Center for Construction Research and Training, North America's Building Trades Unions (April 27 2020) NABTU and CPWR COVID-19 Standards for U.S. Construction Sites, *available at* https://www.cpwr.com/sites/default/files/NABTU_CPWR_Standards_COVID-19.pdf; Los Angeles County Department of Public Works (2020) Guidelines for Construction Sites During COVID-19 Pandemic, *available at* https://dpw.lacounty.gov/building-and-safety/docs/pw_guidelines-construction-sites.pdf.

II. THE PROJECT IS INCONSISTENT WITH THE GENERAL PLAN AND THE ZONING CODE.

A. The Background on the State Planning and Zoning Law

Each California city and county must adopt a comprehensive, long-term general plan governing development. *Napa Citizens for Honest Gov. v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 352, citing Gov. Code §§ 65030, 65300. The general plan sits at the top of the land use planning hierarchy (see *DeVita v. County of Napa* (1995) 9 Cal.4th 763, 773), and serves as a “constitution” or “charter” for all future development. *Lesher Communications, Inc. v. City of Walnut Creek* (1990) 52 Cal.3d 531, 540.

General plan consistency is “the linchpin of California’s land use and development laws; it is the principle which infused the concept of planned growth with the force of law.” See *Debottari v. Norco City Council* (1985) 171 Cal.App.3d 1204, 1213.

State law mandates two levels of consistency. First, a general plan must be internally or “horizontally” consistent: its elements must “comprise an integrated, internally consistent and compatible statement of policies for the adopting agency.” See Gov. Code § 65300.5; *Sierra Club v. Bd. of Supervisors* (1981) 126 Cal.App.3d 698, 704. A general plan amendment thus may not be internally inconsistent, nor may it cause the general plan as a whole to become internally inconsistent. See *DeVita*, 9 Cal.4th at 796 fn. 12.

Second, state law requires “vertical” consistency, meaning that zoning ordinances and other land use decisions also must be consistent with the general plan. See Gov. Code § 65860(a)(2) [land uses authorized by zoning ordinance must be “compatible with the objectives, policies, general land uses, and programs specified in the [general] plan.”]; see also *Neighborhood Action Group v. County of Calaveras* (1984) 156 Cal.App.3d 1176, 1184. A zoning ordinance that conflicts with the general plan or impedes achievement of its policies is invalid and cannot be given effect. See *Lesher*, 52 Cal.3d at 544.

State law requires that all subordinate land use decisions, including conditional use permits, be consistent with the general plan. See Gov. Code § 65860(a)(2); *Neighborhood Action Group*, 156 Cal.App.3d at 1184.

A project cannot be found consistent with a general plan if it conflicts with a general plan policy that is “fundamental, mandatory, and clear,” regardless of whether it is

consistent with other general plan policies. See *Endangered Habitats League v. County of Orange* (2005) 131 Cal.App.4th 777, 782-83; *Families Unafraid to Uphold Rural El Dorado County v. Bd. of Supervisors* (1998) 62 Cal.App.4th 1332, 1341-42 (“FUTURE”).

Moreover, even in the absence of such a direct conflict, an ordinance or development project may not be approved if it interferes with or frustrates the general plan’s policies and objectives. See *Napa Citizens*, 91 Cal.App.4th at 378-79; see also *Lesher*, 52 Cal.3d at 544 (zoning ordinance restricting development conflicted with growth-oriented policies of general plan).

As explained in full below, the Project is inconsistent with the General Plan. As such, the Project violates the State Planning and Zoning law.

B. The Project is Inconsistent with the General Plan Policies Designed to Minimize Wildfire Risks

The RFEIR and FEIR fail to establish the Project’s consistency with General Plan policies pertaining to wildfire risks. Mainly, the City’s General Plan Policy VII-14 requires the City to “[d]iscourage development and encourage sensitive siting of structures within hazardous fire areas as higher priorities than attempting to implement fuel modification techniques that would adversely affect significant biological resources.” General Plan’s Safety Objective 2, Fire Hazards requires the City to “[m]inimize the potential for loss of life, physical injury, property damage, and social disruption resulting from urban and wildland fires.”

The 2018 Woolsey fire recently burned the Project Site; yet there is no indication that the City has discouraged development of a massive residential and commercial mixed-use project that would surely be subject to a recurring and increasingly more destructive wildfires. The City’s Responses to Comments claim that the Original FEIR’s Table 4.7-4 already addresses these issues. Responses to Comments, p. 158. However, for example, nothing in the one paragraph cursory analysis provided in Table 4.7-4 (which provides one wholesale analysis regarding the Project’s consistency with Safety Objective 2 and 5 separate policies, Policy VII-12, 14, 15, 16 and 17) provides any information that the City prioritized discouraging the development of the Project.

Moreover, the City even failed to consider whether the Project will have significant wildfire impacts under CEQA Guidelines Appendix G, Section XX. The City had the opportunity, like the VMT analysis it added to the RFEIR, to comply with the Section

XX requirement in the RFEIR. However, the City failed to do so and as a result, failed to minimize the potential for harm from future wildfires as provided in Safety Objective 2 of the General Plan.

Given the high risks of wildfire present on the Project Site, the RFEIR and FEIR failed to establish consistency with the General Plan policies pertaining to wildfire risks and minimization.

In conclusion, the RFEIR and the Original FEIR failed to establish the Project's consistency with the General Plan.

II. THE PROJECT VIOLATES THE DENSITY BONUS LAW

The RFEIR and FEIR briefly note that the Project will designate 18 of 180 total residential units for very low income affordable housing and mentions the phrase “density bonus” a few times without explaining how the Project qualifies for any density bonus. RFEIR, p. 281; FEIR, p. 415. The FEIR also passingly states that one of the required approvals for the Project includes affordable housing concessions for increased height for residential buildings and two retaining walls. FEIR, p. 91.

First, Government Code section 65915(b) provides that a city shall grant one density bonus, the amount of which shall be as specified in subdivision (f), and incentives or concessions as described in subdivision (d). City of Calabasas' Municipal Code Chapter 17.22 on affordable housing appears to mirror Government Code section 65915(d)(2)(B) regarding the density bonus calculations.

The RFEIR and FEIR fail to establish the Project's eligibility under the Density Bonus law. Critically, the RFEIR and FEIR fail to explain what percentage density bonus the Project qualifies for and what the Project's base density is. (See Gov. Code §65915(b)(3).) Whether the a given density bonus amount was calculated correctly pursuant to Government Code sections 65915(b) and (f) largely depends on what the maximum permitted residential units on the Project Site is. Without this information, it is impossible to determine how much density bonus and how many incentives under the Density Bonus law the Project is entitled to receive.

Next, the Project seeks at least three (3) incentives/concessions under Density Bonus law, including increased height for residential buildings and two retaining walls. Government Code section 65915(d) explains when and how much incentives or concessions the applicant is entitled to. Government Code section 65915(d)(2)(B)

provides that “the applicant shall receive” “two incentives or concessions for projects that include...at least 10 percent for very low income households...”

Although it’s not clear, the Project appears to propose to dedicate 18 of 180 total residential units for very low income affordable housing, that number is far below the minimum 15 percent of very low income units of total units necessary to qualify for three incentives or concessions. Gov. Code §65915 (d)(2)(B)-(C).

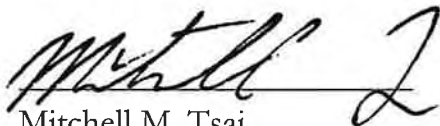
The City fails to respond to any of these issues in its Responses to Comments, claiming that the Project’s compliance with the Density Bonus law do not raise environmental issues. Responses to Comments, p. 159. However, as noted above, the RFEIR and FEIR concluded that the Project would have less than significant land use impacts as a result of the Project’s compliance with the Density Bonus law which would allow the Project to exceed development standards in exchange for providing affordable housing. Thus, the Project’s compliance, or violation, with the Density Bonus law is squarely a relevant issue in the RFEIR and the Original FEIR.

Thus, the RFEIR and the Original FEIR fail to establish the Project’s eligibility for a density bonus and whether the Project could obtain the required approvals under the Density Bonus law. From the limited information provided by the RFEIR and FEIR, the Project fails to comply with Density Bonus law.

III. CONCLUSION

Commenter requests that the City revise and recirculate the Project’s environmental impact report to address the aforementioned concerns. If the City has any questions or concerns, feel free to contact my Office.

Sincerely,



Mitchell M. Tsai

Attorneys for Southwest Regional Council of Carpenters

Attached:

March 8, 2021 SWAPE Letter to Mitchell M. Tsai re Local Hire Requirements and Considerations for Greenhouse Gas Modeling (Exhibit A);

Air Quality and GHG Expert Paul Rosenfeld CV (Exhibit B);

Air Quality and GHG Expert Matt Hagemann CV (Exhibit C);

SCAG (Apr. 2016) 2016 RTP/SCS (Exhibit D);

SCAG (April 2012) Regional Transportation Plan 2012 – 20135 (Exhibit E); and

SCAG (Sept 2020) Connect Social: The 2020 – 2045 Regional Transportation Plan / Sustainable Communities Strategy of the Southern California Association of Governments (Exhibit F).

From: Joe Chilco <joe.chilco@gmail.com>

Sent: Sunday, April 18, 2021 8:57 PM

To: info <info@cityofcalabasas.com>

Cc: Maricela Hernandez <mhernandez@cityofcalabasas.com>

Subject: Planning Commission 4-21-21 West Village at Calabasas Public Hearing - public comments

Further to the April 15, 2021 West Village at Calabasas Public Hearing, please consider the following with regard to the continuation of such on April 21, 2021:

The EIR is deficient because it fails to provide adequate analysis of the wildfire risk impacts of the proposed development. The EIR does not offer any analysis.

This deficiency isn't specific to the Woolsey Fire. The current California Attorney General has joined CEQA lawsuits against proposed developments in San Diego and Napa in high fire risk areas that failed to adequately assess whether a development would increase the wildfire risk.

The CMC prohibits development and permanent uses of OS-DR zoned land. Concrete v—ditch infrastructure is permanent and part of the development.

CEQA guidelines state that, "The significant effects on the environment should be discussed with emphasis in proportion to their severity *and probability of occurrence*." The EIR acknowledges that, "The number and frequency of large magnitude earthquakes that may occur during the life of the proposed project cannot be predicted reliably."

Urban wildfires occur frequently and pose a real public safety threat yet the EIR doesn't address it or state any mitigation.

With regard to seismic activity on the project site, the Independent Geotechnical Peer Review by LGC, Valley Inc. states, "we generally conclude that the potential for on-site landslides to impact the adjacent Las Virgenes Road and/or the adjacent Shea Homes property under existing conditions is slight".

The EIR states, "No active faults have been mapped in Calabasas..."

In Section 4.4. Geology/Soils of the EIR it states, "...the Alquist-Priolo Earthquake Fault Zone Act (APEHA)...requires studies within 500 feet of active or potentially active faults. No known active or potentially active faults traverse the site based on existing maps prepared by the State of California. Therefore, the project site is not located within an Alquist-Priolo Special Studies Zone."

"Additionally, a deterministic seismic hazards analysis was completed to determine the maximum hazard exposure to the project site. These analyses determined it is probable that the project area will experience at least one moderate to severe ground shaking event from one of the nearby faults, which could be up to 7.3 in magnitude."

A magnitude 7.1 earthquake occurred on July 6, 2019. Effects were felt across much of Southern California, parts of Arizona and Nevada, as far north as the San Francisco Bay Area, and as far

south as Baja California, Mexico. And yet, a seismic event of this magnitude and one having a very large area of impact did not result in significant movement of the landslide on the project site. There is no mention of this fact in the EIR.

The developer is wrong when it suggests that the proposed project is “pre-approved” because the General Plan imagined that 16 acres of the land parcel is developable. The General Plan does not specify the details of any development on this land parcel. No development of this size is “pre-approved”. There are other potential developments that might “fit the land” better. Just because 16 acres is *zoned* for development doesn’t mean all 16 acres are *capable* of being developed.

Changes have occurred since the last General Plan update that have resulted in increased fire risk, impacts on traffic, and the need for effective emergency evacuation routes in the City and, in particular, in the limited egress communities on the west side. The reality of how the proposed project will impact all of these concerns is what should be considered. The resolution of denial should include these findings.

Manufactured slopes are still subject to slope failure, as acknowledged in the General Plan. The findings that the landslide must be remediated for public safety and the argument that concrete v-ditches are an allowed temporary land use are not supported by facts and cannot be made.

Putting hundreds of people in a box canyon in a very high fire risk area is irresponsible and dangerous. The proposed project has a significant impact on public safety. Public safety is a basis for denying the proposed project.

I ask that the Planning Commission vote in favor of sending Planning Commission Resolution No. 2021-714 [Denial Resolution] to the City Council.

Thank you for your consideration.

Joe Chilco
Calabasas resident
(address on file)

From: HUA GU <huaguphd@aol.com>
Sent: Sunday, April 18, 2021 4:55 PM
To: info <info@cityofcalabasas.com>
Subject: West village

We are residents in Calabasas for 22 years. We definitely see the changes in the city for much worse. We all say No, No, No to west village because the environment, the Grading, destroying our view, making it hard to evacuate in fire emergencies, dust and Valley Fever from dust, poor air quality, possibly killing off species, etc. Thank you for your consideration. HG

From: April Demroff <ademroff@gmail.com>
Sent: Sunday, April 18, 2021 3:08 PM
To: info <info@cityofcalabasas.com>
Subject: The Calabasas Building commission

PLEASE stop building in Calabasas!!!! It's only going to cause more problems in emergencies and evacuations, not to mention our wildlife having enough area to live as it is! I moved here 20 years ago for a reason, to be in a beautiful "low growth" area. Enough already, stop building!

April Demroff
4125 Lost Springs Drive
Calabasas, CA 91301
(819)857-1994

From: Randy Cooper <randycooper60@yahoo.com>
Sent: Sunday, April 18, 2021 10:10 AM
To: info <info@cityofcalabasas.com>
Subject: West Village

Please do not allow the development known as West Village. I live close by and am against turning our beautiful mountain ranges into commercial and residential development. Once developed, we will lose that beauty forever.

I'm also concerned about the traffic impact for that area if the land is allowed to be developed.

I'm also concerned about the bottleneck the traffic will cause in an emergency. We've lived here since 1993 and have witnessed first hand, all the fire related traffic and non-fire related traffic. It will be especially dangerous during the inevitable fires that will hit our area and when evacuations are ordered. Why put ourselves at risk?

Let that density happen in the valley. We've lived here for all these years because we appreciate the beauty of the mountain ranges and the proximity to the coast etc. Don't allow Calabasas to be over-built like many parts of the valley and destroy what we cherish. **Appreciate the beauty we have.**

Thank you for your consideration,

Randy and Jodi Cooper

From: Leslie Addy <lesaddy@gmail.com>
Sent: Sunday, April 18, 2021 9:35 AM
To: info <info@cityofcalabasas.com>
Subject: Planning Commission - West Village at Calabasas project

Hello Planning Commission,

I'm a resident of Calabasas and fully against the West Village at Calabasas project. This will destroy the views of the mountains, will have major environmental impacts and make it worse during fire season.

Please stop this project

Thanks,
Leslie

From: Robert Barrow <olbob757@aol.com>
Sent: Sunday, April 18, 2021 9:34 AM
To: info <info@cityofcalabasas.com>
Subject: Building project

From Bob Bartow 4-17-21

To: City of Calabasas Planning Commissioners
info@cityofcalabasas.com

Dear Planning Commissioners,

I was reading in the Acorn about how destructive the West Village proposed property would be for this City. I'm told that this code is not being followed, because it is being built right on a Wildlife Corridor. Calabasas is known for its wildlife linkage, and we don't want that destroyed. Plus I heard the last meeting and Valley Fever has been spread near the Paxton development, and nobody wants that!

Here's the code:

17.20.150(B)2: Grading and project design shall address and avoid impacts to habitat linkages and wildlife corridor

Not to mention the fire hazards you'd be causing. It's difficult trying to evacuate in cases of emergencies, and it would add to our problem here on the west side and east side, for that matter.

Please deny this project.

Sincerely,

Bob Bartow

From: Cassandra Shivers <cassonga@gmail.com>

Sent: Saturday, April 17, 2021 10:52 PM

To: info <info@cityofcalabasas.com>

Subject: Las Virgenes Development

I would like to share my concerns about the current version of the proposed development at Las Virgenes and Agoura Road. I live off of Las Virgenes and already face significant traffic. In fact, I moved from the development just south of the proposed development to a house above the freeway partly to avoid so much congestion—and that was before there were homes built further south on Las Virgenes, which has already exacerbated the traffic issues. I can only imagine how much worse it will be if the additional homes and businesses are built at that intersection.

I also am extremely concerned about the environmental impact of cutting into the hills. There has already been significant develop on the Las Virgenes corridor in recent years. I strongly believe that the proposed additional development will have significant negative impact.

Thus, I urge a negative vote on the development.

-Cassandra Shivers
26146 Roymor Drive
Calabasas

From: paige.westerberg1@gmail.com <paige.westerberg1@gmail.com>

Sent: Saturday, April 17, 2021 3:39 PM

To: info <info@cityofcalabasas.com>

Subject: West Village Opposition

As a resident of Calabasas, I plead with you to reject the West Village plan yet again.

The development makes no sense — with vacant housing and commercial properties literally at every turn, the last thing we need is more. Additionally, the traffic situation is barely manageable as it is and adding more congestion poses serious risks in the event of an emergency — not to mention the day-to-day inconvenience that'll drive residents out of our wonderful city.

Please vote no, have the developer remove their unsightly story poles (and obnoxious cameras and lights) and figure out a better use for the land — one that will preserve our city.

Sincerely,
Paige Westerberg

From: Candice@designerwardrobetrailers.com <candice@designerwardrobetrailers.com>
Sent: Saturday, April 17, 2021 3:11 PM
To: info <info@cityofcalabasas.com>
Subject: Fwd: West Village at Calabasas Public Hearing

Re-forwarding my email:

Begin forwarded message:

From: "Candice@designerwardrobetrailers.com" <candice@designerwardrobetrailers.com>

Subject: West Village at Calabasas Public Hearing

Date: April 7, 2021 at 1:55:39 PM PDT

To: info@cityofcalabasas.com

Good afternoon. We live in the Colony off of Las Virgeenes. I'm writing to express our disapproval for the West Village Proposal. This is a completely oversized and not irresponsible development. We already have a huge amount of apartments and condos off of Las Virgenes. The the new Paxton development has not even sold. This is too many units and too many parking spots which leads to too many cars and way too much traffic. We already have an exuberant amount of traffic and it is awful trying to get out of our development. We don't need anymore retail space. The retail space we already have in the area is vacant. When we

Approximately 20 acres of overall open space will be bulldozed, including an ancient hillside. City of Calabasas codes and laws should be followed and these plans do not. Also, this development does not fit the land in Calabasas. The West Village proposal should be denied. This land should be left undeveloped.

Thank you for your consideration.

Sincerely,
Candice & Mark Dobkousky
4654 Cielo Circle
Calabasas, Ca. 91302

From: Roger Pickett <transcendental2009@yahoo.com>
Sent: Saturday, April 17, 2021 1:51 PM
To: info <info@cityofcalabasas.com>
Subject: WEST VILLAGE

Planning Commission,

I'm fervently opposed to any development along the Las Virgenes scenic corridor to Malibu. The West Village Development would be a blight on our neighborhood. I'm a twenty year resident, homeowner, living just north of Albertson. Please do the right thing for us "Calabasians," - thank you for your time, Roger Pickett (26156 Roymor Drive, Calabasas, Ca.); (transcendental2009@yahoo.com).

From: Shelley Brown <shelleybsellshomes@gmail.com>
Sent: Saturday, April 17, 2021 12:27 PM
To: info <info@cityofcalabasas.com>
Subject: Planning Commission - West Village at Calabasas project

Hi,

We are home owners in the area. I am writing to inform you that we are EXTREMELY concerned and do NOT want this project in our community. Last summer my husband caught valley fever and almost did not make it. We do not want the dust in the air. This company has no interest in keeping the integrity of our community. This project will create more traffic and congestion in our neighborhoods.

Please consider your current residents before making a decision that can negatively impact all of us.

Thank you,

Shelley Brown

From: Tina Goldberg <tina.goldberg@gmail.com>
Sent: Saturday, April 17, 2021 11:44 AM
To: info <info@cityofcalabasas.com>
Subject: West Village

Dear Sirs,

I am a long time resident in Calabasas, living at Las Virgenes Village. Several year ago when the site was first proposed, I was against this project and am still opposed to the project. Besides the obvious reasons of large amounts of traffic around the complex, the disruption to wildlife, the hardships on the ecosystems, dust, fire emergencies in evacuating. And the beautiful hillsides that make Calabasas special. This would destroy all of that. I have much more that I could say about this, but will save it for the public meetings.

A very concerned resident of Calabasas,

Tina Goldberg

From: Nanci Gamache <nanci.gamache@icloud.com>
Sent: Saturday, April 17, 2021 11:31 AM
To: info <info@cityofcalabasas.com>
Subject: West village

NO NO NO !!!!! It has been shot down twice....doesn't that say something about what the people want? Do not destroy our canyon....no more air pollution, no more traffic, no more worrying about evacuation during fires, no more developers thinking they can come in and buy what they want. Please listen to the people. Thank you.

Nanci and Tom Gamache

From: Brett Kaufman <brettkaufman1@icloud.com>
Sent: Friday, April 16, 2021 11:33 PM
To: info <info@cityofcalabasas.com>
Subject: West Village opposition

To Whom it may concern,

I am a Calabasas resident of 16 years. I oppose this project for the following:

Reasons the 2021 West Village Proposal is not right for Calabasas:

EXCESSIVE GRADING

- Violates Restricted Open Space creating artificial manufactured hills
- Creates harmful air pollution from dust and exhaust fumes
- Destroys wetlands, natural springs and wildlife habitats
- Creates water pollution threatening the federally listed California Red Legged Frog

SIZE AND SCOPE OF PROJECT TOO LARGE

- Number and height of buildings do not fit the property
- Buildings will block the VIEW of the rolling hillsides
- Is there a demand for condos and retail? Paxton Townhomes turned into rentals; retail space available throughout the City

TRAFFIC

- Traffic study does not reflect reality

WILDFIRE CONCERNS

- Calabasas has the highest Fire Danger Rating which is: **Very High Fire Hazard Severity Zone**
- The 101 freeway is the only designated route for emergency evacuation. Need to improve evacuation routes
- When the freeway is closed, Agoura and Mureau Roads are clogged with overflow traffic. There is no way out except possibly Las Virgenes Road and Mulholland Highway

These current laws should be followed:

CITY OF CALABASAS LAND USE CODES

- Development should preserve the hillside rather than alter the hillside to fit the development [Code 17.20.150(B)3]
- All development in a Scenic Corridor must comply with Scenic Corridor Guidelines and Hillside Development Standards [Code 17.20.070(C)]
- Manufactured slopes cannot be counted as open space [Code 17.20.055(A)9]
- Development shall respect natural surroundings and follow natural topography [Code 17.20.150(B)12]

Thank You,

Brett Kaufman

Print & Design Solutions, Inc

18638 Keswick Street

Reseda, CA 91335

818-707-8485 Phone

818-707-8486 Fax

From: Dianne Gubin <diannegubin@gmail.com>

Sent: Friday, April 16, 2021 9:25 AM

To: Glenn Michitsch <gmichitsch@cityofcalabasas.com>; info <info@cityofcalabasas.com>

Subject: RE: TONIGHT! Objection to Building 4790 Las Virgenes Road, at the intersection of Las Virgenes and Agoura Roads.

Hi Calabasas Planning Commission,

Thank you for the opportunity to speak at the Planning Commission meeting last night.

The amount of time and money already spent on this terrible project by our city employees is deplorable. The fact that the developer said "that this was one of the best staff reports he's seen in years", makes me wonder – Who is our city staffing working for?????

David Litt said it the best – this project was a bad purchase on behalf of the developer and it is not our responsibility to make it right.

The environmental and community impact of an **unwanted project** were clearly stated by our community.

Please listen to the people who actually live here, not the slick developers and their minions. They will be gone and we, the community, will have to live with the impact of loss of biodiversity, loss of a wildlife corridor, increased risk of fire evacuation issues, increased traffic and more. The negatives far outweigh the developer's request. You've already said no twice, just because they ask again is NOT a reason to say yes.

If we have to fulfill the gov't housing quota, convert an office building on Calabasas Road into an apartment house. With covid, I'm sure there's plenty of commercial real estate unused. Just don't take an inch of our precious and finite open space.

Each of you have said that maintaining open space is a priority. It is time to review and rewrite the City Charter around development, which is now dated and was written for another time. **It is our responsibility to be the voice and conscious of the Santa Monica Mountains.** This does not mean concrete and tearing down our canyons.

Thank you,

Dianne Gubin
Calabasas resident for 18+ years

From: Mary Hubbard <maryahubbard@gmail.com>
Sent: Thursday, April 15, 2021 9:32 PM
To: info <info@cityofcalabasas.com>; jmuellerlaw@sbcglobal.net <jmuellerlaw@sbcglobal.net>; johncarymueller@gmail.com <johncarymueller@gmail.com>; Dennis Washburn <WashburnD1@aol.com>; harrisonlaw@gmail.com <harrisonlaw@gmail.com>
Subject: Comment Letter on West Village EIR Hearing

Please accept the following comments on the West Village Project EIR as a joint effort on behalf of The Las Virgenes Homeowners Federation and the Malibu Canyon Community Association.

April 15, 2021

Dear Planning Commissioners:

THE DRAFT EIR IS DEFECTIVE AND SHOULD BE REJECTED

Defective Project Objective

The project objective of remediating the landslide is improper because it is ancillary to the development, or a mitigation, not an objective. Project objectives should reflect the goals of the development being proposed. If remediation of the landslide were the project objective, the developer would be coming to the city asking for a grading permit to remediate a hazardous landslide, but instead New Homes is asking for a permit to build 180 housing units. To do so, it claims that the landslide must be remediated. Absent the request to build 180 housing units, there is no need to grade the landslide.

By analogy, the retaining walls the developer needs in order to build its 180 housing units are not considered a project objective, and New Homes is not coming to the city to ask for a permit to building some retaining walls although the hills are eroding continuously.

West Village EIR Contradicts the Legislative History of the Land

The current West Village EIR is inconsistent with the legislative history of the property.

The General Plan identifies “Protection of Significant Environmental Resources” and Protection of Public Health and Safety” as two of the four stated function of Open Space designations in the city. In conjunction with the 2008 General Plan update, the landslide portion of the West Village site, then called the Messenger property, was re-designated as Open Space expressly for the above-stated purposes. The legislative history of the 2008 General Plan update shows that the purpose of the rezoning was to do both of the above. The Open Space designation on the property came as the mitigation component of up-zoning the adjacent property when the property was rezoned in conjunction with the 2008 General Plan update.

The “Protection of Significant Environmental Resources” purpose of Open Space is explained in the General Plan EIR as protection of “a scenic resource of great value and importance to the quality of life of area residents.” In fact, the Santa Monica Mountains Conservancy has identified the landslide as the most biologically productive part of the project site. To bulldoze that entire natural hillside designated as being of “great value and importance to the quality of life of area residents” and engineer it as a manufactured slope with miles of concrete drains is contrary to the entire purpose for which the land was designated as Open Space. Doing so would constitute *de facto* rezoning because, by definition, grading is development and development is not allowed in Open Space.

The “Protection of Public Health and Safety” Open Space purpose is explained in the 2008 General Plan Open Space element, which recognizes hillsides as “unstable platforms for development” and affirms that hillsides are put into Open Space designation to “minimize the extent of hillside development” in order to provide “a margin of safety and protection against slope failure and wildfire.” The landslide area had long been marked on geological maps, and that mapped landslide became the Open Space in exchange for up-zoning the flatter area.

The legislative intent was clearly to protect a valuable biologically productive natural resource, to minimize hillside development on unstable soils, and to mitigate the up-zoning of adjacent portions of the property.

MEASURE O REQUIRES A VOTE OF THE PEOPLE TO REZONE OPEN SPACE

To now attempt to bulldoze the entire resource-protected, development-restricted designated Open Space triggers Measure O, which means it would have to go to a vote of the residents. This is acknowledged in the Resolution for Denial and then studiously ignored in the Resolution for Approval.

To attempt to call the resource-protected, development-restricted designated Open Space a *public safety threat*, when its unstable soils are exactly why it was designated Open Space in the first place is a gross manipulation.

A DE FACTO GENERAL PLAN AMENDMENT ALLOWS A REFERENDUM

Approving a permit to grading Resource Protected, Development-Restricted designated Open Space would create a *de facto* rezoning amendment to the General Plan which could be legally challenged. The California Court of Appeal in *Millbrae Association for Residential Survival v. City of Millbrae* rejected a claim of vested rights by the developer and agreed with an unincorporated homeowner's association that the city's approval of a development that went against its local zoning ordinance amounted to a *de facto* rezoning. The court sided with the general public interest in protecting and enforcing zoning regulations.

Any such *de facto* amendment to the General Plan, as with Measure F in 2016, opens approval of the project to the same referendum process that allowed citizens to reverse the city's approval of the Canyon Oaks development in 2016.

The court in a similar zoning law case held that:

In the field of zoning laws we are dealing with a vital public interest, not one that is strictly between the municipality and the individual litigant. All the residents of the community have a protectable property and personal interest in maintaining the character of the area as established by comprehensive and carefully considered zoning plans in order to promote the orderly physical development of the district and the city and to prevent the property of one person from being damaged by the use of neighboring property in a manner not compatible with the general location of [the property in issue].

These protectable interests further manifest themselves in the preservation of land values, in aesthetic considerations, and in the desire to increase safety by lowering traffic volume. (Pettitt v. City of Fresno)

Inadequate Range of Alternatives

The EIR does not contain a reasonable range of alternatives. CEQA Guidelines state in Section 15126 that the range of alternatives to be considered have to “avoid or substantially lessen any of the significant impacts of the project.” All of the alternatives in the EIR include illegal grading of Open Space that requires voter approval in Calabasas.

The largest and most offensive environmental impact of the project is the extreme amount of grading that it entails. Ample evidence exists in the record that bulldozing 2.6 million cubic yards of earth is the greatest objection to the project because that extreme amount of grading involves prohibited development of Open Space and violates multiple priority General Plan policies, all of which are referenced in the Resolution for Denial.

The previous Canyon Oaks project was rejected by Calabasas voters in large part because of the extreme amount of grading of land designated as open space. The latest EIR eliminates the only option that did not involve remediation of the landslide and replaces it with just more of the same.

An eminent domain taking under CEQA only occurs if all economic use of property is blocked, but, apparently, according to its own geology studies, which it could have done before purchasing property mapped with Open Space and liquefaction zones, those options do not include maximum build-out on one of the most sensitive pieces of land in Calabasas. This developer has other options for economic use of its land, but it continues to try to obtain maximum development. The threat in the staff report that denying the project would leave it vulnerable to development in the future is a risk the city should accept. Perhaps future developers will have a better plan that is more in line with the features of the land.

Since no substantial evidence supports the developer’s theory that remediation of the landslide needs to occur in the absence of development, it appears that the supposed threat to public safety *in the absence of development* does not exist.

The No Project Alternative is Not a Threat to the Public

Expert testimony at the July 2019 hearings reveals that it is not true, as the EIR No Project Alternative section states, that “by not remediating the landslide hazard, this alternative would expose structures and people to safety hazards associated with landslide and surficial failures.” Testimony by the city engineer and others indicates that there is no public safety threat unless development occurs on the site.

The EIR from The Canyon Oaks project that preceded the West Village project on the *same* property by the *same* developer, which was approved and certified by the city in 2016, **designated the No Project alternative as environmentally superior to building a four-story hotel and 70 housing units**, stating:

The CEQA-required No Project Alternative would avoid the proposed project’s significant and unavoidable impacts related to changes in visual character as well as significant, but mitigable impacts related to scenic views and in the areas of

air quality, biological resources, geology, noise and traffic. **No significant impacts would occur under this alternative and none of the mitigation measures recommended for the proposed project would apply.**

(Canyon Oaks EIR, p. 443,

<https://gator.cityofcalabasas.com/pdf/agendas/planning/2016/031616/item2-exhibit-e.pdf>)

In the Canyon Oaks EIR, the No Project alternative was officially deemed to completely eliminate all of the effects of building in the Canyon Oaks EIR analysis, including Alternative #2, the "2030 General Plan Buildout." which is essentially the same buildout area proposed as the current West Village.

However, the EIR for the current West Village project states that the **No Project Alternative** is "considered environmentally superior because it would eliminate nearly all of the anticipated environmental effects of the project," but then concludes that it:

...would not accomplish any of the objectives of the proposed project, including developing multi-family residential units, constructing affordable housing, establishing a "village center," **remediating the landslide condition**, and establishing a **public trail linkage**. Moreover, this alternative **would not eliminate the existing landslide hazard**, which has the potential to **expose structures and people** to adverse effects associated with landslides or surficial failures because the existing on-site landslide area would not be remediated.

Remediating the landslide, as outlined above, is a highly contrived project objective and there is testimony from experts that it does not need to be remediated in the absence of development on the site. Establishing a public trail linkage is not any kind of priority since the property is surrounded by public trailheads and trails.

The EIR Fails to Evaluate the *Likelihood* of the Seismic Events and Rain Events that it says might lead to slope failure

If the events that would create re-activation of the landslide are so remote as to be extremely unlikely to occur, while the fire safety hazard is clear and present, the focus is skewed.

The EIR should not be certified without clearly assessing *the likelihood* of the events that would re-activate the landslide and addressing the wildfire risks that burned the entire property as recently as 2018 and resulted in the loss of or severe damage to 177 of the 209 oak trees on the subject property and the complete loss of 7 homes less than 1 mile away in an area similarly contiguous with Open Space.

Testimony at the 2019 Planning Commission hearing revealed that a large earthquake and/or a heavy rainy season for several years in a row could re-activate the landslide, but then if either of those events occurred, homes in much of Calabasas would be at risk. All of California is prone to seismic events. We have had multiple earthquakes in the past 100 years, including a 6.7

quake in Northridge 27 years ago that left homes on the west side of Calabasas with cracked foundations and walls that separated from ceilings. But the landslide did not overwhelm Las Virgenes Road or nearby homes. According to Earthquaketrack.com, Calabasas had 380 earthquakes over the past year.

Failure to Analyze Wildfire Risk that is Far More Probable than the Unlikely Event of a Severe Earthquake and Multiple Years in a Row of Excessive Rain that Might Cause “Re-activation” of the Landslide

The EIR fails to adequately analyze the fire risk of putting 180 housing units into a box canyon in a severe wildfire hazard zone that completely burned less than three years ago. The California Attorney General has recently filed suit to STOP housing developments proposed for severe fire hazard areas, arguing that “the EIRs do not adequately analyze the impacts of increased wildfire risk created by bringing thousands of new people and significant development to an undeveloped area – and that the projects fail to mitigate or avoid such impacts in violation of the California Environmental Quality Act.”

(<https://oag.ca.gov/news/press-releases/attorney-general-becerra-seeks-intervene-litigation-over-wildfire-risk-san-diego>).

Documents submitted to the Planning Commission by the developer on July 18, 2019, were used to show that Alternative 4 was infeasible because the developer said it would not be able to sell housing units if it had to disclose their proximity to a landslide. New Homes submitted documents from an insurance company stating that the company would not insure homes so close to a landslide area, yet those same documents also included a section for disclosing location in a severe fire hazard area. New Homes should ask its insurer if it would be able to get fire insurance for the property. Other homeowners in the city with property contiguous to Open Space cannot.

Alternative 5 is Not Materially Different Because it Still Requires 2.6 Million Cubic Yards of Grading in Open Space

The current West Village EIR somehow concludes that the new Alternative 5 proposal to build 146 housing units is the environmentally superior project “primarily because the setback of residential buildings from Las Virgenes Road and The Colony residences would be increased and residential density would be reduced, which contributes to a number of lesser or reduced environmental impacts to traffic, air quality, public services, and utilities, in comparison to the proposed project. Setting back 3-story buildings an additional 15 feet from the road and the bedroom windows of The Colony homes is arguably helpful, but it does not make this project substantially different from the other alternatives, which, like Alternative 5, all require 2.6 million cubic yards of bulldozing. Moreover, Alternative 5 requires about 11,000 cubic yards *more* grading than the original proposed project that the Planning Commission rejected based in part on the amount of grading and the project’s incompatibility with Hillside Development Standards.

The EIR Fails to Analyze the Project's Consistency with the North Area Plan and LCP which Prohibit New Subdivisions in Wildfire Prone Areas

The latest version of the North Area Plan, already approved, prohibits new subdivisions in severe fire hazard areas. The EIR should have addressed the project's consistency with these critically important regional plans.

Significant Impacts Are Not Adequately Disclosed and Mitigation is Absent, Deferred, and Off-Site

The project involves bulldozing 2.6 million cubic yards of designated resource-protected, development-restricted Open Space...and the *only* significant impact identified in the EIR is the "change to the visual character of the site"

The EIR Fails to Divulge the Wetlands Permits

While the developer submitted a document on July 18, 2019 explaining that it would be unable to get grade permits from LA County due to the landslide area, it failed to address whether it could get the required jurisdictional waters permits it would need from three government agencies: Fish and Wildlife, LA County Regional Water Board, Army Corps of Engineers. Before wasting any more time considering building entitlements for a project that can never get its water permits, the city should require the approval-in-concept confirmation for the jurisdictional waters permits needed.

STAFF REPORT ERRORS

It is error to state or imply that the Planning Commission voted to deny the project "because of the theoretical viability of Alternative #4" as the Staff Report states.

Because of the theoretical viability of Alternate #4, and that the alternative would, in theory, not require grading of the hillside and therefore could result in a measurable reduction to biological and visual impacts, the Planning Commission approved a motion to recommend denial of the project, and further recommended that the applicant explore the feasibility of developing Alternative 4, or some variation of it, together with any other desired project alternatives, and bring a the project or an alternative back for further Planning Commission review and consideration (Staff Report, page 6). (Emphasis added.)

This conclusion in the staff report is error. Planning Commissioners were informed at the beginning of their 7-18-19 meeting that Alternative 4 was not feasible. Their denial was not based on the feasibility of Alternative 4. Their denial of the project was for all of the reasons found in the Denial of Resolution 2019-689—illegal development of Open Space, excessive grading, nonconformance with hillside management policies, severe fire hazard zone, etc. In fact, Alternative 4 was the only alternative that garnered any interest from the public and responsible agencies, but they argued that it was still too dense, so it is not logical to conclude

that Planning Commissioners denied the project because of the “theoretical viability of Alternative #4.”

The staff report incorrectly states on page 36 that:

The motion that was approved by the Planning Commission on July 18, 2019 was to prepare and bring back a resolution recommending to the City Council, denial of the proposed project, not certifying the EIR, and further **directing the applicant to bring back any project alternative** it wished for further evaluation.

However, the Planning Commission did not *direct* the developer to do anything; it *recommended* that the developer bring back an improved alternative.

The staff report goes on to use its erroneous interpretation as justification for its two-year delay in the Planning Commission’s actual direction: that staff return to it with a Resolution for Denial with supporting findings. Instead, the staff report states that “As mentioned above, **staff deferred** bringing the draft resolution recommending denial of the project back **because the applicant had indicated their intent to implement the Planning Commission’s direction by first evaluating additional alternatives.** The requested denial resolution responsive to the Planning Commission’s action on July 18, 2019 is attached as Exhibit B. (Staff Report, 37).

Advising the Planning Commission to “Re-Evaluate” Its 2019 Denial is Error

The staff report then “recommends that the Planning Commission **re-evaluate its prior decision in light of the new geotechnical findings**, and recommend approval of the project as proposed because it is fully consistent with the General Plan, including providing all of the housing specified in the City’s 2014 – 2021 Housing Element for this site, and fully mitigates all significant environmental impacts to the greatest feasible extent. (Emphasis added.)

The Planning Commission cannot alter a decision it already made two years ago. It can only approve or modify the findings that provide the supporting evidence for its 2019 decision.

Exhibit B Resolution for Denial Syntax Errors

The Exhibit B Resolution for Denial should use the word “comply” instead of “apply” in two locations.

RHNA Threats are Misplaced

It is also simply untrue that HCD has the authority to force housing into unsafe areas as the Staff Report infers on page 21 in reference to Exhibit P, the odd letter from HCD that appears to have been solicited by either the developer or someone inside the city as a threat. It is not HCD’s custom and practice to be aware of or to weigh in on local development proposals. A Public Records Act request revealed no other instances in which HCD wrote such a letter advocating for a specific local development in a small, semi-rural city that would put at most 36 low-income housing units into a maximum buildout housing development in a severe fire

hazard area. The letter also did not state where those people would obtain fire insurance. A prior letter from HCD addressed to Maureen Tamuri, David Shapiro, and Glenn Mitisch spells out the project in great detail, which is extremely odd for a government agency to know or care about a local development issue.

The Staff report states on page 21 that the city has been using the project site for 180 units of its RHNA zoning allotments, but whether or not this development is approved, the city is still going to have to find somewhere else to park its RHNA housing numbers because it would be getting only a small fraction of its affordable housing numbers from this project. An urban infill location would be much more appropriate than putting vulnerable people in the path of fire or bulldozing 2.6 million cubic yards of dirt to accommodate 36 affordable housing units.

Staff Presentation on Grading and Development in Open Space is Error

The staff presentation in July of 2019 asserted that there was ample precedent in the city for development in Open Space. There is not. The sites it lists are either LA County approvals inherited by Calabasas, public utility-type infrastructure, or privately owned Open Space that was deeded as Open Space only after development occurred.

Also disturbing is the statement on page 22 of the staff report that “In preparing the Amended Environmental Impact Report, staff independently reviewed, evaluated and exercised judgment over the project and the project’s environmental impacts.” What is most disturbing about that statement is that staff’s judgment does not seem to align with the City’s General Plan, Open Space ordinance, Hillside Management policies, Scenic Corridor, or Gateway master Plan. It does not align with the fact that bulldozing 2.5 million cubic yards of resource protected and already designated Open Space on the property was rejected in 2016 by a large majority of Calabasas residents across the city. It does not align with the Planning Commission’s denial of the project in July of 2019, and the well-articulated reasons for the denial. It does not align with survey results showing that open space protection was the highest priority for over 80% of residents.

The Resolution for Denial is Inconsistent with the Recommendation for Approval Although the Project has Not Substantively Changed

This statement in the staff report after reading the Resolution for Denial that was passed by a 3-2 vote two years ago,

Although the project has been situated in the most appropriate location on-site given the City’s General Plan policies, and incorporates a number of design features that would reduce impacts to the visual character of the site to the greatest degree feasible, the change to the visual character of the site remains a significant and unavoidable impact;

How can this be true while at the same time all of the statements in the Resolution for Denial are true?

THE COMMISSION SHOULD DENY THE PROJECT DUE TO NUMEROUS ENVIRONMENTAL IMPACTS THAT GREATLY OUTWEIGH PROJECTS BENEFITS

While the project provides a very limited number of temporary affordable housing units, there are multiple, compelling, cumulative, and legally defensible reasons to deny this maximum buildout on the city's most sensitive and vulnerable piece of land:

- development in designated protected Open Space
- grading of 2.5 million cubic yards of dirt
- heritage oak tree destruction
- unpermitted wetlands/jurisdictional waters impacts
- wildlife corridor infringement
- rare biological species destruction
- scenic quality deterioration
- fire hazard in box canyon
- priority General Plan violations
- Gateway Master Plan departures
- Scenic Corridor departures

CONCLUSION

Please **VOTE TO DENY** the project or choose the No Project Alternative. Over here on the west side of Calabasas, we promise to keep a close eye on that demonic landslide as we drive to work to make sure that it isn't suddenly creeping across the road after lying in wait for 10,000 years.

According to the developer's own geology reports, there is no developable land on the site unless development restricted open space is developed, which cannot be done. Therefore, the developer has boxed itself into a corner and left the Planning Commission with little alternative except to deny the project.

The threat that denying the project would leave it vulnerable to development in the future is a risk the city should accept. Perhaps future developers will have a better plan that is more in line with existing zoning and geology.

It is long established law that municipalities are only required to provide for a reasonable use of land, not the highest and best use. This developer has failed to propose a reasonable use given the severe constraints on this particular property, so the city is legally justified in rejecting the current proposal.

The developer has unrealistic expectations for this property and has boxed itself into a corner by its own attempted manipulation of the proposal. The development was the subject of a lawsuit in 2016 that was only dismissed because the citizens prevailed in their referendum to override city approval. The underlying bases for the lawsuit still exist: namely, substantive departures from Calabasas Municipal Code, General Plan priorities, and CEQA, as outlined in the Denial Resolution.

Attachments

Documents Submitted to Planning Commission July 18, 2019

HCD Letter

Calabasas Municipal Codes

Sincerely,

Mary Hubbard
on behalf of The Malibu Canyon Community Association and
The Las Virgenes Homeowners Federation

From: Toni Vivian <toni_vee@hotmail.com>
Sent: Thursday, April 15, 2021 2:48 PM
To: info <info@cityofcalabasas.com>
Subject: West Village at Calabasas Public Hearing

I have been a resident of Calabasas since 1997. I purchased my home on Las Virgenes Road specifically because of the beautiful hills that run along that road. We used to have cows and goats in the large open fields. But now all of that is going away bit by bit by bit with the development of the housing units and now the hotel. We have so little nature left, we need to keep what we do have.

I ask that you refuse to allow more structures, especially the West Village monstrosity that is possibly in the works for the beautiful corridor at Las Virgenes and Agoura Road.

The builder can build anywhere but we can never get back the beautiful landscape if the developer is allowed to rape that land. As an owner, I don't care about the increase land value that people say will happen if the West Village is allowed. I don't plan to move and that is not the reason I purchased my house. I want to see nature and the beauty of the hills.

Not to even get into the additional traffic and congestion the West Village will bring. As it is now it takes me several minutes just to get out of my driveway and onto Las Virgenes when there is no traffic. Rush hour and weekend travel to and from the beach is double and triple that. This is a fire zone and I fear being able to quickly evacuate from the one way in and out if we were to be faced with a fire or any disaster.

Please re-think any further development on Las Virgenes Road.

Thank you for listening.

Antoinette Vivian

April 18, 2021

City of Calabasas
Planning Commission
Calabasas City Hall
100 Civic Center Way
Calabasas, CA 91302

Commissioners,

This letter is being submitted by two 38-year residents of the City of Calabasas (both prior to as well as after its incorporation) in opposition to the proposed West Village at Calabasas Project. Whereas the proposed increase in population from this project will negatively affect the quality of life of the citizens of your/our city, it even violates the very standards which our City Fathers themselves established, after much thought and consideration, specifically to protect its citizens, as outlined in the City of Calabasas' "Calabasas Municipal Codes for Land Use":

17.20.150(C)1 General Siting Principles. Buildings should be located in the most accessible, least visually prominent, and most geologically stable portion or portions of a site. Buildings should be located in the least visually prominent locations of a property, on open, grassy hillsides, where the prominence of buildings should be minimized by placing them in locations where they will be screened by existing vegetation, rock outcroppings, or depressions in topography.

To ignore this provision would be a clear violation of our own City Land Use code. Further consideration should be given to conducting air quality standards testing in order to assure compliance with the National Ambient Air Quality Standards, as defined in the Clean Air Act Amendment of 1970.

Further, please consider the poll which was conducted by the Berkley Institute of Governmental Studies showing that 75% of those Californians polled support, strongly or somewhat strongly, that the state imposes limits on new housing development in high-risk wildfire areas. Can there be any doubt in your mind that we are in a high-risk wildfire area? Adding this further residential development to our existing population will only deplete the already stressed emergency services available during a disaster, and places additional stress on existing routes of escape for your residents.

This letter closely mirrors our written opinion of the 2019 proposal for West Village, which was properly rejected.

In conclusion, we believe that it is your duty to act, both primarily and solely, in the best interests of the citizens of Calabasas.

Best regards,

Handwritten signatures of Sheila and Tim Euper. The first signature is 'Sheila Euper' and the second is 'Tim Euper'.

Sheila and Tim Euper
5246 Edgeware Drive
Calabasas Hills, CA 91301

April 18, 2021

City of Calabasas
Planning Commission
Calabasas City Hall
100 Civic Center Way
Calabasas, CA 91302

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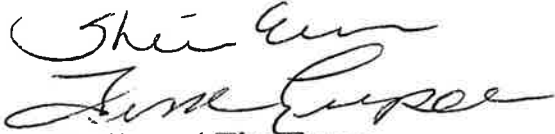
To ignore this provision would be a clear violation of our own City Land Use code. Further consideration should be given to conducting air quality standards testing in order to assure compliance with the National Ambient Air Quality Standards, as defined in the Clean Air Act Amendment of 1970.

Further, please consider the poll which was conducted by the Berkley Institute of Governmental Studies showing that 75% of those Californians polled support, strongly or somewhat strongly, that the state imposes limits on new housing development in high-risk wildfire areas. Can there be any doubt in your mind that we are in a high-risk wildfire area? Adding this further residential development to our existing population will only deplete the already stressed emergency services available during a disaster, and places additional stress on existing routes of escape for your residents.

This letter closely mirrors our written opinion of the 2019 proposal for West Village, which was properly rejected.

In conclusion, we believe that it is your duty to act, both primarily and solely, in the best interests of the citizens of Calabasas.

Best regards,

Handwritten signatures of Sheila and Tim Euper in cursive script.

Sheila and Tim Euper
5246 Edgeware Drive
Calabasas Hills, CA 91301

Glenn Michitsch

From: Dianne Gubin <diannegubin@gmail.com>
Sent: Friday, April 16, 2021 9:26 AM
To: Glenn Michitsch; info
Subject: RE: TONIGHT! Objection to Building 4790 Las Virgenes Road, at the intersection of Las Virgenes and Agoura Roads.

Hi Calabasas Planning Commission,

Thank you for the opportunity to speak at the Planning Commission meeting last night.

The amount of time and money already spent on this terrible project by our city employees is deplorable. The fact that the developer said "that this was one of the best staff reports he's seen in years", makes me wonder – Who is our city staffing working for?????

David Litt said it the best – this project was a bad purchase on behalf of the developer and it is not our responsibility to make it right.

The environmental and community impact of an **unwanted project** were clearly stated by our community.

Please listen to the people who actually live here, not the slick developers and their minions. They will be gone and we, the community, will have to live with the impact of loss of biodiversity, loss of a wildlife corridor, increased risk of fire evacuation issues, increased traffic and more. The negatives far outweigh the developer's request. You've already said no twice, just because they ask again is NOT a reason to say yes.

If we have to fulfill the gov't housing quota, convert an office building on Calabasas Road into an apartment house. With covid, I'm sure there's plenty of commercial real estate unused. Just don't take an inch of our precious and finite open space.

Each of you have said that maintaining open space is a priority. It is time to review and rewrite the City Charter around development, which is now dated and was written for another time. **It is our responsibility to be the voice and conscious of the Santa Monica Mountains.** This does not mean concrete and tearing down our canyons.

Thank you,

Dianne Gubin
Calabasas resident for 18+ years

Dianne Gubin
23703 Summit Drive
Calabasas, CA 91302
DianneGubin@gmail.com
M: 818-642-6188

From: Dianne Gubin [mailto:diannegubin@gmail.com]
Sent: Thursday, April 15, 2021 2:44 PM
To: gmichitsch@cityofcalabasas.com; info@cityofcalabasas.com
Subject: TONIGHT! Objection to Building 4790 Las Virgenes Road, at the intersection of Las Virgenes and Agoura Roads.

Hi Glenn, Taking time out of a very busy day to let you know that I'm going to be on the Zoom tonight.

I'm very concerned that **YOU ARE NOT LISTENING TO THE COMMUNITY. We ABSOLUTELY DO NOT WANT THIS DEVELOPMENT:** The land is located at 4790 Las Virgenes Road, at the intersection of Las Virgenes and Agoura Roads.

On April 15th and 21st, the developer will once again come before the Planning Commission with the same project that has been denied twice before – NOTHING HAS CHANGED! The first rejection was in 2016 when it was known as Canyon Oaks and appeared on the ballot as Measure F. Calabasas Voters overwhelmingly defeated it. It then returned as West Village at Calabasas, and it was denied by a 3-2 vote of the Planning Commission in July 2019.

This new proposal has the same concerns as before — the proposed development does not fit the land resulting in these major issues:

- 1 - Years of grading and destruction of designated Open Space, which will create significant environmental damage and change the natural hillsides to manufactured slopes with miles of concrete v-ditches.
- 2 - Building of multi-story residential buildings in a box canyon in a Very High Fire Severity Zone.
- 3 - Adding traffic to already overburdened roadways, especially in any emergency requiring evacuation. During the Woolsey Fire all roads in and out of the Las Virgenes Valley including the Freeway, Mureau Road, Agoura Road, Las Virgenes Road and Mulholland Highway were closed either by fire or to provide access for first responders.

It is appreciated if you listen to the community and the people who live here. We DO NOT WANT THIS PROJECT.

Thank you,

Dianne

Dianne Gubin
DianneGubin@gmail.com
M: 818-642-6188

Construction Water Statistics

Carl Ehrlich

Calabasas

April 19, 2021

Construction Water Statistics

A few facts:

- Backfill requires water for proper compacting*
- This soil (silty-clay) requires 30-50 gal of water per cubic yard of backfill *
- Total soil to be compacted: 2,647,756 cubic yards (revised EIR page 2)
- Estimated resident usage: 37,714 gal per day (EIR Table 4.12-3)

Water to be used for backfill:

~80 -130 million gallons**



This water would supply:

8 to 13 years of estimated usage by West Village residents

or:

1½ - 2½ years supply to the Calabasas, Agoura Hills and local County areas, combined (EIR Table 4.12-9)

or:

My home for 4-700 years!

* Soil Compaction Handbook

** Excludes dust prevention

From: Rebekah Avery Martin <rebekahaverymartin@gmail.com>
Sent: Tuesday, April 20, 2021 8:21 AM
To: info <info@cityofcalabasas.com>
Subject: Urgent Request

Dear Planning commissioners,

The proposed project development at location 4790 Las Virgenes Road in Calabasas is not in the best interest of the citizens of Calabasas as it will create more traffic, disturbance of the area in the pre-construction and construction phases throughout. The development will be a major disturbance and conflicts with the safety and scenic/open space elements in the city of Calabasas.

The project goes against many of the Calabasas land use codes which prevents the project to be approved as proposed. They cannot take open space, remove a hillside and put it back together; this would be considered a manufactured slope and cannot be counted as an open space. [Code 17.20.055(A)9]

Among the other codes this violates such as [Code 17.20.150(B)12] the development shall respect natural surroundings and follow natural topography.

I oppose this project's development with others who are also against this project, in hopes to keep our community at peace and our codes of law met.

Thank you for giving this letter your immediate attention and consideration.

--
All the best,
Rebekah Avery Martin

From: Brooke Gardner <brookemgardner@icloud.com>
Sent: Monday, April 19, 2021 9:18 PM
To: info <info@cityofcalabasas.com>
Subject: Just say NO to West Village

Dear Commissioners-

My husband and I are both 20+ year residents of Calabasas and have lived on Las Virgenes since we moved here. We have seen good growth and bad growth - West Village would definitely be bad growth. The traffic at Las Virgenes and Agoura Rd. is already ridiculous. It is really depressing to think that those hills and designated open space could be gone. We live in such a beautiful area, can we please keep it that way? Besides aesthetic issues and everyday traffic, we are concerned about fire safety, water use, environmental impact on air quality and the devastation this will cause to the eco system of our natural hillsides and canyon. Please don't turn Calabasas into every other city in the Valley with bad strip malls and too many apartment buildings - we are getting dangerously close to that. I could go on and on, but the bottom line is just, NO. Please do the right thing and do not let our beautiful city become over developed.

Sincerely,
Brooke Gardner and Evan Swanger

From: Robin Ogilvie <ro13@aol.com>
Sent: Monday, April 19, 2021 8:44 PM
To: info <info@cityofcalabasas.com>
Subject: NO! Westlake Village at Calabasas, not a good idea.

Hello,

Please vote against this project.

\$\$\$\$\$\$\$ or OPEN LAND? Hmmm?

Go for the money, forget the beauty that is left. Let put homes and businesses everywhere.

It seems obvious this is not a good idea. Only for PROFIT would this be of benefit for anyone. MEANING "ONLY A SELECT FEW".

Pro's
A few more people get to live in this beautiful area.
Minor tax income.

Con's
Visual Blight — More "USA ANYWHERE!" ,
Ruined Open Land Forever Taken Away and Covered by Chemicals, Asphalt, Stucco, Paint and Stone.
Fire Danger
Traffic Congestion
Traffic Accidents
Increased Pedestrian Dangers

When I came here in 1989 renting (later owning) in one of the first tracks built well out of the way of any traffic concerns. Erewhon was a hill with a little old lady living on it. That view is gone. Going along Agoura Road now lined by industrial corporate building (also cutting into the skyline) it's just holding the line of acceptable visual experience.

IN NO WAY WILL THIS NEW PROJECT OR ANY PROJECT in that canyon entrance BE A PLEASANT SIGHT TO SEE. JUST LOOK DOWN THE ROAD AT THE SOUTH BOUND EXIT. A ridiculous project slammed again the mountain. WOW!

ON THE OTHER HAND, maybe we should just fill every corner physically possible with homes and businesses, disregard nature, traffic, views, city blight, trash, pollution and CHASE THAT BUCK

\$\$\$\$\$\$\$\$\$\$\$\$ - much better than open land - RIGHT?

Please vote against this project.

From: Sara M <saramartingallery@gmail.com>
Sent: Monday, April 19, 2021 6:04 PM
To: info <info@cityofcalabasas.com>
Subject: Project 4790 Las Virgenes Road

Dear Planning Commissioners,

The proposed project development at location 4790 Las Virgenes Road in Calabasas is not in the best interest of the citizens of Calabasas as it will create more traffic, disturbance of the area in the pre/construction phases through out duration of build. The development will be a major disturbance and conflicts with the safety and scenic/open space elements in the city of Calabasas.

The project goes against many of the Calabasas land use codes which prevents the project to be approved as proposed. They cannot take open space remove a hillside and put it back together this would be considered a manufactured slope and cannot be counted as an open space. [Code 17.20.055(A)9]

Among the other codes this violates such as [Code17.20.150(B)12] the development shall respect natural surroundings and follow natural topography.

These new buildings will disturb open space meaning disruption of wild life, redirection of water run off and complete distraction of the natural land.

I oppose this projects development with others who are also against this project, in hopes to keep our community at peace and our codes of law met.

Thank you for giving this letter your immediate attention and consideration.

All the best,
Sara Martin

From: Carl Ehrlich <ehrlccf@ix.netcom.com>
Sent: Monday, April 19, 2021 5:02 PM
To: info <info@cityofcalabasas.com>
Subject: New Chart for the Commissioners?

Please forward this PowerPoint chart to the Planning Commissioners and others as needed for the April 21 meeting

Thanks

Carl Ehrlich
Calabasas

From: Corrine M. Weiner <corrineweiner@yahoo.com>
Sent: Monday, April 19, 2021 4:57 PM
To: info <info@cityofcalabasas.com>
Subject: Planning Commission- West Village

I strongly oppose the proposed development at the corner of Las Virgenes and Agoura Road for many reasons:

We have lived off Las Virgenes Rd for 18 years and have seen an insane increase in traffic over the past few years traveling Eastbound on 101 (and Agoura Road) M-F during the hours of 3p-7p, not to

mention the weekend traffic coming from the beach that bottlenecks the same corner/corridor. The additional amount of time I've spent in my car traveling from Agoura High School to Las Virgenes is ridiculous, the typical 7 minute morning drive would take 30 minutes in the afternoon. Anyone who lives in West Calabasas knows how bad it is.

Look at the amount of commercial/retail vacancies we have as a city - how many more do we want??? Our small town vibe is starting to feel like Topanga Blvd.

The hotel currently being built and the rental condos will also add plenty of traffic that we don't see now.

Please consider our wishes as a community to eliminate more development in Calabasas.

Corrine Weiner
805-551-7772

From: Jolie Willett <joliewillett@yahoo.com>
Sent: Monday, April 19, 2021 3:58 PM
To: info <info@cityofcalabasas.com>
Subject: West Village Development

Dear Commissioners,

In my previous email, I stated my concerns with this project with respect to the severe wildfire danger which directly impacts the health and safety of the residents of Calabasas. Aside from the severe wildfire danger, the traffic caused by the project would further bottleneck our already congested corridor.

In addition to the severe wildfire danger and traffic problem, I am also extremely concerned with the water issue. We are in the second year of a drought and California will most likely be placed on strict water restrictions. Did LVMWD submit a report substantiating the development would not have a significant impact on the dry conditions? How much water will it take to tear down and recompact the landslide area? How much water will each new household use? What about the current residents? These are all questions that I feel deserve answers.

Water is a vital resource and we all need to conserve. Building should not be an option as it will suck up much of our valuable water resource and that will not be replenished.

Please do not allow this development in our community.

Regards,
Jolie Willett

From: Luresa G Byrne <byrne1o1@pacbell.net>
Sent: Monday, April 19, 2021 3:50 PM
To: info <info@cityofcalabasas.com>
Subject: Fw: Planning Commission Meeting

Attention: City Manager

----- Forwarded Message -----

From: Luresa G Byrne <byrne1o1@pacbell.net>
To: City of Calabasas <info@cityofcalabasas.com>
Sent: Monday, April 19, 2021, 11:58:25 AM PDT
Subject: Planning Commission Meeting

Dear City of Calabasas, Planning Commissioners, Staff, et al,

With all due respect, as a resident of this city and a participant in the alleged democratic process of rule, I would like to express my disappointment and concern with the way "the public" is treated as they attempt to shape and be involved in their own community. Many of the individuals who spoke at Planning Commission meeting of 4-15-21, including myself, are knowledgeable and educated members of this community. We are residents who take the time and energy to be involved with the planning and future of this great city. We "show-up" when it matters for all of us living in this geologically constrained and fire prone area. We speak the concerns of our neighbors and fellow residents and continue to participate in a respectful and cooperative manner.

That being said, it is upsetting that these same individuals are made to feel subordinate and manipulated. My experience is one of confusion and intimidation due to the fact that the democratic process has been annihilated and we are left to 'one-way' meetings on a Zoom platform. Apparently, the entire world was forced to stop business as usual because of a global pandemic, but Calabasas is business as usual. We, the people, are no longer allowed to assemble, protest, gather at city hall, work in groups, see who else is attending meetings, see who is speaking, and no way of knowing when it is our time to speak, etc.etc.. This makes the entire process more intimidating than ever.

How has the city corrected for the new limitations regarding "public comment and involvement"? Has the city done anything to make participation in the development process clear and 'public friendly'? Does the city recognize the value of public comment in this process or are we just wasting your time? Does the city feel embarrassed and upset at the rude and disrespectful treatment of residents who show up to participate? Is it appropriate to continue to allow bias reporting and power points that last for hours, and then when that is over, public is allowed to speak for 2 minutes? Does the city feel it is appropriate to cut speakers off-regardless of their expertise or comment?

Most disturbing is the manner in which those individuals who spoke regarding Valley Fever were treated by this city. There are people living here that have been diagnosed with the very real and terrifying "Valley Fever". This is a direct result of earth/soil movement or disturbance causing the spores to become airborne and then they are inhaled/respired by humans. People showed up to warn commissioners that they have first hand experience with the detrimental and long term effects of Valley Fever and even those individuals were disregarded and cut off.

Valley Fever, COVID-19, millions of cubic yards of earth disturbance over 3-5 years, public participation and the residents respiratory health and well being. The public deserves your respect and consideration, it is your fiduciary duty. We will continue to participate in a respectful and educated manner and would hope that our city representatives would hold themselves to the same, if not higher, standards.

Sincerely,
Luresa Poe Byrne

From: Lee Dragu <leedragu@yahoo.com>
Sent: Monday, April 19, 2021 10:52 AM

To: info <info@cityofcalabasas.com>
Subject: West Village

To Whom It May Concern,

I am a long time resident of Calabasas and strongly oppose the "new" West Village Project. Proposed usage of this land has already been voted down by the voters. Do we really need to waste our tax dollars on repeating that process? I think NOT. But if city council and planners do not follow the wishes of the majority of the citizens we can certainly go through the process AGAIN.

Here's a better idea! The city should buy the land and build a park. Stop focusing on developing every available inch of land to raise tax revenue and start listening to the desires of community members.

And remember - we all vote.

Best Regards,
Lee Dragu

From: theresa brady <sfvscsepbasin@gmail.com>
Sent: Monday, April 19, 2021 10:47 AM
To: info <info@cityofcalabasas.com>
Cc: Theresa Brady <terriebrady@gmail.com>; Frances Alet <fmalet@sbcglobal.net>; Barry Katzen <barkat@rocketmail.com>; Kim Orbe <kim.orbe@sierraclub.org>
Subject: please forward to planning commission

please include the attached document in the forward of this message to the city of Calabasas planning commission

You have received this message because you have expressed interest in the Sepulveda Basin, or another conservation issue. If you would like to stop receiving these messages, please send a reply with "REMOVE FROM LIST" in the subject line. Thank you.

Theresa Brady, Conservation Chair for the San Fernando Valley Group of the Sierra Club Angeles Chapter.

From: Tamiko <tfuote@gmail.com>
Sent: Monday, April 19, 2021 10:04 AM
To: info <info@cityofcalabasas.com>
Subject: Planning Commission

Good Morning,

I am a resident of Calabasas writing regarding the proposed West Village development. Please do not accept the developer's current proposal of Alternative #5. This proposal still has too many impact issues to 1. Traffic

2. Fire Safety
3. Loss of intact Open Space
4. Air pollution (Valley Fever and long term air quality)
5. Safety of the community (fire evacuation, respiratory infection, traffic bottlenecks)
6. Loss of quality of life
7. Destruction of wildlife
8. Destruction of hilltop views

I understand that Calabasas needs to find new homes in the City, however, at what cost? This is the wrong location for the scope of this project as it has been presented.

I urge the Planning Department to require a much smaller scope of work for this project with much less impact on all the above points of contention.

Thank you for your consideration.

By the way, what was the purptof such a long an arduous presentation for the failures of Alternative #4 last week?

Waste of everyone's time. Dragging this process on with redundancy. Let's move on to more productive information.

City Council meetings have a history of Planning Department presentations that seem to be design to wear the public's patience down with specialized presentations. Legal issues? The Public needs a more user friendly approach to public participation. Can you do anything about that?

Tamiko Fuote



SIERRA CLUB

San Fernando Valley Group/Angeles Chapter

April 15, 2021

Re west village – Calabasas sch #2017091009

I am speaking on behalf of the Sierra Club San Fernando Valley group of the Angeles Chapter. We represent over 4000 sierra club members living in the valley, many of whom live, work or play in the city of Calabasas. We ask that you deny recommendation of this project as currently proposed.

we agree with the California Department of Fish and Wildlife, Heal the Bay, California Native Plants Society, Calabasas Coalition, and the Santa Monica Mountains Conservancy. Essentially, the key points are that we would like the planning commission to consider requiring that the project footprint should be reduced to avoid the wetlands as well as the alkali sink. It should also be redesigned to avoid impacts on the habitat for California red legged frog, the Puma, American badger and other species of concern. Details about setbacks necessary to accomplish this are in the letter you received from CDFW in response to the EIR. With the developer having removed option four from the table, the only option left that accomplishes these biological objectives, is option 1, no development or to require the developer to come back with another option. Avoidance of the wildlife corridor should be mandated. The developer knew, or should have known that the property included part of a wildlife corridor. The city should be under no obligation to allow the developer to infringe on the wildlife corridor. Many of these biological resources are so rare that they cannot be expected to be replaced through mitigation. Therefore as these agencies such as California Department of Fish and Wildlife recommend, avoidance is the best option. There is no reason to allow the developer to go forward with this project which rejects the scientific evidence of geology climate change and biological diversity. Furthermore, the goal of remediation of the ancient landslide has been debunked. The ancient landslide is not a threat and, in its current state, it has been stable for over a thousand years. I refer you to the Santa Monica Mountains Conservancy letter and their reference to the geologists who were hired by the developer in the past. The developer is ignoring their own geologists and hiring new

ones until they find one that says what they want to hear.

There are various aspects of Oak removal that are not adequately addressed: the importance of Oaks as habitat; as well as climate change remediation; as well as protection of water quality and slope stabilization. The removal of large trees makes climate change worse. A full study of the species dependent on Oaks should also be conducted. Furthermore consideration should be taken into account of the services oaks provide to the City in water quality and slope stabilization. Every effort should be made to design around existing oaks for these reasons.

It should be required that these studies be conducted for individual species of concern and for oak tree dependent species.

We thank you for the allowing public comment. Please consider these comments from the Sierra Club.

You can direct any questions to sfvscsepbasin@gmail.com, or terriebrady@gmail.com. I can also be reached at 818 349 8889. And the Angeles chapter office can be reached at 213 387 4287
Sincerely,

Theresa Brady
Conservation Chair,
San Fernando Valley group,
of the Sierra Club Angeles Chapter.

Glenn Michitsch

From: Bob Burris
Sent: Wednesday, April 21, 2021 1:27 PM
To: Elizabeth Parker
Cc: Michael Russo; Arvin Petros; Rachel Biety; Maricela Hernandez
Subject: Fw: Proposition/Measure #5

And one more

From: charles diggs <sequelmojo@gmail.com>
Sent: Wednesday, April 21, 2021 1:04 PM
To: info <info@cityofcalabasas.com>
Subject: Proposition/Measure #5

This is a clear example of "Fighting City Hall"

These developments are driven by greed. There is no concern for the environment or the wishes of the community. This new proposal is basically a carbon copy of the Measure "F". The developers will just keep coming until they wear us down. How FUN.

NO today, NO tomorrow and No forever to destroying this beautiful canyon. C.W. Diggs