



*Planning Land Use and Mobility Committee*

## **WHWCNC Planning Land Use and Mobility Comments related to the Draft Environmental Impact Report for The Village at Westfield Topanga**

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### **Summation of Key Issues Regarding the Draft Environmental Impact Report (DEIR)**

The Planning, Land Use, and Mobility Committee (PLUM) has been working with the Applicant's Representative, John Alderson, since 2007. Since that time there have been numerous meetings. During that time period the project has been revised/down sized in scope due to the recent downturn in the economy.

Upon reading the Draft Environmental Impact Report and after over 8 meetings with Mr. Alderson and others at Westfield regarding the current Project, PLUM finds that there are numerous issues of concern in the project and the report. Due to the size of the DEIR and the complexity of the project, this report covers some but not all of the issues and errors with the report and the project. Individual community members are expected to be commenting in greater detail on the project.

***The following are the general comments provided by the WHWCNC PLUM committee regarding issues of the project in the DEIR.***

### **Misrepresentations, Faulty Conclusions, Unsubstantiated Statements**

Members of PLUM have found numerous instances in the DEIR where the authors of the report have made claims of compliance that are too many to individually account to the Neighborhood Council Board in this report. PLUM finds that terms are used very loosely. The guidelines and requirements are claimed to be substantially met, when significant requirements are actually in direct contradiction to what is proposed. Requirements are selectively chosen to support the project and others are selectively not mentioned when they would not support the project. Material has been selectively presented to make the project look good. The negative aspects of

the projects land use and aesthetics are either missing or they have been glossed over. Elevations of the potentially least attractive façades are not provided.

## **An Issue of Inadequate Alternatives**

The alternatives offered by the applicant in the DEIR are not all real alternatives. We recognize that real, effective alternatives are out of the question due to the limitations placed on the project by the stated yet limiting requirements of the member-only anchor tenant.

Alternatives not addressed adequately or at all are 1) an alternative without the member-only anchor and 2) alternatives that eliminate one or more conditions of the anchor tenant such as surface parking or no uses competing for parking. Just as an alternative is given without the second anchor or the office structure, so too there should be an alternative without the member-only anchor.

Although other conceivable alternatives might be more expensive and/or not meet all of the anchor tenant requirements, they might better satisfy requirements of existing ordinances and guidelines. As mentioned in the report, CEQA guidelines do not preclude choosing alternatives that are more expensive or difficult if they result in a more satisfactory project.

Alternatives should be considered with a use of streets to break up the super block; the use of multiple parking structures distributed throughout the site; an alternative of the member-only anchor located over active uses that face public streets by taking advantage of the variation in the site's elevation; the elimination of the member-only anchor; and the elimination or relocation of the fueling station. Another alternative would be to rely on an open event space that could be an activity anchor.

Given the lack of true alternatives and in recognition that there are many deficiencies with the favored plan in the EIR mentioned below, new alternatives should be developed and evaluated to result in an amended draft report that provides a better project than what is being offered. The proposed amount of development is not the primary issue for the community, it is how the amount of development is implemented at the site.

## **Issues regarding Project Traffic/Circulation/Access**

### ***Internal Circulation***

According to the report, the project relies only on "driveways" for mobility access and circulation. There are no streets proposed. While the project can conceivably mitigate traffic with the driveways as proposed, no assessment is given to the potential harm the site configuration creates for future development to adjacent properties, including those owned by the applicant. The site with structures as proposed together with the tentative tract map greatly limit mitigation measures that will likely be needed to accommodate future local growth, especially for properties on Erwin St. In the first version of the project, the applicant's intent was to connect the project to its properties to the north and south and even considered bridges. The configuration as proposed is likely to make this forever impossible and lead to local problems in the future.

## **Access**

It is severely limited or impaired on a substantial portion of the properties border adjacent to the properties southeast of the project. No assessment has been made of the risks associated with the amount of pedestrians or cyclists and drivers approaching the project by cutting through adjacent properties. Contrary to making the project welcoming to these neighbors in a symbiotic relationship, the project creates hostile conditions for cyclists and pedestrians. The project behaves as if it does not need customers from the southwest or by transit.

All transit riders from Owensmouth, at Victory Boulevard or the Transit Hub, have to walk by routes that are not direct to the locations of the active uses. Additionally, the fuel station is counter to pedestrian friendliness because of the potential for concentration of exhaust fumes in an area adjacent to the transit stop during periods of peak use.

What provisions are made to protect cyclists on the access roads to the fueling station and near the loading dock, which has not been scrutinized for the potential for multi-modal conflicts?

The roadway circumventing the parking structure appears to connect to the driveway of the adjacent property hosting CostPlus. No assessment or mention is made of this and why then there are no sidewalks or cycling lanes for the total length of the roadway. Very little attention is given to the rampway on the east side of the parking structure and how it will appear from Erwin given that it is directly in line with the CostPlus driveway.

No explanation is given as to why Westfield Way by the parking structure has two lanes in and only one lane out and no cycling lanes.

## ***External Circulation***

An additional 10' should be required for dedication and/or setbacks to allow for incorporation of public transit stops at major intersections along Victory and Owensmouth. In particular, the Owensmouth Parkway in the Warner Center Specific Plan speaks to the intent for accommodating new lanes and space for public transit, which would include busses, streetcars or light rail in the future as part of the circulator proposed for Warner Center. This is not addressed in the report although it does claim substantial compliance with the Owensmouth Parkway provisions. The increase in the setback would mean that elements of the member-only fuel station would encroach even more into the setback than proposed. More is mentioned below.

## ***Secondary impacts of traffic mitigations on Pedestrians and cyclists***

The proposed mitigations of automotive traffic do not include an analysis of the secondary impact to pedestrians and cyclists and similar non-automotive modes of travel for each of the proposed traffic mitigations. Some of the proposed intersection improvements remove space for traffic medians, sidewalks or right of way needed future bike lanes and cycle tracks without providing compensation or mitigation.

## ***Pedestrians and Cyclists***

Although the report touts accessibility for pedestrians and cyclists, the level of service or impact on increased numbers of pedestrians and cyclists was not evaluated at the intersections or new driveways. Nor was an assessment made regarding routing pedestrians through the surface parking along internal "driveways" not built to street standards. An assessment of the potential increase for automobile/pedestrian conflict was not presented nor any mitigations or alternative configurations of the

site to minimize conflicts. The public gets promises that this issue will be dealt with without any idea of the severity of the issue to be mitigated.

### ***Transit Credit***

The extent of the transit credit of 15% should be re-evaluated. Two of the four claimed adjacent transit stops are questionable, the transit hub and the transit stop at Victory and Owensmouth. There are no direct paths to the project from the transit hub. The project's circulation diagrams show this. The project placement of buildings, particularly the parking structure, the adjacent alley and surface parking, act to make the shortest routes impossible and less safe than with an alternate plan.

Additionally, given the nature of the sales by the member-only anchor, that being promotion of super sizes of everything, there is very little chance of transit riders patronizing the retail outlet. It would be almost equally difficult for many customers to choose walking or cycling as a travel mode. Consideration should be given to how the member-only anchor should further compensate for underperforming non-automotive mode shares by facilitating greater mode switching from the rest of the project.

### **Neighborhood Protection Issue:**

Because of many budget cuts and layoffs, an assessment of DOT should be made as to the capability of DOT to still participate and manage neighborhood traffic management plans required of the applicant. A more substantive proposal is needed to ensure that there is neighborhood protection as promised. Additional fees should be considered to provide staffing for this if needed.

### **Boundary/Setback/Long Walls/Landscape Issue:**

Along Victory Boulevard and part of Owensmouth by the member-only fuel station, several site maps show new property boundaries in orange. They also show setbacks, but they appear to be based on the proposed curbs of the public roadway instead of the property line. The Warner Center Specific Plan defines "SETBACK – The horizontal distance between a lot line and a line parallel to the lot line, the depth of which is shown on Map 4. For purposes of this specific plan, any lot line adjoining a public street shall be considered a front lot line for determining required setbacks and permissible projections." Map four defines the Victory Boulevard Setback to be 25' and the Owensmouth Avenue Setback to be 40', although pedestrian serving uses can encroach up to 15' into the Setback.

Presumably, dedications are being made for future widening of the roadway. As shown on the site maps, the canopies and corner elements of the member-only anchor structure reach almost to the property line, which is not allowed by the current specific plan as defined above. The building is very likely located exactly at the 25' setback of the property line. Should plans be carried out to widen Victory Boulevard to the property line, there will be loss of much of the landscaping, trellises, and it would require a new parkway and placement of a new sidewalk against the berm, which the member-only anchor structure will rest upon due to differences in site elevations. This could possibly be as much as 10 feet higher or more. This would drastically reduce the walkability with no mitigation possible.

The Specific Plan requires building façades over 250' in length within 35' of the building grade where the exterior wall is within 50 feet of the Setbacks (the member-only anchor seems to be at the setback) to have variations seen in birds-eye plan view (recesses in this case) equal to not less than 15 percent of

the length of the building and not less than 15 feet in variation. The emergency exits of the member-only anchor façade do not appear to meet the requirements nor the intent of the plan, especially without windows.

The specific plan requires 3-foot berms to hide surface parking, yet no mention is made of how this is accommodated along with bio-swailes along Victory and Topanga Canyon Boulevards.

Little mention is made regarding how the flood control aspects of the county flood control easement are to be mitigated along Topanga Canyon Boulevard or is the easement now defunct, in which case the retail should be closer to Topanga Canyon Boulevard.

## **Parking Related Issues**

### ***Parking Structures: One Central vs. Multiple Dispersed***

There is no assessment of problems associated with having one central parking structure and this must be addressed. These problems might include, the structure size, the drawing and concentration of the major portion of traffic to a few possibly congested points at the center of the project increasing the risk of collisions with other cars, cyclists and pedestrians, the perceived safety of shoppers within an expansive structure substantially longer than 2 football fields, the degree of obstruction in regards to the project, both physically and psychologically. A comparison for both strategies should be made to having one central or multiple structures dispersed over the site and how they exacerbate or diminish associated problems. There is no assessment of the greater aesthetics problems associated with a large structure compared to multiple smaller structures.

### ***Obstruction of future connections***

The proposed location of the parking structure and it's integral connections to adjacent structures precludes any near-term ability to increase circulation in the community by dividing the super-block to allow for more permeable mobility to relieve impacted intersections.

### ***Controlled parking***

The impact of controlled parking is not sufficiently evaluated. With the limited amount of surface parking and the centrally-located, poorly accessible parking structure, shoppers will be predisposed to hunt and circulate for surface parking, especially if there is gated access to the structure(s) and related fees for parking. Parking meters should be required for all surface parking to counter the universal appeal of seeking and using surface parking and thereby reduce unnecessary automobile circulation. Multiple dispersed structures would mitigate the need to take this measure. Gates would not work for surface parking along Topanga Canyon because of the probable backup that would occur during peak periods.

### ***Unaddressed Impacts of Driver Psychology***

An important aspect for a successful parking system is offering parking that is optimally acceptable to the users of the parking. Some of the anticipated problems are addressed in the DEIR with proposed technological solutions such as gates w/access cards and parking meters and required designated employee parking.

There is one possible scenario that highlights the potential for problems with the site configuration upon completion of phase 2. When there is not surface parking available along Topanga Canyon or Victory

Boulevards, drivers will need to approach the parking structure, which has a large ramp on the far side to upper floors. At the same time they see the vast amount of surface parking adjacent to the member-only anchor. As they have a preference for surface parking they choose to look for parking here or they came in to that parking area from the south or east. This may result in inadequate parking for the member-only anchor to the extent of reducing sales as it's own customers avoid using the parking structure due to their need for use of one or more large shopping carts. Consequently there is a demand for more surface parking. The applicant has the choice of gating off ground level and surface parking east of the structure to limit it to customers of the member-only anchor using their membership card, which may then reduce the sales for its other retail tenants and restaurants or it may lead to the next issue.

Mr. Alderson has offered another solution at a meeting with the committee. This entails the use of valet parking, which entails valet staff shuttling cars to the parking structure on the other side of the retail and office structures. This would seem to be very inefficient and more expensive over the life of the project. This option is not mentioned in the report summary if at all.

### ***Removal of Office Building for creation of surface parking***

There exists the potential for a demand by the member-only anchor to demand more surface parking, which conceivably results in the demolition of the existing office building on Owensmouth that is proposed to remain. It should be noted that in the original version of the project the Applicant was willing to remove this building for construction of new facilities. The consequence is that this will greatly increase the lack of compliance with the intent of the Owensmouth Parkway section in the existing plan and will impact the residential uses across Owensmouth Avenue.

### ***Surface Parking and Height Increases***

It is not stated clearly but it could appear that the amount of surface parking is qualifying as open space to justify the 50% increase in the height of the hotel and office building. It would be better if the open space of one or more large plazas were being used for this qualification instead of surface parking.

## **Gas Station Issues**

### ***External circulation***

The presence of a fueling station on the northeast corner conceivably draws the member-only customers to use the Owensmouth at Victory intersection and nearby driveways disproportionately compared to other uses. This intersection was studied as part of the ongoing effort to update the specific plan and the traffic models show that traffic congestion generated by future development cannot be mitigated.

The corner is a transit stop and the project admittedly proposes to enhance the corner with landscaping and amenities to serve transit riders and pedestrians. No assessment is offered to the impact of increased risk to pedestrians and cyclists due to the location of the fueling station at the northeast corner of the project. With the prediction of significant increased traffic at that the intersection, the Department of Planning has an obligation to take this into account when assessing the fuel station use for this corner. Further study and critique of this situation is required. On peak use there will be many cars exiting onto Victory crossing paths with cars turning right onto Victory to get to the gas station entrance. They may have learned not to use the Victory Boulevard entrance because of internal circulation problems by the loading dock.

## ***Internal location***

An internal location of the fueling station was dismissed out-of-hand by the applicant because it purportedly would increase the risk to auto/pedestrian conflicts. No evidence is offered to support this claim. No assessment is given that it would actually be worse than the increased risk to pedestrians and cyclists of having the fueling station on the corner. No assessment is made as to a site configuration that has the fueling station at any other location with equidistant access and more equal distribution of access to all four adjacent streets.

As mentioned previously, there is some question about the setbacks shown on the sitemaps. At the gas station, there seems to be land dedication for street widening and the setbacks are not always related to the property line. Proper adherence to the setbacks would not allow the space for circulation in the future should Victory Boulevard be widened to the property line. If Victory Boulevard were widened, there would be substantial loss of vegetative screening and or protective walls or the tightening of the exit lane.

There should be dedicated right and left turn lanes at the single exit point. There is no assessment as to the potential for queuing at the single exit point during periods of peak use and peak traffic on Saturdays. There should also be a dedicated left turn lane at the entrance to the fueling area by the stop sign at the loading dock to avoid blockage of traffic leaving at the Owensmouth exit.

## ***Queuing***

The analysis of the queuing space required for the fueling station is simplistic. Each pump is assumed to have a queue of three cars whereas in reality the pumps are paired resulting in a queue of six cars. Additionally, no mention is made as to including in the evaluation that the distribution of cars with left and right fuel ports is not necessarily equal which results in a reduction of queuing capacity. There is also the issue of cars then not queuing to the appropriate pump when entering the queue zone operating at full capacity and the issue that in overflow conditions at the access point, the four westernmost queues are obstructed and cut off from replenishment, thereby reducing capacity.

The proposed queuing of cars as depicted in addendum figure 9 for 20 pump stations assumes perfect human behavior, that cars are likely to queue up close together, that there is no lane jumping, that all cars take equal time to fuel, that drivers know which queue to be in for their fuel port, that drivers will not get frustrated and try to pull out of line or back up to leave or jump lanes.

Visits to existing Costco Warehouse locations with fueling stations adjacent to primary streets often exhibit queuing problems. In all likelihood, because of these problems, it is conceivable that queuing will not be perfect and will back up onto Owensmouth and/or the driveways leading from Owensmouth or the project's interior. No assessment of the potential congestion is mentioned or the impact of this overflow on busses, possible streetcars, cyclists and pedestrians.

The queuing plan makes no assessment of the presence of fuel trucks and their impact. Figure 9 shows fuel tanks under the queues for the fifth pump island. What are the issues arising during daytime deliveries of fuel when fuel trucks potentially occupying queues or bypass lanes and have the queues blocked off to protect operators and fuel hoses on the ground. Relocation of tanks outside of the queuing zone will have similar problems of trucks blocking access or departure lanes, thereby causing congestion during daytime deliveries.

Consideration of another scheme with a longer feeding queue and shorter pump lane queuing may be needed or a scheme with more than one feed point and this may require relocation to another part of the site. This plan already encroaches on the setbacks, especially the fuel tanks, which are not a pedestrian serving use that would allow encroachment. Allowance of the bypass lanes to encroach into the setbacks

is only allowed by virtue of the project qualifying as a Regional Shopping Center with two anchors. Consideration should be given whether Phase 1 qualifies since only one anchor exists in Phase 1 and Phase 2 may never happen or be delayed for years.

Another alternative could be to have more than one fueling station on the site, each with fewer pumps.

### ***Drive-In Business prohibition***

Consideration should be given to the existing Warner Center Specific Plan's prohibition of drive-in/through businesses. The intent of this prohibition was to diminish the impact of cars idling while in a queue and not incentivize trips by car. The project proposes a queuing scheme for 62 cars, which on the face of it would seem to fit the concept of a drive-up business and counter to the intent of the existing plan.

Technically it may not fall under the code of a drive-thru business, but in reality it is and consideration should be given to the intent of the plan to prohibit numerous cars idling and producing exhaust. Is it possible that the fueling station was not included in the urban decay study because it fits into a drive-through category that was not studied? It is ironic that a service that supports and encourages the use of autos in Warner Center is located next to a primary location of current and future transit.

### ***Potential for Urban Decay***

The urban decay analysis bases sales on square footage of retail. None of the categories studied directly account for the fueling station use although table B-5 lists Service Stations, which presumably includes fueling stations. If mixed into the General Shopper goods study, it should have been separated out as there is a separate category for these sales.

The fueling station is not consistent with regular retail and the changing nature of that market is much more volatile than regular retail uses. The size of the fueling station has the potential to impact the local market for fuel. Two factors affecting the market for the fuel proposed for this fueling station are not adequately addressed for potential impacts. One is that as the price of the fuel rises, the demand for the fuel potentially decreases. The second is that there is a changeover occurring in the market from carbon-based fuels to electrical and/or combinations of them. The community already has vacant fuel stations that are no longer selling gasoline. Both of these factors have the potential to reduce the demand for gasoline and put economic pressure on the market.

As the fuel prices rise, the fees for membership at the member-only anchor may become a decreasing deterrent to using the fueling station with the lowest prices. The association of the fueling station with the membership-only anchor and its purchasing power enables the fueling station to offer substantial pricing pressure to maintain sales volume in a decreasing market. This creates a potential for closures of other fueling stations in the vicinity, resulting in toxic brownfield sites requiring expensive remediation and remaining vacant for lengthy periods. There is no evaluation of the ability of the project's fueling station or other local fueling stations to adapt to sales operations of other types of fuel and the resulting potential for urban decay.

### ***The following are the specific comments regarding issues of the project in the DEIR for the Village at Westfield Topanga.***

The location reference in the list below usually represents the first location where the comment was thought to be relevant.



1. **Page 8, Item 4.A.a** "...as well as an ancillary member-only gas station"

**Comment:** It will be presented in later comments that this fueling station goes against the Draft Commercial Design Guides of the City of Los Angeles Planning Department. It also does not meet the core finding as fulfilling a need in the community. Urban decay issues should be studied directly related to the fueling station as well. The below market pricing characteristic at the proposed facility will be a challenge to the current owners of gas stations in the area. There are 16 fueling stations within 1.5 miles of the site, 8 within .75 miles and one down the street. There is an abandoned one at the corner of Winnetka and Ventura Boulevards. Before new ones are built methods of supporting the existing stations should be reviewed by the city. Empty gas stations are brownfields that carry environmental issues that make them not highly marketable real estate especially for changes of use.

2. **Page 8, Item 4.A.a.** "*Deliveries for the retail component would generally occur during the daytime hours.*"

**Comment:** More detail regarding deliveries and potential traffic conflicts need to be reviewed. The scheduling of deliveries would be better between 6am and 10am, before the retail spaces open for business. If deliveries of individual retail shops occur during business hours, conflicts will occur because no loading areas have been designated (except at the Anchor Retailer) for these uses. Truck routes need to be presented. Truck routes should avoid Erwin and Owensmouth as Residential uses occur along those streets. Turning radii for the delivery vehicles need to show that the width of the proposed route is adequate.

3. **Page 8, Item 4.A.a.** "*In addition, approximately 7 to 12 large delivery trucks would arrive between 1:00am and 10am with one delivery around 9:00pm.*"

**Comment:** These hours seem like a delivery method more appropriate for an industrial zone. Erwin and Owensmouth should be avoided because of residential uses on these streets.

4. **Page 10, Item 4.A.b.** "*...community/cultural center...this space is anticipated to be flexible meeting rooms and spaces to be used for various community functions. These uses are anticipated to be located on the interior of the site.*"

**Comment:** More work with the community needs to take place to better define what the uses will be and what accommodations will be required. Adding a few meeting rooms to the bottom of a hotel is not a community center. This is a normal business function of a hotel. If this is the intent, the labeling of it as a "Community Center" is inaccurate.

Examples of Community and Recreation Centers that are located in Thousand Oaks, Calabasas, and Porter Ranch should be looked at during the detailed programming of this use. Meeting rooms, larger multipurpose rooms for more active uses and exercise, child care, and connections to outdoor space should be considered. The Community Center would be better if located in Phase I, on the ground floor, in a separate building and at the exterior of the site. Visibility is important to promote the centers use and to promote a sense of shared ownership by the applicant and the community.

5. **Page 11, Item 4.B.** "...the existing signal on Victory Boulevard, between Topanga Canyon Boulevard and Owensmouth Avenue....will be relocated to the west..."

**Comment:** This move brings the signal closer to the busy intersection of Victory and Topanga Canyon Boulevards and its associated queues. Provide information to justify this is not an issue.

6. **Page 12, Item 4.C.** *“Within the central portion of the project site where a parking structure is proposed, a height zone of 90 feet would be established.”*

**Comment:** The height of parking structures should be minimized as much as possible. Provide justification for the height proposed as the structure is presented as a one level on grade plus five above grade levels and why they need to be 90' tall.

7. **Page 13, Item 4.D** *“...these paths connect project's uses internal to the site”*

**Comment:** This statement and Figure II-28 entitled 'Conceptual Walkability Plan' imply that ample pedestrian connections are afforded from Owensmouth Avenue to the main pedestrian spaces internal to the site. Paths are shown to be traversing surface parking lots and the first floor of the parking structure. Provide more design information regarding the paths. A more direct path, less uncontrolled intermixing of vehicle and pedestrian, brightly lit parking structure paths, landscape separations on the paths through the parking areas and a general reinforcement of the concepts presented need to take place before the statement quoted here could be thought of as accurate.

8. **Page 14, Item 4.D** *“the project would provide a minimum 15-foot-wide landscape setback...along the project's Victory and Owensmouth frontages.”*

**Comment:** The Warner Center Specific Plan requires a setback of 25' along these frontages. A request for exception to this is not included in the list of requests listed in Part II, "Project Description", of this DEIR. The controversy associated with these frontages that has occurred would warrant this request being made clearer. Also, it would seem that consideration of a denial of this request seems warranted considering the concerns about the 450'-long wall and the screening required for the member-only fuel station. Also, Owensmouth is actually required by the Specific Plan to have a 40-foot setback unless the uses are deemed Pedestrian Serving. If pedestrian serving, the setback can be reduced to 25 feet. The fueling station does not meet the definition of pedestrian serving uses that appears in Section 4 of the WCSP and in the Appendix E.2 entitled "Owensmouth Parkway." The area around the transit hub is allowed to have a reduced setback to 20 feet per the plan.

9. **Page 15, Item 4.E** *“dual towers would punctuate the corners of the building and which would minimize the horizontality of the building mass.....”*

**Comment:** The towers at the corners would punctuate the corners only. An additional tower located in between these two would minimize the horizontality of the facade that is over 400 feet long!

10. **Page 17, item 4.H.** *“Trucks would exit...south on Owensmouth Avenue, west on Erwin Street...”*

**Comment:** The haul route is directed down the streets where multifamily uses occur. Revise the route if possible to avoid these areas.

**11. Page 19, Item I.** *“The approvals required by the City of Los Angeles...Such hearings are anticipated to include...”*

**Comment:** Add “a Woodland Hills Warner Center Neighborhood Council hearing”

**12. Page 21, Item 5.** *“A two story 41,480 square-foot office building is located at 6351 Owensmouth Avenue.”*

**Comment:** A representative of the applicant stated at a presentation to the Citizen's Advisory Committee for the Warner Center Specific Plan on October 18, 2010 that this building would be renovated. It was confirmed by the applicant's representative in that meeting, as part of this Project, this building's exterior would be re-clad to better fit with the overall project's aesthetic.

**13. Page 31, Item 9.A.a.(1)(b)2.** *““The project would be substantially consistent with the visual resources and urban design policies of the General Plan Framework, and the Canoga Park-Winnetka-Woodland Hills- West Hills Community Plan and the Warner Center Specific Plan.”*

**Comment:** Some important Issues with regard to the Warner Center Specific Plan and the Draft Commercial Design Guidelines are not being met.

#### **1. Warner Center Specific Plan**

- a. **The Owensmouth Parkway** - The Specific Plan states that along Owensmouth *“activities and spaces...should be street oriented rather than internally focused within a development.”*

**Comment:** The member-only fueling station is contrary to this premise.

- b. **Minimum Setbacks** - The minimum setback along Victory Boulevard is 25'and Erwin is 40' from the property line.

**Comment:** These setbacks should be adhered to.

- c. **Parking Landscape**- Trees are required every 4 parking spaces.

**Comment:** More trees in the surface parking along Topanga Canyon should be included to meet this requirement.

#### **2. Draft Commercial Design Guidelines state:**

- a. *“Place drive through elements away from primary site corners and adjacent private streets.”*

**Comment:** The member-only fueling station is contrary to this premise.

- b. *“Ensure that commercial ground floor uses provide clear and unobstructed windows...”*

**Comment:** The Anchor Retailer wall along Victory Boulevard does not meet this guideline.

- c. *“Where alternatives to surface parking lots are not feasible, locate parking lots at the interior of the block, not at corner locations. Reserve corner locations for buildings.”*

**Comment:** Although the surface parking lot is located at the interior of the site, the Member-Only Fueling Station does not meet the intent of this guideline.

- d. *“Wrap parking structures with active uses such as retail or housing units on the ground floor.”*

**Comment:** The large parking structure located along Westfield Way does not meet this guideline.

- e. *“Place public use areas such as restaurant seating, reception and waiting areas, lobbies and retail, along street-facing walls where they are visible to the passerby.”*

**Comment:** The east half of the project lacks these characteristics.

**14. Page 34, Item 9.B.b.(3)(b) “Cumulative Impacts”**

**Comment:** All cumulative impact sections of this DEIR should consider some possible development on the Pratt and Whitney Site and the Catalina Yacht Site, as well as the New Warner Center Specific Plan EIR and the Pierce College Master Plan EIR. Reasonable assumptions could be made for these still pending sites similar to some of the Related Projects that have been used in this DEIR to date.

**15. Page 52 and 53, Item 9.C.a.(3) “Each UST would be constructed of double walled construction...would be placed 16 feet bgs...In the northeast corner of the project site... ground water was encountered in exploratory borings at approximately 17 to 18 feet bgs.”**

**Comment:** New borings should be taken in the next two months now that a rainy season has occurred. The borings should be located precisely where the tanks are proposed to be installed. Double walling of tanks and leak detection systems will be included. However, if it is determined because of the borings that the tanks are actually going to be placed in the water table, then reconsideration of tank placement or even reconsideration of the proposed Fueling Station use within the project in general should take place. Because of the Core Finding that would point to a lack of need for this use, the environmental risks are that much more unjustified.

**16. Page 47, Item 9.B.c.(2) “.....designing a majority of the project....to achieve the Silver rating under the.....LEED Rating System.....with the exception of the Anchor Retailer achieving a LEED certification.”**

**Comment:** As part of the LEED Certification, the surface parking and the roofs of all buildings should have SRI's meeting LEED point requirements. Pervious concrete should be used wherever possible.

17. **Page 45, Item 9.B.a.(4)** “...and changing transportation and land use patterns to reduce auto dependence. The project has incorporated project design features that would advance these objectives.”

**Comment:** Providing a 20 pump member-only fueling station with queuing capacities of up to 62 cars (eighty two cars total), with their engines running, seems contrary to these objectives, especially the reduction of auto dependence. Proposing an anchor retailer whose sales are concentrated on bulk packaging also discourages use of mass transit and encourages auto use. The amount of ample parking and the fueling station offering fuel at below market prices further encourages this negative behavior. The project should be re-evaluated to meet the statement being presented in the DEIR.

18. **Page 62, Item 9.E.a.(1)(a)** “the project would provide adequate and well designed parking facilities.”

**Comment:** Façades of the parking garage have not been presented. Façades should be designed to use elements of the other buildings on the site. No walkway and landscaping seems to be included in the plan on the west side of the structure. Active uses at the ground floor of the parking garage facing Westfield Way would better contribute to the overall pedestrian theme being stated as the intent for this project and better meet the City of Los Angeles Commercial Design Guidelines and the Proposed Draft WC Specific Plan. The east and west façades are 850’ feet long. Deep and wide recessed areas in the east and west façades are suggested where pedestrian paths and vehicle entries occur. These recesses will serve to break up the façade and the overall mass of the building.

Surface parking occurs that separates Owensmouth Avenue from the rest of the project. Adjust the layout of this surface parking to allow the pedestrian to be encouraged to use an obvious, convenient, pleasant and safe path. Reduce the amount of driveways crossing this pedestrian path.

19. **Page 64, Item 9.E.a.(1)I** “- “ the project would voluntarily be consistent with the primary goals of the Proposed Draft Specific Plan”.

**Comment:** There are parts of the project that do not meet some of the most important and primary goals of the proposed plan.

- A. “Locate parking structures that serve the development or the district underground, in a podium wrapped by habitable uses or in above ground structures with active ground floor uses along street frontages...”

**Comment:** The parking structure proposed does not meet any of these options.

- B. “Line required new, small streets with active uses wherever possible so they contribute to a pedestrian oriented street.”

**Comment:** Westfield Way, the main new private street, between the retail buildings and the parking structure does not meet this requirement. The retail buildings ‘back’ on to this street and no part of the parking structure is activated. This is what has been referred to as a pedestrian dead zone.

- C. *"Neighborhood retail is encouraged and should be visibly concentrated at primary-street corners, internal street corners, or facing onto public-private open spaces or paseos."*

**Comment:** The gas station is located at a primary corner and conflicts with the intent of this part of the proposed plan. The intent is to use corners as emphasis points, not to create voids in massing, use and activation at these locations.

- D. *"Provide wall openings i.e. store front windows and doors, on at least 60% of a buildings street level façade below a height of ten feet."*

**Comment:** The anchor store is up against Victory Boulevard with a wall that is over 400 feet long. The entire façade has 0% storefront windows and/or doors. This is in direct conflict to the plan's intent.

- E. *"Use clear glass for wall openings along all street level façades for maximum transparency, especially in conjunction with retail uses. Dark tinted, reflective or opaque glazing is not permitted for any required wall opening along street level façades."*

**Comment:** Since the anchor store façade does not meet the opening requirements within ten feet of grade, it obviously does not meet this requirement.

- F. *"Locate loading docks, electrical transformers, mechanical and other equipment so that they are not in the setback, or visible from a public or required private street..."*

**Comment:** Other Costco's, the current proposed Anchor Retailer, were surveyed and it was found that box bailers, and the broken down boxes, pallet storage, trash enclosures, and other storage happens outside. Since the current design of the project has all façades of this Anchor Retailer being visible to the public (there is no back side), these functions need to occur in the interior of the building or in an enclosure with a roof to meet the intent of this statement in the proposed Specific Plan. The recycling of batteries and tires needs to be addressed as well.

**20. Page 65, Item 9.E.a.(1)(e)** *"The project would comply with a majority of the principal's presented in the City's Walkability Checklist"*

**Comment:** In general, the west portion of the site plan meets these requirements and the east portion does not (the big box anchor retail store, the fueling station, the surface parking lot and the large parking structure).

- A. *"Enhance pedestrian comfort and safety by providing views into buildings and beyond the street wall."*

**Comment:** The anchor retailer along Victory and the retail spaces along Westfield Way do not meet this.

- B. *“At corners, the building frontage should consider building cutoffs in response to any need to accommodate pedestrians and to protect pedestrian safety, security and enjoyment. “*

**Comment:** Provide these cutoffs at the retail buildings along Westfield Way. The other corners have them. Also if recessed entrances to the garage are introduced as previously mentioned, the cutoffs should be provided there as well.

- C. *“In non-residential uses, most (i.e.75%) of the ground floor building façade should be devoted to pedestrian entrances, pedestrian-level display windows and/or pedestrian-level windows affording views into and out of the building interior.”*

**Comment:** This is not being met in the current façade proposal along Victory Boulevard.

- D. *“When pedestrians have to determine their own path through driveways and parking lots, confusion and conflicts between pedestrians and motorists will result.”*

**Comment:** The pedestrian paths being presented through the surface parking and parking structures from Owensmouth, including the bus stop, to the center core of the project do not meet this requirement as previously stated in other comments.

- E. *“Prevent auto-pedestrian conflicts”*

**Comment:** There are numerous uncontrolled conflicts occurring in the surface parking lot. Mitigations are possible, but to date the applicant has not shown any intent to adjust their plans.

- F. *“Where incorporated, mid-block passageways or paseos should be active, visually interesting, and safe places, and include features such as furniture, various textures, various architectural features, public art, information kiosks displays, pedestrian level lighting.”*

**Comment:** This is accommodated in many parts of the plan. Westfield Way totally misses the intent of this statement between the parking structure and the ‘back’ of the retail buildings as currently presented.

- G. *“The primary entrance for pedestrians should be at grade level from a public way and be easily accessible to transit stops.”*

**Comment:** The anchor retailer is oriented inward toward the private streets. It back faces the public way. This has been discussed. Also, the backs of retail face Westfield Way.

**21. Page 70-** *“Much of the supplied parking for the project would be centrally located within the City block that includes the project site and integrated with the new uses, and thus would not be*

*highly visible from the major thoroughfares of Topanga Canyon Boulevard and Victory Boulevards.”*

**Comment:** Only 2 story buildings separate the parking structure from the boulevards indicates that the statement is incorrect. In Phase 1, the grade plus 1 level parking structure proposed would eliminate this visual concern. In Phase II, the taller structures become an issue where the height should be minimized as much as possible and the design of the façades become critically important.

- 22. Page 71, Item 9.E.a.(2)(c)** *“In addition design elements would screen the member-only fueling station within the northeast portion of the project site from adjacent uses.”*

**Comment:** The fueling station canopies will be very tall and thus more quantity, taller and denser landscaping needs to be proposed. Propose more mature trees that are evergreen. Also, use as many of the large existing trees to guarantee the screening as needed at this location if deemed appropriate and if evergreen. The screening should be visually successful at the time of occupancy of Phase I of the project.

- 23. Page 71, Item 9.E.a.(2)(c)** *“Such improvements would create an active pedestrian friendly environment.”*

**Comment:** The improvements proposed are landscape architecture features that will visually improve the experience of driving through the area. However it's the lack of active uses and penetrations into the site along these paths that will cause the street to be inactive. The transit stops are the only real reason to use these streets based on the current plan. Locate active uses along these streets to make your statement true or if this is not feasible at least create better connectivity to the transit stops and revise this statement to better reflect what will be achieved.

- 24. Page 71, Item 9.E.a.(2)(e)** *“...the project would not substantially or adversely change the existing relationship between on- and off-site land uses and properties, ...”*

**Comment:** The footprint of the Anchor Retailer and its position along Victory Boulevard will be the longest wall that is that close to the street in all of Warner Center and, in fact, in all of Woodland Hills.

- 25. Page 118 and 119, Item 9.H.(c).(2)(b)** *“Mitigation Measures 19..., 22..., 23...” and “26...” and any others.*

**Comment:** - These mitigations seem to be tentative at best. Under the conditions that these mitigations or any other ones are not undertaken, what happens? What are the options? Are in lieu fees paid? If so, to where — the Warner Center Trust Fund? Should other contingency improvements be studied and included to insure real mitigation is achieved?

- 26. Page 118 and 119, Item 9.H.(c).(2)(b)** *“Mitigation Measure H-18”*

**Comment:** The closeness of the traffic signals that already exist on Topanga Canyon Boulevard and Ventura Boulevard, Clarendon and Burbank Boulevard have already been stated by the Department of Transportation as being too close to each other and that there is no solution to the backups that currently occur due to the existing configuration. Adding another traffic light should not be approved by DOT. Thus other mitigations should be explored.



**27. Page 148, Item D.3** “... locate an anchor retailer at the project site in a high visibility location to a public street to contribute to the initial draw for shoppers to visit the project and explore its diversity of uses.”

**Comment:** The assumption could be that the way the project is currently shown is the only way to meet this important project objective. This seems to be an exaggerated solution to providing the Anchor Tenant with visibility. This layout makes the Anchor retailer the most predominant, closest and biggest element in the entire neighborhood.

**28. Page 148, Item D.6** “Provide readily accessible and easily identifiable centrally located retail and parking facilities with shared parking, serving synergistic commercial uses...in order to provide visitors with easy and convenient retail, business, and destination experiences and encourage return visits.”

**Comment:** Sharing parking between synergistic uses should be encouraged. However sharing parking between Costco customers with oversized grocery carts and oversized parking spaces with the type of retailer and restaurants appropriate for a mixed use lifestyle development will not encourage return visits. The Anchor Retail customer will want to dominate the lower levels of the parking structure and the surface parking. The other retail and restaurant customers will be frustrated with this. Provide an explanation as to how all of this will be controlled. Also, will this really be shared parking in the final analysis?

**29. Page 154, Figure II-6**

**Comment:** The following are comments on the Conceptual Site Plan:

- A. The most northern site access along Topanga and along Owensmouth and the most eastern site access along Victory seem too close to the adjacent intersections. Please justify this.
- B. Can an urban space be provided that faces Topanga to guarantee activation of the side of the project facing toward the community? This would also provide relief to the alignment of the façades along the boulevard as well.
- C. The parking structure façade is too long. Provide one or two deep recesses to break up this buildings length. Provide cutoffs at these recesses. Provide activated space at the ground floor at the primary entrance to the parking garage (from Topanga) on the west side.
- D. The other façades of the Anchor retailer need to be presented and have a similar level of design as the façade along Victory.
- E. The parking garage façades need to be presented.

**30. Page 159, Figure II-11**

**Comment:** This rendering shows opportunities for supergraphics and/or billboard elements. Signage needs to be worked out in more detail. Provide the necessary qualification statements in this DEIR that make these elements tentative and based on further discussions with City Planning and the community.

**31. Page 171, Figure II-17**

**Comment:** Provide a full build-out of the street elements in Phase 1 to mitigate the potential lack of completion in the southern half of the site should the Proposed Phase 2 schedule elongate or never happen. Provide for a deadline for Phase 2 ground breaking before trees would need to be planted per the Warner Center Specific Plan in the surface parking lot. Also, because of the extensive phasing work proposed at the parking structure, present a Phase I façade and a Phase II façade in this DEIR.

**32. Page 176, Item E.5 “...surface parking areas would include large canopy trees...”**

**Comment:** Provide the size of the large canopy trees at the time of planting. This is a statement that implies a commitment to the community and the city but is too broad in its content.

**33. Page 184, Figure II-28 and Page 185, Figure II-29.**

**Comment:** The pedestrian paths and multi-use trails through the surface parking and parking structures are not sufficiently defined, safe, defensible, have too many uncontrolled vehicular conflicts. There is no good connection to the bus stop on Owensmouth. The natural path from Owensmouth is not being recognized and designed for. There are pedestrian dead zones all over this site plan and, if not eliminated, could at least be mitigated more (on Westfield Way, along Owensmouth, along Victory, and through the large surface parking lot).

**34. Page 914, Item V.2 – “However, as 40 percent pass-by users would utilize the fueling station....”**

**Comment:** This statement would indicate that 40% of those passing by are Costco members, who would be able to use the facility. Without any back up data, the statement is questionable. Furthermore Costco officials have stated that it is not their plan to post gas prices and attempt to attract passing motorists. A statement is put forth that the internal location of the fueling station would increase the opportunities for vehicular and pedestrian conflicts. Since no alternate is included, this statement is not substantiated. The current Proposed Project has many potential conflict issues including the closeness of the ingress and egress for the fueling station to the intersection of Owensmouth and Victory. Also, conflicts exist in the Proposed Project caused by the fuel trucks blocking a vehicular circulation route on the east side of the Anchor retailer when filling the underground tanks is occurring.