

TO: Andrew P. Powers, City Manager

FROM: Kelvin Parker, Community Development Director

DATE: March 26, 2024

SUBJECT: **Proposed Comprehensive Cancer Center (400 East Rolling Oaks Drive) and Residential Capacity Transfer (355 West Janss Road)**

RECOMMENDATION:

1. Adopt resolution to certify the Final Environmental Impact Report (FEIR) associated with 2022-70775-EIR and Mitigation Monitoring and Reporting Program (MMRP) in accordance with the California Environmental Quality Act (CEQA) for all of the project's requested entitlements and to approve 2022-70587-LU; 2022-70732-DP; 2022-70736-PMW; and 2022-70735-PTP.
2. Read ordinance in title only, waive further reading, and if no objection, introduce ordinance to approve Zone Change 2022-70733-Z.

FINANCIAL IMPACT:

No Additional Funding Requested. The applicant submitted the required filing fees and is required to reimburse the costs associated with processing the requested permits and environmental document. Staff time required to prepare the report is included in the Adopted FY 2023-24 General Fund Budget.

BACKGROUND:

Project Objective

The overall objective of the project is to provide a comprehensive cancer treatment center that would consolidate multiple oncology and medical-related functions in a single campus. The facility will include patient rooms, treatment services, office area for staff and physicians, and other common spaces. By providing an expansive and more comprehensive scope of services within a dedicated, focused medical facility, the opportunity is created for more efficient and complete care delivery.

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City Council Initiation

On July 5, 2022, City Council adopted Resolution No. 2022-040 initiating a General Plan Amendment and a Zone Change for concurrent action on the density transfer from 400 East Rolling Oaks Drive to 355 West Janss Road and authorizing concurrent processing of entitlement applications. In accordance with State law, the initiation actions, per Government Code Section 66300 (i)(1) and (2)(A), require that the density transfer be completed concurrently. Following the initiation by City Council, the applicant submitted the requisite materials and staff began full evaluation of the plans, commenced the environmental review process, and coordinated with the applicant team to refine the project.

Planning Commission

On March 11, 2024, the proposed project was presented at the Planning Commission hearing (Attachment #1). During the hearing, 24 public speakers commented on the project, of which 17 opposed the project and seven supported the project. Additional written comments were provided to the Planning Commission. In summary, those who opposed the project questioned if the General Plan Amendment and Zone Change would result in residential development being constructed at 355 West Janss Road and where the hospital's replacement parking would be located as well as the need for the cancer center in general. Other issues of concern were the compatibility of uses (cancer center and residential), size of the development, traffic impacts, potential impact on the potential adjacent park, and overall business practices and communication from the applicant. Those who supported the project commented on the health benefits of having a cancer center in the City to serve all residents in Thousand Oaks and beyond, especially for an aging population, including the logistical benefits for both patients and staff in reductions in travel time and vehicle miles traveled, economic benefits and high-wage jobs that would be created, and compatibility of uses (cancer center and residential) and size of the development compared to existing buildings.

The Planning Commissioners voted 4-1 to recommend City Council approve the project as submitted.

DISCUSSION/ANALYSIS:

This discussion provides a broad overview of the project, including key aspects of the cancer center, reasons for the requested site, and outreach. A focused and detailed discussion on project features is contained in the staff report to the Planning Commission dated March 11, 2024 (Attachment #1).

Project Description

400 East Rolling Oaks

The location of the proposed development is at a 4.74 net-acre lot which lies within the southern portion of the City. The proposed site is bound by Rolling Oaks Drive and medical uses to the north, Los Padres Drive and multi-family residential to the west, designated open space to the south, and residential uses within an unincorporated county "island" to the east. The property was previously disturbed by the Young Set Club development, an active daycare and camp, which started operation in the mid-1970s and was demolished around 2019.

The proposed project involves the demolition of the remaining daycare parking lot, graded pad, and other hardscaping to accommodate the construction of a new approximately 58,412 square-foot (sf), two-story medical office building.

The Comprehensive Cancer Center is anticipated to operate with only scheduled appointments Monday through Friday from 8:00 A.M. to 5:00 P.M. The outpatient medical treatment facility would include 233 surface parking spaces, eight more than are required by the Thousand Oaks Municipal Code (TOMC), with primary access from Rolling Oaks Drive and secondary access off Los Padres Drive. All parking required by the facility will be accommodated on the subject property. The project does not rely on the parking at the adjacent Thousand Oaks Surgical Hospital (TOSH) facility or street parking.

The project's architectural design is a Mission Revival style. With the guidance of public input and staff direction, the applicant team architecturally designed the proposed building to complement the existing TOSH building and nearby residential apartments. The proposed building's rectangular shape, two-story design, height (which ranges from 23-feet 5-inches to over 44-feet 2-inches), and size of 58,412 sf are similar to and compatible with the nearby properties.

The building will appear as one story when viewed from the south, two stories when viewed from the north and west, and as a split level when viewed from the eastern property line. The proposed project includes a Height Overlay, limited to the building footprint and at the finished floor levels as indicated in the plan materials, to allow a building to be up to 44-feet 2-inches tall above the finished floor levels rather than the 25-foot maximum normally required. Zoning overlays are an additional layer of planning controls that are applied to properties as tailored zoning districts, with a specialized set of regulations. The proposed building height will be similar to the existing apartments to the west and similar to or less than the medical office buildings to the north.

Protected Tree Permit

The project would result in the retention and protection of 17 protected trees, and the removal of 14 protected oak trees consisting of 11 coast live oak trees, two holly oak trees, and one valley oak tree. The City's Oak Tree Consultant has reviewed the oak trees requested for removal and determined that the tree removals are necessary to allow site preparation and grading activities for the proposed building and associated site improvements.

The removal of 14 protected oak trees results in the project being conditioned to plant 42 oak trees on site (Attachment #2). The proposed landscape plan identifies a total of 45 coast live oak and valley oak trees to be planted on the project site, exceeding the required number of replacement trees. The replacement trees have been strategically located around the perimeter of the subject property to provide a physical barrier between the residential structures and surrounding roadways.

Parcel Map Waiver

A Parcel Map Waiver is requested to legally merge the lots. The larger lot comprised the site of the prior daycare center facility, while the smaller lot was designated as a public road easement in 1973 as part of an extension for East Rolling Oaks Drive. However, after study and public testimony, Haaland Drive was constructed in lieu of extending East Rolling Oaks Drive to the east, and therefore the road easement is no longer needed for that purpose. In order to develop the site, the two parcels must be merged into one parcel of record.

General Plan and Zoning Designation Changes

The property at 400 East Rolling Oaks Drive is currently zoned Rural Exclusive, 1-acre minimum (R-E-1AC) for residential use, which does not allow the proposed medical facility use. As such, the applicant has requested a Zone Change to Commercial-Office (C-O) to allow the medical office use (Attachment #3). The proposed zone would be changed from R-E-1AC to C-O as well as "Commercial Office with a Height Overlay" (C-O-H) for the portion of the property where the building pad is located. The C-O zone allows medical offices and laboratories as an allowed use subject to the approval of a Development Permit. This commercial zone is frequently found near residential zoning categories. Within the City, a total of 15 properties have a C-O zone, all 15 C-O properties abut or are located across the street from properties with residential zoning (R-E, R-1, R-3, RPD, HPD, Ventura County – R-O). Consistent with the purpose of the C-O zone and in practice, the C-O zone acts as a transition space between higher intensity uses, open space, and/or Route 101 and residential uses. The C-O zone would be consistent with the existing zoning nearby, including the medical facilities to the immediate north.

In addition, the subject properties at this location are designated as Neighborhood Very Low in the Land Use Element of the 2045 General Plan. To accommodate the proposed medical office building use at the site and remain consistent with the requested zoning designation, a General Plan Land Use Amendment to Commercial Neighborhood is also required. The Commercial Neighborhood land use designation would be consistent with the existing land uses in the vicinity as the properties to the north and northwest are also designated as Commercial Neighborhood.

Housing Crisis Act/ No Net Loss

In addition, the Housing Crisis Act (HCA), commonly known as Senate Bill (SB) 330, prohibits a city from amending a General Plan or zoning in a way that would individually or cumulatively reduce a site's residential development capacity unless the city concurrently changes another parcel or parcels within the jurisdiction to ensure there is no net loss in residential capacity. Per the State law "concurrent" means the action is approved at the same meeting of the legislative body and in a manner that ensures added capacity is effective at the same time as the reduction in residential capacity.

Residential Development Capacity is determined by multiplying the size of the property by the maximum density allowed by its designated land use element category. As the site at 400 East Rolling Oaks is designated as Neighborhood Very Low residential, it has a maximum density allowed of two units per acre. That maximum density, times the size of the lot (4.74 acres) gives the site a maximum development potential, or capacity, of nine residential units.

Therefore, for the proposed Land Use Element designation change at the project site from a residential type to a non-commercial type to be legally viable, the applicant requests to change the Land Use Element category designation of the 2.145-acre parcel at 355 West Janss Road from Institutional to Neighborhood Low 1 residential as part of the project and suite of requests. The Neighborhood Low 1 designation has a maximum density allowed of 4.5 units per acre. That maximum density, times the size of the lot (2.145 acres) gives the site a maximum development potential, or capacity, of nine residential units. This results in no net loss to residential development capacity. The Neighborhood Low 1 land use designation would be consistent with the existing land uses in the near vicinity.

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To remain consistent with the land use designation change, the proposed zone would be changed from Public, Quasi-Public, and Institutional Lands and Facilities Zone (P-L) to Residential Planned Development-4.5 dwelling units per acre (RPD-4.5U). The land use and zoning designation are consistent and compatible with those in the surrounding area in terms of both physical development standards and allowed uses.

The RPD-4.5U zone allows residential uses as an allowed use subject to the approval of a Development Permit. There is no development project proposed for the property at 355 West Janss Road at this time. The Land Use Element category designation and zoning change are being requested to satisfy the requirements of the HCA. Should a development project be proposed in the future, all required applications and entitlements will be evaluated per state and local regulations, guidelines, and standards at that time of application, including impacts to existing uses and their reliance on the existing parking spaces provided on that property.

Site Selection

The proposed project's location adjacent to the TOSH will facilitate the effective provision of the previously-mentioned consolidated services. Unlike the full-service and far more active and complex Los Robles Hospital, TOSH provides a more appropriate location for these overnight oncology-related procedures because it is a controlled and quiet environment. Accordingly, the level of acuity at TOSH is similar to and compatible with the Comprehensive Cancer Center, providing inherent synergies between the two campuses. Locating the Comprehensive Cancer Center in proximity to TOSH will offer a significant benefit and convenience to cancer patients as well as the medical professionals who are anticipated to actively utilize both facilities. While Los Robles Hospital owns other properties, locating the Comprehensive Cancer Center next to the main Los Robles Hospital would not provide the same quiet and convenient location for overnight procedures given the increased activity, ambulances, and emergency treatment services that occur at the hospital campus. The success of the project is therefore largely dependent on the relationship and compatibility of the Comprehensive Cancer Center's daytime-focused services and treatment coupled with the quiet and controlled option for the outpatient surgical procedures (including overnight outpatient stays) performed at TOSH.

Conditions of approval have been included in the resolution which would help ensure the project maintains high-quality construction and design, adequately addresses drainage and stormwater capture, and respects nearby residential neighbors during both construction and operation (Attachment #2).

Project Modifications

In response to public concern for pedestrian safety expressed at the Planning Commission meeting, City staff has applied an additional condition of approval to require rectangular rapid flashing beacons with a marked pedestrian crosswalk between the east leg of Rolling Oaks Drive and Los Padres Drive. This condition has been reviewed and is acceptable to the applicant as well.

Environmental Review (CEQA) (2022-70775-EIR)

A comprehensive evaluation of the potential environmental impacts for this project was performed in accordance with CEQA. This evaluation determined that the project could have a significant effect on the environment without appropriate mitigation measures in place, therefore an EIR was prepared for the project. Appropriate measures are detailed in the report to ensure mitigation is in place so no significant adverse environmental impact results from the project. To that end, a mitigation monitoring plan is required to ensure the indicated mitigation measures are applied to the project. The City prepared Response to Comments for the FEIR. None of the comments received on the Draft EIR (DEIR) for this project merits any substantive change to the environmental analysis or conclusions contained in the DEIR. None of the thresholds required to recirculate the DEIR was triggered. Appropriate measures are in place to ensure no significant adverse environmental impact results from the project.

Conclusion

City staff has evaluated the project in terms of compatibility with the surrounding neighborhood. Overall, the proposed project has been designed to meet the intent of the City's standards, codes, and policies. The proposed building design and site layout integrates well with surrounding development and has a cohesive architectural design meeting the City's Architectural Design and Freeway Design Guidelines. Based on the analysis and findings contained in this report, staff recommends approval of this project, subject to the conditions of approval in the attached resolution (Attachment #2).

COUNCIL GOAL COMPLIANCE:

Meets the following City Council goals:

I. Maintain a strong local employment base geared toward retaining high quality businesses; Sustain a healthy business community; and, Diversify the local economy, with a specific emphasis on small businesses and high technology/biomedical jobs.

PREPARED BY: Scott Kolwitz, Senior Planner
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Attachments:

- Attachment #1 – Planning Commission Staff Report of March 11, 2024
- Attachment #2 – Resolution
- Attachment #3 – Ordinance

Documents Provided Under Separate Cover:

- #1 – [Los Robles Comprehensive Cancer Center EIR 2022-70775 Draft and Final](https://www.toaks.org/departments/community-development/planning/environmental-impact)
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