



# Community Development Department **STAFF REPORT**

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**TO:** Planning Commission

**FROM:** Kelvin Parker, Community Development Director

**DATE:** June 5, 2023

**SUBJECT:** **Proposed Mixed-Use (Commercial and Multi-Family Residential) Development**

**APPLICATIONS:** **General Plan Land Use Element Amendment 2021-70169-LU,  
Zoning Change 2022-70776-Z,  
Specific Plan 2022-70778-SP,  
Development Agreement 2022-70777-DAGR,  
Development Permit 2022-70773-DP,  
Special Use Permit 2022-70779-SUP,  
Protected Tree Permit 2022-70780-PTP, and  
Environmental Impact Report 2022-70774-EIR**

**APPLICANT:** **Latigo Hillcrest, LLC**

**LOCATION:** 2150 West Hillcrest Drive; Assessor's Parcel Number (APN): 667-0-113-075

**REQUEST:**

That the Planning Commission consider the Environmental Impact Report prepared in accordance with the California Environmental Quality Act (CEQA) and a project to change the General Plan Land Use Element designation of Commercial to Commercial/Residential and the zoning designation of Community Shopping Center (C-3) to Specific Plan-24 (SP-24) as well as allow the demolition of an existing two-story commercial structure and construction of two new podium four-story buildings encompassing 629,437 total square feet of mixed-use building area that includes 333 multi-family residential units (including 30 very low-income affordable units and three moderate income affordable units), approximately 5,300 square feet of commercial space, surface and subterranean parking providing a total of 581 parking spaces, landscape, hardscape, and grading as well as the removal of 17 coast live oak trees and encroachment into the protected zone of eight coast live oak trees. The project is also requesting a Special Use Permit to allow on-site sale of alcoholic beverages for a future restaurant. The project is located at 2150 West Hillcrest Drive (Attachment #s 1, 2, and 3).

The request includes the following applications:

**General Plan Land Use Element Amendment 2021-70169-LU:** To amend the General Plan Land Use Element designation of Commercial to Commercial /Residential.

**Zone Change 2022-70776-Z:** To change the zoning designation of Neighborhood Commercial (C-3) to Specific Plan-24 (SP-24).

**Specific Plan 2022-70778-SP:** To adopt SP-24 to establish specific development standards for the subject development areas.

**Development Agreement 2022-70777-DAGR:** To create a binding contract that vests the rights of the applicant to a specific project, set forth the time period to construct the project, and specify public and private benefits and responsibilities related to the project.

**Development Permit 2022-70773-DP:** To allow the construction of a four-story mixed-use development encompassing 629,437 gross square feet (sf) of building area, that would contain 333 multi-family residential units (including 30 very low-income affordable units and three moderate-income affordable units), common areas and amenities, 5,300 gross square feet of commercial retail and restaurant space above semi-subterranean parking structures containing a total of 462 structured parking spaces, and surface parking areas with a total of 119 parking spaces (581 total parking spaces).

**Special Use Permit 2022-70779-SUP:** To allow a California Department of Alcoholic Beverage Control (ABC) Type 47 License (On-sale General – Eating Place) to accommodate a potential future commercial use.

**Protected Tree Permit 2022-70780-PTP:** To allow removal of 17 coast live oak (*Quercus agrifolia*) trees, as well as the encroachment into the protected zone of eight coast live oak (*Quercus agrifolia*) trees.

**RECOMMENDATION:**

That the Planning Commission adopt a Resolution based on the findings and subject to the conditions contained therein, recommending that City Council:

1. Adopt a Resolution to certify the Final Environmental Impact Report associated with 2022-70774-EIR in accordance with CEQA; and approve 2021-70169-LU; 2022-70773-DP; and 2022-70780-PTP (Attachment #4);

2. Adopt a Resolution to approve 2022-70779-SUP (Attachment #5);
3. Adopt an Ordinance approving 2022-70776-Z and 2022-70778-SP (Attachment #6); and
4. Adopt an Ordinance approving Development Agreement 2022-70777-DAGR (Attachment #7).

### **PLANNING COMMISSION REVIEW**

The subject request involves a city-wide Measure E allocation for a project located outside the Thousand Oaks Boulevard Specific Plan (SP-20). The allocation was approved by the City Council in 2021 and 2022. As such, the development permit application has been evaluated through the City Council adopted Prescreen process. The process includes filing of a Pre-Application for initial project comments from various City departments and agencies, followed by formal application submittal for evaluation and recommendation to the Planning Commission, then Planning Commission review and recommendation to the City Council on the project, with final decision to approve or deny the project by City Council. The Measure E allocation process also requires the processing of a Development Agreement, which is adopted by the City Council by ordinance. The applicant has satisfied all requisite steps and, at this stage, the Planning Commission's role on this item is to make a recommendation to City Council.

In addition, as the project proposes a General Plan Land Use Map amendment, Zone Change, and a Specific Plan, the City Council is required to make the final decision on each of those applications, with a recommendation from the Planning Commission.

### **BACKGROUND**

#### **Project Site and Setting**

The project site consists of one parcel totaling 8.28 gross acres at 2150 West Hillcrest Drive, previously developed with a commercial office building, surface parking areas, and landscaping. The project site is surrounded by developed urban uses and generally located north of US 101, east of Rancho Conejo Boulevard and a Chevron automobile service station, and south of Hillcrest Drive, and west of an existing multifamily apartment complex known as "The Linden Apartments." Other existing surrounding development includes the Amgen industrial business campus to the north, commercial uses to the west including an existing automobile service station to the northwest at the intersection of West Hillcrest Drive and Rancho Conejo Boulevard. The commercially designated properties south beyond the 101 Freeway are commercial shopping centers. The nearest parks and recreational facilities located within two miles of the project site are the Newbury Gateway Park,

Rancho Conejo Playgrounds, Stagecoach Inn Park and Museum, Kimber Park and Borchard Community Park, with the Newbury Gateway Park being the closest, at 0.6 miles from the subject property.

Regional access to the project site now and with the proposed project would be via the U.S. 101 (freeway or 101 Freeway) using the Borchard Road / Rancho Conejo Boulevard exit and locally via driveways on West Hillcrest Drive.

The subject property is served by existing utility infrastructure and is currently developed with an existing 56,667 square foot (sq. ft.) two-story office building and related surface parking lot with landscaping approved in 1982 through DP No. 1982-512. The office building was initially occupied by the Hewlett-Packard Company, followed by the City of Thousand Oaks as a City Hall, and finally, Amgen since the mid-1990s. The building is currently unoccupied and has been vacant since 2021. The property was previously a part of Specific Plan No. 16, as Planning Unit "U" but was removed and re-zoned C-3 in 2016.

The topography of the site descends slightly from the northeast corner of Hillcrest Drive to the rear of the developed area which abuts a row of existing trees and the South Branch Arroyo Conejo (a channelized drainage course). Existing grades across the site average approximately one to three percent slope. The US 101 Rancho Conejo Boulevard exit ramp runs along the opposite side of the concrete arroyo bank. Unpaved areas of the site include a 40-foot-deep berm along Hillcrest Drive, various landscape planters distributed throughout the site, and two shallow drainage basins in the southern portion of the property.

#### Application Process

On April 27, 2021, a Residential Capacity Allocation (RCA) and initiation of a General Plan Amendment for the above project was authorized by City Council which allocated 246 multi-family units for the residential portions of the project. In addition, City Council also allowed concurrent processing of entitlement applications with legislative actions for this project (2021-70169-LU and 2021-70168-RCA).

On March 14, 2022, a Pre-Application was submitted. Staff met with the applicant and provided development requirements and other feedback.

On March 29, 2022, City Council approved an extension of time for the applicant at that time, Amgen, Inc. ("Amgen"), to submit its formal application for the proposed project at the site.

On August 9, 2022, the applicant began submitting the subject formal applications, which are listed in the "Recommendation" section of this report.

On March 23, 2023, the Notice of Application was mailed and posted at the property site.

On May 22, 2023, the Notice of Hearing was mailed and posted at the property site.

## **PROJECT OVERVIEW**

### **Project Summary**

The project consists of a four-story mixed-use development (with the fourth floor of each proposed building to be stepped back from adjacent roadways and public views), encompassing 629,437 gross sq. ft. of building area, that would contain 333 multi-family residential units (including 30 very low-income affordable units and three moderate-income affordable units), common areas and amenities, 5,300 gross sq. ft. of commercial retail and restaurant space above semi-subterranean parking structures containing a total of 462 structured parking spaces, and 119 surface parking spaces (581 total parking spaces). Access is provided via two entry drives off Hillcrest Drive which partially encircle the proposed development.

The project would create a mixed-use residential apartment community comprised architecturally of two buildings, which would appear above ground level as five larger structures and one smaller leasing / amenity building. The northerly building, fronting on West Hillcrest Drive (Building A), would be mixed-use, with three levels of apartments above a ground floor of mixed residential and two commercial tenant spaces totaling 5,300 sq. ft., for a speculative retail or restaurant use. In order to provide the applicant the greatest future flexibility, a Special Use Permit for the onsite sale and consumption of alcohol has been requested as part of this project. The commercial spaces would be open to the public, as well as the outdoor open spaces proximate to those uses. In addition, two live/work residential units are proposed on the south side of "Building A." These live/work units are intended to accommodate low-intensity commercial operations. These two bedroom, 2.5 bath units provide an additional work-space area and function in a similar manner as a home-based business, which is a permitted use in any residential area and are ideal for small, start-up businesses that require little work area and create few customer trips.

The second podium building (Building B) would include residential uses located in the middle and rear of the site, which appear as the four other larger buildings on site connected by various walking paths, breezeways and bridges. The smaller leasing building incorporated into "Building B" would house the leasing office, mail room and potentially other functional components. Additional indoor and outdoor

amenities would be provided to the residents throughout the site, including a playground, swimming pool, courtyards with active play spaces, roof decks, and a dog park. Figure 1 below illustrates the proposed site configuration.

Figure 1: Proposed Site Plan



Landscaping is provided throughout the open spaces, landscape buffers, and along the walkways within the site. As seen on the conceptual landscape plan submitted (Attachment #8). Twenty-eight protected trees are located on the subject property. The project proposes the removal of 17 oak (*Quercus agrifolia*) trees and encroachment within the protected zone of eight oak (*Quercus agrifolia*) trees; as described in the "Oak Tree Report" dated May 4, 2023 (Attachment #10). Each protected tree to be removed must be replaced with three trees (two 24-inch box and one 36-inch box sized trees). Forty of the 51 required replacement trees are to be planted on-site per the proposed landscape plan.

## **EVALUATION**

### Land Use General Plan Amendment, Zone Change, and Specific Plan (2021-70169-LU; 2022-70776-Z, and 2022-70778-SP)

The City of Thousand Oaks General Plan is currently being updated and includes the Housing Element update and City's efforts to accommodate its Regional Housing Needs Assessment (RHNA) goals. As the update is not yet complete, the currently adopted City of Thousand Oaks General Plan (General Plan) is applicable to the project site. The project site is currently designated Commercial on the General Plan Land Use and Circulation Elements Map. Zoning for the site is Community Shopping Center (C-3).

The proposal requires a General Plan Amendment to the site from the Commercial land use designation to Commercial/Residential as well as a change to the zoning designation from Community Shopping Center (C-3) to Specific Plan-24 (SP-24) are necessary to accommodate the proposed mixed-use development.

A specific plan is proposed as the Thousand Oaks Municipal Code does not currently include a zoning designation which allows a mix of commercial and residential uses on the same site. A Specific Plan is a document designed to implement policies in alignment with the intent of the City's General Plan and establish regulations for a specific geographic region. The plan includes custom development and design standards, permitted land uses, infrastructure requirements, implementation measures, and other criteria intended to implement the General Plan. The Specific Plan will include unique development and design standards to regulate the uses to minimize impacts to the proposed project and surrounding properties (Attachment #6B). These standards are not required to replicate the Thousand Oaks Municipal Code requirements since they are intended to be unique for a specific development area.

A Specific Plan, by law, must be in conformance or consistent with the General Plan in that area. A conformance evaluation for the project is provided in the draft resolution, Attachment #4).

### *Measure E*

Since the project site is requesting a land use designation and zone change to allow residential uses on a property which previously only allowed commercial uses, an allocation of Measure E residential capacity units to the project site was required to be initiated and approved by City Council. The Measure E allocation factors the net lot size of the property multiplied by the proposed maximum allowed density. Per the proposed General Plan land use and zoning designations for the

site, the subject property has a maximum allowed base density of 30 units per net acre, therefore allowing 246 dwelling units on the subject site (8.19 acres x 30 units per acre = 245.7 units, rounded up).

On April 27, 2021, City Council approved a pre-screening request and initiated an amendment to the Land Use Element of the General Plan to allocate 246 residential dwelling units from citywide Measure E residential capacity to the Commercial/Residential site in accordance with Municipal Code requirements, which was extended by the City Council on March 29, 2022.

As specified within the draft DAGR, if the Owner fails to obtain building permits within the term of the DAGR, the DAGR terminates and “all reservations or allocations of Measure E units shall revert to the City’s Measure E capacity”, which would add 246 units to the remaining units in the Measure E “pool,” and the project would not be able to be constructed.

In addition, Measure E requires an allocation process for any new acreage designated as commercial. As the development is demolishing a 56,667 sq. ft. commercial structure to build, in part, 5,300 sq. ft. of commercial space, the project does not produce a net increase in excess of the land areas designated as commercial and no new commercial allocation is required.

#### Development Permit (2022-70773-DP)

##### *Unit Mix, Density Bonus, and Affordable Housing*

The unit types within the mixed-use buildings include 180 one-bedroom units including 40 one-bedroom plus den units, 125 two-bedroom including two live/work units, and 28 three-bedroom units (see Table 1). “Building A” provides 5,300 sq. ft. of commercial space as well as 65 residential units. 268 units are provided within the residential-use only building (“Building B”). Of the 333 residential units, 30 units are proposed to be designated as affordable to very low-income households with an income less than 50% of the Ventura County average median income (AMI) and three units are to be affordable to moderate-income households with an income less than 120% of the Ventura County AMI.

**Table 1 – Unit Mix**

Unit Type	Number of Units	Percentage of Total Units	Average Sq. Ft.
1-Bedroom	140	42%	732
1-Bedroom with Den	40	12%	872
2-Bedroom including 2 Live/Work	125	37.5%	1,107
3-Bedroom	28	8.4%	1,430
<b>TOTAL</b>	<b>333</b>		<b>948</b>

As described above, the maximum base density for this project without a density bonus is 246 dwelling units. The State density bonus law assigns density bonus units based on the percentage of affordable units provided by a project, and the income level of those units. In this case, the applicant is providing 11 percent affordable units in the very low-income category. This percentage is applied to the base 246 units, which equates to 28 affordable low-income units, entitling the applicant a 35 percent density bonus. This bonus translates to 87 density bonus units per statutory allowance in state law for a total of 333 maximum dwelling units allowed, as explained in Table 2. The project proposes a total of 333 dwelling units, inclusive of all proposed affordable units.

**Table 2 – Project Density Bonus Formula**

Unit Type	Formula	Result	Proposed
Base Density	8.19 acres x 30 units per acre	=245.7 Base Density Units Allowed, rounded up**	246 Base Density Units
Affordable Units	246 Base Density Units x 0.11	=27.06 Affordable Units Required, rounded up**	30 “Very Low”- and 3 “Moderate” Income Affordable Units ***
Bonus Units	246 Base Density Units x 0.35*	=86.1 Additional Market Rate Units Allowed, rounded up**	87 Additional Units
<b>MAXIMUM ALLOWED</b>	246 Base Density Units + 87 Additional Units	=333 Dwelling Units Allowed	333 Dwelling Units Proposed

\* 28 Very Low Income units are proposed to contribute to the density bonus calculation = 35% density bonus pursuant to Government Code Section 65915.

\*\* Pursuant to Government Code Section 65915(q): Each component of any density calculation, including base density and bonus density, resulting in fractional units shall be separately rounded up to the next whole number.

\*\*\* Two additional Very-Low Income units and three additional Moderate-Income units are provided, above and beyond what is required to generate the requested 87 density bonus units.

Measure E units are only required to be allocated to allow for the base density of the property. Units proposed above the base density, as allowed by State Density Bonus Law, are not subject to Measure E regulations. The purpose of the State Density Bonus Law is to incentivize the development and availability of affordable housing by encouraging the inclusion of affordable housing units within new developments.

In addition to the 28 “Very-Low”-income restricted units, the applicant has agreed to provide two additional “Very-Low”-income restricted units, and three additional “Moderate” income restricted units, for an overall total of 33 affordable units, four above the minimum amount required to qualify for the 35% density bonus. The remainder of the units will be offered at market-rate which is the “Above Moderate” income level. Once building permits are issued for the development, each unit will count towards the City’s 6<sup>th</sup> Regional Housing Needs Assessment (RHNA) cycle, ending in 2029, as shown in Table 3.

**Table 3: 6<sup>th</sup> Regional Housing Needs Assessment**

	Income Categories				
	Very Low	Low	Moderate	Above Moderate	Total
<b>RHNA 6th Cycle</b>	<b>735</b>	494	<b>532</b>	<b>860</b>	2,621

The “Very-Low” income level is defined as households with incomes at, or below, fifty (50%) percent of the Area Median Income (AMI) for Ventura County, as established by the California Department of Housing and Community Development (HCD). For example, for a 2-person household, the current maximum “Very-Low” income limit is \$50,200 per year (see Table 4).

**Table 4: 2022 Ventura County Income Limits**

Annual Income	People per Household							
	1	2	3	4	5	6	7	8
Acutely Low (15%)	\$12,100	\$13,850	\$15,550	\$17,300	\$18,700	\$20,050	\$21,450	\$22,850
Extremely Low (30%)	\$26,350	\$30,100	\$33,850	\$37,600	\$40,650	\$43,650	\$46,650	\$49,650
<b>Very Low (50%)</b>	<b>\$43,900</b>	<b>\$50,200</b>	<b>\$56,450</b>	<b>\$62,700</b>	<b>\$67,750</b>	<b>\$72,750</b>	<b>\$77,750</b>	<b>\$82,800</b>
Lower (80%)	\$70,250	\$80,300	\$90,350	\$100,350	\$108,400	\$116,450	\$124,450	\$132,500
Median (100%)	\$80,800	\$92,300	\$103,850	\$115,400	\$124,650	\$133,850	\$143,100	\$152,350
<b>Moderate (120%)</b>	<b>\$96,950</b>	<b>\$110,800</b>	<b>\$124,650</b>	<b>\$138,500</b>	<b>\$149,600</b>	<b>\$160,650</b>	<b>\$171,750</b>	<b>\$182,800</b>

An affordable housing agreement would be required to establish the specific obligations of the project including a) that all affordable units are dispersed throughout the project; b) affordability level be set a “Very-Low” income level for 30 units and “Moderate” income level for three units, c) that the affordable units shall have the same standard features and amenities provided to market rate units of the same type, and d) that the restricted-income covenants are required by state law to be in effect for 55 years.

*Building Form and Design*

The proposed project is characterized by a multifamily mixed-use development that includes an internal pedestrian-oriented roadway separating two buildings which comprise a total of 629,437 gross sq. ft. (Table 5).

The northern building (Building A), located behind an existing landscaped berm with protected oak trees to remain in place, includes significant articulation and massing breaks. These design features include a first-floor step back at the northeast corner, a fourth floor stepback, second floor roof decks, a fourth-floor roof deck above the entire north and west facades, trellises and above the commercial areas and a variety of material changes throughout to provide a visually diverse and appealing building as seen from Hillcrest Drive (see Figure 2). The site also features a public seating area on the ground floor in front of the commercial units, and conditions of approval require material changes at the driveway entries to encourage pedestrian safety and activity. While only 5,300 sq. ft. of the 40,437 square-foot building footprint will be dedicated to exclusive commercial use, the residential amenities and units which are more commercial in nature, such as a large lobby, co-working space, live/work units, and indoor bike storage rooms, are also provided on the ground floor of Building A to contribute to its mixed-use style.

**Table 5 - Gross Floor Area and Land Use Summary**

<b>Land Use Type</b>	<b>Building A</b>	<b>Building B</b>	<b>Leasing Building</b>	<b>TOTAL</b>
Commercial	5,300 sf	0 sf	N/A	5,300 sf
Residential	62,025 sf	253,740 sf	N/A	315,765 sf
Residential Private Open Space	5,569 sf	18,662 sf	N/A	24,231 sf
Parking Structure	50,853 sf	145,021 sf	N/A	195,874 sf
Common Area (ex. Lobby, Amenity, Circulation)	27,457 sf	59,010 sf	1,800 sf	88,267 sf
<b>Totals</b>	<b>151,204 sf</b>	<b>476,433 sf</b>	<b>1,800 sf</b>	<b>629,437 sf</b>

Figure 2 – Project Renderings



The southern building (Building B) will actually appear above ground to be five buildings – four apartment buildings and one stand-alone leasing office and concierge building. The proposed SP-24 requires direct outside access to residential ground-floor units through the use of stoops wherever possible.

The project's architectural design is a Modern style. The exterior walls of the building are earth-toned colors primarily consisting of stucco finishes, simulated wood fiber cement panels, brick veneer, multi-panel window areas with dark bronze trim, bronze and glass balcony railings, awnings and trellises (see Attachment #8). The architectural design incorporates articulation and detailing throughout, with massing and offset requirements incorporated into SP-24. Additional decorative roofline trim and enhanced façade materials are required by conditions of approval in order to further improve building design and reduce building size, mass, and scale.

As conditioned, the project meets the City's Architectural Design Guidelines, Precise Plan of Design Guidelines, Commercial Design Guidelines, City Gateways Guidelines, and Freeway Corridor Guidelines by using diverse yet unified design elements throughout the development and designing the site in a way that is compatible with the surrounding uses, described below.

#### *Compatibility with Surrounding Uses*

The project is within an urbanized area, with transportation and utility infrastructure in place. Land use designations for the surrounding area are Commercial to the west, south and southwest (across public rights-of-way), High Density Residential (15-30 dwelling units per acre (du/ac)) to the east, and Industrial to the north.

Zoning for the site is Community Shopping Center (C-3). Surrounding zoning is Highway Arterial Business (C-2) to the west (including the Chevron Automobile Service Station and 7-Eleven), Industrial Park (M-1) to the north, and Residential Planned Development (RPD-20 du/ac) to the east. South of the freeway, the zoning is C-3, C-2, and Single-Family Residential.

Development surrounding the site varies from one-story gas stations to two-story commercial and residential buildings and a three-story office/industrial structure directly across from the project site to the north. In addition, ground elevations decrease from north to south, further raising the elevation of the building Hillcrest Drive to the north. Architecturally, the proposed building design, materials, and landscaping complement existing uses as the color palette of browns and grays mimic the colors used in the adjacent commercial and residential developments.

Figure 3 – Project Massing



The one to four-story project would be 55 feet tall at its highest point, and the site topography informs the site design, as the structure appears to notch into the existing slope moving from the 101 Freeway towards the northern end of the site fronting Hillcrest. The landscape buffers and surface lots provide extended setback area between the proposed development and the existing adjacent properties. In addition, fourth floor stepbacks are provide on the external facades to further reduce the appearance of height from neighboring properties (see Figure 3). The setbacks required by SP-24 and proposed by the project are detailed in Table 6.

**Table 6: Setbacks**

<b>Building A:</b>	
Front(North):	40' Minimum First Floor
	70' Minimum Fourth Floor Setback (Except at Northeast Corner Building Entry)
Left(West):	60' Minimum
	5' Required Min. Landscape Setback Along Driveway/Parking
Right(East):	100' Minimum
	10' Required Min. Landscape Setback Along Driveway/Parking
<b>Building B:</b>	
Rear(South):	15' Minimum First Floor Building
	40' Minimum Average Fourth Floor Setback
Left (West):	20' Minimum First Floor Building
	85' Minimum Average Fourth Floor Setback
	5' Required Min. Landscape Setback Along Driveway/Parking
Right (East):	63' Minimum First Floor Building And
	100' Minimum Average Fourth Floor Setback
	10' Required Min. Landscape Setback Along Driveway/Parking

The existing building is two stories, and the rooftop is occasionally visible from the highway. As such, the property is visible intermittently from the 101 Freeway, and Resolution No. 91-172 “101 Freeway Design Guidelines” applies. Although there are no public viewsheds or corridors to be protected, such as views of distant natural features, open space, public parks, lakes, designated protected ridgelines, and any other designated types of scenic resource, the project has been designed to be sensitive to the existing topography and proximity to the highway. These design considerations include landscaping proposed along the project perimeter, protective screening of roof-mounted mechanical equipment integrated into the building’s overall design of wall and roof components, and the increased setback between the rear property line and the building adjacent to the freeway to allow for reduced visual impact. Further, the residential uses to the east will be protected from new sources of light as all fixtures must be down shielded and parking lot light poles may not be higher than 14 ft, per conditions of approval.

*Amenities and Open Space*

The proposed project includes public and private amenities. Public amenities include a publicly accessible seating area located at the western entrance of the site as well as a heavily landscaped walking path along the western property line adjacent to Rancho Conejo Boulevard to complement the City’s gateway sign.

Figure 4: Site Plan and Outdoor Amenity Map



Private common amenities include approximately 50,781 sq. ft. of indoor and outdoor spaces designed for specific activities and uses. These amenities for the residents would include outdoor landscaped open space areas, a swimming pool, a playground, courtyard spaces with active play areas, barbecue areas, and a dog park. Three roof-decks are also provided in Building A and one on Building B, each including seating areas and planter areas. The open spaces are connected by a system of pathways and paseos to provide residents and visitors with multiple opportunities to gather (see Table 7 and Figure 4). These paseos also include outdoor furniture, landscape and hardscape to encourage use of outdoor spaces.

Approximately 20% of the total site area, or 70,377 sq. ft., consists of common outdoor open space, and approximately 78,000 sq. ft. consists of planting area, some of which occurs within the proposed common open space.

Indoor common amenities include a stand-alone leasing office with concierge services, bike storage, supplemental resident storage, co-working area, fitness room, game room, and lounge described below in Table 7, Resident Amenities. The co-working space would be equipped with bring-your-own computer stations for use by residents only.

**Table 7A- Common Resident-Only Amenities**

<b>Project Amenities</b>	<b>Floor Area (sf)</b>	<b>Location (Bldg. and Floor)</b>
Resident Only Dog Run	1,525	-
Children's Play Area	1,500	
Detention Basin/ Courtyard C Walking Path	6,515	-
Co-Working Space	1,150	Bldg. A, L1
Courtyard A (Second Floor Roof Deck, South)	3,710	Bldg. A, L2
Courtyard B (Second Floor Roof Deck, South)	3,024	Bldg. A, L2
Roof Deck A	1,500	Bldg. A, L4
Leasing/Amenity Bldg. (Mail, concierge, etc)	1,800	Bldg. B, L1
Amenity B (Lounge)	1,270	Bldg. B, L1
Amenity C (Game Room)	1,550	Bldg. B, L1
Amenity A (Fitness)	3,070	Bldg. B, L1
Roof Deck B	1,300	Bldg. B, L4
Courtyard A (Swimming Pool)	11,110	Bldg. B, L1
Courtyard B (Barbeque and Seating Area)	5,377	Bldg. B, L1
Courtyard C (Play Lawn and Seating Area)	6,380	Bldg. B, L1
<b>Total</b>	<b>50,781</b>	

**Table 7B- Public Amenities**

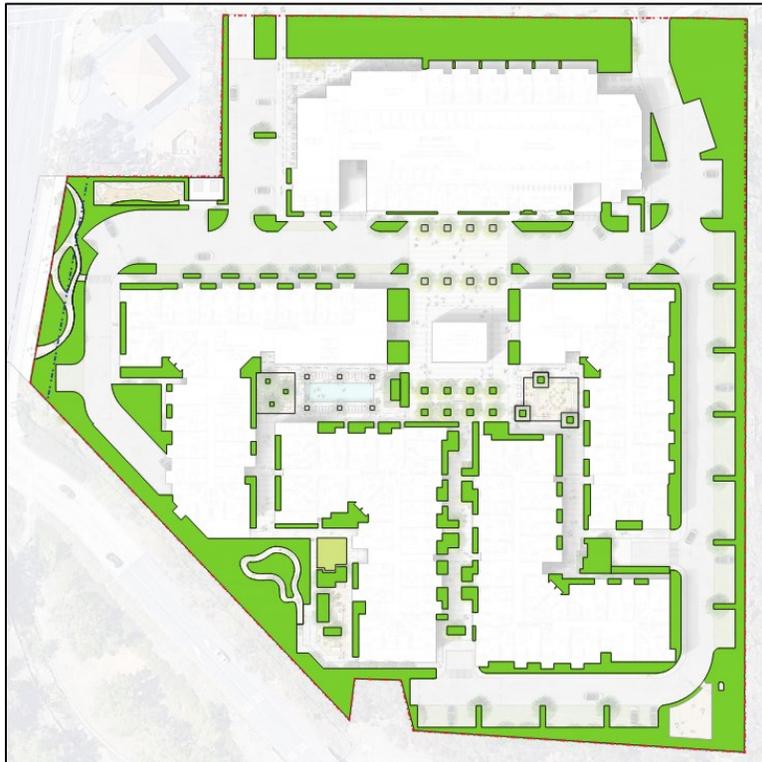
<b>Project Amenities</b>	<b>Floor Area (sf)</b>	<b>Location (Bldg. and Floor)</b>
Rancho Conejo Demonstration Grove/ Walking Area	8,212	West Property Boundary
Building A Entry Seating Area Plaza	1,435	Northwest Corner
<b>Total</b>	<b>9,647</b>	

Private amenities are provided for each individual unit as well as the public and common facilities. All units include private open space, either in the form of a balcony or a private stoop that range between 50 to 480 sq. ft, with an average size of 88 sq. ft. In addition, a minimum of 56 cubic feet of private storage locker is provided per unit, to supplement the bicycle storage facilities and private open spaces. The project provided conforms with the recommended requirements of SP-24 and the intent of the TOMC by providing ample private and common-area open space areas and other amenities for use by residents and visitors.

*Landscape Plan*

A conceptual landscape plan has been prepared to illustrate the proposed landscaping for the project. If the project is approved, a formal landscape plan will be required, and technical evaluation of that plan will be provided through a Landscape Plan Check process to further ensure compliance with the City's landscape and irrigation standards.

**Figure 5 – Ground and Podium Level Planting Area Plan**



The project proposes primarily native, and drought-tolerant plants and minimal turf, which is isolated to the 750 sq. ft. play lawn only. Of the 28 protected trees, eleven oak trees will be preserved in place and 51 additional protected trees will be

planted on site. Also, 76 ornamental trees are proposed and incorporated as part of an open space paseo and pathway system.

In addition, in line with Precise Plan of Design Guidelines, substantial landscape treatment to create a comfortable living environment and soften the visual impact of structures while ameliorating adverse off-site views has been incorporated into the project. The protected trees are proposed to be placed around the perimeter of the site, blocking offsite views and noise. The project provides landscape buffers between the property boundaries (see Figure 5) and the surface parking areas, while rooftop and balcony landscaping soften the overall massing.

#### *Pedestrian Access and Walkability*

The project site has been designed with an emphasis for walkability and pedestrian connectivity, which has been incorporated throughout the site design proposed project. Enhancements to existing sidewalks within the public right of way are to be provided at both entrances on Hillcrest Drive per condition of approval, and a public open space area which features undulating connections to the existing sidewalk is provided along the property line adjacent to Rancho Conejo Boulevard.

In addition, internal pedestrian site circulation includes a series of walkways, breezeways, and seating areas with landscaping, planters and other decorative features. Furthermore, the connection between the mixed-use area and the residential-only area is designed with a large, raised crosswalk area to reduce vehicle speeds and improve pedestrian and vehicular circulation.

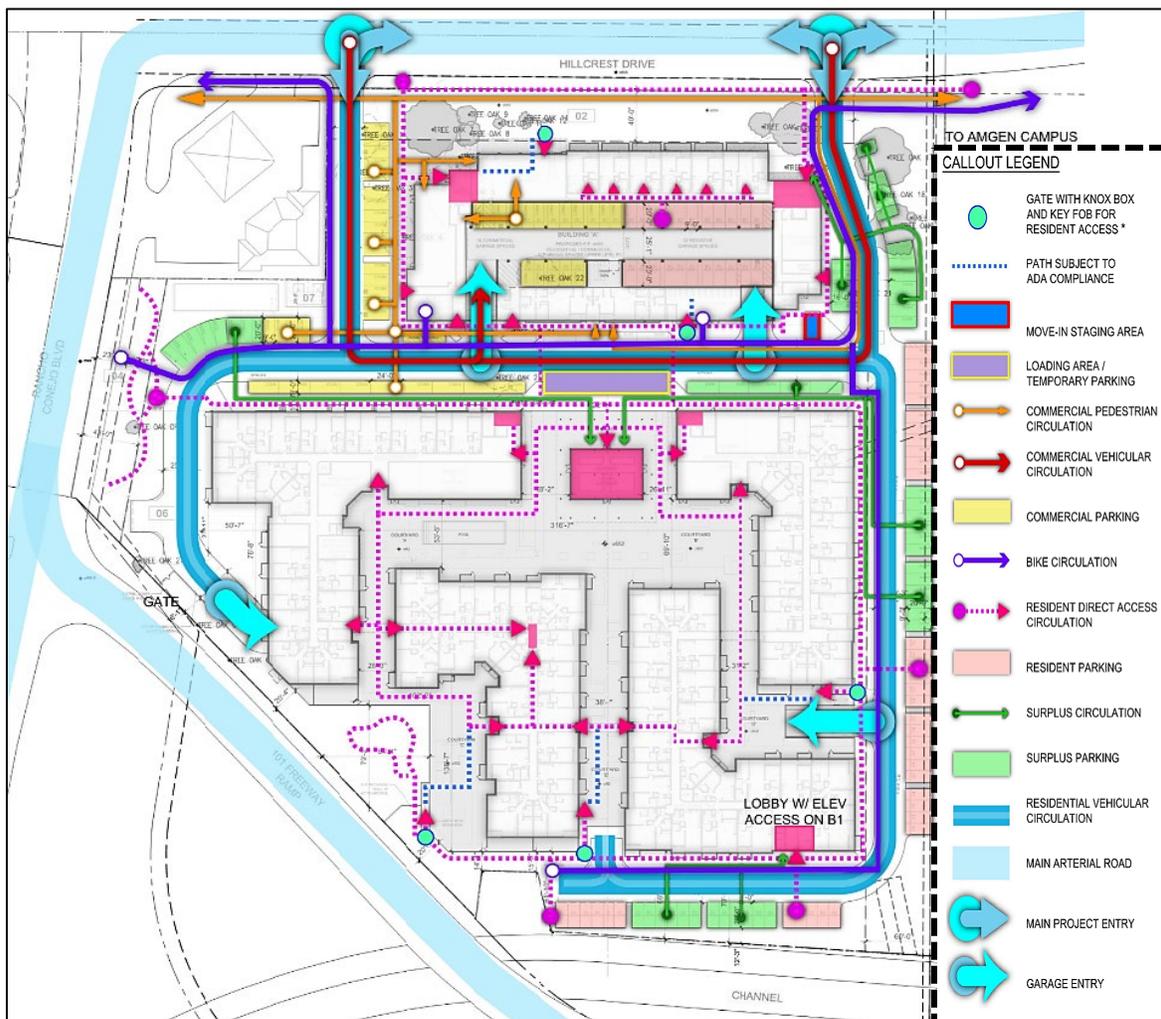
There are several pedestrian entrances to the residential areas of each building provided through dedicated lobby areas, as well as controlled-access gates to the outside amenity areas on the south and east side of "Building B". In addition, ground floor units provide direct access to the sidewalk along the perimeter of "Building A" and on the north, east, and west side of "Building B", where the grade allows via landscaped stoops.

As required by conditions of approval, visually distinct materials are to be incorporated at the driveway entrances, lobby entrances, and walkways throughout the site to encourage pedestrian safety and enhance the overall site appearance. The project is adjacent to and within walking distance of several commercial centers offering dining, retail, grocery, professional, and recreation uses, thus reducing the potential number of vehicle trips from the project and reducing greenhouse gases.

*Vehicular Access and Parking*

Primary ingress and egress to the site is provided from two bi-directional driveways, both accessed from Hillcrest Drive, as seen on Figure 6 and Sheet A1-8 of the Project Plans (Attachment #8). Within the site, two roadways leading to the parking garage entrances run along the perimeter, except for the southwest border with the 101 freeway exit ramp. These roadways are lined with sidewalks and surface parking spaces designed with permeable pavers. An existing solid wall exists along the eastern edge to help screen headlight glare from view of the existing multifamily apartment buildings, which will be repaired and slightly improved per condition of approval.

**Figure 6 – Circulation Plan**



In addition, a pedestrian-oriented street bisects the property between the mixed-use building (Building A) and the residential-only building (Building B). This street

provides access to temporary parking and loading areas as well as parallel parking spaces to serve the commercial uses.

As conditioned, all accessways meet the minimum design standards of the TOMC and Ventura County Fire Prevention District minimum standards.

Parking Structure A, serving the mixed-use building, is a two-level structure, with the second level above ground but completely encapsulated by the proposed commercial and residential uses. The entrances are located on the south side of the building and are not visible from any public road.

Parking Structure B, serving the residential-use-only building, is a basement parking structure. Ingress and egress to the below-grade parking structure are provided on the east and west sides which minimizes public view of the entry areas. As normally required by the TOMC and as included in the conditions of approval, all parking stalls within Parking Structure B will be designated for and accessible by the tenants only. All exposed elevations of the below-grade parking structure have been designed to reflect architectural compatibility with the proposed development. Additional conditions of approval have been included requiring the applicant to work with staff to determine materials which will improve the proposed decorative metal vent covers which appear on the south and southwest sides of the Building B parking structure. A total of 581 parking spaces are proposed for the proposed mixed-use and apartment buildings, as shown in Table 8 and 9.

**Table 8: Number of Parking Spaces by Type**

Parking Location	Number of Parking Spaces by Type				
	Compact	Tandem <sup>1</sup>	ADA**	Standard	Total
Parking Structure A	0	60	5	46	<b>111</b>
Parking Structure B	31*	37	6	277	<b>351</b>
Surface	10	0	4	105	<b>119</b>
<b>Total</b>	<b>41</b>	<b>97</b>	<b>15</b>	<b>428</b>	<b>581</b>

*\* Per Section 9-4.2404(d)(1)(i) of the Municipal Code, a maximum of 35% of the residential parking spaces may be compact size. Nine (9%) percent is provided, in compliance with the Code standards.*

*\*\* Number of spaces provided is in compliance with American's With Disabilities Act (ADA), contained in Title 24 of the California Building Code.*

<sup>1</sup> The City has approved tandem parking for apartment buildings in the past when conditions of approval require the tandem spaces to be assigned to each residential dwelling unit to eliminate any parking conflicts. A suggested condition requires the applicant to prepare a "Parking Management Program" where tandem parking spaces are assigned.

The proposed SP No. 24 (Attachment #6B) mimics the Thousand Oaks Boulevard Specific Plan (SP No. 20) requirement for restaurant and commercial off-street parking. As shown above, that includes one parking space per 200 sq. ft. of gross leasable area for the first 2,000 sq. ft. of gross leasable area and one parking space is required per 100 sq. ft. of gross leasable area over 2,000 sq. ft. of a restaurant. In addition, two loading spaces are required to be provided.

Pursuant to the State Density Bonus Law, Government Code Section 65915(p), the parking ratios required for multi-family apartment buildings are one parking space per one-bedroom unit and one and a half parking spaces for a two-bedroom unit. Government Code Section 65915(p) does not require guest parking. The applicant is proposing two spaces per two- or three-bedroom unit.

In addition, the project will provide infrastructure for electric vehicle charging stations beyond state law requirements, as outlined in the draft Development Agreement (Attachment #6B).

**Table 9: Vehicle Parking Supply and Demand**

Parking Categories	Parking Ratio	Number of Units/ Commercial s.f.	Parking Required	Parking Provided
<b>Residential</b>				
1 Bedroom	1 space/unit	180	180	<b>486</b>
2 Bedroom	2 spaces/unit*	125	250	
3 Bedroom	2 spaces/unit*	28	56	
Guest Parking**	0 spaces/unit	<b>30</b>	None	<b>52***</b>
<b>Total Residential</b>		<b>333</b>	<b>486</b>	<b>538</b>
<b>Commercial</b>				
First 2,000 s.f.	1 space/200 s.f.	2,000 s.f.	10	43
>2,000 s.f.	1 space/100 s.f.	3,300 s.f.***.	33	
<b>Total Commercial</b>		<b>5,300 s.f.</b>	<b>43</b>	<b>43</b>
<b>Total Parking</b>			<b>529</b>	<b>581</b>

\*1.5 space/unit allowed by State density bonus law and TOMC, applicant providing 2 spaces/unit.

\*\*State density bonus law exempts provision of guest parking.

\*\*\* To apply a more conservative rate, the entire square footage of commercial area is assumed to be a restaurant rather than a mix of retail and restaurant space.

\*\*\*\* The 52 surplus spaces are not designated for either use type specifically and may be used by either commercial visitors or residential guests.

The site provides on-site parking for vehicles while accommodating and encouraging other multi-modal transportation methods. Amenities include on-site bicycle racks for visitors and dedicated bicycle corals for tenants. The number of bicycle spaces required by the California Green Building Code must be equal to or exceed ten percent of the number of proposed parking spaces (58 bicycles spaces,

half short-term, half long-term). In combination with that requirement, one space for bicycle parking per six residential units (56 total) is required by the proposed SP-24. The project proposed to exceed both requirements, as 100 spaces are being provided, including 16 electric bicycle charging stations and 20 electric scooter charging stations. The bicycle parking, as designed, will be provided outside near the proposed coworking amenity space in Building A, and in three designated indoor spaces: two in Building A, at the north end of the site and one in Building B, at the south end of the site.

Lastly, a designated drop-off/pick-up area at the front entrance to accommodate local delivery and private transportation services, such as taxi cabs, Uber™, Lyft™, etc. This area may also be utilized for larger delivery vehicles for short-term pick-up/drop-off services. As required in the conditions of approval, appropriate curb designations and signage indicating the hours of operation must be provided to ensure this area is utilized for these short-term uses and not for the standard parking of vehicles.

### *Traffic*

Currently, the City of Thousand Oaks maintains a minimum LOS C at all intersections, per the General Plan Goals and Policies Resolution 97-8, with the exception of Rancho Conejo Boulevard at Hillcrest Drive and specific intersections on Thousand Oaks Boulevard, which are required to maintain a LOS D or better, per Resolution 2019-11. The project is adjacent to the intersection of Rancho Conejo Boulevard and Hillcrest Drive. The 2150 Hillcrest Drive Traffic, Circulation and Vehicle Miles Traveled Study dated November 11, 2022, examined four intersections (listed below) in the project vicinity to assess the existing Level of Service (LOS) and anticipated LOS with the development of the project (Attachment #9).

- Hillcrest Drive/Rancho Conejo Boulevard
- Hillcrest Drive/Ventu Park Road
- Rancho Conejo Boulevard/U.S. 101 NB Ramps
- Borchard Road/U.S. 101 SB Ramps

Per that study, all existing intersections currently operate at a LOS “C” or better during morning and evening peak hours, which would remain unchanged by the proposed project.

In addition, as required by CEQA, a Vehicle Miles Traveled (VMT) analysis was conducted to evaluate the project’s transportation impacts. The VMT study findings are provided in Table 10, Project VMT Analysis Summary.

**Table 10 – Project VMT Analysis Summary**

<b>Project Component</b>	<b>VMT Calculation Methodology</b>	<b>Citywide Average Daily VMT</b>	<b>Project TAZ* Daily VMT</b>	<b>Project Difference</b>
Residential	Citywide average daily VMT per resident	15.32 VMT	10.31 VMT	32% less than the City-wide average
Commercial	Citywide average daily VMT per employee	22.51 VMT	18.49 VMT	18% less than the City-wide average

\* TAZ = Traffic Analysis Zone

The VMT analysis of the project determined the impacts resulting from the project would be less than significant and no mitigation measures are required (see the Transportation Section included with the DEIR). As shown in Table 10, the project’s daily residential VMT per capita and commercial VMT per employee would be approximately 32% and 18% less than the City-wide averages, respectively. As such, neither the VMT per capita nor VMT per employee would exceed the Citywide exiting citywide average VMT baselines, and the project generated VMT impact would be less than significant. It should be noted that the VMT analysis assumed a proposed ground-floor commercial area of 6,500 sq. ft, which was later reduced to 5,300 sq. ft. in the current site plan. The resulting analysis is conservative in assuming more intense development than would occur, and actual impacts would be reduced.

In addition, the Public Works Department has included conditions of approval requiring adequate vehicular and pedestrian sight visibility, traffic impact fees, and any necessary traffic control signs and/or striping.

*Grading*

Proposed grading quantities include approximately 52,800 cubic yards (c.y.) of cut and 4,700 c.y. of fill, with an export about 48,100 c.y. export due to excavation for the underground parking garages and modifications to the site characterized by a descending slope from the northern (front) to southern (rear) of the site. Using a capacity of 14 c.y. per truck, it is estimated that 6,872 truck trips will be necessary to haul away the dirt, consisting of 3,436 loaded truck trips and 3,436 returning empty truck trips. The proposed project will not involve grading impacts to 25% or greater natural terrain.

Conditions are included requiring the applicant to obtain a grading permit which requires a description of the grading activities, including a haul route, number of truck trips per day, proposed hours of operation, traffic control measures, and identification of the disposition location.

With inclusion of mitigation measures identified in the EIR and conditions of approval, including, but not limited to, dust and rodent control, amongst other measures, the proposed grading will have a less than significant impact on surrounding properties. Additionally, the TOMC limits construction hours between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday with no work allowed on Sunday or City recognized holidays, so no grading activities or truck trips are permitted to occur outside these hours.

#### Special Use Permit (2022-70779-SUP)

In addition to obtaining approval from the State for an Alcoholic Beverage License, businesses in Thousand Oaks that propose to offer on-site sale and consumption of alcoholic beverages must obtain approval of a Special Use Permit (SUP) from the City. Special Use Permits are intended to evaluate business operations and uses that may or may not be appropriate at specific locations within a specific zoning district. In approving a Special Use Permit, project conditions are imposed that are site-specific to ensure that uses are not in conflict with surrounding properties and uses.

Approval of the requested SUP for this project will cover future businesses that intend to operate under a liquor license within the property's retail area. Future businesses would be allowed the option to transfer the SUP to their name and assume the responsibilities of the permit through review and approval of a Special Use Permit – Minor Modification application prior to occupancy. The specifics of future tenants including exact business type and hours of operation are not known currently.

The project site shares one common property line with the Linden Apartments to the east, which means the project site is within 400 feet of known sensitive use established by the City's Municipal Code (residences, schools, hospitals, convalescent hospitals, hotels, motels, etc.). The potential use involving sale and consumption of alcohol at the project site will be compatible with land uses in the vicinity that are predominantly commercial and industrial uses, including an existing restaurant located within the Amgen headquarter building located at 1 Amgen Center Drive, 7-Eleven across Rancho Conejo Boulevard, and a gas station at the northwest corner of the subject property. The commercial spaces which could be leased by tenants seeking to serve alcohol are clustered close to the West Hillcrest Drive and Rancho Conejo Boulevard intersection and are

physically separated from the residential uses on the adjacent property to the east by onsite multifamily structures, parking areas, and landscaping. Conversely, as the commercial uses will be open to the public, it is anticipated to be an amenity to those living in the adjacent residential development and those working in the adjacent industrial and commercial developments. Therefore, the project will be compatible with the land uses in the vicinity.

Staff has reviewed the proposed restaurant and lounge with alcohol service use in the context of the Findings contained within TOMC Sec. 9-4.2803, and has found that the project, as conditioned, would be consistent with these Findings as specified in the draft Resolution (Attachment #5).

#### Protected Trees (2022-70780-PTP)

The site contains twenty-eight (28) protected coast live oak (*Quercus agrifolia*) trees on-site per the Oak Tree Report dated May 4, 2023 (Attachment #10). This report evaluated the health of each tree and the extent of the impacts resulting from project activities. The project design requires removal of 17 protected coast live oak trees and encroachment into the protected zone of eight coast live oak trees. Three coast live oak trees will be saved and not encroached upon. Descriptions of the protected trees impacted by the proposed development through removal and encroachment are provided in Table 11 below. It should be noted that trees numbered 1 to 7, 13 to 26, and 28 were planted as part of a previously required landscape plan. Trees numbered 8 to 12, and 27 grew from acorns and are all proposed to remain.

Pruning of four of the 28 protected Coast Live Oak (*Quercus agrifolia*) trees onsite is proposed in order to maintain proper clearance over proposed sidewalks, outdoor patios, and driveways. Encroachment within the protected zone of eight protected trees, including the pruning of four trees, is necessary to accommodate proposed improvements and grading activities associated with construction of the new mixed-use building and multi-family residential building. A City Landscape Consultant provided an independent evaluation of the applicant's report and recommendations contained therein for the work occurring within the protected zone of the oak and landmark trees. The City consultant concluded that, with the inclusion of the suggested project conditions, including appropriate work methods and monitoring for the work performed around the protected oak trees, that the proposed encroachments will not have a detrimental effect on the health of trees. If any of the eight trees which are to be encroached upon die within five years of the encroachment, they shall be replaced at the 3:1 ratio required for the removal of live trees required by the Oak Tree Preservation and Protection Ordinance.

**Table 11: Impacted Protected Trees**

Tree No.	Common Name	Trunk Diameter	Health	Appearance <sup>1</sup>
<b>Retain and Protect</b>				
9	Coast Live Oak	5.4"	Excellent	A
11	Coast Live Oak	2.5"	Excellent	A
12	Coast Live Oak	2.5"	Excellent	A
<b>Removal</b>				
1*	Coast Live Oak	10.2"	Excellent	A
2*	Coast Live Oak	13.6"	Excellent	B
3*	Coast Live Oak	7.9"	Good	B
4*	Coast Live Oak	11.7"	Excellent	A
5*	Coast Live Oak	20.25"	Excellent	B
6*	Coast Live Oak	13.35"	Poor	C
15*	Coast Live Oak	31.25" at 36"	Good	A
16*	Coast Live Oak	11.8"	Excellent	A
18*	Coast Live Oak	6.35"	Fair	D
19*	Coast Live Oak	3.5"	Very Poor	D
20*	Coast Live Oak	17.2"	Good	B
21*	Coast Live Oak	16.9"	Good	A
22*	Coast Live Oak	12.4"	Good	A
23*	Coast Live Oak	18.6"	Good	A
24*	Coast Live Oak	19.6"	Fair	B
25*	Coast Live Oak	9.55"	Good	A
26*	Coast Live Oak	15.6"	Good	A
<b>Pruning/Encroachment</b>				
7*	Coast Live Oak	20.05"	Good	B
8	Coast Live Oak	6.7", 7.25" at 42"	Excellent	A
10	Coast Live Oak	2"	Excellent	A
13*	Coast Live Oak	7.85"	Excellent	B
14*	Coast Live Oak	15.3"	Excellent	A
17*	Coast Live Oak	17.95"	Good	A
27	Coast Live Oak	2"	Excellent	A
28*	Coast Live Oak	11.4"	Good	B

\*Trees planted as part of a previously required landscape plan.

The removal of 17 other protected trees is necessary to allow adequate vehicular and pedestrian circulation and parking facilities, the latter being stated as a City

<sup>1</sup> A= This tree is symmetrical, having the ideal form and appearance for the species, B= This tree, though non-symmetrical, has an appealing form with very little dieback, C=This tree is non-symmetrical with an unappealing form and/or has much dieback, D = this tree has few, if any positive characteristics

Council priority during the public hearing initiating the General Plan Amendment and allocating the residential capacity. The tree impacts result from site preparation, grading activities for the proposed mixed-use and residential buildings, and associated site improvements. Figure 7 demonstrates the development areas and tree locations affected by the proposed construction activities. Existing protected trees located along the public right-of-way were prioritized for preservation both with and without conditional encroachments.

**Figure 7 – Protected Tree Impacts On Site**



The Oak Tree Preservation and Protection Ordinance allows for oak tree encroachments and removals if the request is not contrary to the purpose and intent of the ordinance. In this case, the removal of the 17 oak trees and encroachment into the protected zone of eight oak trees is consistent with the intent of the oak tree preservation and protection ordinances since the removals

will be replaced with three trees for each one removed (3:1 ratio - two 24" box and one 36" box tree).

The quantity and size are as follows:

- 11 twenty-four (24") inch box specimens, and
- 40 thirty-six (36") inch box specimens.

**Figure 8 – Replacement Tree Plan**



As seen in Figure 8, 20 Coast Live Oak (*Quercus agrifolia*), 20 Valley Oak (*Quercus lobata*) trees, and 11 Western Sycamore (*Platanus racemose*), all 36-inch box specimens, are to be provided onsite per the Replacement Tree Plan seen on sheet L5-2 within the Project Plan Set (Attachment #8). Per Resolution 2010-014, only the oak tree species count towards the number of replacement

trees required. Therefore, the applicant will either need to submit a new Replacement Tree Plan, propose the planting of the trees at an off-site location for public benefit, subject to Community Development Director approval, or provide an in-lieu cash payment to the City's Open Space Conservation Fund used toward acquisition of open space, as prescribed by Resolution 2010-014.

Further, replacement trees have been strategically located around the perimeter of the subject property in order to provide a physical barrier between the residential structures and surrounding roadways. Such placement would provide visual screening to and from the roadways and reduce noise entering the site. Therefore, staff supports the proposed replacement tree layout. In addition, replacement trees included in the easement area along Rancho Conejo Boulevard complement the designated City Gateway area as required by Resolution No. 93-152.

Staff has reviewed the proposed protected tree removals and encroachments in the context of the Findings contained within TOMC Sec. 9-4.4206(b), and has found that the project, as conditioned, would be consistent with these Findings as specified in the draft Resolution (Attachment #4).

#### Development Agreement (2022-70777-DAGR)

A DAGR is required for approval of projects that receive allocation of Measure E units (Attachment #7). This agreement is a contract between the property owner and the City to ensure specific deliverables and site expectations are in place to ensure public benefit, such as the inclusion of affordable units and site improvements. Thousand Oaks Municipal Code Section 9-11.01 et seq. outlines the process for implementation of a development agreement. The applicant's representatives and staff have worked together to prepare an agreement in compliance with the Municipal Code that identifies public and private benefits and responsibilities.

The DAGR lists various obligations and benefits received by the parties in the Agreement. If the project is approved and constructed as proposed, the City will have 301 market-rate, 30 very-low-income restricted affordable units, and three moderate-income restricted affordable units to add to its residential stock and count towards the current RHNA requirements from the State, as well as the demolition of an aging commercial site, and replacement of the existing city gateway sign.

In return for these public benefits, the applicant's application will be considered for approval of the General Plan Amendment and the requisite Measure E unit allocation required to build the mixed-use multi-family apartment development.

Additional points of this Development Agreement include timelines for the construction and an outline of the project's green initiatives.

### Environmental Review (CEQA) (2022-70774-EIR)

In accordance with the California Environmental Quality Act (CEQA), a comprehensive evaluation of the potential environmental impacts for this project was performed. This evaluation determined that the project could have a significant effect on the environment without appropriate mitigation measures in place, therefore an EIR (Attachment #11 and #12) 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 (Attachment #4, Exhibit A).

A Notice of Availability was posted with a 45-day public review period for the Draft Environmental Impact Report between April 7, 2023 and May 22, 2023. Staff received several comments which are included in the attached DEIR Response to Comments (RTC). Staff is therefore recommending the Planning Commission consider the DEIR prepared for the project in accordance with the California Environmental Quality Act (2022-70774-EIR).

### CORRESPONDENCE

Staff received public correspondence in which several agencies and organizations commented on the Draft EIR as mentioned above. No other public comments other than those made on the DEIR were received (see Attachment #11).

### CONCLUSION

The proposed project has been designed to meet the intent of the City's General Plan, 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 Guidelines, by including pedestrian-oriented site plan emphasizing public and private exterior spaces. 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 Ordinances and Resolutions as well as recommends to City Council the adoption of the Environmental Impact Report prepared for the project in accordance with CEQA.

**PREPARED BY:** Justine Kendall, Associate Planner

**Attachments:**

- Attachment #1 – Vicinity Map
- Attachment #2 – Location Map
- Attachment #3 – Aerial Photo
- Attachment #4 – Resolution for 2021-70169-LU; 2022-70773-DP; and 2022-70780-PTP
- Attachment #5 – Resolution for 2022-70779-SUP
- Attachment #6A – SP-24 Ordinance
- Attachment #6B – SP-24
- Attachment #7A – DAGR (2022-70052-DAGR) Ordinance
- Attachment #7B – DAGR (2022-70052-DAGR) Draft Agreement
- Attachment #8 – Project Plans, dated May 26, 2023
- Attachment #9 – 2150 Hillcrest Drive Traffic, Circulation and Vehicle Miles Traveled Study dated November 11, 2022
- Attachment #10 – Oak Tree Report, dated May 4, 2023
- Attachment #11 – Draft EIR (2022-70774-EIR)
- Attachment #12 – Final EIR (2022-70774-EIR)