

SANTA MONICA MOUNTAINS CONSERVANCY

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February 23, 2015

Ms. Talyn Mirzakhanian
Planning Division
Community Development Department
City of Calabasas
100 Civic Center Way
Calabasas, California 91302

**Notice of Preparation Comments - Canyon Oaks Project
4790 Las Virgenes Road (APNs 2069-078-009 and 011)
SCH No. 2015021008**

Dear Ms. Mirzakhanian:

The Santa Monica Mountains Conservancy (Conservancy) has had a long history with the subject 77-acre property that is integral both to the central core habitat of the Santa Monica Mountains and a regional habitat linkage to the Simi Hills. Parkland owned and managed by the Mountains Recreation and Conservation Authority (MRCA) abuts the subject land on three sides. The ultimate land use on the subject property will have great bearing on a major viewshed located along the 101 Freeway, within the City, and within a major northern extension of the Santa Monica Mountains National Recreation Area. All of the property is located within the boundary of the Los Angeles County General Plan-designated Santa Monica Mountains Significant Ecological Area.

The proposed project has the exact disturbance and development footprints as the project the Conservancy commented on in July of 2014. The number of units has been reduced but the impacts of the massive manufactured remedial slopes and the loss of habitat have not been reduced. The project still proposes a four-story hotel right above Las Virgenes Road, 419 parking spaces in a watershed with Federally-endangered steel head trout, a 20-acre v-ditch covered slope, and a minimum of 2,191,092 cubic yards of grading. That is almost 30,000 cubic yards of grading per proposed residence. The proposed project is an attempt to force a flat land suitable project into mountainous terrain that is in a gateway to the Santa Monica Mountains National Recreation Area.

The now mostly undeveloped east side of Las Virgenes Road adjacent to core Santa Monica Mountains habitat would be transformed into a major development area with

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scores of acres of impermeable surface and thousands of lighting elements. Scores of acres would require permanent irrigation.

Grading for the large, ancient landslide on the property's north-facing slope is a major development constraint. As it is proposed, the project's remedial earthwork necessary to stabilize the slide would require mass grading and one hundred percent visible, manufactured slope faces over 300 feet high. The Initial Study discloses the amount of required minimum grading volume as 2,191,092 cubic yards. The proposed project categorically fails to work with the site's topographical and geological constraints. The amount of emissions from moving and compacting this much earth must be addressed.

It is safe to say that any project requiring full remediation of the subject large landslide would result in unavoidable, significant adverse impacts to biological and visual resources at a minimum. The proposed project fails to attempt to avoid obvious significant impacts as dictated by the California Environmental Quality Act.

The Draft Environmental Impact Report (DEIR) must include at least two physically and economically feasible development alternatives that do not require full remediation of the landslide. Only with such alternative projects can decision makers be presented with alternatives which avoid unmitigable significant adverse biological and visual impacts. The applicant knowingly took many financial risks acquiring the site. Such non-full-landslide remediation DEIR alternatives cannot be excluded from impact analysis because the applicant paid more for the property than such projects can support. Clearly the proposed four-story hotel can be built without full landslide remediation. The City is under no obligation to approve a General Plan Amendment, a Zone Change, or a project with unavoidable significant adverse impacts.

Many historic landslides dot the Santa Monica Mountains and the City of Calabasas. To our knowledge, amidst widespread local geological instability, the generalized threat of land movement does not prohibit the use of existing roads, trails, and recreation areas in other parts of the City. To our knowledge, the subject landslide under current land use conditions does not pose any substantial public safety threat even to users of the historic dirt road (Anza Calabash Canyon Loop Trail) that courses through the property at the foot of the landslide to the MRCA parkland. For the DEIR to include an adequate range of alternatives, it must include two physically and economically feasible alternative projects that leave the landslide basically in place and work around its hazards to result in projects that allow for full economic use of the remainder of the property.

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The DEIR should include a simplified geological constraints analysis that specifically shows at approximately 200-scale where development is physically feasible without the need to do large-scale remediation of the subject major landslide. If there are cost effective ways to adequately attenuate the slide without the substantial loss of oak trees and coastal sage scrub and gain additional development footprint, the constraints analysis should also show how much of such additional development area could be gained through such methods.

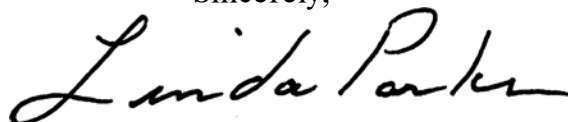
Within the subject property, there are many acres of substantially disturbed land with full access to Las Virgenes Road that can be intensively developed for a considerable economic return given the site's zoning and proximity to utilities.

The highest quality ecological areas on the property are the north-facing landslide slope and the back canyon narrows that abut MRCA property. The narrows of that back canyon support a locally rare alkali seep including yerba mansa (*Anemopsis californica*). We encourage the City to shape the majority of project alternatives to include both no adverse impacts and permanent protection in these two important resource areas. Because approximately 20 acres of the existing proposal would consist of v-ditch covered slopes, the DEIR must analyze how much groundwater recharge potential would be permanently lost compared to the natural slope or a slope with no v-ditches.

In conclusion, the Conservancy sees no overriding benefits associated with the proposed project, or any combination of residential and commercial development in a similar footprint, that the City could identify to adopt a statement of overriding considerations. Let the land dictate the use.

Please address any questions and send all correspondence to Paul Edelman of our staff at the (310) 589-3200 ext. 128 and at the above letterhead address.

Sincerely,

A handwritten signature in black ink that reads "Linda Parks". The signature is written in a cursive, flowing style.

LINDA PARKS
Chairperson

SANTA MONICA MOUNTAINS CONSERVANCY

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August 17, 2015

Ms. Talyn Mirzakhanian
Planning Division
Community Development Department
City of Calabasas
100 Civic Center Way
Calabasas, California 91302

**Draft Environmental Impact Report Comments - Canyon Oaks Project
4790 Las Virgenes Road (APNs 2069-078-009 and 011)
SCH No. 2015021008**

Dear Ms. Mirzakhanian:

The Santa Monica Mountains Conservancy (Conservancy) appreciates that the Draft Environmental Impact Report (DEIR) considered two alternatives that did not require the massive job of remediating the onsite ancient landslide. However the DEIR remains inadequate for rejecting both such alternatives and not analyzing even one of them. However that process of rejecting all no landslide repair alternatives, revealed that there is a substantial area that could be built on under that scenario.

The fundamental flaws of the DEIR impact analysis are the conclusions that grading 2,191,082 cubic yards of earth at the gateway to the Santa Monica Mountains National Recreation Area and along the scenic 101 freeway corridor would not result in unavoidable significant adverse biological and visual impacts.

Remediating the ancient landslide must be avoided to avoid significant adverse impacts to habitat and public viewsheds.

The entire remaining alternatives analysis is flawed because it does not analyze a project that would reduce impacts to a level below significant. Every alternative analyzed has essentially the project footprint. Even if the project objectives include fixing the landslide, it nonetheless is an action that would result in unavoidable significant adverse ecological impacts. Just because an action is part of an applicant's DEIR project objectives, it does not ordain that the applicant must receive entitlement of a project with all or most of those objectives. Likewise just because a General Plan defines that a maximum amount of

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development can occur on a property, or that a certain blend of uses occur, does not provide carte blanche to create significant impacts that are avoidable.

The DEIR makes the case that a 7.5-acre area is physically and safely available for building without having to touch or repair the landslide. At a ratio of 2.5 homes per acre, the applicant could construct at least 19 homes. With the current market rate of housing and the significantly less infrastructure improvement necessary, a no landslide repair project appears economically feasible. Until the applicant provides definitive written proof of what they paid for the property, there is no substantial evidence in the record that a 19 single family home project on minimum 12,500 square foot lots is not economically feasible.

The DEIR is flawed for not addressing how a series of developers have walked away from the site because of the landslide. The applicant had to full well know the constraints when they acquired the land. The City is under no obligation to bail out a developer who bought a massive landslide covered with high quality chaparral, coastal sage scrub, and oak woodland in one of the most visible public viewsheds in the Santa Monica Mountains. A 19 home estate project must be analyzed for the DEIR to be adequate.

Please address any questions and send all correspondence to Paul Edelman of our staff at the (310) 589-3200 ext. 128 and at the above letterhead address.

Sincerely,

A handwritten signature in black ink that reads "Linda Parks". The signature is written in a cursive, flowing style.

LINDA PARKS
Chairperson

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March 17, 2016

Planning Commission
City of Calabasas
100 Civic Center Way
Calabasas, California 91302

Canyon Oaks Project – Hotel Only Alternative

Dear Planning Commission Members:

The record to date shows that the City's principal interest in the Canyon Oaks project is providing a commercially viable visitor serving use that generates a maximum amount of revenue for the City. The staff report concludes that the proposed housing component would provide no appreciable direct revenue to the City. The housing generates all of the unavoidable significant adverse impacts.

The exact proposed three or four story hotel with its access road can be built without the need to remediate the large ancient landslide. There is a high probability that the limits of the landslide failure risk can be easily mitigated because of the significant distance between the landslide edge (350 feet) and the hotel site. The hotel setting along a creek at the mouth of the valley would be unique and near optimal for ambience and views.

Under this alternative the City receives its revenue and the major landslide slope and canyon bottom remain natural and available for restoration. All unavoidable significant impacts are eliminated and many other impacts are tremendously reduced. The "Hotel Only" alternative protects essential Santa Monica Mountains viewshed and habitat and provides desired overnight accommodation in the SMMNRA with significant revenue to the City.

The City is under no legal obligation to approve a project that would result in significant viewshed and ecological impacts because the proposed hotel represents considerable economic use of the geologically flawed property. If the applicant can further expand the hotel facilities' horizontal footprint without remediating the landslide, that too should be allowed.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Edelman".

PAUL EDELMAN
Deputy Director
Natural Resources and Planning