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Environmental Impact Report

**Los Robles Comprehensive  
Cancer Center / 355 West  
Janss Road General Plan  
Amendment and Zone  
Change Project**

**State Clearinghouse No. 2023040287**

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**MARCH 26, 2024**

*Prepared for:*

**CITY OF THOUSAND OAKS,  
COMMUNITY DEVELOPMENT DEPARTMENT**

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# 1 Introduction

In accordance with the California Environmental Quality Act Guidelines (CEQA Guidelines) Section 15088, the City of Thousand Oaks, as the lead agency, has evaluated the comments received on the Los Robles Comprehensive Cancer Center (Cancer Center) and the 355 West Janss Road General Plan Amendment and Zone Change (Janss Road) Project (collectively the “Project”) Draft Environmental Impact Report (Draft EIR). The Draft EIR for the proposed Project was distributed to potential responsible and trustee agencies, interested groups, and organizations. The Draft EIR was made available for public review and comment for a period of 45 days. The public review period for the Draft EIR established by the CEQA Guidelines commenced on December 22, 2023, and ended on February 5, 2024.

The Final EIR consists of the following components:

- Section 1.0 – Introduction;
- Section 2.0 – Response to Comments;
- Section 3.0 – Errata
- Section 4.0 – Mitigation Monitoring and Reporting Program; and
- Section 5.0 – CEQA Findings of Fact

Due to its length, the text of the Draft EIR is not included with this document; however, it is included by reference in this Final EIR. None of the corrections or clarifications to the Draft EIR identified in this document constitutes “significant new information” pursuant to CEQA Guidelines Section 15088.5. As a result, recirculation of the Draft EIR is not required.

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## 2 Response to Comments

This chapter of the Final Environmental Impact Report (EIR) for the Los Robles Comprehensive Cancer Center (Cancer Center) and the 355 West Janss Road General Plan Amendment and Zone Change (Janss Road) Project (collectively the “Project”) includes a summary of all comment letters that were submitted during the public review period for the Draft EIR, along with responses to comments in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15088. Copies of all comment letters that were submitted during the public review period for the Draft EIR are in Appendix A. The 45-day review period for the Draft EIR began on December 22, 2023, and ended on February 5, 2024.

The responses amplify or clarify information provided in the Draft EIR and/or refer the reader to the appropriate place in the document where the requested information can be found. Comments that are not directly related to environmental issues (e.g., opinions on the merits of the Project unrelated to its environmental impacts) are noted for the record. Where text changes in the Draft EIR are warranted based on comments received which are related to the Project’s impact to the environment, updated Project information, or other information provided by City staff, those changes are noted in the response to comment and the reader is directed to Chapter 2, Changes to the Draft EIR, of this Final EIR.

These changes to the analysis contained in the Draft EIR represent only minor clarifications/amplifications and do not constitute significant new information. In accordance with CEQA Guidelines Section 15088.5, recirculation of the Draft EIR is not required.

All written comments on the Draft EIR are listed in Table 2-1. All comment letters received on the Draft EIR have been coded with a number to facilitate identification and tracking. The comment letters were reviewed and divided into individual comments, with each comment containing a single theme, issue, or concern. Individual comments and the responses to them were assigned corresponding numbers (e.g., 1-1, 1-2, 1-3). To aid readers and commenters, electronically bracketed comment letters have been reproduced in this document and are included as Appendix A; the corresponding responses are provided below. The interested parties listed in Table 2-1 submitted letters during the public review period for the Draft EIR.

**Table 2-1. Comments Received on the Draft EIR**

Comment Letter	Commenter	Date
<b>Agencies</b>		
A1	California Department of Transportation (Caltrans)	January 30, 2024
<b>Organizations</b>		
O1	Rolling Oaks Property Owners Association	January 1, 2024
<b>Individuals</b>		
I1	Geoff Tasker	December 23, 2023
I2	Lynn Burdick	January 4, 2024
I3	Dorothy Davis	January 4, 2024
I4	Barbara Ballenger	January 4, 2024
I5	Charlotte and Hock Hwan	January 4, 2024
I6	Bryan McQueeney	January 4, 2024

**Table 2-1. Comments Received on the Draft EIR**

Comment Letter	Commenter	Date
I7	Julie Milligan	January 8, 2024
I8	David Ganser	January 9, 2024
I9	Rob Marcarelli	January 11, 2024
I10	Laszlo Kupan	January 11, 2024
I11	Max Sluiter	January 12, 2024
I12	Dana Miller	January 23, 2024
I13	Lynn Burdick	January 30, 2024
I14	David Ganser	February 1, 2024
I15	Rob Marcarelli	February 1, 2024
I16	Kim Zussman	February 1, 2024
I17	Mike and Teri Nicholls	February 2, 2024
I18	Lisa DiLallo	February 5, 2024
I19	Bryan and Elena Radosavcev	February 5, 2024
I20	Susan Gulbrandsen	February 5, 2024
I21	Bryan McQueeney and Gloria Hamblin	February 5, 2024
I22	Barbara Ballenger	February 5, 2024
I23	Karen Martin	February 5, 2024

In the interest of providing a comprehensive response, and avoiding duplication, where multiple comments have addressed the same issue, a Master Response has been prepared. These Master Responses are provided below, followed by the comment letters and the responses to individual comments. Where appropriate throughout the responses to individual comments, readers are directed to the appropriate Master Response(s).

## Master Responses

### Master Response 1: Time Extension

Numerous comments were received requesting that the public review period for the Draft EIR be extended beyond the provided 45-day period. As these comments were received, the City responded directly to each commenter to let them know that the City received and considered the request to extend the comment period for the Draft EIR. The City deems that the noticed 45-day public comment period to be consistent with the California Environmental Quality Act (CEQA) required timeframes and is a sufficient timeframe to review and provide meaningful comments on the Draft EIR (Section 15105(a) of the CEQA Guidelines requires that DEIRs are circulated a minimum of 30 days, unless state agency review is required in which case the review period must be 45 days). Consequently, the 45-day public review period remained as advertised (beginning December 22, 2023, and ending at 5:00 pm on February 5, 2024).

### Master Response 2: Rejection of 2016 Oakmont Project

Multiple comments have been received that discuss the City Council's denial of the Oakmont assisted living project in 2016. In particular, many commentors have questioned why the Council would consider the proposed Project when the Council denied the Oakmont assisted living project in 2016. The Oakmont assisted living project and the Cancer Center project are different from one another (development statistics, operational characteristics, and years evaluated), consequently, the analysis provided for the Oakmont assisted living project is not directly applicable to the Cancer Center project. In addition, the City has an obligation to consider any application properly filed with it and conduct appropriate review, analysis and processing as appropriate. The comment is noted and will, as with all comments received regarding this Project's Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in this Project's Draft EIR. No further response is required.

### Master Response 3: Zoning

#### Zone Swap, Spot Zoning & "No Net Loss" of Residential Capacity

Many comments questioned the validity of the "zone swap" element of the Project, stating that the rezoning of the two properties does not meet the intent or requirements of California Government Code Section 65863 – ("Housing element inventory to accommodate share of regional housing need; reduction in residential density").

Several comments asserted that the Project proposes an action that amounts to "spot zoning." Spot zoning is a term that describes the process of singling out a small parcel of land for a use classification totally different from the use of the surrounding area for the benefit of the owner of such property and to the detriment of other owners.

Such comments are related to the land use planning of the Project sites and are not related to the technical environmental analysis or conclusion of the Draft EIR. The comments are noted and comments regarding spot zoning do not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required as it relates to the Project's impact on the environment; however, the following response is provided as the change in General Plan land use designation and the associated zoning is fundamental to the Project.

## Senate Bill 330/No Net Loss of Residential Capacity

As described in the Draft EIR, the Housing Crisis Act of 2019 (HCA), or Senate Bill (SB) 330, was passed by the California Legislature in October 2019 to help address California's housing shortage. The HCA included amendments to the State's Housing Accountability Act (HAA), Planning and Zoning Law, and Permit Streamlining Act, setting new provisions statewide for the review and approval of housing development projects by local jurisdictions.

Among other requirements, the HCA generally prohibits local jurisdictions from "downzoning" or reducing the residential development capacity of a site where housing is currently an allowed use. Specifically, Government Code Section 66300(b)(1)(A) precludes a local jurisdiction from changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property that would individually or cumulatively reduce the site's residential development capacity below what was allowed under planning and zoning regulations as they existed on January 1, 2018. The HCA provides two exceptions from this downzoning prohibition: when a jurisdiction obtains approval of a proposed housing moratorium ordinance from the State's Department of Housing and Community Development (HCD) (Government Code Section 66300(b)(1)(B)(ii)), or when a jurisdiction concurrently changes the development standards, policies, and conditions applicable to another parcel or parcels within the jurisdiction to ensure that there is no net loss in residential capacity for the jurisdiction (Government Code Section 66300(h)). The City utilized the second exception on July 5, 2022, when the City Council approved the Applicant's request to initiate a General Plan Amendment to change the land use categories for both the site at 400 East Rolling Oaks Drive and 355 West Janss Road as well as authorized concurrent processing of legislative actions and project entitlements for the proposed project located at 400 East Rolling Oaks Drive.

To allow the development of the Cancer Center component of the Project, the Cancer Center site's General Plan land use designation is proposed to be changed from Neighborhood Very Low to Commercial Neighborhood, and its zoning designation is proposed to be changed from Rural-Exclusive (R-E-1AC) to Commercial Office/Height Overlay (C-O/C-O-H). As described in the Draft EIR, these proposed changes will reduce the residential development capacity of the Cancer Center site by nine dwelling units, triggering the application of the HCA's no net loss provision. The City is complying with the requirements of HCA by concurrently changing the development standards, policies, and conditions applicable for the Cancer Center site's downzoning to another parcel to ensure no net loss of residential development capacity occurs in the City.

The Applicant owns the 355 West Janss Road site, which is currently subject to a General Plan land use designation of Institutional and a zoning designation of Public, Quasi-public, and institutional Lands and Facilities. To accommodate the nine-unit reduction in residential development capacity associated with the General Plan and zoning designation changes proposed for the Cancer Center site and achieve compliance with the HCA, the Applicant proposes to change the Janss Road site's General Plan designation to Neighborhood Low 1 and its zoning designation to Residential Planned Development, maximum 4.5 dwelling units per acre. As described in the Draft EIR, the new General Plan and zoning designations for the Janss Road site would establish a residential development capacity of nine dwelling units at this property.

**Table 2-2. Current and Proposed Residential Capacity**

	Address	Area <sup>1</sup>	Current Designation	Current Residential Capacity	Proposed Designation	Proposed Residential Capacity
<i>Sending/ Project Property</i>	400 East Rolling Oaks Drive	4.74 Acres	Neighborhood Very Low (1-2 Units/Acre)	9 Units	Commercial Neighborhood	None
<i>Receiving Property</i>	355 West Janss Road	2.145 Acres	Institutional	None	Neighborhood Low (2-4.5 Units/Acre)	9 Units

As shown in Table 2-2, the applicant is satisfying the no net loss provision by offsetting the loss of the residential capacity at 400 East Rolling Oaks by changing the Institutional designation at 355 West Janss Road to a residential designation. From a density perspective, the 400 East Rolling Oaks site would accommodate 9 units (4.74 acres x 2 units per acre = 9.48 or 9 units, rounding down), whereas the identified site at the Los Robles Hospital, which is the receiving site of the density transfer, would accommodate 9 units (2.145 acres x 4.5 units per acre = 9.6525 or 9 units, rounding down). Table 2-2 demonstrates the density transfer and land use designation changes the current residential capacity at the sending site is 9 residential units, and the proposed residential capacity at the receiving property is 9 residential units. This results in no net loss to residential development capacity.

Multiple Draft EIR public comments were received regarding the Project’s compliance with the HCA, including comments implying that because the development of the Janss Road site with new housing units was not imminently foreseeable, the proposed concurrent downzoning/upzoning effort was not consistent with the HCA. However, the HCA’s no net loss requirement regarding residential development capacity is just that – the preservation of a jurisdiction’s capacity to accommodate housing development. The provision of the HCA under Government Code Section 66300 does not require the development of new housing units in connection with a concurrent downzoning/upzoning process to maintain residential capacity; it simply requires that a jurisdiction maintain the same overall capacity to develop housing as that which existed on January 1, 2018. As demonstrated by the Draft EIR, the proposed General Plan and zoning designation changes for the Janss Road parcel will directly offset the reduction in residential development capacity at the Cancer Center site, thereby achieving no net loss in capacity.

Although a specific housing project is not required by SB330 or any other State law to be proposed at the Janss Road site at this time, the Draft EIR nevertheless conservatively analyzed and disclosed the foreseeable potential environmental impacts of a nine-unit future residential development at that location. Environmental analysis of a potential residential development at the Janss Road site at this early stage is consistent with CEQA’s requirements to study the potential for foreseeable impacts at the earliest possible opportunity.

A part of this legislation established a “no net loss” provision. The no net loss requirement prohibits cities from reducing the intensity of residential use permitted for a given site or zone unless the city *replaces* the lost residential capacity elsewhere. The City will comply with this requirement by the rezoning of the two parcels. SB 330 does not compel any property owner to immediately initiate a project on property rezoned. City’s action will ensure the capacity for residential units remains the same.

<sup>1</sup> 2045 General Plan: Dwelling Units Per Acre (DU/AC): The term density is used for residential uses and refers to the population and development capacity of residential land. Density within the General Plan is described in terms of dwelling units per gross acre of land (du/ac), which consists of total land area, including areas dedicated for future public uses, such as infrastructure facilities, parks, streets and rights-of-way. Existing streets, whether dedicated right-of-way or in easement are not included in gross acre of land.

## Master Response 4: Project Objectives & Alternatives

Some comments questioned the Project objectives presented in the Draft EIR and proposed revisions to the objectives. CEQA Guidelines Section 15124(b) requires an EIR to include a statement of objectives sought by and written by the project applicant. The objectives assist the lead agency in developing a reasonable range of alternatives to be evaluated in the EIR as well as aid decision makers in preparing Findings of Fact and a Statement of Overriding Considerations, if necessary. During the preparation of the EIR, project alternatives are developed based on reducing or eliminating significant environmental impacts while meeting project objectives to a varying degree.

Many comments expressed support for Alternative 2 (Comprehensive Cancer Center at Janss Road Site) and urged the City decisionmakers to require the development of the project as described in Alternative #2 as the environmentally superior alternative. To assist both the public and the decisionmakers with considering the Project Objectives and Alternative 2, the following narrative is to be added to Alternative 2.

Multiple Draft EIR public comments were received regarding the proposed location of the Cancer Center component of the Project, including multiple comments recommending that alternate locations be pursued for the Cancer Center, including in proximity to other medical facilities operated by the Applicant.

As stated in the Draft EIR, Objective 1 of the Project (copied below) describes the beneficial scope of consolidated functions that would be provided by the proposed Cancer Center and acknowledges the critical importance of locating the proposed Cancer Center adjacent to the existing Thousand Oaks Surgical Hospital (TOSH).

- **Objective 1:** Provide a state-of-the-art cancer center that consolidates various cancer services, cancer medical equipment, and patient service-related functions within a single comprehensive cancer treatment facility located adjacent to the existing Thousand Oaks Surgical Hospital (TOSH) to allow for improved patient convenience, efficiency, and quality of care.

Currently, essential cancer treatment and medical functions are located at various disparate locations throughout the City of Thousand Oaks, which causes significant patient inconvenience and stress, resulting in suboptimal quality of care. The Comprehensive Cancer Center would consolidate multiple oncology and medical related functions in a single campus. The single consolidated facility will include patient rooms, treatment services, office area for staff and physicians, conference/consultation rooms, educational areas, lounge and general storage and utility spaces. Specifically, the consolidated services would include, but are not limited to, radiation oncology, medical oncology, surgical oncology, radiology and imaging services, as well as patient-centric services including a nurse navigator, genetic counseling, emotional counseling, financial support, and immune therapy. By providing this expansive scope of services within a dedicated Cancer Center, the opportunity is created for cancer patient and family discussions to be held with the patient's entire care team, as opposed to traditional appointments that are fragmented with respect to both time and location (e.g., attending separate doctor's appointments, infusion appointments, chemotherapy appointments, etc.), leading to less efficient care delivery.

Furthermore, the proposed Cancer Center's location adjacent to the TOSH will directly facilitate the effective provision of these services. Many cancer patients currently receive non-surgical services at multiple locations across the Conejo Valley but elect to have their surgical procedures performed at TOSH, in recognition of the facility's ease of access and navigation, which helps provide a restorative environment for patients. The Cancer Center also will only be open during the day, and oncology patient surgical procedures sometimes require an overnight stay. By locating the Cancer Center adjacent to TOSH, which accommodates overnight outpatient surgical procedures, the above-described efficiencies in cancer care delivery can be enhanced even further, by reducing travel for patients between their receipt of non-surgical care and the performance of surgical procedures.

Additionally, TOSH's lack of an emergency room and associated provision of high acuity care is ideal for cancer patients with compromised immune systems, who benefit from not being in close proximity to patients with active infections. Furthermore, due in large part to its lack of an emergency room, ambulance traffic to and from TOSH is very limited, which helps further establish a calm and restorative environment for cancer patients, who benefit from a quiet and tranquil, healing environment.

Thus, the Project site on Rolling Oaks Drive was selected in large part due to its strategic location adjacent to the TOSH. Unlike the full service and far more active and complex Los Robles Hospital, TOSH provides the ideal location for these overnight oncology related procedures because it is a controlled and quiet environment. Accordingly, the level of acuity at TOSH is similar to and compatible with the Comprehensive Cancer Center, providing inherent synergies between the two campuses. Locating the Cancer Center in such close proximity to TOSH will offer a significant benefit and convenience to cancer patients as well as the medical professionals who are anticipated to actively utilize both facilities.

While Los Robles owns other property, locating the Cancer Center next to the main Los Robles hospital would not provide the same quiet and convenient location for overnight procedures given increased activity, ambulances and emergency treatment services that occur at the hospital campus. The success of the Project is therefore largely dependent on the relationship and compatibility of the Comprehensive Cancer Center's daytime focused services and treatment coupled with the quiet and controlled option for the outpatient surgical procedures (including overnight outpatient stays) performed at TOSH.

Accordingly, as reflected by Objective 1, the proposed location of the Cancer Center in proximity to TOSH is a fundamental component of the Project, and critical to its success.

## Master Response 5: Traffic, Safety, and Parking

Several comments discussed the existing traffic patterns around the Project site and questioned how the Project would affect safety for pedestrians, bicyclists, and motorists in the area. The Project site, like all projects proposed within the City, is required to comply with existing City requirements related to roadway characteristics. Also, all projects are required to comply with the roadway widths, turning radii, and other requirement from the fire department to ensure adequate emergency access on the project site. The City is unaware of any particular safety concerns near the Project site that could potentially be affected by the Project.

Some comments also stated that the Draft EIR's less-than-significant impact conclusion regarding transportation impacts should be more thoroughly investigated in light of existing hazards. The City maintains that the analysis of transportation impacts as presented in Section 4.11, Transportation, of the Draft EIR is adequate for addressing concerns about pedestrian and vehicle safety. In particular, Impact 4.11-A evaluates the consistency of the Project with local plans, including those related to pedestrian facilities. Impact 4.11-C evaluates the potential for Project design features to create hazards in the area and concludes that the project would result in a less-than-significant impact.

The comment states that there are no mitigation measures provided in the Draft EIR that address parking or traffic associated with the proposed project. Under CEQA, parking adequacy is not considered an environmental effect. Rather, parking requirements and adequacy are determined by the local jurisdiction.

Moreover, CEQA no longer recognizes traffic delay or congestion, typically measured as level of service (LOS), as an environmental effect on the environment. The CEQA Guidelines state that an analysis of vehicle miles traveled (VMT) is the most appropriate measure of transportation impacts. The EIR analysis finds that the project would not have a significant effect on VMT. Accordingly, additional VMT reductions are not required.

Requests for off-site traffic control devices such as additional signage and/or striping, go beyond the scope of the CEQA analysis and will be evaluated as part of the City’s administrative review process. Furthermore, the City’s Active Transportation Plan (ATP) serves as the City’s “blueprint” for budgeting and planning for future bicycle and pedestrian facilities. The ATP determines and prioritizes future bike and pedestrian improvements as funding becomes available. No further response is required.

## Master Response 6: Building Size & Height

Several comments were received regarding the size of the proposed cancer center building relative to the size of adjacent buildings and buildings that are not located next to the cancer center. Several comments refer to the ~50,000 square-foot Thousand Oaks Surgical Hospital at 401 Rolling Oaks without acknowledging the adjacent ~40,000 square-foot medical office building at 415 Rolling Oaks are collectively viewed together as one ~90,000 square-foot structure.

These comments did not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR.

For purposes of transparency, the following information is to be added to Section 4.1 Aesthetics Impact Analysis C – Cancer Center Site to demonstrate that statistically, the proposed building’s shape (rectangle), stories (2 stories), height (23 feet 5 inches to 44 feet 2 inches), and size (58,412) are similar to and compatible with the nearby medical office buildings to the north and northwest and the apartments to the west as shown in Table 2-3.

**Table 2-3. Proposed & Adjacent Development Compatibility**

Address	Shape	Stories	Height	Size
400 Rolling Oaks (Proposed)	Rectangle	2 stories	23 feet 5 inches to 44 feet 2 inches	~58,412 SF
425 Haaland Drive (Building A)	Rectangle	2 stories + Subterranean Garage	31 feet (exposed height) 42 feet (garage)	~40,000 SF
375 Rolling Oaks (Building C)	Rectangle	2 stories + Subterranean Garage	31 feet (exposed height) 42 feet (garage)	~40,000 SF
325 Rolling Oaks (Building E)	Rectangle	2 stories + Subterranean Garage	31 feet (exposed height) 41 feet (garage)	~30,000 SF
351 Rolling Oaks (Building D)	Rectangle	2 stories + Subterranean Garage	31 feet (exposed height) 41 feet (garage)	~35,000 SF
401 Rolling Oaks (Building A-1) TOSH 415 Rolling Oaks (Building B) MOB	Rectangle	2 stories + basement – TOSH 2 stories – Medical Office Building + Subterranean Garage	47 (exposed height) 59 feet (basement) 40 feet (exposed height) 52 feet (garage)	~50,000 SF ~40,000 SF
300 Rolling Oaks (Los Robles Apartments)	Rectangle	2 to 3 stories	20 to 35 feet	262 units

The height of the building is measured from the existing grade or the finished grade, whichever is less. The site will be graded and the finished grade will be set into existing grade between approximately 0 to 10 feet and additional fill will be placed on the south side of the building resulting in the building appearing to be 16-feet shorter as viewed from the south elevation compared to other elevations. When viewing the building's elevations as tucked into the existing grade, the proposed building height will be similar to the existing apartments to the west and similar to or less than the medical office buildings to the north.

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**DEPARTMENT OF TRANSPORTATION**

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*Making Conservation  
a California Way of Life*

January 30, 2024

Scott Kolwitz  
City of Thousand Oaks  
2100 Thousand Oaks Blvd.  
Thousand Oaks, CA 91362

Comment Letter A1

RE: Los Robles Comprehensive Cancer  
Center and the 355 West Janss Road  
General Plan Amendment and Zone  
Change Project Draft Environmental  
Impact Report (DEIR)  
SCH # 2023040287  
Vic. VEN-Multiple  
GTS # 07-VEN-2023-00577

Dear Scott Kolwitz:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced DEIR. The Project consists of two components: (1) redevelopment of the 4.92-acre site off Rolling Oaks Drive as a comprehensive cancer center medical building (Cancer Center); and (2) a concurrent request for a General Plan Amendment and zone change at the 355 West Janss Road site to ensure no net loss of residential zoning capacity from approval of the comprehensive cancer center (Janss Road). The City of Thousand Oaks is the Lead Agency under the California Environmental Quality Act (CEQA).

A1-1

Regional access to the Cancer Center site is provided via U.S. Route 101, which is located 0.2 miles north of the site. Regional access to the Janss Road site is provided via U.S. Route 101, located 1.55 miles south of the site. After reviewing the DEIR, Caltrans has the following comments:

According to the DEIR, based on the City's threshold of significance, the Cancer Center is not projected to have a significant impact as the Project's vehicle miles travelled (VMT) per capita does not exceed the Citywide average VMT per employee. Thus, the proposed Project would result in less-than-significant transportation impacts. Similarly, the Janss Road Project is not projected to have a significant impact as the Project's VMT per capita does not exceed the Citywide average VMT per resident. Thus, the proposed Project would result in less-than-significant transportation impacts. Given the less than significant findings, Caltrans concurs transportation safety impacts would be less than significant. However, Caltrans highly recommends a post-development VMT analysis (after one year

A1-2

A1-3

*"Provide a safe and reliable transportation network that serves all people  
and respects the environment."*

Scott Kolwitz  
January 30, 2024  
Page 2 of 2

of project operation) for monitoring/validation purpose and for future project thresholds in the area. Additional Transportation Demand Management (TDM) strategies should be implemented when the post-development VMT analysis discloses any traffic significant impact.

We encourage the Lead Agency to evaluate the potential of TDM strategies and Intelligent Transportation System (ITS) applications to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements, such as reduced parking supply without spillover of parking into the surrounding neighborhood; and, TDM promotions and marketing to provide information on public transit and any related incentives, flexible work schedules and telecommuting programs, pedestrian and bicycle amenities provided, rideshare/carpool/vanpool programs, and parking incentives.

For additional TDM options, please refer to the Federal Highway Administration's Integrating Demand Management into the Transportation Planning Process: A Desk Reference (Chapter 8). This reference is available online at:

<https://ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf>

As a reminder, any transportation of heavy construction equipment and/or materials which requires use of oversized-transport vehicles on State Highways will need a Caltrans transportation permit. Caltrans recommends that the Project limit construction traffic to off-peak periods to minimize the potential impact on State facilities. If construction traffic is expected to cause issues on any State facilities, please submit a construction traffic control plan detailing these issues for Caltrans' review.

If you have any questions, please feel free to contact Karen Herrera, the project coordinator, at [Karen.Herrera@dot.ca.gov](mailto:Karen.Herrera@dot.ca.gov) and refer to GTS # 07-VEN-2023-00577.

Sincerely,

*Frances Duong*

FRANCES DUONG  
ACTING LDR/CEQA Branch Chief

cc: State Clearinghouse

A1-3  
cont.

A1-4

A1-5

*"Provide a safe and reliable transportation network that serves all people  
and respects the environment."*

## Response to Comment Letter A1

California Department of Transportation  
Frances Duong, Acting LDR/CEQA Branch Chief  
January 30, 2024

- A1-1** The comment consists of an introductory statement and correctly summarizes the Project description as analyzed in the Draft EIR. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No response is required.
- A1-2** The comment states Caltrans' concurrence with the less-than-significant conclusion regarding transportation safety impacts. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis in the Draft EIR. No response is required.
- A1-3** The comment states that Caltrans recommends a post-development vehicle miles traveled (VMT) analysis for monitoring/validation purposes, and that additional transportation demand management (TDM) strategies should be implemented should the post-development analysis indicate any significant impacts. The City has reviewed and acknowledges the comment for future consideration. However, the Project has been evaluated for compliance with existing policies and ordinances. The Caltrans suggestions go beyond the scope of the CEQA analysis. No response is required.
- A1-4** The comment encourages TDM strategies and Intelligent Transportation System (ITS) applications to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements. The Caltrans suggestions are noted as relevant to Citywide policy and go beyond the review of the Los Robles Comprehensive Cancer Center Project. Furthermore, the VMT Analysis determined that the project does not have a significant impact to VMT. Accordingly, additional VMT reductions are not required.
- A1-5** The commenter indicates that any transportation of heavy construction equipment and/or materials which requires use of oversized-transport vehicles on State Highways would require a Caltrans transportation permit. Caltrans recommends that the project limit construction traffic to off-peak periods and that a construction traffic control plan be submitted if construction traffic is expected to cause issues on any State facilities.

The comment is acknowledged. The project would require various permits to physically construct the project beyond the entitlements referenced. Any applicable implementation permits would be obtained, where required.

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Rolling Oaks Property Owners Association  
Mail: c/o Wes Myers, President  
157 Rimrock Road  
Thousand Oaks CA 91361

Comment Letter O1

Via Electronic Mail

February 2, 2024

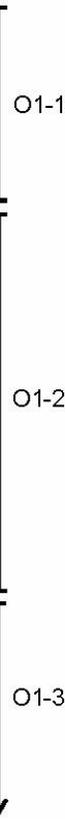
Mr. Scott Kolwitz Senior Planner  
City of Thousand Oaks  
2100 Thousand Oaks Blvd.

RE: HCA/Los Robles Comprehensive Cancer Center Project at 400 E. Rolling Oaks and 355 W. Janss Road – Draft EIR Comments

Dear Mr. Kolwitz,

The Rolling Oaks Property Owners Association (“ROPOA”) is the unincorporated residential neighborhood adjacent to the proposed development above. Our membership represents approximately 49 parcels immediately to the east of this proposed project. Our membership has reviewed the Draft EIR for the same and has the following comments:

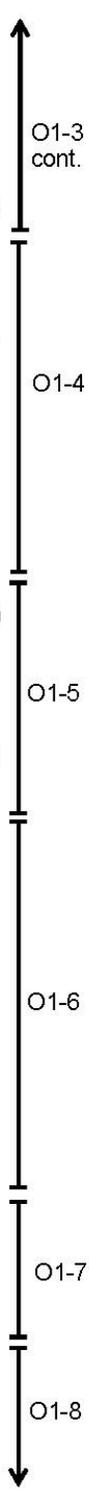
- 1) **The Draft EIR does not address the fact that the community and the Council have already addressed incompatibility of zone changes on this project site.** In 2016, the community rallied in great numbers in opposition to a smaller commercial project with shorter buildings and far less parking at this location. The Council listened and voted 4 – 1 against introducing such a large commercial element into a residential neighborhood. As a reminder, the prior proposal for this site was for a 70,000 square foot Assisted Living Facility that was 26.5’ tall and had only 40 parking spaces. The draft EIR proposal while slightly smaller at 58,000 square feet would be much taller (40’) and proposes considerably more parking (240 spaces). A review into that 2016 proposal and reasoning behind its ultimate denial would refute several assumptions outlined in this Draft EIR.
- 2) **This entire project relies on a fraudulent “zone swap.”** The zone swap as proposed does not comply with the intent or requirements of Government Code 65863. This Draft EIR assumes a “swap” in the zoning of an approximately 2 acre commercial parking lot for nearly 5 acres of residential property. The applicant, HCA, has said it has no intent to build residential units on the Janss Road parcel. When asked by ROPOA members at the



single informational meeting provided by HCA if would they accept a bona fide offer to sell the two acres at 355 W. Janss Road to a developer to build residential units, the HCA COO Matt Cova said that they would never consider such a project. The intent of Government Code 65863 is not to lose residential “capacity” within a jurisdiction. Even if HCA changed their position and decided to provide residential housing along Janss Road in exchange for rezoning the Rolling Oaks parcel, the Draft EIR did not explain how approximately 2 acres could provide the same residential capacity as 5 acres, unless the 2 acre site was upzoned to a 4.5 dwelling unit per acre Residential Planned Development (RPD). The city has many allowable designations and this was merely an arbitrary selection to meet the unit count without discussing the alternative of up-zoning of the residential parcels on Rolling Oaks drive, or how it would even ADD to the residential capacity of the city in a compatible manner... This logic is not an “apples-to-apples” analysis. In addition, the Draft EIR even admitted that “it would be speculative to assume the type of housing, mix, size of units, building footprint and/or overall design that would be developed on Janss Road as part of this EIR” (3-9) but yet the Draft EIR was able to find that the impact to “Population and Housing” (Section 2.5.2) as a result of this proposal would not be significant. If this Draft EIR cannot determine the type, size, mix, or location of replacement housing units, how can it make an objective finding that the impact of this proposal would not be significant on Population and Housing?

**3) Alternative #2: The applicant has itself identified the perfect location for this project on 355 W. Janss Road.** HCA owns the land, HCA has a hospital immediately adjacent to the same, the neighborhood is accustomed to hospital and medical operations there, this site is not within the viewshed of any designated Scenic Corridors, there would be fewer environmental impacts, and the existing zoning along with the city’s General Plan anticipates the use. The proposed 58,000 sq/ft footprint fits easily on a 2-acre site with underground parking while respecting adjoining building heights and allowing more residential capacity to be developed on the Rolling Oaks Parcel. The city has recent precedents where underground parking is used to ensure any development is compatible with adjoining uses.

**4) The Draft EIR is fatally flawed in its conception and its details.** In Section 3.3, the Draft EIR defines success under Objective #1 as “...patient service-related functions within a single comprehensive cancer treatment facility located adjacent to the existing Thousand Oaks Surgical Center (TOSH) to allow for improved patient convenience, efficiency and quality of care.” By the Draft EIR’s definition, if any alternative is not “adjacent” to the existing surgical center, it fails this Objective. The Draft EIR then proceeds to reject every alternative because they fail the applicants proximity requirements per that Objective. This is circular logic and not a true analysis of this



proposal’s impact on the community and does not give logical cadence to Alternative #2.

When planners fail to remind the city council of essential legislative history, when arbitrary up-zoning can be presented as solution to meet housing deficiencies caused by a proposed project, and when project success is only defined in terms of building proximity, we are reminded that we have been told by HCA that this is a “done deal.” We hope not.

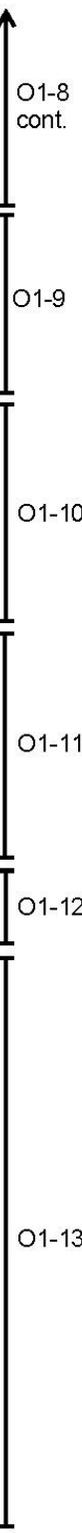
ROPOA is NOT opposed to a comprehensive cancer center. We do, however, want this project to be located on a compatibly zoned parcel where the impact on housing in this community is truly mitigated. Our members have lost loved ones to cancer, our members have cancer and are undergoing treatment right now. This is not a cancer question. There are existing alternatives and there are alternative locations. This is a classic question of compatibility of use.

ROPOA believes that the inconsistencies and disingenuous nature of this proposal is worse than what was proposed for the site in 2016. We believe the elected officials in Thousand Oaks properly concluded at the time that removing this parcel from residential service was an incompatible use... And that was before the recent push for State oversight and land use policies on the local level. The re-zoning of this proposal and requirement for up-zoning is a bad precedent for the city and does not meet the spirit of State legislation, nor past local ordinances (Thousand Oaks Measure E in 1996 was very similar). The Draft EIR tiptoes around the fact that this is a proposal to put an incompatible commercial use into an area that ultimately removes a net 3 acres of already impacted residential capacity. This proposal does not pass the “sniff” test of our members and it exposes our community to State oversight risks that are not outweighed by potential benefits to the city.

Sincerely,

  
Wes Myers, President ROPOA

- CC: Tim McGrath – Vice President, ROPOA
- Bryan McQueeney – Treasurer, ROPOA
- Supervisor Gorell – County of Ventura District 2
- Mayor Adam
- Mayor Pro Tem Newman
- Councilmember Engler
- Councilmember McNamee
- Councilmember Taylor



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## Response to Comment Letter O1

Rolling Oaks Property Owners Association "ROPOA"  
Wes Myers, President ROPOA  
January 1, 2024

- 01-1** The comment introduces the organization. The comment is introductory in nature and does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis in the Draft EIR. No response is required.
- 01-2** The comment urges the City to reject the Project for the same reasons the City rejected the Oakmont project in 2016. Please see Master Response 2: Rejection of 2016 Oakmont Project.
- 01-3** The comment claims that the Project's proposed zone swap does not comply with the law. Please see Master Response 3: Zoning.
- 01-4** The comment states that the Draft EIR did not explain how 2 acres could provide the same residential capacity as 5 acres. Please see Master Response 3: Zoning.
- 01-5** The comment questions how the Draft EIR could conclude less-than-significant impacts would occur related to Population and Housing (Section 2.5.2, Environmental Effects Found Not To Be Significant, of the Draft EIR) while not making assumptions about the type, size, mix, and design of the potential residential development that could be built on the Janss Road Site if the Project is approved. Section 2.5.2 of the Draft EIR includes a summary of "Environmental Effects Found Not to Be Significant" while Section 5.5, Population and Housing, includes induced population growth analytics to determine that the Project is consistent with demographic and economic data projected for the area. Additionally, Section 5.5 identifies that the Project would not result in the actual displacement of existing persons as the Project sites do not contain any existing residential units. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- 01-6** The comment states that Alternative #2 is the perfect location for the cancer center. Please see Master Response 4: Project Objectives & Alternatives.
- 01-7** The comment states that the Draft EIR is flawed but does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. Please see Master Response 4: Project Objectives & Alternatives.
- 01-8** The comment states that Objective #1 is not logical. Please see Master Response 4: Project Objectives & Alternatives.
- 01-9** The comment questions why essential legislative history has not been proved, if the zone change is arbitrary, and states that Project success is only defined in terms of building proximity. Please see Master Response 3: Zoning and Master Response 4: Project Objectives & Alternatives.
- 01-10** The comment states that the organization does not oppose a cancer center, but wants to see it on a compatibly-zoned parcel. Compatibility is considered throughout the DEIR (i.e., Section 4.1 Aesthetics, Section 4.9 Noise, and Section 4.11 Transportation). The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No response is required.

- 01-11** The comment expresses the opinion against the proposed rezoning for the Project. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No response is required.
- 01-12** The comment states that the Project would put an incompatible commercial use into an area that ultimately removes 3 acres of net residential capacity. Please see Response to Comment 01-10 and Master Response 3: Zoning.
- 01-13** The comment closes the letter and does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No response is required.

**Scott Kolwitz**

**From:** Geoff Tasker <g.tasker@roadrunner.com>  
**Sent:** Saturday, December 23, 2023 5:00 PM  
**To:** Community Development Department  
**Cc:** Scott Kolwitz  
**Subject:** Re: Notice of Availability of a Draft EIR for the for the Los Robles Comprehensive Cancer Center and the 355 West Janss Road General Plan Amendment and Zone Change Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Some people who received this message don't often get email from g.tasker@roadrunner.com. [Learn why this is important](#)  
**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: Scott Kolwitz  
Fr: Geoff Tasker  
Re: Resident's Concerns!

**Comment Letter I1**

Hi Scott,

As resident of the community for the past 24 years, I feel an uneasiness with regards to HCA's proposal to switch the Janss & Lynn corner from commercial property to residential and in the process to switch Rolling Oaks & Los Padres corner to commercial from residential.

If this were 'rational' it would clearly represent the 'self-interest' of our residents as well as HCA. Unfortunately, it is 'non-rational' because it does not represent either HCA's self-interest, nor that of the residents.

The corner of Janss & Lynn roads is the ideal setting for a cancer center. The facility would be ideally sitting on a commercially zoned property and part and parcel of a hospital complex; note the configuration of the Cedar's Sinai hospital where our family has experienced their care for organ transplants and cancer treatment.

Rolling Oaks & Los Padres corner is a residential zone with heavily impacted traffic and overpopulation for the area. If the apartment complex did not occupy such a large area with endless cars jammed into every inch of available parking in the designated private parking spaces on the property, it could be a possibility to consider the corner for the cancer center.

However, as outpatients in the TOSH facility, as well as outpatients in the other medical facilities in the various buildings adjacent to TOSH, we find the available parking both private lots and street parking a real problem. The area is severely impacted. A cancer center on the corner would further impact and make it impossible for outpatients to be able to park and arrive at their designated doctor appointments on time. We could 'Uber' however.

In addition, the recent expose on the 79 year old Gentleman that died under Los Robles Hospital care after suffering a stroke; his family is now settling a \$30 million law suit with HCA which as reported was suppose to be kept secret from public knowledge. The concern for residents is, understanding that HCA acquiring the Los Robles Hospital would have to begin cuts in care to bring the budget into balance and profitability.



However, for those of us facing potential hospital confinements in our future, we are very wary of finding ourselves in a similar position as the 79 year old gentleman. If bureaucratic government exists for the protection of its citizens, then let's address the real threats to our community by not over populating, over regulating and covering up shoddy healthcare toward our elderly citizens just to cut costs and increase profits.

↑  
I1-3  
cont.

The Planning Commission should recommend to City Council that HCA should build their 'Cancer Center' at the Janss & Lynn Roads corner where it fits into the proper location. Leave Rolling Oaks & Los Padres corner as residential zoning, so we don't create hardships for all concerned.

I1-4

Sincerely,  
Geoff Tasker

Sent from my iPhone

On Dec 21, 2023, at 3:44 PM, Community Development Department  
<CommunityDevelopment@toaks.org> wrote:

Hello,

Attached is the Notice of Availability of a  
<image002.png>  
[Draft EIR](#) for the for the Los Robles Comprehensive Cancer Center and the 355 West Janss Road General Plan Amendment and Zone Change Project. You are receiving this email because you requested to be on the list of interested parties. Please direct any questions to Scott Kolwitz, Senior Planner, at [skolwitz@toaks.org](mailto:skolwitz@toaks.org) or you may call him at (805) 449-2319.

Thank you,

Community Development Department  
[City of Thousand Oaks](#)  
(805) 449-2500  
<image001.png>

*New User Fees go into effect July 1, 2023. Applications submitted **with minimum application requirements** by June 30, 2023, will be subject to current fees. Applications invoiced on or after July 1, 2023, will be subject to new fees. Click [HERE](#) to view.*

<NOA\_Cancer Center-Janss Rd DEIR\_Dec 2023\_Long Form\_FINAL (signed).pdf>

## Response to Comment Letter I1

Geoff Tasker  
December 23, 2023

- I1-1** The comment expresses concerns relating to the proposed re-zoning of the two sites and states the corner of Janss & Lynn Roads is the ideal setting for a cancer center. Please see Master Response 3: Zoning and Master Response 4: Project Objectives & Alternatives.
- I1-2** The comment expresses concern about existing traffic and parking and states that the Project would further impact parking. Please see Master Response 5: Traffic, Safety, and Parking.
- I1-3** The comment is related to health care and budgets. Under CEQA, social effects such as those on the health care system or government budgets are not considered to be a significant effect on the environment. The focus is on the physical changes to the environment. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No response is required.
- I1-4** The comment recommends that the City should approve the Project at the Janss Road site. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. Please see Master Response 3: Zoning and Master Response 4: Project Objectives & Alternatives. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

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**Scott Kolwitz**

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**From:** Lynn Burdick <lpburdick@gmail.com>  
**Sent:** Thursday, January 4, 2024 12:52 PM  
**To:** Scott Kolwitz  
**Subject:** Request to Extend Deadline for 400 E. Rolling Oaks EIR Review to March 1, 2024

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment Letter I2

You don't often get email from lpburdick@gmail.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Scott,

I'm on page 100 of the main EIR document. I've been reading it and making notes since yesterday. There are thousands of pages to review as a lay person.

This would help me and my neighbors tremendously to learn and respond with thoughtful comments.

Please let me know if the extension is granted.

Thank you,  
Lynn Burdick  
324 Los Padres Dr, Thousand Oaks, CA 91361  
805-402-4733

I2-1

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## **Response to Comment Letter I2**

Lynn Burdick  
January 4, 2024

- I2-1** The comment requests an extension to the Draft EIR public review period. Please see Master Response 1: Time Extension.

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**Scott Kolwitz**

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**From:** Dorothy Davis <dadavis204@gmail.com>  
**Sent:** Thursday, January 4, 2024 12:54 PM  
**To:** Scott Kolwitz  
**Cc:** Gary E. Davis  
**Subject:** Extension Request

Comment Letter I3

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

You don't often get email from dadavis204@gmail.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Scott,

Please consider extend the date for the 400 E. Rolling Oaks Proposal EIR review to March 1, 2024  
*Dorothy*

I3-1

---

Dorothy A. Davis  
Co-Editor  
The Photographer's Frame—Visual Essays  
Parks Stewardship Forum  
<https://parks.berkeley.edu/psf>

204 Los Padres Drive  
Westlake Village, CA 91361-1333  
805.497.7652

Email: [dadavis204@gmail.com](mailto:dadavis204@gmail.com)  
Website: <https://gedapix.fotomerchant.com/>  
Instagram: @gedapix

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## **Response to Comment Letter I3**

Dorothy Davis  
January 4, 2024

- I3-1** The comment requests an extension to the Draft EIR public review period. Please see Master Response 1: Time Extension.

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**Scott Kolwitz**

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**From:** Barbara Ballenger <baballenger1@gmail.com>  
**Sent:** Thursday, January 4, 2024 1:04 PM  
**To:** Scott Kolwitz  
**Subject:** Please extend EIR comment period to March 1, 2024

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment Letter I4

You don't often get email from baballenger1@gmail.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Scott Kolwitz,

I received notice of the completed EIR on 400 Rolling Oaks Dr during the Christmas holidays. I was overwhelmed at the length of the report and at the complexity of the language. This will take quite a long time to read and even longer to digest and consider responses.

I therefore request that you extend the comment period to March 1, 2024. This construction, which is requiring a zoning change that decreases housing allotments, deserves a serious study and corresponding response.

Please extend the comment period for the EIR on 400 Rolling Oaks Dr, the proposed HCA Cancer Center, until March 1, 2024.

Thank you,

Barbara A Ballenger  
336 Los Padres Dr  
Thousand Oaks, CA 91361

I4-1

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## **Response to Comment Letter I4**

**Barbara Ballenger**  
**January 4, 2024**

- I4-1** The comment requests an extension to the Draft EIR public review period. Please see Master Response 1: Time Extension.

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**Scott Kolwitz**

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**From:** Charlotte Hwan <asiasluckymom@msn.com>  
**Sent:** Thursday, January 4, 2024 1:33 PM  
**To:** Scott Kolwitz  
**Subject:** HCA Healthcare America EIR Environmental Impact Report - Request for Extension

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment Letter I5

You don't often get email from asiasluckymom@msn.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon, Mr. Kolwitz.

I understand the EIR was released on December 22, 2023. Thank you for the report, however I hope that it is possible to extend the due date of February 5, 2024, as several of our neighbors have not had an opportunity to read and/or review the report, due to holiday and family commitments.

I hope you can extend the due date to March 1, 2024, in order to allow our concerned neighbors sufficient time to consider and respond to it.

We appreciate your consideration and wish you a healthy new year.

Thank you.

Charlotte and Hock Hwan  
252 Los Padres Drive  
Thousand Oaks

I5-1

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## **Response to Comment Letter I5**

Charlotte and Hock Hwan  
January 4, 2024

- I5-1** The comment requests an extension to the Draft EIR public review period. Please see Master Response 1: Time Extension.

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**Scott Kolwitz**

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**From:** Bryan McQueeney <bryan@rideon.org>  
**Sent:** Thursday, January 4, 2024 5:14 PM  
**To:** Scott Kolwitz  
**Cc:** Kelvin Parker; Andrew Powers  
**Subject:** HCA - EIR Review Extension Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment Letter I6

Some people who received this message don't often get email from bryan@rideon.org. [Learn why this is important](#)

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Dear Scott – I received the electronic version of the HCA 400 E. Rolling Oaks Drive EIR just prior to Christmas. I don't think I'm going out on a limb to say the public is not focused on EIR reviews over the Christmas holidays and the public interest would be served by extending the review for public comment accordingly. I'd like to request an extension of the review period by 30 days until March 2024.

I am unsure of the process for extending the review period so I don't know if this is your decision, the planning commission's or the Council's. Please let me know if you are not the correct person and if I need to reach out to any other individual or group to ensure this request is considered in a timely manner.

Thank you,

Bryan McQueeney,  
505 Rimrock Road, TO  
818-378-0963

I6-1

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## **Response to Comment Letter I6**

**Bryan McQueeney**  
**January 4, 2024**

- I6-1** The comment requests an extension to the Draft EIR public review period. Please see Master Response 1: Time Extension.

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**Scott Kolwitz**

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**From:** Julie Milligan <getushealthy@gmail.com>  
**Sent:** Monday, January 8, 2024 10:56 AM  
**To:** Scott Kolwitz  
**Subject:** RE: HCA Healthcare America EIR Environmental Impact Report

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment Letter 17

You don't often get email from getushealthy@gmail.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please extend the review of the HCA Healthcare America EIR Environmental Impact Report from Feb 5, 2024 to March 1, 2024.

Reason is this document is so large to review, and it is important to me as it affects the community I live in.  
Thank you

17-1

*Julie Milligan*

**805-807-3692**

[Heal your gut, heal yourself](#)



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## **Response to Comment Letter I7**

**Julie Milligan**  
**January 8, 2024**

- I7-1** The comment requests an extension to the Draft EIR public review period. Please see Master Response 1: Time Extension.

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## **Response to Comment Letter I8**

**David Ganser**  
**January 9, 2024**

- I8-1** The comment requests an extension to the Draft EIR public review period. Please see Master Response 1: Time Extension.

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**Scott Kolwitz**

**From:** Community Development Department  
**Sent:** Thursday, January 11, 2024 12:03 PM  
**To:** Scott Kolwitz  
**Subject:** FW: Notice of Availability of a Draft EIR for the for the Los Robles Comprehensive Cancer Center and the 355 West Janss Road General Plan Amendment and Zone Change Project

Comment Letter I9

**From:** Rob Marcarelli <rdm7@verizon.net>  
**Sent:** Thursday, January 11, 2024 11:44 AM  
**To:** Community Development Department <CommunityDevelopment@toaks.org>  
**Subject:** Re: Notice of Availability of a Draft EIR for the for the Los Robles Comprehensive Cancer Center and the 355 West Janss Road General Plan Amendment and Zone Change Project

You don't often get email from [rdm7@verizon.net](mailto:rdm7@verizon.net). [Learn why this is important](#)

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Scott, two questions: 1) Is the deadline fixed for comments, or will it be extended beyond Feb 1 ? 2) Will you accept comments via email on the proposal and EIR ?

Thanks

Rob

I  
19-1

On Dec 21, 2023, at 3:44 PM, Community Development Department <[CommunityDevelopment@toaks.org](mailto:CommunityDevelopment@toaks.org)> wrote:

Hello,

Attached is the Notice of Availability of a <image002.png> Draft EIR for the for the Los Robles Comprehensive Cancer Center and the 355 West Janss Road General Plan Amendment and Zone Change Project. You are receiving this email because you requested to be on the list of interested parties. Please direct any questions to Scott Kolwitz, Senior Planner, [atskolwitz@toaks.org](mailto:atskolwitz@toaks.org) or you may call him at (805) 449-2319.

Thank you,

Community Development Department  
[City of Thousand Oaks](#)  
(805) 449-2500  
<image001.png>

*New User Fees go into effect July 1, 2023. Applications submitted **with minimum application requirements** by June 30, 2023, will be subject to current fees. Applications invoiced on or after July 1, 2023, will be subject to new fees. Click [HERE](#) to view.*

<NOA\_Cancer Center-Janss Rd DEIR\_Dec 2023\_Long Form\_FINAL (signed).pdf>

## **Response to Comment Letter I9**

**Rob Marcarelli**  
**January 11, 2024**

**I9-1** The comment requests an extension to the Draft EIR public review period. Please see Master Response 1: Time Extension

As stated on Page 2-14 of the Draft EIR, both written and emailed public comments were accepted during the comment period.

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Comment Letter I10

**Scott Kolwitz**

**From:** Laszlo Kupan <laszlo@kupan.co>  
**Sent:** Thursday, January 11, 2024 12:52 PM  
**To:** Scott Kolwitz  
**Cc:** laszlo@kupan.co  
**Subject:** Re: Los Robles Comprehensive Cancer Center and the 355 West Janss Road General Plan

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you for the followup. And thank you for adding me to the list of the project's interested parties. Below is the email I sent on January 5th. Feel free to contact me if you have any questions.

Best,  
 Laszlo

Amendment and Zone Change Project  
 ATTN: Scott Kolwitz, Senior Planner  
 2100 Thousand Oaks Boulevard  
 Thousand Oaks, CA 91362  
 Email: [skolwitz@toaks.org](mailto:skolwitz@toaks.org)

Scott, I am writing concerning the above referenced project. I am a resident of the Los Padres neighborhood near the project with 4 young children. While we love the neighborhood, its one glaring issue is the lack of a walkable park. This issue continues to grow for the neighborhood as more and more young families move in. We have no field or playground to go to without getting in a car.

I10-1  
 I10-2  
 I10-3  
 I10-4

We and others in the neighborhood were excited when the CRPD acquired a nearby parcel for a potential future park - Rolling Oaks Neighborhood Park ([Conejo park district buys site for \\$975K in hopes of developing it into new park \(yahoo.com\)](https://www.yahoo.com)). However, the most significant issue with the park parcel is that there is no access to either Los Padres Dr or Rolling Oaks Dr. The proposed cancer center parcel is adjacent to the park parcel, meaning it is one of two access opportunities for the park, the other being the already developed surgical center.

Per the plot plans included in the EIR, there is no access envisioned to the park parcel. While the EIR notes the future Rolling Oaks Neighborhood Park, nowhere does the EIR address the impact of development of the cancer center on the future park. This is a material deficiency in the EIR.

I strongly believe that approval of the project should be conditioned on (a) the granting of an easement to CRPD to provide future access to the park parcel from Rolling Oaks Dr and (b) a reconfiguration of the parking lot to accommodate the easement.

I ask that the Community Development Department review the EIR's omission of consideration of the impact of the cancer center on the future Rolling Oaks Neighborhood Park and consider a reduction in the impact such that access to the future Rolling Oaks Neighborhood Park is assured from Rolling Oaks Dr. or Los Padres Dr.

Thank you for your consideration.

Laszlo Kupan

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## Response to Comment Letter I10

Laszlo Kupan  
January 11, 2024

- I10-1** The comment serves as an introduction to the letter and states the commenter’s relationship to the Los Padres neighborhood which does not have a walkable park. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No response is required.
- I10-2** The comment notes that the Proposed Cancer Center Project Site is located adjacent to a future park parcel acquired by Conejo Recreation and Park District (CRPD), which does not have access to public roads. The conditions of approval for the Project require a sidewalk connection along the northern portion of 400 East Rolling Oaks Drive to the eastern property line. The potential access routes to adjacent parcels that may be developed in the future is beyond the scope of CEQA which evaluates the potential environmental impacts of a proposed project. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City’s decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I10-3** Please refer to Response to Comment I10-2 above.
- I10-4** The comment requests that approval of the Project be conditioned on the granting of an easement to CRPD to provide future access to the potential future park parcel from Rolling Oaks Drive and a reconfiguration of the Project’s parking lot to accommodate the easement. The Project has consideration for access to the future park. The City has been working with the applicant and TOSH to ensure access will be provided when CRPD is ready to construct the park. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City’s decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

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**Scott Kolwitz**

**From:** Max Sluiter <maximiliansluiter@gmail.com>  
**Sent:** Friday, January 12, 2024 1:37 PM  
**To:** Scott Kolwitz  
**Subject:** 400 East Rolling Oaks Drive Environmental Impact Report

Comment Letter I11

You don't often get email from maximiliansluiter@gmail.com. [Learn why this is important](#)

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Hello Mr. Kolwitz,

I would like to formally submit my criticisms of the proposed project at 400 East Rolling Oaks Drive, covered by project numbers 2022-70732, 2022-70587, 2022-70733, 2022-70736, and 2022-70735 by HCA Health Care - Los Robles Hospital.

I11-1  
I11-2  
I11-3  
I11-4  
I11-5  
I11-6  
I11-7

In reviewing the Environmental Impact Review I have the following concerns and I believe the project should NOT be approved.

1. HCA healthcare currently has land at 355 West Janss Road which would be a more appropriate location for a cancer treatment center, being next to the Los Robles hospital. This means there is a viable, better alternative to the proposed project which would not involve a zoning change. In multiple areas the EIR mentions that mitigation measures for environmental impacts, such as the removal of 14 protected oak trees as called out in the EIR, are seen as undesirable if the environmental disturbance can be avoided in the first place. Having a viable alternative to development on this site means that by the recommendations of the EIR, the Cancer Center should be built on the Janss Road site. The EIR mentions that this option (Alternative 2) is environmentally superior to the proposed project.
2. Neither HCA healthcare, nor any other parties have stated they have intention of developing housing on the 355 West Janss Road site, which is currently a parking lot for the hospital. This would mean there will be a loss of housing due to this zoning change, in contradiction to state mandates to create more affordable housing.
3. The Environmental Impact Report (EIR) does not address how light pollution will be controlled to prevent impacts to sensitive species such as migrating birds and nocturnal animals including cougars, which have been seen on many occasions in the neighborhood and which are suffering severely from habitat fragmentation and loss already. The existing TO Surgical Hospital buildings generate significant amounts of light pollution, to the detriment of the quality of life of residents across the arroyo on Rimrock Road. Another building of similar type will only make this problem worse.
4. As a rural area adjacent to open space habitat for birds of prey such as owls and hawks, along with bobcats, cougars, and other predators, there must be assurance that pesticides and rodenticides which would cause harm to predators (such as anticoagulants) will not be used on the property, which will include landscaping that could increase rodent populations according to the CDFW report.
5. The proposed access to the development on Los Padres Drive will increase traffic on a residential street which has limited visibility due to curves/landscape and often has moving trucks and other vehicles stopped in the road, with parked cars lining both sides from apartment dwellers. Pedestrians, including children, also frequently cross the street in this area. Increased traffic on Los Padres Drive is a safety concern, as more traffic means more chances of a collision due to limited visibility. The transportation impacts listed in the EIR are classified as "Less-than-Significant" and I believe this is underestimating the impact and should be reviewed with a more thorough investigation of these hazards.

I feel that the proposed development does not adequately meet the recommendations of the EIR, and that the EIR is incomplete (regarding light pollution). I would like to see these issues (including alternative locations) addressed before the project is allowed to proceed.

I11-8

Sincerely,

Maximilian Sluiter  
336 Los Padres Drive  
[maximiliansluiter@gmail.com](mailto:maximiliansluiter@gmail.com)  
(805)558-2937

## Response to Comment Letter I11

Max Sluiter  
January 12, 2024

- I11-1** The comment serves as an introduction to the letter. Specific concerns are addressed in the responses below.
- I11-2** The comment states that there is a viable, better alternative to the proposed project which would not involve a zoning change and that the project should be built on the Janss Road site. Please see Master Response 4: Project Objectives & Alternatives.
- I11-3** The comment states that the applicant has no intention of developing housing on the Janss Road Site, which would result in a net loss of housing. Please see Master Response 3: Zoning.
- I11-4** The comment states the DEIR does not address impacts to sensitive species/ nocturnal animals because of light pollution. Lighting was discussed in Section 4.1.4 (Aesthetics) and specifies that lighting would generally be shielded and directed downward to minimize light trespass off the property, production of visible glare from exterior light fixtures, and unnecessary illumination of the night sky, and Section 4.1-4 states that during non-occupied hours, exterior building mounted/canopy lighting and exterior parking lighting would be dimmed to 20% and 30% respectively. As discussed on pages 4.1-27 and 4.1-28 of the Draft EIR, compliance with the City's regulatory requirements for lighting and signs would ensure the Cancer Center does not result in substantial new sources of light or glare. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I11-5** The comment states that the surrounding surgical hospital buildings generate significant light pollution and that the proposed Project would contribute to said pollution. However, the comment provides no evidence for this assertion. Please see Chapter 6, Other CEQA Considerations for an analysis on cumulative impacts, including impacts related to the creation of a new source of substantial light. As stated therein, the proposed Project would not result in a cumulatively considerable impact related to lighting. No further response is required.
- I11-6** The comment requests confirmation that pesticides and rodenticides will not be used on the property as they could harm predators. The conditions of approval for the Project require preparation of a Rodent Control Plan for the project demolition phase, construction activities, and operational phase. The rodent control plan is to specify the use of anticoagulant rodenticides is to be a last option of rodent control consistent with City Council Resolution 2015-015. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I11-7** The comment expresses concerns related to pedestrian safety due to increased vehicle traffic and requests that the less-than-significant impact determination provided in the EIR be reviewed with a more thorough investigation of associated hazards. Please see Master Response 5: Traffic, Safety, and Parking.

- I11-8** The comment reiterates concerns from previous comments relating to light pollution and alternatives and requests that these issues be further addressed before the project proceeds. Please see Responses to Comments I11-2 and I11-4. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

**Scott Kolwitz**

**From:** tennis.girl@verizon.net  
**Sent:** Tuesday, January 23, 2024 11:51 AM  
**To:** Scott Kolwitz  
**Subject:** EIR at Intersection of Rolling Oaks and Los Padres Drive

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Hello,  
My name is Dana Miller and I am a longtime resident of Los Padres Drive (thirty two plus years). I am writing to you today, to express my concern over the EIR/Cancer Center proposal to be presented on 2/5.

I12-1

I want to make it know that I disagree with the Cancer Center being added to this RESIDENTIAL area, when it can just as easily be housed at the Los Robles Medical Center. This is where it belongs. I understand that there are seven offices to be consolidated in the new proposed Center. WHY? Why should Los Robles Medical Center cost savings impact our beautiful residential area, where most of us have lived for 20 to 30 years?

I12-2

The concept model shows an entrance to the proposed Center on Los Padres drive. Terrible! If this is allowed to go through, it will negatively impact all residents of Hillsborough and Carriage Square Estates.

I12-3

This Center does not belong in the residential area of Thousand Oaks. It belongs in the Los Robles Medical Center. Please listen to us when we say we are fully against this project.

I12-4

Sincerely,  
Dana Miller  
264 Los Padres Drive  
Thousand Oaks,

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## Response to Comment Letter I12

Dana Miller  
January 23, 2024

- I12-1** The comment serves as an introduction to the letter. Specific issues are discussed below. No further response is required.
- I12-2** The comment expresses disagreement with the Project’s proposed location and states it can just as easily be housed at the Los Robles Medical Center. Please see Master Response 4: Project Objectives & Alternatives. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City’s decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I12-3** The comment states that the proposed Project would negatively impact residents of Hillsborough and Carriage Square Estates but does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. Please see Master Response 5: Traffic, Safety, and Parking. No further response is required.
- I12-4** The comment reiterates disagreement with the Project location and that it belongs at the Los Robles Medical Center. Please see Master Response 4: Project Objectives & Alternatives. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City’s decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

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Comment Letter I13

February 5, 2024

**To:**  
Scott Kolwitz | Senior Planner  
Community Development Department  
2100 Thousand Oaks Boulevard  
Thousand Oaks, CA 91362  
Email: skolwitz@toaks.org

**From:**  
Lynn Burdick | Neighborhood Resident   
324 Los Padres Drive  
Thousand Oaks, CA 91361  
Email: lpburdick@gmail.com

**Cc:**  
Al Adam, Bob Engler, Kevin McNamee, David Newman, Mikey Taylor  
Requesting Council Members to please review and provide copies to your Planning Commission designees.

**Environmental Impact Report**

Los Robles Comprehensive Cancer Center and the 355 West Janss Road General Plan Amendment and Zone Change Project Draft (December 2023). Comments directly related to the EIR are below the Overall Comment section.

**OVERALL COMMENTS**

While my response is a requirement to review and provide public comment on the Draft EIR which I have done within this document.

I13-1

Overall, I feel that every reason that the community and the City Council had in rejecting the prior project (Oakmont Assisted Living) applies to this project/proposal as well. Therefore, I ask that the Planning Commission and the City Council reject HCA's request to rezone the 400 E. Rolling Oaks Drive to Commercial (C-O Medical office) and to rezone the 355 West Janss Road to Residential Planning Development (RPD-4.5U). I share this same sentiment with my neighbors and have incorporated some of their responses and concerns within my response.

I13-2

HCA has ignored the history of the 400 E. Rolling Oaks Drive site. They knew that the previous rezoning effort failed. They knew that the property is zoned residential, but they still purchased the property. They have, in essence, tied up a valuable piece of residential land, and with no intention of every building residential on any City of Thousand Oaks properties they own that are zoned residential. **The property has been zoned residential since 1969 when the Young Set Club began operating as a daycare.** The Young Set Club owned and operated the facility until it closed and

I13-3

LYNN BURDICK

1



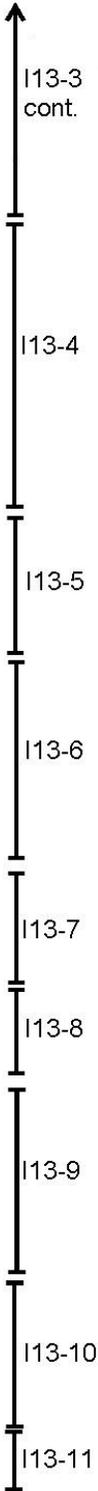
eventually sold to HCA in 2018. The daycare operated under a Special Use Permit on residentially zoned property which is permitted.

HCA has ignored our neighborhood’s attempts to share our views as indicated in letters previously submitted but totally ignored in the Draft EIR. They have demonstrated no interest in neighborhood concerns nor have shown purposeful interest in addressing those concerns. Now we have the Draft EIR as our only recourse to officially respond with our concerns. There was no effort in reaching out to the neighborhood until absolutely pushed to the wall when residents informed the Development Department of our futile efforts to get a meeting with HCA. And at the only **one** HCA meeting, HCA presented their sales pitch, not to listen carefully to the concerns. This type of behavior shows no consideration, transparency, or concern/goodwill for the neighborhood in which they want to operate their business. Even at the one meeting when asked by the neighborhood attendees if they would offer to sell the 2.15 acres that would be rezoned to a developer to build residential units, HCA’s representative stated an unequivocal “No.” They have no intentions to provide residential units, nor would it allow anyone else to build on its land to do so.

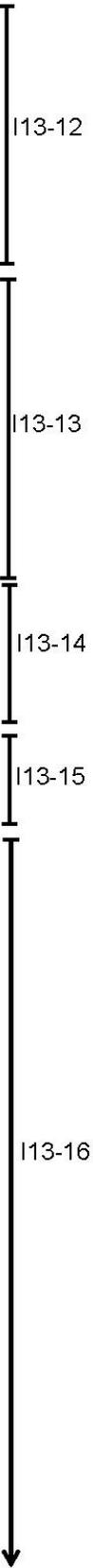
The Los Robles/HCA Healthcare (a **for profit** medical/health Tennessee based business) (HCA) is proposing to substitute a 4.92-acre Residential (R-E-1AC) zoned parcel located at 400 E. Rolling Oaks Drive to a Commercial (C-O Medical Office) zone with a 2.15-acre Public, Quasi-public and Institutional Lands and Facilities (PL) zoned parcel located at 355 West Janss Road to Residential Planning Development (RPD-4.5U).

HCA has indicated 19 times in the EIR that no specific residential development project has been proposed for the Janss Road site as part of this EIR. Therefore, if the City Council approves to rezone the Janss Road site to residential, HCA will continue to use the parcel as a needed parking lot. The proposed project specifies that the purpose of the project is to **consolidate existing** (up to 7 and in the community) medical offices/facilities to one location (i.e., a change of address only). Approval of this project would mean that the City allows for:

- The encroachment of C-O zoning into established residential neighborhood at the 400 E. Rolling Oaks Drive. The City would be setting a precedent that no residential neighborhood is safe from commercial or other non-residential zoning changes. It also sets a precedent for the practice of spot zoning which is illegal without justification and adherence to the definition of spot zoning.
- Unjustified public benefit “Spot” zoning and encroachment of residential zoning into a PL and C-O zoned location at 355 West Janss Road. Support of a shell game approach to Land Use Planning. And agree that no residential development is acceptable as part of rezoning residential land. This zone swap on which this project relies is a fraud on the people of Thousand Oaks.
- Contradict of Land Use Planning and Housing General Plan statements and strategies.



- Support proposal involving residential zoning that yields no assurance of the development of housing. Make decisions that are not in compliance with the Housing Crisis Act of 2019 and zero progress on the housing crisis.



**Previous Zoning Proposal and Request for 400 E. Rolling Oaks Drive**

Included as part of the EIR review, I am attaching the public’s response to the previous proposal to rezone the 400 E. Rolling Oaks Drive property from residential to public lands. As I have commented within this document, the City Council was presented with a proposal to rezone the property in 2016. The City Council denied the request. As a resident of the Rolling Oaks Drive neighborhood, I do not see how another request for a rezoning is different than why the City Council denied the previous proposal. The 400 E. Rolling Oaks Drive property is surrounded by residentially zoned land on three sides. And as quoted by City Council members who made the decision to deny that rezoning was incompatible with the neighborhood. I am attaching the public’s response as reference to be considered in evaluating the rezoning as well as other similar topics such as parking and traffic, building aesthetics and size. [We are raising the same and/or similar concerns with our public comments and ask that the EIR address these same and/or similar concerns with the new EIR.](#)

[What is different in this proposal from the previous proposal that anyone should consider rezoning the residentially zoned property at 400 E. Rolling Oaks to anything other than leaving it residential?](#)

(Community Representative in Opposition of / Presented to the City of Thousand Oaks Council Members / Reasons for No Zoning Change At 400 East Rolling Oaks Drive – dated February 2, 2016)

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CONEJO VALLEY

## City Council denies assisted living facility in Thousand Oaks

*By Wendy Leung of the Ventura County Star – February 10, 2016*

A proposed assisted living facility that divided Thousand Oaks neighbors was denied by the City Council on Tuesday.

On a 4-1 vote, with Mayor Joel Price as the lone supporter, the council said no to a zoning change that would have allowed Oakmont Senior Living to build a two-story, 89-bed facility for seniors.

The proposed construction at Rolling Oaks and Los Padres drives is on land zoned rural. The project needed council approval of a zone change to public and institutional land. After hearing testimony from 48 speakers, the council majority said the project is incompatible with the neighborhood.

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LYNN BURDICK 3

Councilman Andy Fox said he was concerned with how the facility would affect street parking and the neighbors' views, while Councilman Al Adam said the facility isn't compatible with the adjacent properties.

***"Is the compatibility so compelling that we should upzone it from rural exclusive to (public land)? I'm having a hard time with that," Adam (Al) said. "To me, the zone should provide and maintain a rural residential area. This is not an issue of senior housing tonight. ... By no means is this a referendum on assisted living."***

***In addition, and during the City Planning Commission meeting on the previous proposed zoning change, Planning Commissioner David Newman stated, "This is a large commercial enterprise being plopped down in a residential setting... To me, that's not consistent with the neighborhood it's in." (2016). Planning Commissioner Alexander indicated, "No. Not comfortable it's the right thing in that location." (2016) Reference the No Zoning Change – 400 East Rolling Oaks Drive 2016 document enclosed as an Addendum.***

**Size of Proposed Cancer Center Building**

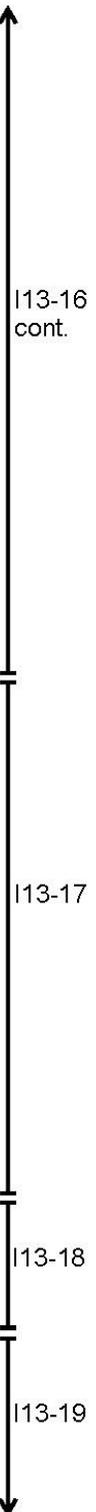
Note that the proposed building is 58,000 square feet. Across the street, the Thousand Oaks Surgical Hospital (TOSH) is only 50,000 square feet and its adjacent medical offices are only 38,042 square feet. (Reference the No Zoning Change – 400 East Rolling Oaks Drive 2016 document.) This proposed structure is even bigger than TOSH.

In comparing the proposed building with other relatively sized buildings:

Building Name	Building Size (Square Feet)
<b>Proposed Cancer Center</b>	<b>58,000</b> <i>(1/4 the size of the hospital and medical center)</i>
Thousand Oaks Surgical Hospital (TOSH) – across Rolling Oaks Drive	50,000
Medical Office Adjacent to TOSH – across Rolling Oaks Drive	38,042
White House	55,000
Los Robles Hospital & Medical Center	212,000

**This is not an issue of a Cancer Center; this is an issue of zoning.** As indicated in the EIR, there is a suitable alternative for a Cancer to be located at 355 W. Janss Road.

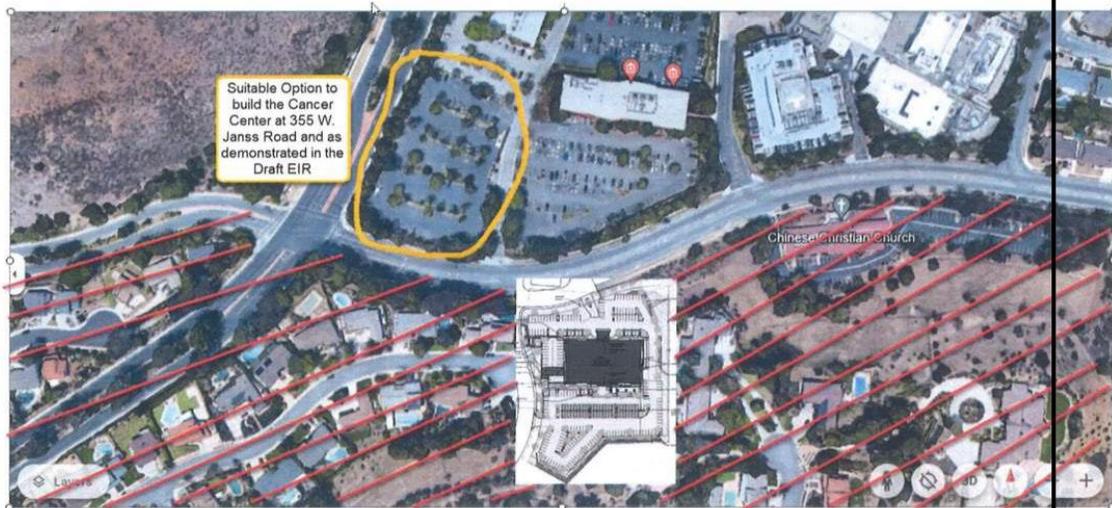
In looking at a **hypothetical comparison below**, I do not believe the City Planning and City Council would agree to a zoning change if the following was proposed, of building the Cancer Center across the street from the Janss medical offices campus and Los Robles Hospital and Medical Center. This doesn't make sense in the hypothetical commercial development across the street on Janss Road anymore that it doesn't make



sense to put it across the street from TOSH. In both cases, the Cancer Center is within a residential neighborhood.

Highlighted in yellow is a suitable option/alternative to build the Cancer Center on land that is owned by HCA and now a parking lot. This meets all the objectives of the proposal except for being near TOSH. But, with that said, there are medical offices, an outpatient surgery center, and Los Robles Hospital and Medical Center adjacent to this site. Building a Cancer Center on the medical building campus within a 1 minute walking distance and in the same parking lot area to the Los Robles SurgiCenter (2190 Lynn Road, Suite 100), as well as a 2 minute walking distance to the Los Robles Hospital and Medical Center that also includes the Los Robles Cancer Center, a full service treatment facility dedicated to cancer. Let me remind you that TOSH does not offer emergency treatment services, per their website as noted below. Patients would have to be ambulated over to the Los Robles Hospital for emergency treatment. If the proposed site was located on the 355 W. Janss site, the patient could immediately be transported within minutes, saving lives.

The proposed 58,000 square foot building, with parking, fits easily on the 2.15-acre site with underground parking while respecting adjoining building heights. As noted further into this document, there are examples of other medical buildings in Thousand Oaks with underground parking.



Red area is residential

I13-19  
cont.  
I13-20  
I13-21  
I13-22

This is the image of what HCA is proposing to do on Rolling Oaks Drive. Please explain why the City should approve Spot Zoning as has been indicated in both images.



I13-23

### ENVIRONMENTAL IMPACT REPORT COMMENTS

#### Overall

Assumptions in the EIR are not always acceptable or reasonable and can be biased. Some assumptions may be based on faulty logic (as described in my public comments), biased perspectives (HCA just wants what they want), or insufficient evidence, without factual support.

I13-24

The assumptions in the Draft EIR define success as "Objective 1:...patient service-related functions within a single comprehensive cancer treatment facility **located adjacent to the existing Thousand Oaks Surgical Hospital (TOSH)** to allow for improved patient convenience, efficiencies, and quality of care." According to the Draft EIR's definition, if any alternative is not "adjacent to the existing TOSH", it fails EIR stated #1 Objective. The Draft EIR then proceeds to reject every alternative because it failed objective #1. This is circular logic. Below you will note a revised objective list with minor changes that not only meets HCA's objectives as well, but also allows the City of Thousand Oaks to comply with the Housing Crisis Act of 2019.

I13-25

Missing from the EIR is the public **needs assessment** supporting study or evidence for the build out of a cancer center *medical office building* inside a residential neighborhood that HCA indicates is *just* the consolidation of up to 7 community existing cancer related medical offices. Same is true if this project is an expansion of HCA's medical facilities. There currently are at least 8 cancer centers within 20 minutes distance of a Thousand Oaks resident. Two are located on the Janss Road medical and hospital campus to include Los Robles Cancer Center and Coastal Radiation Oncology. These and neighboring cancer centers state that they are "World Class", "State-of-the Art", "Cutting Edge", "Commission on Cancer Recognized Program", "leading oncologists" as descriptive cancer center offerings. **Please provide the public needs assessment study or evidence to support the claims made in the EIR. What is the cause and effect? The needs assessment data is key to initiating a proposal request and thus the EIR.**

113-26

According to the *2022 Healthcare America's Annual Report*, the goal of building a facility or consolidation of multiple facilities is to "grow revenues" and "expand operations" for profit, and to "competitive position with similarly situated services." It is not uncommon for HCA to prepare a Certificate of Needs (CON) to be included as part of a proposal being decided. While California is not one of those states, understanding the motive behind the proposal is a key part of this EIR. **Please provide the details of the motive behind the proposal as reflected in the Annual Report and public needs assessment or evidence to support the claims made or not reflected in the EIR but have a direct impact as the basis for the proposal.**

Below are quotes from the Annual Report:

"Any such failure (in providing a needs assessment/analysis/study for states requiring a Certificate of Needs or CON) could, in turn, **adversely affect our ability to attract patients and physicians to our facilities and grow our revenues**, which would have an adverse effect on our results of operations."

"We currently operate health care facilities in a number of states with CON laws or that require other types of approvals for the establishment or expansion of certain facility types or services. The failure to obtain any required CON or other required approval could impair our ability to operate or expand operations."

113-27

"Our hospitals compete with specialty hospitals and with both our own and unaffiliated freestanding ASCs (Ambulatory Surgery Centers – i.e., TOSH) and other outpatient providers for market share in certain high margin services and for quality physicians and personnel. If ASCs and other outpatient providers are better able to compete in this environment than our hospitals, our hospitals may experience a decline in patient volume, and we may experience a decrease in margin, even if those patients use our providers. In states that do not require a CON or other type of approval for the purchase, construction or expansion of health care facilities or services, competition in the form of new services, facilities and capital spending is more prevalent.

Some states that have historically imposed CON or similar prior approval requirements have removed or are considering removing these requirements, which may reduce

barriers to entry and increase competition in our service areas. Changes in licensure or other regulations and recognition of new provider types or payment models could also impact our competitive position. If our competitors are better able to attract patients, make capital expenditures and maintain modern and technologically upgraded facilities and equipment, recruit physicians, expand services or obtain favorable third-party payer contracts at their facilities than our hospitals and other providers, we may experience an overall decline in patient volume. See Item 1, "Business — Competition."

I13-27  
cont.

**Proposal Objectives – Suggestive Alternative to Meet HCA Goals**

HCA owns existing compatible and correctly zoned property on Janss Road, which is indicated in the EIR as a suitable alternative, which **does meet** the HCA's objectives with small changes as italicized.

- Obj 1: Provide a state-of-the-art cancer center that consolidates various cancer services, cancer medical equipment, and patient services-related functions within a single comprehensive cancer treatment facility located adjacent to the existing ***"Los Robles Hospital and Medical Center and medical campus"*** to allow for improved patient convenience, efficiency, and quality of care.
- Obj 2: Redevelop an underutilized site ***"that is presently a parking lot"*** with a modern and attractive cancer center building that is adjacent to other medical offices, surgical hospital, and near a key transportation corridor, thereby reducing trips and providing convenience for patients.
- Obj 3: Maximize employment opportunities by entitling a cancer center that is responsive to market needs and which will add high quality jobs to the Site.
- Obj 4: Ensure the building design and massing are sensitively developed relative to the surrounding built environment and compatible with existing hillside conditions, including limiting the amount of grading and dirt export to the greatest extent possible, while still meeting the critical need to consolidate multiple patient services into a single facility.
- Obj 5: ***"Ensure that City complies with the Housing Crisis Act of 2019 with property owner assurances and guarantees that residential development is included in proposed projects on residentially zoned properties within the City. And proposed zoning changes are based on compatibility with the surrounding properties that are in adherence to the strategies set forth in the City's established General Plan."***

I13-28

**Buzzwords, Jargon, Vague, and Subjective Words**

Please provide context or supportive text to explain the buzzwords, jargon, and vague, and subjective words stated in the EIR. The EIR writers use many buzzwords, words that are ubiquitous, and have no meaning without supporting evidence. Note that this excludes abbreviated words whereby an acronym glossary has been provided. It appears the buzzwords are being used as a sales pitch, or to sway or influence the reader that something is important without telling the reader why or because of. Here

I13-29

are a few samples and throughout my comments I have asked for an explanation and supporting evidence related to the buzzwords:

- Underutilized
- Suboptimal
- State-of-the art
- Market needs
- High quality jobs
- Patient stress
- Patient inconvenience
- Burden
- Synergy
- Efficiency
- Critical need

Without the explanation of what I've asked for in my response, I cannot see how City leaders can make a "reasoned" and "educated" decision.

Please provide as part of the EIR the needs assessment study/documentation that explains why a Cancer Center should be built and why it should be built on the proposed site at Rolling Oaks Drive without using general statements such as "stress", "suboptimal quality of care", "synergy", and "efficiency." These are very subjective words without substantiation. In other words, avoid the use of a sales pitch or the generic term "we want". Provide the details of a needs assessment study that was performed and by whom. Also include exactly what person(s) (details), is causing the requirement for a Cancer Center in the first place and as well as that it be developed on the Rolling Oaks site.

**HCA's Consolidation Intention**

As the EIR states, HCA would be consolidating up to 7 locations that already exist throughout the City. This is absolutely key in understanding the motive behind the need to build a medical building in the first place and to dispel any incorrect or assumed thoughts made by readers of the EIR. Please provide the name(s), current address(es), and specialty(ies) of the proposed medical office(s)/facility(ies), identified to be moved to the Cancer Center location on Rolling Oaks Drive. Please also indicate the business relationship with HCA such as the medical professionals/staff are HCA employees or HCA is contracting with third parties (unaffiliated HCA owned and operated businesses) to use any part of the proposed Cancer Center facilities. Are the medical practices, such as the physicians and staff, tenants? Is HCA going to serve as the landlord (aka owner of the building but not the practices within)? Please explain in further detail.

What are HCA intentions as to the use of these now consolidated locations after the medical offices/facilities are moved to the Cancer Center? What are you going to do with the previous offices/facilities? Are these now vacated offices to be rented out to new tenants? What is HCA's interest in the proposed consolidations and what will be HCA's interest in the locations that remain after the move?

I see that there already exists the Los Robles Cancer Center located on the medical and Los Robles Hospital and Medical Center on Janss Road owned by HCA (See image below). How will the Los Robles Comprehensive Cancer Center proposed for at Rolling Oaks Drive be different or impacted by this proposal?

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**Project Description**

- Project Location

- o The 400 E. Rolling Oaks Drive parcel site is within an established residential neighborhood with the commercial demarcation line being Rolling Oaks Drive. To the North of Rolling Oaks Drive is Commercial zoning corridor and to the South of Rolling Oaks Drive, where the parcel is located, is residential.



113-35

- o Conversely the 355 West Janss Road site is within an established commercial and public lands hospital and medical buildings campus. The demarcation lines are Janss Road where residential housing is to the South of the parcel, and Lynn Road where residential housing is to the West of Lynn Road.

- o Explain why zoning encroachment and incompatibility is acceptable, specifically addressing the Land Use Planning section of the General Plan.

I13-36

**Residential Neighborhood/Visitor Safety**

- At the 400 E. Rolling Oaks Drive parcel site, two access points are indicated. One at the current access on Rolling Oaks Drive and the other on Los Padres Drive, a residential street in a residential neighborhood. What visual safety precautions have been evaluated as part of the proposal (not to be made after a Cancer Center has been built), whereby the access point is on a blind curve of a drive that allows traffic speed to be 35 mph? Speed has repeatedly been reported to the City’s Engineering and Traffic Department. A formal City meeting was held in 2023 to discuss this major issue. The EIR is also promoting the use of a residential street for access to a commercial building. There are currently no commercial access sites on Los Padres Drive. What mitigation is being put in place to protect the residential street of Los Padres Drive in protecting the living conditions, and quality of the neighborhood of the residential single and multi-family housing access by residents living on Los Padres Drive and off of Los Padres Drive when the EIR states that access to the Cancer Center site is on Los Padres Drive? My mitigation suggestion is lower the speed limit on Los

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Padres Drive to 25 mph. Also, I recommend that there is NO PARKING designated/allowed (and so marked with painted curbs and street signs) within 20 feet (or the safety line of site if more than 20 feet) from the entrances to the Los Padres Drive proposed site. Otherwise, my suggestive mitigation is no access on Los Padres Drive as the street is residential.

I13-40

- **Project Needs and Objectives**
  - o 14 times mentioned in the EIR is that the objective of the project is to consolidate up to 7 already existing medical office services in the community. HCA has made very vague and general statements regarding

I13-41

jobs associated with the Cancer Center site such as “responsive to market need” and “high quality jobs”. Please describe with specificity what it means by “high quality jobs”. Please describe with specificity the current prospective 7 medical facilities names, actual existing jobs, addresses, and specialty services provided that are proposed to be moved to the Cancer Center. Describe with specificity the number of actual jobs of the 40 expected employees to be assigned to this center, such as 3 receptionists, 2 office managers, # doctors and respective specialty. Describe the new jobs by title and specialty? (Note: this was mentioned approximately 14 times throughout the EIR). Please describe with specificity what HCA means by “response to market needs”. Please also describe the *benefit to Los Robles/HCA* because of this consolidation. Benefit to the patient has already been described in the EIR.

- “Currently, essential cancer treatment and medical functions are located at various disparate locations throughout the City (up to 7), which causes significant patient and family inconvenience and stress and results in suboptimal quality of care.” This statement is subjective and is without substantiation. Please provide studied evidence to support the statement. How does driving 15 minutes to one location causes stress? Please explain why current HCA medical professionals are providing suboptimal quality of care for their patients as indicated in the statement made by HCA?
- “The mission of the Cancer Center is to create an environment with all the needed services in one space to reduce the burden on patients and families.” This is a subjective statement and is without substantiation. Please provide studied evidence to support the statement. If a patient needs a mammogram, they go where their doctor directs the patient to get the mammogram. The patient does not necessarily need to use other services such as a HDR, LIN ACCE, CT SIM, radiation if all they need is a mammogram. Describe the synergy of services when in fact, it is the patient’s doctor directing the patient’s care and where the patient goes for that care. All services described at the Cancer Center would be based on referrals from the patients’ doctors. Explain the synergy that would exist if the Cancer Center were built at the Janss Road site. As indicated in the EIR many times, HCA is proposing to consolidate up to 7 existing medical offices into this one address. These medical offices already exist in the community.
- As “synergy” is used in the EIR, please explain the synergy connection between the Cancer Center and the Thousand Oaks Surgical Hospital (TOSH) which is also owned by HCA. What, if any, are synergies between the types of services offered by the Cancer Center to any surgical centers located on the Janss Road medical campus. If not, why? Note: According to the TOSH website:

## Outpatient care

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For patients not requiring [emergency care](#) or the services of the intensive care unit, we also offer [Thousand Oaks Surgical Hospital \(TOSH\)](#), an outpatient campus that services a broad spectrum of patient needs across six operating suites and one cystoscopy suite.

- [What medical services with the Cancer Center provide that are NOT already provided in Thousand Oaks and the City's surrounding area? What is new?](#)
- Objective 1 indicates "Provide a 'state-of-the-art' cancer center..." State-of-the-art means having the newest technology, ideas, and features. [Please describe in detail what is state-of-the-art about the care that does not already exist in this community and the community's surrounding area? Describe what is new and/or different as this statement is mentioned 4 times in the EIR. Is this cancer center designated with the NCI rating \(National Cancer Institute that is the highest federal rating a cancer center can achieve of which there are 10 in California+\)?](#)
- Objective 2 indicates "...cancer center building that is adjacent to other medical offices, surgical hospital...thereby reducing trips and providing convenience for patients. This is subjective. [Please explain why patients are exactly going to have a better experience at this site as compared to a cancer center being located on the Janss parcel on the medical campus and next to Los Robles Hospital and Medical Center and the Surgi Center?](#)
- Objective 3 indicates that the cancer center will add high quality jobs to the site. [Please describe in detail what new jobs will be added to the site. The EIR indicates that this site will be a consolidation of up to 7 existing medical offices. What will be new? Also, describe what will happen to the medical offices that these up to 7 locations will be doing after their tenants have moved to 400 E. Rolling Oaks Drive?](#)
- Objective 4 indicates that the building design is developed relative to the surrounding built environment. The apartment complex directly opposite the 400 E. Rolling Oaks site is 20-25 feet in height and the proposed building is in a residential neighborhood. [How is building a commercial building 20 feet taller than existing residential development sensitive to the residential neighborhood? Why should the City agree to a special waiver to allow for a commercial development to exceed the municipal code, especially under the circumstances that this is a commercial encroachment into a residential neighborhood?](#)
- Objective 5 indicates no net loss of residential zoning capacity. [If HCA has no intention of building residential on either parcel of land mentioned in this EIR, explain how the City does not lose the in the development of housing? Explain how rezoning will help the City with current housing needs when there are no guarantees, no contingencies, and statements made by HCA that no housing development other than a zoning change would occur. Explain how HCA will develop housing on the residentially](#)

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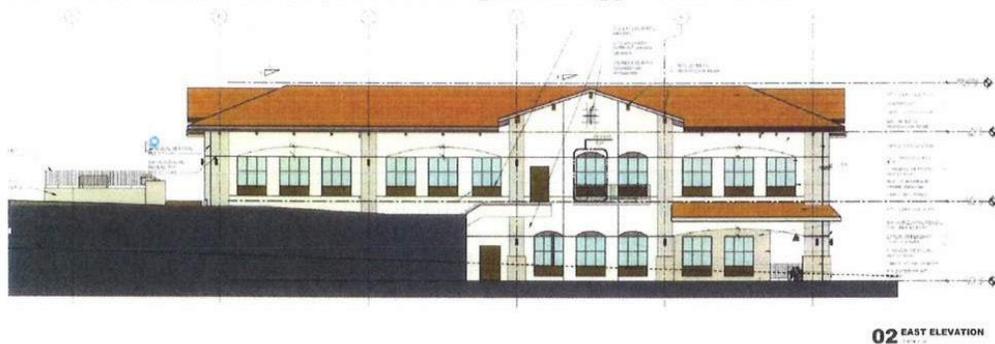
zoned properties it owns. Has HCA developed housing in the near past? If yes, please describe. Has HCA had other own properties zoned residential and what have they done with them? Explain how HCA will use its residentially zoned property to help the City benefit from new housing. The Housing Crisis Act currently extends through January 1, 2030. That is 6 years from now. What is HCA's position on building houses in the next 6 years on its residential land holdings mentioned in this EIR?

**- Project Construction**

- Please describe where personnel and work vehicles not on site will be parked, idling, ready and waiting for work. What mitigation is proposed to keep all work vehicles, including dump trucks, off the residential streets to include Los Padres Drive and any other residential street in proximity to the 400 E. Rolling Oaks site? Where are construction employees' personal vehicles to be parked?
- This is a residential neighborhood and construction noise will be significant during work hours, I am requesting that work hours be limited to a start time of 8:00AM and ending at 5:00PM, Monday through Friday. This is a concession request. Provide a valid benefit to the adjacent neighborhood that would warrant starting demolition and construction significant noise at 7:00AM and on weekends. We have children and babies living in the residential neighborhood that need to sleep and to be able to play outside. Any demolition and construction will cause excessive noise pollution and disturb the peace and quiet of the residential neighborhood. I am in complete disagreement with the proposed construction time, and I am aware that ask that measures be put into place that are more restrictive than general California law. Note there is an apartment complex with families just across the street. Single family homes are within 500 feet of the site.

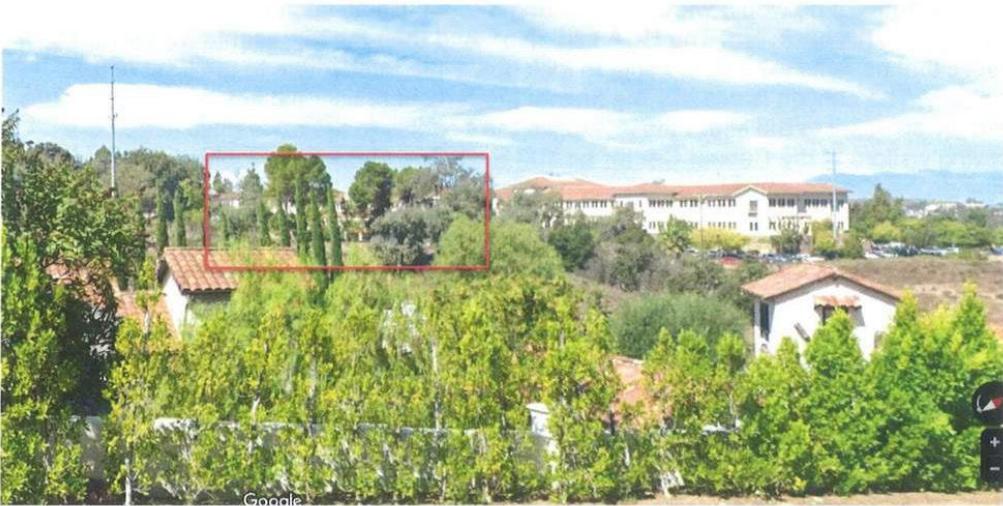
**Aesthetics – Rolling Oaks Site**

The proposed site is 58,000 square feet. The Thousand Oaks Surgical Hospital is only 50,000 square feet. The proposed building will be bigger than TOSH.





This photo is taken from the East side on a lower point off Rimrock Road. Note that you see the entire two-story building with no landscaping. Any landscaping seen in this photo would be from mature trees which are to be removed and replaced with trees less than the diameter of this piece of paper. The photo also shows low landscaped green and brown in the center of the photo. This area is on private property and on the property of Conejo Parks and Recreation. This area is not now or will appear this way unless adjacent property owners are mandated to do this. Therefore, this photo is an inaccurate image of what the building will look like post development.



The above is a current view of the property from Rimrock Road. As stated in this response, the 401 and 415 Rolling Oaks Drive building (TOSH) has not been landscaped as it had been agreed to when the project was completed in the year 2002, over 22 years ago. As you can see, most of the buildings can be seen from the South. Note that this structure sits on a sloped property that is adjacent to open space and properties that are not built out. [Please describe how HCA guarantees that this will not](#)

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happen when the Cancer Center project is completed and that it does not take decades for the landscape to soften/camouflage the structure into its surrounding environment.



Please note that "If different sized oak trees are proposed for installation or an alternative mitigation site is identified, the proposed size, quantity, and site shall be approved by the City of Thousand Oaks Community Development Director." Note that the City Council need to understand the public's concerns regarding the significant difference in current to proposed landscaping and to help solve for this significant difference based upon what is being proposed on the Cancer Center site.

In the Virtual May 4, 2023, meeting with the City Planner, Justine, and the CEQA preparer, Jane Gray, of Dudek, Bryan Radosavcer Jr. voiced that he asked the HCA representative if he would want to come home to a building such as what is being proposed in his backyard. The HCA said "No." And then the representative tells the public that patients will now be able to look down into the canyon to the East of the building. The canyon is actually the private property of residential homeowners that are directly adjacent to the site. Please explain the benefits to the residential neighbors having visitors at the Cancer Center on 400 E. Rolling Oaks Drive looking down into their properties would be.

- If you look at Exhibits 3-7a and 3-7b, you will note that there are only 6 trees planted on the East side of the property. This side has the most exposure to public views (from the City side and 101 freeway). 6 trees at calipers less than 3.5 inches in diameter do nothing to obscure this massive two-story view.
- Landscaping – Please describe the height, crown spread, and calipers of the proposed trees to be planted. In one section of the EIR, the proposed trees (pages 38 and 249 of the EIR) include 28 – 24" box trees and 17 – 36" box trees. That is a total of 45 trees. 14 well matured trees would be removed. On page 241 of the EIR, the number of proposed trees is reduced to 42 trees – 26 – 24" box trees and 16 – 36" box trees. What is the correct number for each type of tree?
- Planting 24" and 36" box trees will yield a significant deficiency for decades in softening and camouflaging this massive building. Explain how replacing 14 well mature trees with immature trees will yield a less than significant softening of the 58,000 square foot, 42-foot-high building from all points of view immediately after construction if in fact the size of the proposed trees is not even the diameter of a half of piece of paper. Explain how many trees will be planted on the East side of the site.

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- Landscaping tree replacement should be in box sizes starting at 48" and above. Note that the building height will be 42 feet on the North side and about 25 feet on the South side. A 72" box is the preferred height to soften the site of this massive structure and the height and crown spread would not take decades to mask the structure with its surroundings.
- Reference: Specialty Oaks, Inc. Premium-quality California Native Oak Specimens

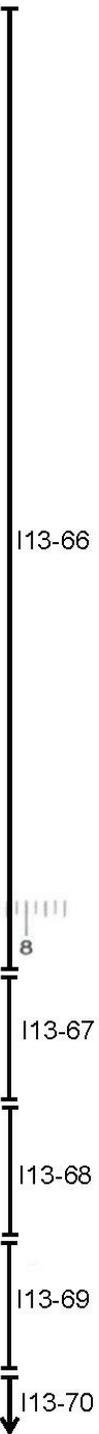
Box Size	Caliper	Crown spread	Height
24"	1 1/2"	3 feet	6-7 feet
24"	2"	4 feet	7-9 feet
24"	2 1/2"	5 feet	8-10 feet
24"	3"	6 feet	10-12 feet
48"	4" and larger	8 feet and larger	14-25 feet
72"	9" and larger	14 feet or larger	25 feet

- Reference and Source: University of Florida Box Diameter and Maximum caliper range (inches) Source: American Standard for Nursery Stock, ANSI Z60.1 A caliper is the diameter of the tree trunk taken at about 4-5 feet above the soil.

Box Diameter	Maximum caliper range (inches)
20	1.25-2
24	1.5-2.5
30	2.5-3
36	2.5-3.5
42	3-4
48	3.5-5
60	4-6

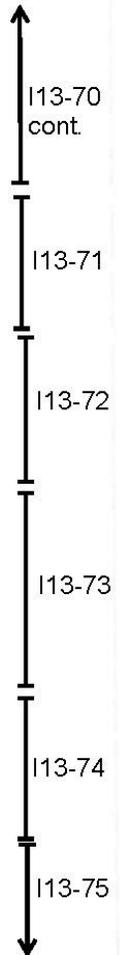


- Exterior lighting - The EIR states "Exterior illumination of structures shall be kept to a minimum and located primarily at building entrances and landscape features" Please describe in detail the parking lot lights and exactly how the glare from the lights will be mitigated from the public views on all sides. Note: when the 415 Rolling Oaks medical building was built, the final proposal was to include landscaping to mitigate the parking lot lights. Nothing has ever been put into place as was agreed to. Therefore, please do not use this medical building landscape as a comparison.
- Building height – While it is true that the Thousand Oaks Surgical Hospital, also owned by HCA, (North of Rolling Oaks Drive in a commercially and public land zoned location) exceeds or is equal to 42 feet, the apartment building (South of Rolling Oaks Drive in a residential neighborhood and across the street for the residentially zoned property of the Cancer Center) is 20-25 feet. Please describe how a 42-foot building complex is compatible and fits into the residential



surroundings (apartments and single-family homes all South of Rolling Oaks Drive where there is a demarcation of what is residential and what is commercial/public lands). Note that the 2016 Oakmont proposal to change the zoning from its existing residential zoning to public lands was declined by the City Council as incompatible with the neighborhood. Attached is the Ventura County Star Article about the decision. Please describe how this new proposal is different as it relates to the request for a zoning change.

- In accordance with City's Scenic Highways Element, "Provide for architectural and design review of proposed development projects...to insure that they are compatible with existing urban and natural surroundings, and enhance the scenic character and quality of the highway corridor." The current design of the Cancer Center is a copy of the design that is across the street, not the bungalows that HCA had described in earlier discussions. 400 E. Rolling Oaks Drive sits above the Thousand Oaks Surgical Hospital and is surrounded by natural landscaping along the East and South sides (of which this surrounding is owned by residential property owners and a small section of open space). The proposed building at its tallest is proposed to be 42'. Please reference the visual images of the projected look after development and before development. This project does not at all fit in with the scenic surroundings. The apartment complex across the street is between 20 and 25 feet at its tallest point. Please explain why there is a difference between what we were told earlier, such as the bungalows, and now there is a 58,000 square foot building. Please explain the rationale behind why the City should approve an exception to the building height that exceeds the current municipal code of 25' when the building is surrounded by residentially zoned land on three-sides? This building will tower over its neighbor apartment building by almost 20 feet. TOSH across the street sits on a lower elevation. And TOSH is within a medical office park, not within a residential neighborhood. This is incompatible with the neighborhood.



American Legal Publishing

CA > Thousand Oaks > The City of Thousa... > Sec. 9-4.2502. Building height: Exceptions.

prescribed height limit.

(c) Flagpoles. Flagpoles, freestanding or constructed below the roof line of a building, shall not exceed the maximum heights as described below, measured from the grade.

Zone	Maximum Flagpole Height
R-A, R-E, R-O, R-1, R-2	25'
RPD, HPD, R-3	25'
C-O	25'
C-1, C-2, C-3, C-2/AM, C-2/CC	35'
C-4	40'
M-1, M-2	35'
OS	25'
PL	35'



**Air Quality**

- No comment.

**Biological Resources**

- No comment.

**Cultural, Tribal Cultural, and Paleontological Resources**

- No comment.

**Energy**

- No comment.

**Greenhouse Gas Emissions**

- No comment.

**Hazards and Hazardous Materials**

- **Radioactive storage and waste**
  - o The internal site layout indicates the use of High Dose Rate Brachytherapy (HDR), Linear Accelerator activity to include the use of the term “Hot” rooms, which includes a “hot” toilet. *Please describe the storage and disposal of radioactive materials.*

**Land Use and Planning**

- **General Plan Amendment** – *Please describe how rezoning a residential zoning within a residential neighborhood to an encroachment of commercial property supports the General Plan. Major Strategies:* “Preserve and enhance single-family and multifamily neighborhoods as low-scale, family-friendly, and safe places to live.”
- **Section 9-2.2023. Increases on residential densities or commercial acreage (as referenced in the Appendix attached) as is stated as part of the City of Thousand Oaks Municipal Code.** The parcels located at 400 E. Rolling Oaks

Drive and 355 W. Janss Road were not mentioned or altered as part of the recently approved General Plan 2045. David Newman did speak, at the City Council meeting approving the General Plan, to the effect that voter approval would be required if “Any amendment either to the General Plan’s designated acreage for ‘commercial’ land uses or in the residential land use density ranges, which produces a net increase in excess of the land areas so designated, or in excess of the dwelling unit per net acre density ranges on the Land Use Element of the City’s General Plan.” The EIR proposal is asking for the City to modify the General Plan again that the 4.92 acres parcel located at 400 E. Rolling Oaks Drive to Commercial Office (C-O) and the 2.15-acre parcel located at 355 W. Janss Road to (RPD-4.5DU). The results of an approval of this modification increases the commercial acreage for the City and then at the same time the 2.15 acres is upzoned in residential density. Note that 400 E. Rolling Oaks Drive is currently zoned RE-1-AC or rural exclusive. [Explain how this change impacts on the City of Thousand Oaks Municipal Code as it is in contradiction to the Code as it relates to increased commercial acreage and an upzoning of residential density.](#)

- **Parking Lot** – The parcel located at 355 W. Janss Road is parking lot which serves the adjacent commercial medical office buildings. The correct zoning for a parking lot is usually under the zoning of commercial or industrial zoning designation. The land use is mainly designated for purposes such as land intended for the conduct of business and provision of services or land intended for industrial activities. If HCA were wanting to build a parking lot, they would need to be sure of the correct zoning. Building something that is not in alignment with the correct zoning is contradictory to Land Use Planning. What HCA is proposing is to zone a parking lot to residential. This is inconsistent with Land Use Planning. And, HCA has indicated verbally and in writing, it has no intention of building residential in replacement of the parking lot. The City of Thousand Oaks Municipal Code Sec. 9-4.1108. Off-street parking (C-O). Off-street parking for commercial offices falls into commercial office zoning not residential zoning. [Please explain how continuing use of a parking lot on an incorrect zoning request meets with the City’s Land Use Planning.](#)
- **Approved General Plan:** “Over a four-year period, the City led a robust engagement effort to identify a long-term vision, goals, and strategies that will enable Thousand Oaks to protect the aspects that residents cherish most—the natural open spaces that surround the City, family-friendly neighborhoods...” “Family-Friendly Residential Neighborhoods – Thousand Oaks is known for its pleasant single-family neighborhoods that are an ideal setting for families.” **Chapter 4: Land Use** “This Element designates the general distribution, location, and extent of residential, commercial, industrial, public facility, and other public or private land uses. It creates citywide policies around the topics of neighborhood preservation...” **Goals and Policies:** “Citywide Urban Structure and Pattern of Development Goal LU-1: Create a land use pattern of development that preserves existing neighborhoods...” “Maintaining the single-family residential character of established neighborhood areas.” **Residential Neighborhoods** “Goal LU-2: Preserve and enhance existing neighborhoods throughout the City.”



- The spirit of the **Housing Crisis Act of 2019** is to **ensure** the building of desperately needed housing within the city, not to just have land zoned residential without any planned residential development or give lip service to the Act. "...laws were passed to address the current 'housing crisis' in the State with three general aims: 1) **increase residential unit development**; 2) protect existing housing inventory; and 3) expedite permit processing." The City allowing for a rezoning of residentially zoned land without the guarantee of residential unit development included in any proposal involving residentially zoned land is not in compliance with the Act. Ensuring means to secure or guarantee, safeguard, or make sure or certain. HCA's proposal does none of these things as indicated in the EIR and by documented verbal statements made by HCA representatives. [Please explain how no guaranteed or secured residential housing development as part of the EIR supports the City of Thousand Oaks in meeting the Housing Crisis Act of 2019 and the City's housing needs.](#)
- Approval of a "Spot Zoning" of the Janss Road property to residential when the directly adjacent properties are commercial office (C-O), and public land (PL) has not been proven in the EIR to benefit the general public as is required. And residential zoning "*is not compatible*" with the adjacent properties. [Please provide the "general" public's benefit to Spot Zoning the Janss Road property to residential.](#)
- HCA can sell the residentially zoned property located at Rolling Oaks Drive to a residential developer and still build its Cancer Center on the correctly zoned Public Lands property located at the corner of Janss and Lynn Roads. The City, however, can't bring in new land to the City to replace the residentially zoned land that HCA has now tied up by a for profit commercial enterprise with no assurance or guarantees of developing residential housing. [Again, please explain how no guaranteed or secured residential housing development as part of the EIR supports the City of Thousand Oaks in meetings the Housing Crisis Act of 2019 and the City's housing needs. Please explain why HCA "assumed" that the purchase of residentially zoned property on Rolling Oaks Drive would be anything but residentially zoned property. Did any representatives of the City promise or give HCA guarantees that a zoning change would be approved?](#)
- The City has the option of upzoning the current zoning on the residentially zoned land at the Rolling Oaks Drive location to a higher density allowing the City to meet the State's housing requirements and include affordable housing. This zoning "*is compatible*" with the residential neighborhood in which the property resides. This change has less than significant impact on the residential neighborhood.
- [How does this EIR support the recently approved General Plan as it relates to neighborhoods and land use planning \(references made to the General Plan are reflected in my comments\).](#)

**Housing Crisis Act of 2019**

- According to the Housing Crisis Act of 2019, the act will accelerate housing production in California by streamlining permitting and approval processes, **ensuring no net loss in zoning capacity**. The key word is ensuring. Ensuring

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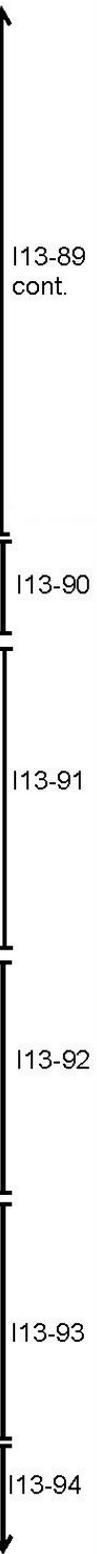
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means to secure or guarantee, safeguard, or make sure or certain. HCA has indicated verbally and in writing many times that is has no plans to develop housing on the property it would like to have rezoned from Public Lands to Residential. Therefore, if the City Council approves the zoning changes proposed in the EIR by HCA, the City of Thousand Oaks will not have demonstrated compliance with the Housing Crisis Act. HCA bought a residentially zoned property (Rolling Oaks Drive). By their purchase, they have taken the opportunity of housing capacity out of the equation. To exacerbate the matter, now they want to keep a parking lot in a commercial/public lands area as residential without any guarantee or security to develop housing. Any City agency or representative that agrees to this zoning swap is in direct conflict with the intention of the Act. [Please explain how HCA's statement that there is no residential development planned or to be guaranteed in the proposal supports the City's compliance with the Act.](#) Now, HCA appears to be taking the approach that residential zoned land is just a tick box on a form with no action to comply with the spirit of the act as well as desperately needed housing in the City.

- Please consider the impact of losing the opportunity of developing desperately needed residentially zoned property sitting in a well-established residential neighborhood. And, that HCA is in the medical field, not in owning and developing residential dwellings. As there is no guarantee that the Janss Road site is not contingent on building residential dwellings, I suspect that HCA will wait out the residential crisis, but still benefit from using the Janss Road site as a parking lot. HCA is only in a hurry to build a Cancer Center, not in a hurry nor interested in building residential housing units. There is no loss to HCA if the City Council approves the zoning change. However, there is a loss to the City if it loses a perfectly zoned parcel sitting within an established residential neighborhood to a commercial enterprise. Also consider that there is still the opportunity by the City to change the density of the Rolling Oaks site from R-E-1AC to a higher level of residential zoning such as Residential Planned Development 4.5 Units/Acre (RPD-4.5) or even Residential Planned Development 6 Units/Acre (RPD-6) with the opportunity of also including affordable housing. This type of zoning is identified by the City as Neighborhood Low 1 and Low 2. There is also Neighborhood Low Medium, Medium 1, and Medium 2 zoning available as well.
- Do note that in 2016 when Oakmont also asked the City Council to rezone the Rolling Oaks site to a Public Lands (PL) zone, the City Council voted 4 out of 5 declining the zoning change because the zoning was "incompatible with the neighborhood." The difference is that Oakmont had not purchased the property. HCA knowing purchased encumbered residentially zoned property. The demarcation line between a residential neighborhood and a commercial is Rolling Oaks Drive. Residential land is to the South of Rolling Oaks Drive and Commercial land is to the North. What I see is that the proposal is proposing an encroachment of Commercial land into a well-established neighborhood. Reversely, at the Janss Road site, I see that allowing a zoning change would



mean that residential zoning is incompatible with its immediate surrounding parcels that includes the Los Robles Hospital and Medical Center and medical buildings campus. This is referred to “Spot Zoning”. The definition of spot zoning is “the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property...” It is illegal when there is no evidence to support the decision to do so.

The “classic” definition of spot zoning is “the process of singling out a *small* parcel of land for a use classification totally different from that of the surrounding area for the **benefit of the owner of such property and to the detriment of other owners (surrounding property owners).**” (Anderson’s American Law of Zoning, 4th Edition, § 5.12 (1995))

Spot zoning is the very antithesis of planned zoning. Decisions submitted for rezoning should be determined as to whether the zoning relates to the compatibility of the surrounding uses and to the degree of the general public benefit. In both of these cases, HCA has not been proven with facts. The benefit HCA is proposing is to a hopefully very small (we don’t want anyone to suffer with cancer) subset of the population and ¼ of the surrounding land is residential with the line of commercial demarcation being Rolling Oaks Drive. As the General Plan was just approved, and decisions were made regarding rezoning of a number of properties in the community, the 400 E. Rolling Oaks Drive and 355 W. Janss Road site was not part of the General Plan’s rezoning efforts and as part of a comprehensive planning objective for the City. This rezoning request is outside of the recently approved 2045 General Plan policies and land use designations.

It is the very antithesis of plan zoning. Singling out a single property that is directly adjacent to Commercial/Public Land zoned parcels is impermissible unless it is in the overall public’s interest. And as HCA is not proposing the actual development of residential housing, the public’s interest rational is not satisfied. Nevertheless, proposing the corner of hospital and medical campus currently used by patients and medical staff for parking (and the property is owned by HCA), developing housing on this corner is incompatible with its immediate surroundings. As the EIR indicates a “no net loss” of residentially zoned land, the loss occurred with HCA knowingly bought residentially zone land and has thus taken it off the City’s housing opportunities list. And HCA is proposing a shell game whereby the only benefit of zoning change on both parcels is for HCA’s benefit. A 4.92-acre parcel is not equal in size to a 2.15-acre parcel. What the EIR is proposing is a higher density zoning to the 2.15-acre parcel, when in fact, a higher density residential zoning could also be done with the 4.92-acre parcel with the opportunity of developing more affordable housing. The sizes of the parcels are not equal.

I13-94  
cont.

I13-95

I13-96

I13-97

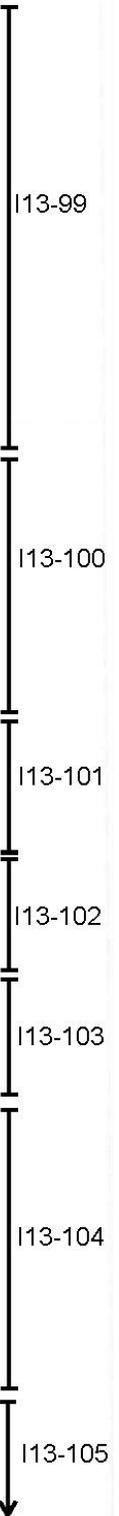
I13-98

- And as the recently approved General Plan 2045 states "Preserve and enhance single-family and multifamily neighborhoods as low-scale, family-friendly, and safe places to live. Recognize that the majority of residential neighborhoods will experience minimal change over the time horizon of the General Plan." as part of the City's Major Strategies. The General Plan also states "Enhance visual gateways to the City..." Again, in 2016, the City Council voted to not rezone the Rolling Oaks site from Residential zoning because it was "incompatible with the neighborhood." No other development has occurred in this area since 2016. I as a resident of this neighborhood would like to be able to rely on the City Council's decision making in that once it was recognized that a zoning change from residential to something other than residential that the change was incompatible with the residential neighborhood, that a new request for a non-residential zone would also not be allowed for the same reasons.
  
- The EIR has clearly shown that an acceptable alternative does exist that is owned by HCA where a Cancer Center can be built on existing approved zoned property, and that all of the objectives mentioned in the EIR can be achieved by building the Cancer Center at the Janss Road location. In doing do, it is possible that HCA could sell the Los Padres Drive property to a residential developer to build even Residential Plan Development (upzoning) if the City decides to allow for upzoning the residential density and to include affordable housing in any development. This clearly would be a win/win situation.
  
- Zoning
  - o On page 18 and 15 other times, the EIR states that the Cancer Center site's land use designation would go from Neighborhood Very Low to Commercial Neighborhood. This is misinformation. In the Municipal Code the Commercial zone is C-O. *Please provide the definition of Commercial Neighborhood zoning allowance and how this zoning applies to a medical office building that is not specifically for the benefit of the apartment and single-family residences surrounding the property. Please clarify. This zoning appears to be incorrect.* The current land zoning for the 400 E. Rolling Oaks Drive parcel is Rural Exclusive (R-E-1AC). This is considered "Neighborhood Rural" is you are using the City's Residential zoning words. And Commercial Neighborhood is not a zoning we are using in the City. **The intent of Neighborhood Commercial Zone is to provide centers for convenience shopping in residential neighborhoods** ([www.codepublishing.com](http://www.codepublishing.com)). *Please clarify the zoning names. The zoning codes are correct as R-E-1AC and C-O, but the names do not match the text names indicated in the EIR. Please explain and clarify. The area to the South of Rolling Oaks Drive is C-O which is Commercial Office and P-L which is Public Lands. The maps reflected in the EIR do not seem to match. Please provide the City zoning source of the use of Commercial Neighborhood and/or Neighborhood Commercial zoning labels and their respective codes.*

**From the General Plan 2045:**

LYNN BURDICK

24



## Commercial Designations

### Commercial Neighborhood



**Description:** This designation accommodates a variety of neighborhood-serving retail, offices and service activities designed to serve the daily needs of residents. This designation also includes existing auto dealerships and related uses in specific locations.

**Allowed Uses:** Retail, personal services, restaurants, bars, entertainment, service commercial uses (such as banks), offices, automobile service uses (including sales and repair), Parks, public buildings, and religious institutions are allowed.

**FAR:** 0.5 FAR

**Height Maximum:** 35 feet

Reference for the Zoning Maps Below:

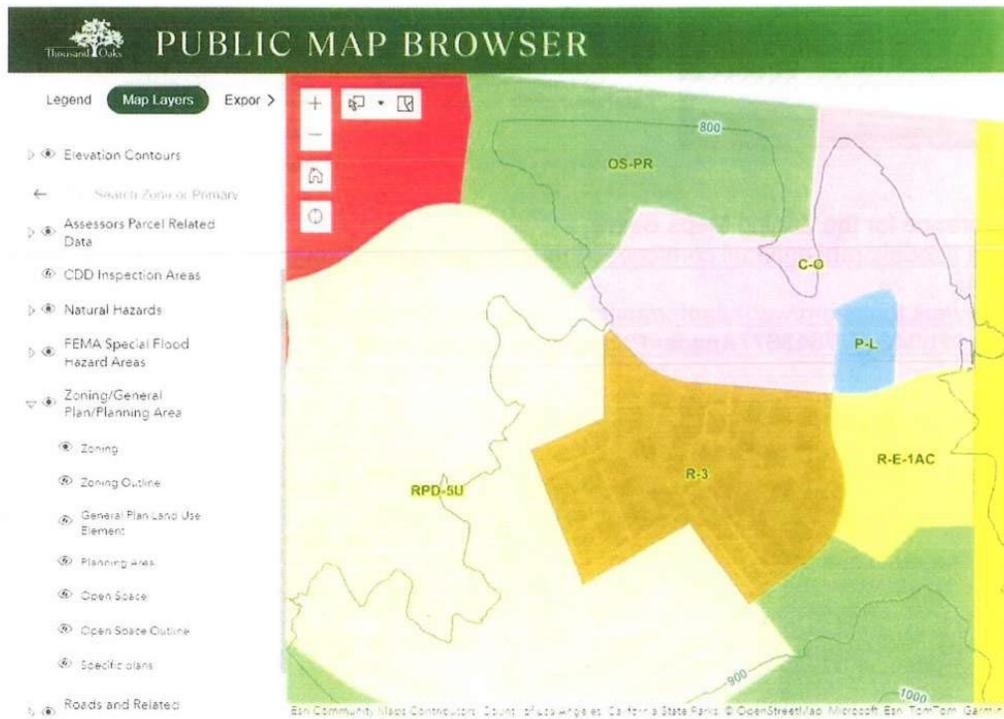
[https://codelibrary.amlegal.com/codes/thousandoaks/latest/thousandoaks\\_ca/0-0-0-14545](https://codelibrary.amlegal.com/codes/thousandoaks/latest/thousandoaks_ca/0-0-0-14545)

<https://gis.toaks.org/webadaptor/apps/experiencebuilder/experience/?id=61142aaca2d40ae92b34cd977613677&page=Page&views=Map-Layers>

I13-105  
cont.

### Rolling Oaks Drive Zoning

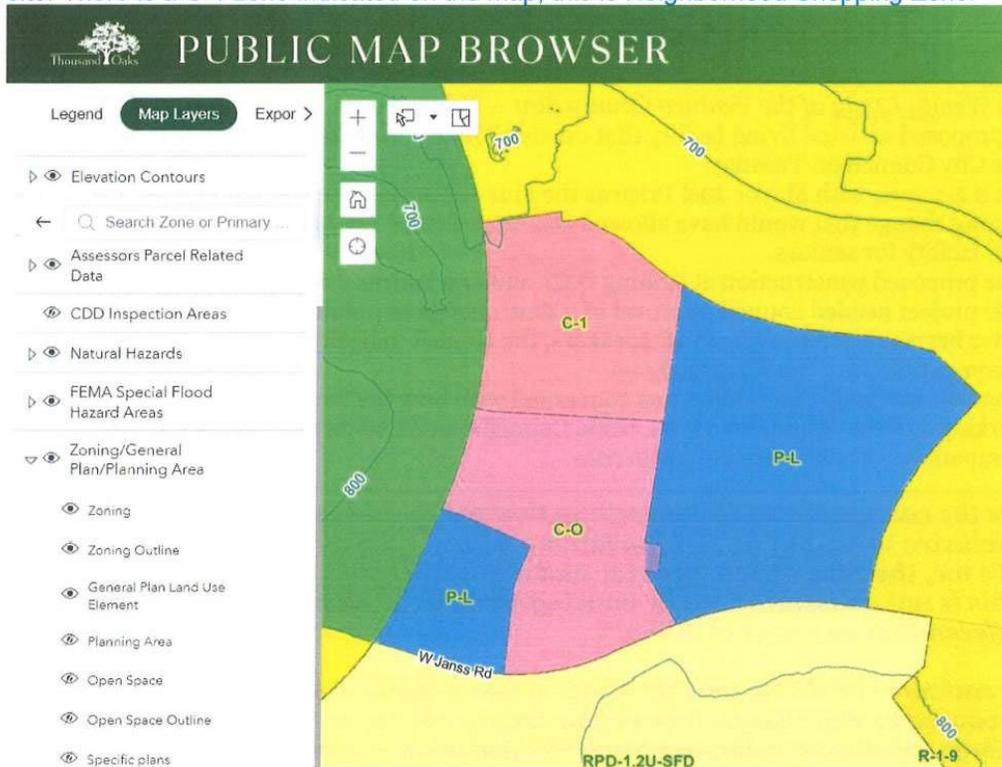
The properties to the South of Rolling Oaks Drive are Commercial Office (C-O) and Public Lands (P-L). There is no Commercial Neighborhood.



I13-106

### Janss Road Site Zoning

The properties surrounding the Janss Road site are Commercial Office (C-O) and Public Lands (P-L). There is no Commercial Neighborhood adjacent to the Janss Road site. There is a C-1 zone indicated on the map, this is Neighborhood Shopping Zone.



113-107

- Throughout the EIR, the description of the development of housing on the Janss property is evaluated with EIR statements. However, the EIR statements are theoretical, and HCA has already stated it has no intentions to develop the Janss site. There are no guarantees for the City to rely on that rezoning the Janss site will ease the housing development demand. Describe in detail why the City should rezone the Janss site to residential when HCA has no intention of developing residential? What is the benefit to the City to rezone a parcel to residential when no residential development is going to occur?

113-108

CONEJO VALLEY

# City Council denies assisted living facility in Thousand Oaks

By [Wendy Leung](#) of the Ventura County Star – February 10, 2016

A proposed assisted living facility that divided Thousand Oaks neighbors was denied by the City Council on Tuesday.

On a 4-1 vote, with Mayor Joel Price as the lone supporter, the council said no to a zoning change that would have allowed Oakmont Senior Living to build a two-story, 89-bed facility for seniors.

The proposed construction at Rolling Oaks and Los Padres drives is on land zoned rural. The project needed council approval of a zone change to public and institutional land. After hearing testimony from 48 speakers, the council majority said the project is incompatible with the neighborhood.

Councilman Andy Fox said he was concerned with how the facility would affect street parking and the neighbors' views, while Councilman Al Adam said the facility isn't compatible with the adjacent properties.

***"Is the compatibility so compelling that we should upzone it from rural exclusive to (public land)? I'm having a hard time with that," Adam said. "To me, the zone should provide and maintain a rural residential area. This is not an issue of senior housing tonight. ... By no means is this a referendum on assisted living."***

***In addition, and during the City Planning Commission meeting on the previous proposed zoning change, Planning Commissioner David Newman stated, "This is a large commercial enterprise being plopped down in a residential setting... To me, that's not consistent with the neighborhood it's in." (2016). Planning Commission Alexander indicated, "No. Not comfortable it's the right thing in that location." (2016) Reference the No Zoning Change – 400 East Rolling Oaks Drive 2016 document enclosed as an Addendum.***

Please explain how this proposal is any different as it relates to a zoning change at the 400 E. Rolling Oaks location.

### Noise

- Grading noise – grading noise per the EIR are projected to be high and measurements as to impact are only limited to residents living within 70' of the site. This is unacceptable as the apartment building with families and elderly residents is across the street and single-family homes start within 500' on an uphill slope from the site location. The proposed construction indicates from start to finish two years of sustained noise of construction. This is significant for the

I13-109

I13-110

I13-111

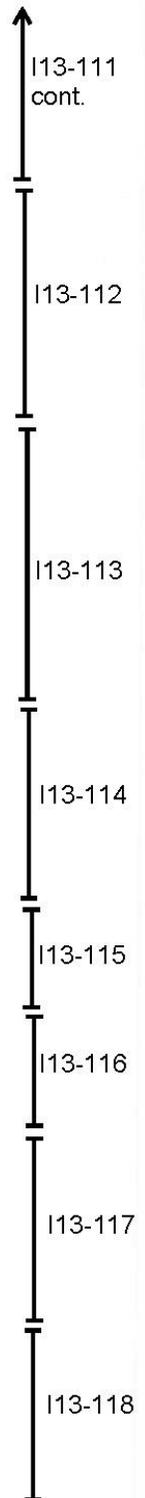
surrounding residential neighborhoods and is disturbing the peace of said neighborhood. Please describe why the hours of construction starting at 7:00AM M-S benefit the surrounding residential units and what considerations and/or concessions can be included or modified in the EIR to mitigate the significant noise impact. Note: the residents of the neighborhood have called the City Council a number of times as a result of hearing bands playing at the Los Robles Golf Course which is much farther in footage from surrounding residential properties. Therefore, describe the reason that the construction operation be limited to 8:00AM to 5:00PM M-F.

**Public Services and Recreation**

- Conejo Parks and Recreation is the property owner of two parcels adjacent to the 400 E. Rolling Oaks Drive property as well as the 401 Rolling Oaks Drive Property. (See attachment.) Conejo Parks and Recreation has indicated that there would be no specific parking for any park development at the intersection of Rolling Oaks Drive and Los Padres Drive. That visitors would need to park on the streets or in the medical office building parking lots. This additional traffic and parking have not been accounted for as part of the proposal. Public meetings have already begun with the Conejo Parks and Recreation in the development stage of a park. Please add and explain the impact of the park adds to the traffic and parking and with additional development, what mitigation measures are to be made as part of this EIR. Please reference the attached article indicating how access will be a serious problem. This only exacerbates an already existing traffic and parking situation that currently exists.

**Transportation (Traffic and Parking)**

- The comparative study used in this EIR in order to determine the prospective change in traffic is incomplete (page 497) and conclusions are not based upon complete information. Please describe for me from the 2016 traffic study where exactly the vehicle counters were placed. **No vehicle counters were placed on any part of the south side (south of Rolling Oaks Drive) of Los Padres Drive which accesses the intersection of Rolling Oaks Cancer Center site.** Note: the 2016 traffic study was a last-minute ditch effort to prepare for the EIR of Oakmont long term care facilities proposal. (Reference Oakmont 2016 Public document attachment.) The vehicle counters, as I recall, were only placed near the main entrance of the apartment building located on Rolling Oaks Drive, and immediately on the Haaland Drive location within 20 feet from the intersection of Los Padres Drive and Rolling Oaks. Therefore, any statistics related to comparing against this study are insufficient and inaccurate. As stated in the EIR, there will be Los Padres Drive access to the site. No measurements have been taken for traffic studies on this street. Any traffic studies must include Los Padres Drive, Rolling Oaks Drive, and Haaland Drive. **Where is the evaluation that has been completed on the measuring of the line of sight of vehicles accessing the site off of Los Padres Drive.** (Page 501) (C)



- In the General Plan, Attachment 2 Exhibit A Final Program EIR including MMRP.pdf, (page 438 of 457) Traffic increase projected as future daily volume is 20,500 vehicles traveling South of US-101 on Moorpark Road. This is an increase of 2,510 daily volume increase of 14%. As for the residential and commercial parcels, except for 400 E. Rolling Oaks Drive, which is presently vacant, there are no more available parcels for development or growth in traffic. Therefore, please explain how the increase projected for the Cancer Center site is indicated as insignificant a number in comparison with what the City is projecting for this area. This is a significant increase in traffic into this mostly residential area as there is NO further opportunity for developing residential structures except if 400 E. Rolling Oaks Drive is kept as residentially zoned and residential units would be built on the site.

I13-119

I13-120

Attachment 2 Exhibit A Final Program EIR including MMRP.pdf 438 / 457 100%

Thousand Oaks GPU - Daily Roadway Segment Volumes, Speeds, Lanes, Vehicle Mix, and Day Mix

No	Roadway	Location	Existing ADT (from counts)	Preliminary Post-processed Future Year with GPU Daily Volume	Number of Lanes	Vehicle Mix %			Day Mix %			
						Autos	Medium Trucks	Heavy Trucks	Daytime (7am-7pm)	Evening (7pm-10pm)	Nighttime (10pm-7am)	
1	Moorpark Rd	Santa Rosa Rd to Olsen Rd	13,490	15,100	45	2	100.00%	0.00%	0.00%	80.6%	12.9%	6.5%
2		Olsen Rd to Avenida de Los Arboles	14,970	17,000	45	4	99.52%	0.11%	0.14%	80.6%	12.9%	6.5%
9		South of US-101	17,990	20,500	40	4	99.32%	0.23%	0.15%	80.6%	12.9%	6.5%

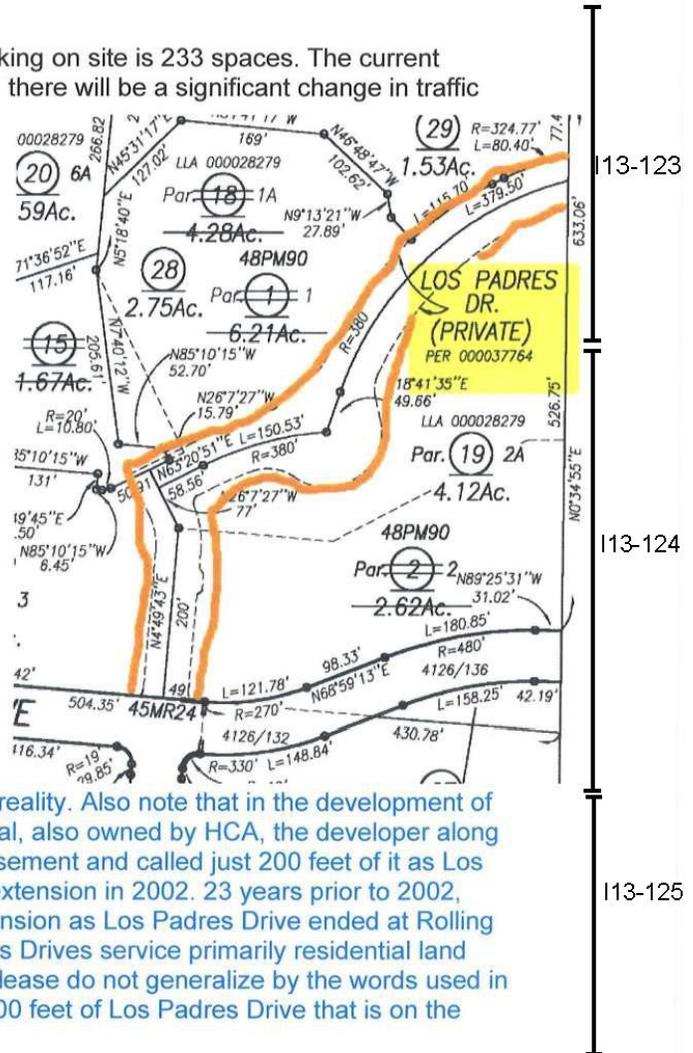
This indicates a 2,510 increase in vehicle traffic.

- Also indicated earlier, the EIR fails to include the impact of the proposed development of a park on the two residential properties adjacent to 400 and 401 Rolling Oaks Drive. Conejo Parks and Recreation met with the public several times and stated that designated parking would not be developed with the park. Traffic and parking would be on the street or if permitted, in the parking lots of the medical office buildings (no firm evidence provided). This additional development must also be analyzed as part of the traffic and parking within the EIR.
- "Would the Project substantially increase hazards due to a geometric design feature?" (Page 610) "Would the Project substantially increase hazards due to a road design feature (e.g., sharp curves or dangerous intersections) ...?" Please describe the mitigation of the hazard of a Los Padres Drive access on a blind curve. Please note my other questions and comments regarding this point.

I13-121

I13-122

- As a comparison, the proposed parking on site is 233 spaces. The current parking on the site is 20. Therefore, there will be a significant change in traffic due to the expected traffic to the property, noting that hours of operation are M-F from 8:00AM to 5:00PM. Please describe and/or confirm the Cancer Center's days and hours of operation within the EIR as it is relevant to the environment impact on the area.
- The EIR states "Los Padres Drive serves primarily residential and commercial land uses." (page 487). Please explain why there is a generalization that Los Padres Drive services "primarily residential AND commercial land uses". This is misinformation to the reader of the EIR. Los Padres Drive is a "local" residential street. Note that 3,168 feet (6/10 of a mile) of Los Padres Drive is residential use and **only 200 feet** (.038 of a mile) is used for commercial land use. Please update the EIR statement to reflect reality. Also note that in the development of the Thousand Oaks Surgical Hospital, also owned by HCA, the developer along with the landowner agreed to an easement and called just 200 feet of it as Los Padres Drive and this became the extension in 2002. 23 years prior to 2002, there was no Los Padres Drive extension as Los Padres Drive ended at Rolling Oaks. And the statement Los Padres Drives service primarily residential land uses is true then as it is true now. Please do not generalize by the words used in the EIR. Below is an image of the 200 feet of Los Padres Drive that is on the easement when TOSH was built.



- Los Padres Drives' primary purpose is to service residences on and directly to residential streets that come from Los Padres Drive. It is not intended as a commercial thoroughfare for the commercially zoned properties on the South side of Rolling Oaks Drive. The thoroughfare to get to the medical offices and the Thousand Oaks Surgical Hospital, also owned by HCA, are Rolling Oaks Drive and Haaland Drive. The residential housing and apartment units were developed starting in 1979, 45 years before TOSH or medical buildings were constructed or even imagined. At no time was Los Padres Drive considered a commercial thoroughfare. Please provide documentation from the City that supports the statement that Los Padres Drive supports commercial land uses. Note: I am aware that a very short segment of Los Padres Drive is to the West of TOSH. This was only labeled Los Padres Drive in 2002 when the TOSH was built. This is an easement connecting to Haaland Drive. This is not to be construed that the **entire Los Padres Drive** is for commercial land use. Please correct the assumption. The described access point for the Cancer Center site on Los Padres Drive is within the residential portion of the Drive.



This is the only portion of Los Padres Drive next to commercial

- Explain why the proposed development does not include subterranean parking when all other medical offices and TOSH across Rolling Oaks Drive to the North. Underground parking would mitigate the need for 233 visible surface parking lots and the need for expansive parking lot lighting at night, which creates light pollution where there currently is none. Across the street, all the buildings have subterranean parking. This includes:
  - o The Thousand Oaks Surgical Hospital (TOSH) at 401 Rolling Oaks Drive
  - o Medical Offices at 415 Rolling Oaks Drive
  - o Medical Offices at 425 Haaland Drive
  - o Medical Offices at 375 Rolling Oaks Drive
  - o Medical Offices at 325 Rolling Oaks Drive
  - o Medical Offices at 351 Rolling Oaks Drive
- **Approved General Plan – Community Health – Goal M-3: Create and maintain a transportation system that improves community health.** "3.2

I13-126

I13-127

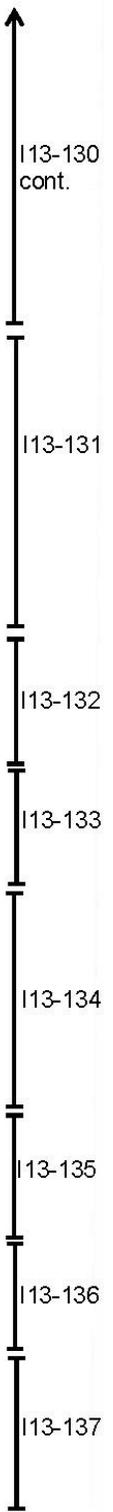
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I13-130

Neighborhood streets. Create neighborhood streets that unify neighborhoods, reduce vehicle speeds...”

- Bike Lanes – “The existing bicycle facilities located near the Cancer Center site consist of Class II (on-street striped bike lane) and Class III (signed bike route with or without supplemental shared lane markings) along segments of Rolling Oaks Drive, Haaland Drive, Moorpark Road and Thousand Oaks Boulevard.”  
Note that the bike lanes described on Moorpark Road and Rolling Oaks Drive are unmarked. There are no bike lanes on Moorpark Road south of the 101 freeway to where Moorpark Road ends. There is only a bike lane on Moorpark Road from Rolling Oaks Drive going south to the 101 freeway. Then the bike lane stops. The bike lanes on Rolling Oaks Drive going East and West stopped just before the entrance of the apartment on Rolling Oaks Drive. Bike lanes do not extend any further on Rolling Oaks Drive. Bikes use traffic lanes on Rolling Oaks Drive, Los Padres Drive, and on Haaland Drive. Rolling Oaks Drive narrows to include a turn lane on Rolling Oaks Drive at the intersection of Los Padres Drive. What are the intentions of continuing safe bike lines that would connect with the Cancer Center site? Also note that patients using the medical facility are not going to be using a bike to obtain cancer medical services. Patients who have cancer are sick or not healthy enough to use a bike. I also do not see cancer staff biking to work either as most do not even live in the neighborhood. This is all nice to say there is alternative transportation, but not realistic.
- The Conejo Parks and Recreation owns two adjacent parcels on the East side of the Cancer Center site. We have been told that no specific parking other than street parking is proposed for access to the parcels. This has not been reported or considered on the EIR as it relates to a traffic study.
- Los Padres Drive neighbors have met and/or corresponded with the City’s Traffic and Engineering department (Jim Mashiko) many times over the last 8 years as it relates to traffic issues on Los Padres Drive and Rolling Oaks Drive. I and my neighbors are continually calling the sheriff regarding parking and traffic violations on Rolling Oaks Drive and Los Padres Drive to include, but not limited to, parking in the crosswalk, in front of the disabled ramps, double parking, parking in no parking area, parking in front of fire hydrants, and vehicle abandonment to name a few. Below are the recommendations from the residents of the neighborhood closest to the Cancer Center site below. No mention has been made in the EIR on the significant impact the Cancer Center will have as it relates to traffic and parking for the residential neighborhood and existing medical facilities and what mitigation the City can do as part of this project, if approved. Please describe in the EIR what the City will do as part of this project, not to include any words like we will wait and see. Exactly what mitigation will the City allow as a result of approving the project and to be included in the EIR as mitigation efforts?
  - o To mitigate safety for pedestrians and vehicles entering the intersection, put a 4-way stop at the corner of Los Padres Drive and Rolling Oaks Drive. This also addresses safety concerns mentioned in the letter from the Department of Transportation dated May 4, 2023, and as part of the Appendices.



- Reduce the speed from 35 mph to 25 mph on Los Padres Drive and Rolling Oaks Drive. Note that residents have provided City Traffic and Engineering with evidence that other local cities are changing the speed limit in residential neighborhoods to mitigate speeding and dangerous conditions. Let me know if you want to see our correspondence.
- City/sheriff to monitor traffic and parking in the area on a regular basis. Vehicle abandonment is a common issue on Los Padres Drive and Rolling Oaks Drive. City street cleaning is not done where parked vehicles are on the street, thereby debris remains on the streets as well as thrown into the site property and open space lands. Currently the City is expecting the residents to police its own street. Neighbors have personally received life and property threats in our mailboxes from vehicle owners. It is not the responsibility of residents to put our lives in danger to police traffic and parking. Double parking is also a common problem along the East and West sides of Los Padres Drive next to the apartment complex, creating extremely reduced visual safety as vehicles now must cross into oncoming lanes to get around double parked vehicles. There is no loading or unloading areas along Los Padres Drive for the apartment complex. Therefore, vehicles double park. This will have an impact on the Los Padres Drive access point of the Cancer site. It is only a matter of time that someone is killed or seriously injured without the City taking mitigating steps. *What are these mitigating steps, and these must be included in the EIR. As the Cancer Center has a direct impact on traffic, what mitigation efforts are to be implemented and indicated in the EIR? (This question excludes parking for the Cancer Center as we know there are 233 parking space on the site.)*
- Please explain where the loading and unloading of Cancer Center site is designated? Currently loading and unloading of the Thousand Oaks Surgical Hospital is done in the No Parking zone located on the North side of Rolling Oaks Drive across from the Cancer Center site. The loading and unloading of materials should be on the properties, not on the public street unless specific designated street curbs are painted for this specific purpose.
- Traffic in the area will increase as indicated in the EIR. Access to the Cancer Center site must not be promoted via Los Padres Drive, which is a residential street. Promoting such access creates noise, increased traffic in this quiet residential neighborhood disturbing the peace and tranquility.



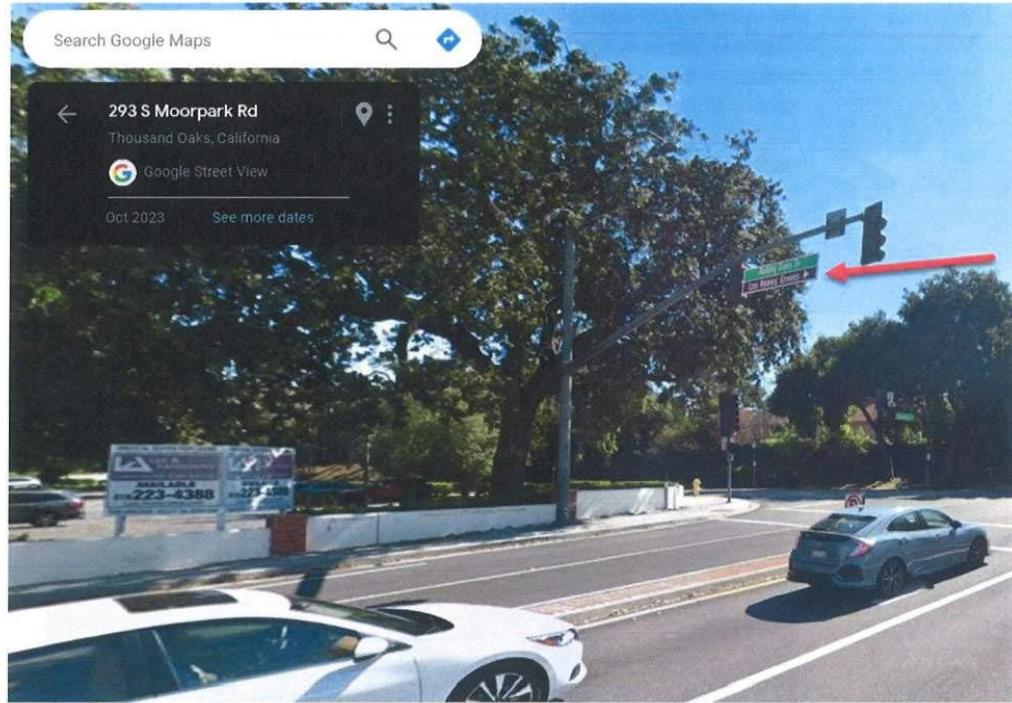
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I13-140

I13-141

I13-142



113-143

To mitigate the increase in traffic, the EIR should include that signs to the Cancer Center site be located at the corner of Rancho Road and Haaland Drive and at the corner of Moorpark Road and Rolling Oaks Drive. At the corner of Moorpark Road and Rolling Oaks Drive, there is already a sign hanging from the street sign indicating the golf course, so it would help mitigate traffic from driving on Los Padres Drive or accidentally driving from Rancho Road onto Rimrock Road, both of which are residential areas. This must be included in the EIR for the City to commit, with any approval of the project, signage to be erected for this purpose.

- As mentioned earlier, the intersection of Los Padres Drive and Rolling Oaks Drive is a 4-way corner with unmarked crosswalks. There are sidewalks on all 4 corners of this intersection that also has disabled ramps to the street. Employees, patients, residents of this area cross this area continually. It would be of benefit to actually paint crosswalks for increased safety visibility. As part of this EIR, to mitigate safety hazards that will increase as a result of the project, please include painted crosswalks as part of the EIR. This also addresses safety concerns mentioned in the letter from the Department of Transportation dated May 4, 2023, and as part of the Appendices.



113-144

- The City must also paint the curbs on the streets of Los Padres Drive and Rolling Oaks Drive no parking zones and loading and unloading zones. Please add this to the EIR to mitigate for safety. This also addresses safety concerns mentioned in the letter from the Department of Transportation dated May 4, 2023, and as part of the Appendices.
- There is no mention of how the mitigation efforts for construction vehicle parking such as construction workers with their own personal vehicles, dump trucks that will carry away loads of earth, in as much the site while under construction is not large enough to accommodate this extra vehicle traffic. How will parking, waiting/idling, be managed as described? Note that text in the EIR will indicate that such parking of these vehicles will not be allowed on the residential street of Los Padres Drive.
- As part of this EIR and its impact on the residential neighborhood surrounding the proposed project on Rolling Oaks Drive, where are the City's requirements/recommendations for ensuring the safety of the City's population. The message the residents are getting is that safety costs the City too much money. There will be significant traffic and parking changes if this project is approved. Where are the City's mitigation efforts as part of the EIR?

113-145

113-146

113-147

**Utilities and Service Systems**

The Cancer Center site would consist of 28% structures, 44% parking area, 14% driveway, and 14% landscaping. The EIR indicates that 86% of the site will be impervious to water drainage.

- Stormwater and Drainage

- o Stormwater mitigation is required as part of the EIR. Describe specifically how the project will mitigate the fact that stormwater flows downhill from the existing residential neighborhood into the site area (via the street, or V shape drain). The EIR indicates that 86% of the site will be impervious as compared to the fact that the current site allows for water absorption into the ground. Describe the drains that will be in the parking lot to redirect water.
- o To the East is an arroyo that collects stormwater from the residential properties and open space. The arroyo does flood if the ground water has peaked its absorption rate. Rimrock Road is notoriously flooded during heavy rains or continuous day after day rains occur. Describe the mitigation effort to mitigate any water on the site from flowing into the arroyo causing an exacerbation of potential increased flooding? Provide visuals of runoff channeling along the East side of the site and what is being done to collect within the parking lot area any excess water. As noted in the EIR on Page 583 "infiltration testing on-site indicated that stormwater infiltration is not considered feasible due to the presence of bedrock and dense overlying soils that are not suitable for infiltration." Therefore, we need a visual understanding of how runoff and/or accidental flooding is dealt with as 86% of the site will be impervious. We need to understand how an extreme hydrologic event such as a 100-year recurrence internal should happen. The entire area is similar. When we have continuous rains or very hard rains, the ground is unable to handle it. The water comes down the residential area uphill from the site as well as uphill from the open space slopes onto the site. This site is in direct receiving of all the water. Mention has been made of the V ditch. The V ditch is water that is collected and drained from behind the residential homes on the South side of Los Padres Drive. All this water is then channeled via the V ditch to the site. This doesn't account for further water draining that occurs from residential property draining below the V ditch and/or from water on the street. Are the 3,000 and 5,000 cubic foot underground detention vault enough? Also, the pipes diverting from the site range from 18" to 30". Again, with the potential of a high volume of runoff, is this sufficient?

**Wildfire**

- The East side of the Cancer Center setback is 85 feet. Adjacent to the East side is property owned by Conejo Parks and Recreation and private residents. Are the adjacent property owners required to do the fire weed abatement of the additional 15 feet from the Cancer Center that is on their own property as required by the stricter Ventura County Ordinance? This is a YES or NO question.

I13-148

I13-149

I13-150

I13-151

I13-152

I13-153

- Please explain how mulch and chips are a valid type of landscaping as part of defensible space. Mulch and chips are combustible, so why would this be acceptable landscaping when the property is adjacent to open space and natural growing private properties and this site is within a Very High Fire Zone? (Page 559) “Standard 517 – Application of Mulch and Chips in Defensible Space (revised January 2023), FMZs would be provided for those portions of the proposed Cancer Center site that are adjacent to open space areas.”
- (Page 538) It is mentioned in the EIR that to the South of Rolling Oaks Drive site that it consists of undeveloped, open space hillsides. It is important to put into context that only a small section of open space exists before single-family homes begin. For example, my residence is within 500 feet of the site. My neighborhood next to me is even closer.

I13-154



Small section of open space before single family homes start. Open space identified between the site and residential homes.

I13-155

**Wildlife**

- Please add that wildlife also includes deer, mountain lions, and bobcats. This wildlife is frequently spotted in the residential housing on and surrounding Los Padres Drive.

I13-156

**Alternatives**

- (1A) No Project Alternatives – This is a personal decision of HCA. No comment.
- (1B) Comprehensive Cancer Center at Janss Road Site Alternative “Cancer Center under the Project would result in a land use designation and zone change that would remove the potential for buildout of up to 9 residential units to occur at the Cancer Center site...” Note: This assumption is based on current residential zoning of RE-1-AC, but then the EIR goes on to say that the rezoning of the Janss Road site would be zoned to RPD-4.5U. This is NOT an apples-to-apples exchange. The City can decide to increase the density of the Rolling Oaks zoning without the need for it to stay RE-1-AC. In this shell game of rezoning, the only way the Janss Road site could be matched as a no net loss or residential is to up zone the residential zoning to RPD-4.5U from RE-1-AC. There is nothing to stop

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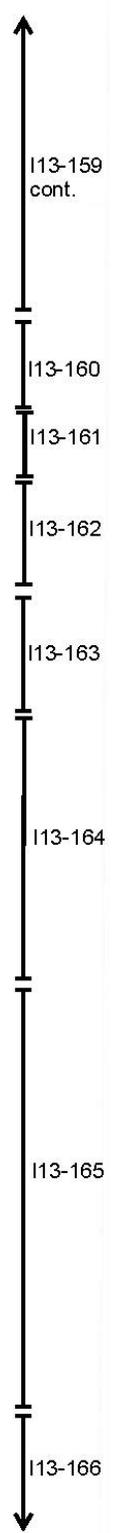
I13-158

I13-159

the City from upzoning the Rolling Oaks site as an alternative as it relates to keeping it residential in an established residential neighborhood where the property could be used in maximizing the development of desperately needed housing. There is so much challenge in insufficient housing that this proposal of rezoning eliminates the potential for housing in an existing residential neighborhood where it belongs. Remember that the previous proposal of rezoning the residential zoning to Public Lands (PL) was denied by the City Council in a vote of 4 out of 5 because the rezoning was incompatible with the neighborhood. Please include language in the Alternative 1B that indicates the opportunity of increasing the residential density alternatives for housing development by upzoning the parcel. Explain how rezoning to Commercial on the Rolling Oaks site is compatible with the residential apartments and residential single-family homes in that the property has been residentially zoned since 1975 and likely when this parcel was mapped originally.

The EIR indicates that building the Cancer Center at the Janss Road property would require that the building height would be 55 feet. Please indicate the current height of the medical buildings adjacent to the Janss Road property and what the height is of the Los Robles Hospital and Medical Center. While it is noted that 55 feet exceeds the maximum of a 35-foot height limit, the 42-foot height limit at the Rolling Oaks Drive property also exceeds the height limit of 20-25 feet and would also require an exception from the City. Thus, comparing the two options, there is no difference as an exception is needed by the City. Note that the height of the medical buildings adjacent to the Janss Road property are 2-3 stories. The Los Robles Hospital and Medical Center is 4 stories. Please explain why building a 3-story Cancer Center on the Janss Road property is incompatible with its adjacent medical campus and hospital buildings.

The City is now having to convert properties designated as Commercial and Public Land zoned to mixed use to allow the potential development of residential units. We do recognize the City can't enforce existing property owners from building residential units on their properties. But property owners can sell these properties if it doesn't fit their business model. HCA bought the property knowing that the previous proposal to change the zoning from Residential to Public Lands was denied because it was incompatible with the neighborhood. HCA knew that the property is residentially zoned. What HCA has done is thrown into the proposal a residential zoning swap and has verbally and in writing in this EIR indicating no plans to build residential units. The 2<sup>nd</sup> property at Janss will remain a parking lot for the medical office campus (medical buildings and hospital). And may I add that a parking lot is a much-needed requirement for HCA not to build residential as parking is a problem. Also consider the fact the rezoning of the Janss property is also inconsistent with its surrounding directly adjacent properties. The 2.15-acre property sits squarely adjacent to Commercial and Public Land surroundings. Please address in the EIR why "Spot Zoning" of the Janss Road property is acceptable for the City to agree to it. What is the general public's benefit for spot rezoning the parcel identified in the image below.





Commercial and Public Land Zone Properties are directly adjacent to the Janss Road property. Building a Cancer Center of this site would be in adjacent to medical offices and the hospital.

While there is much information in the EIR related to the Janss Road site, why isn't there a proposed plan to describe building the Cancer Center on an already properly zoned property that is adjacent to medical office buildings, a surgical center, and Los Robles Hospital and Medical Center? Therefore, the EIR is deficient for the City in fairly evaluating building the Cancer Center on the Janss Road site as a valid alternative. All the benefits stated in the EIR about building a cancer center at the Janss location would apply at that location. This alternative avoids all the negative encroachment and neighborhood concerns described in the EIR and via public comments. No one is denying HCA from building a cancer center. The issue is where it is built as described throughout the public responses.

- Single-Story Comprehensive Cancer Center at Cancer Center Site Alternative (Alternative 3)

- o The choice of the size of the building is strictly based on HCA's business model.
- o Any zoning change to the Cancer Center Site that is not Residential is not acceptable based upon reasons mentioned in this response.
- o Alternative 3 mentions that the single-story medical facility would reduce the visual presence of the medical facility compared to the proposed Project. This recognizes the fact that this is a major concern of the public.
- o Explain why HCA has not considered and incorporated mitigating solutions based upon what the public has told them, either in writing or as a result of the one and only single public meeting with the community? And let us indicate that the presentation during the public meeting was to deliver a sales pitch to the attendees and not to listen to the public responses. I do not see any mitigating solutions proposed in this EIR to

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address the concerns of the public that have been presented to HCA. Please include the detailed results of previous public comments, to include the meeting, as to what was of concern with what is HCA's response to the public concerns. Note: One of the appendices has public comments, but please include HCA's response to those comments.

**Summary**

- "Cumulative development would likely convert existing underutilized properties in the Project Vicinity to needed uses." Please explain how a property owner such as a residential developer or residential property owner make best use of a residential property they own. What would they do with it if given the chance to own the Rolling Oaks Drive property? What is the likelihood of a commercial business that owns residential property going to build residential housing units? How a commercial business that owns residential property help the City of Thousand Oaks develop desperately needs housing on appropriately zoned land within the City? Please address these questions in the EIR because the quoted statement was made as part of the EIR.

As the General Plan, just approved, indicates housing is the greatest need, not commercial. Commercial has exceeded its acreage designations (as discussed by Council Member David Newman at the General Plan adoption meeting), that it would need to go before the voters before zoning changes are made. As it relates to this project, the 400 E. Rolling Oaks property is designated as residentially zoned, and it is within an established neighborhood. The commercial owners who purchased the property knew the zoning and still bought it. They also could have known that in 2016 the City Council denied a previous proposal for a zoning change. (See Ventura County Star article included in this comment document.) What is now happening is that a commercial property owner has done is to tie up residential development of much needed housing. And, that this commercial property owner has demonstrated in this EIR a more suitable alternative to the requirement of having to make a zone change. This is already a situation whereby HCA is indicating that it will be consolidating up to 7 already existing in the community the same services and jobs into this one building.

(Page 616) Rural-Exclusive (R-E-1AC) to Commercial Office (C-O). The EIR states "...this change does not represent a drastic change in the overall intended uses of the area..." The words "does not represent a drastic change" do not reflect the opinion of the public. Please explain how this is not a drastic change to the residential neighborhood at the 400 E. Rolling Oaks Drive site, as well as recommending a residential zone encroachment into a Commercial Office and Public Lands zoning on Janss Road. Please explain HCA's position of supporting the City's Strategy of "preserving neighborhoods." Please explain why it is okay for HCA to not only encroach inconsistent zonings not only at one location but at two locations. How does this support City Planning guidelines? How does is this a "reasoned choice" for the City Council members when in fact that a valid alternative is already available to build a Cancer Center on Janss Road. What

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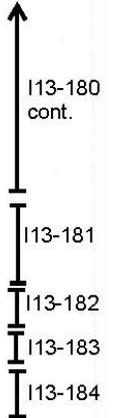
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are HCA's intentions on owning, developing, and/or selling the Rolling Oaks Drive residential property if the City Council denies the zoning change?

**Attachments**

- Reasons for No Zoning Change at 400 East Rolling Oaks Drive | 2016 – Prior proposal public comments to a rezone request presented to the City Council
- City Council denies assisted living facility in Thousand Oaks | Feb. 10, 2016
- Conejo Rec and Park District article – buys land to serve as a future park
- Municipal Code Section 9-2.203. Increases on residential densities or commercial acreage.



No Zoning Change - 400 East Rolling Oaks Drive | 2016

Community Representatives in Opposition of Presented to the City of Thousand Oaks Council Members

## Reasons For No Zoning Change At 400 East Rolling Oaks Drive

Case: Zone Change (Z 2014-70551); Parcel Map Waiver (PMW 2014-70553); Special Use Permit (SUP 2014-70552); Oak Tree Permit (OTP 2014-70554)

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No Zoning Change - 400 East Rolling Oaks Drive | 2016

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- Alternative Options for Rural Exclusive Land Use pg 30
- Alternative Options for Assisted Living Facilities pg 30
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## No Zoning Change - 400 East Rolling Oaks Drive | 2016

### Introduction

This analysis and study has been prepared and presented on behalf of the citizens of Thousand Oaks in opposition to the zoning change from RE-1AC (Rural Exclusive, 1 acre minimum) to PL (Public, Quasi-public, and Institutional Lands and Facilities) Zone for the 4.87 acres, then allowing a lot merger from two lots into one, authorizing the removal of six oak trees, encroachment into the protected zone of 1 oak tree, the removal of any and all trees with a 24 inch diameter at breast level and for the construction of a 79 unit (89-bed) assisted living facility on the property located at 400 East Rolling Oaks Drive, Thousand Oaks, California. **Based on the reasons set forth herein request that the Thousand Oaks City Council reject the proposed request.**

As City Planning Commissioner Newman stated, "This is a large commercial enterprise being plopped down in a residential setting...To me, that's not consistent with the neighborhood it's in." He goes on to state that there is a "rapid growth" of Assisted Living Facilities across the country and in California. This is a potential investment opportunity that has been on the radar of astute real estate investors for years (U.S. News May 14, 2015). Be reminded that Oakmont's founder, William Gallaher, Managing Member, is a real estate developer. City Planning Commission Alexander indicated, "No. Not comfortable it's the right thing in that location."

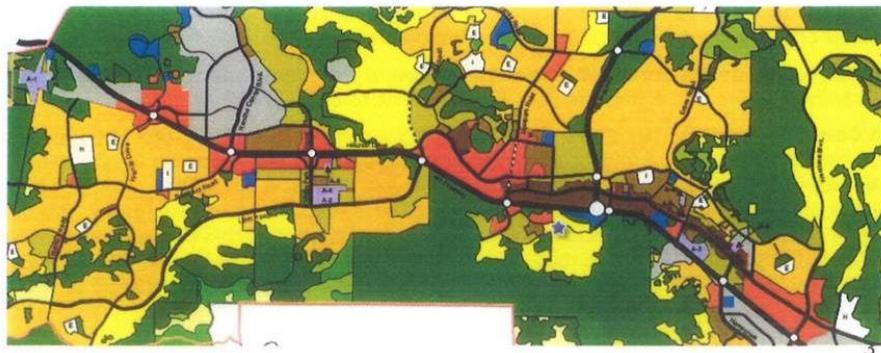
Bill Mabry, Oakmont Senior Living Project Manager, has admitted that there is "no benefit to the residents" in the neighborhood with the construction and operation of this property. Oakmont Senior Living has not done nothing to work it out with the neighbors who are opposed to the development. Oakmont has offered no concessions acceptable to the neighbors, except to host several meetings and answer questions.

A discretionary Special Use Permit is required for the assisted living use under the PL zoning due to many sites in the City not being appropriate for that high density commercial use. We, who are opposed to the Oakmont high density, commercial development, would not oppose the development of 4 detached single-family dwellings on this site in accordance with the property's current zoning, or a zone change to RPD-0.5 (similar to that zoning and density to the south on that side of Los Padres Drive) with a project of 7 to 8 detached single-family dwellings (which zoning allows flexibility in designing a project that could preserve oak trees). We who will have to live near this site are not opposed to the development of a new assisted living facilities at proper locations, **this is just not a good location for that use!**

Sincerely, Lynn Burdick, Representative of the Opposition and voting citizen of Thousand Oaks.

### Creating General Plan Inconsistencies

The General Plan has served this City for over 40 years. It has promoted **Smart Growth** for this City. Let us all be reminded as we make decisions



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## No Zoning Change - 400 East Rolling Oaks Drive | 2016

relating to land use and approving projects that become permanent as there may be no turning back.

In reviewing the Land Use Map, and in accordance with the General Plan, "Highly intensive land uses--major industrial and commercial centers--should be located in proximity to or within easy access of the Ventura Freeway corridor." You will note that the majority of commercial uses, zoning and properties are bordering the freeway on the north side. The property under review is not within the City's existing commercial corridor, but is in a built out and well established residential neighborhood.

The property lies south of Rolling Oaks Drive and within an established and significant residential neighborhood. It is not a good transitional use or development and there is not adequate buffer area adjoining and between the property and the present homes and residences.

The massive for profit commercially operated two story building with 75,226 sq. ft. and 79 rooms or units, large dining rooms, kitchens and activity areas and with room maid and food services, it is really like a hotel (therefore, the City has designated assisted living facilities as hotel use under the City's affordable housing linkage fee laws) and this use is not like a hospital, schools, civic centers, fire stations or other public or quasi-public uses or facilities for which the Institutional designation was originally created in the General Plan. This facility is either a "commercial" use or a "high density residential" use, both of which are **not consistent with the City's honored General Plan.**

**A High Density Residential Use.** According to the General Plan, this site is designated for "Very Low Density Residential" development at only 0-2 dwelling units per net acre. With 79 attached dwelling units on a 4.87 acre site, **the proposed project has a density of 16 units per net acre, an 800% increase over what is allowed under the General Plan.** A "High Density Residential" use or development has a range of 15 to 30 dwelling units per net acre and should be located primarily at sites accessible and close to neighborhood shopping centers where the residents can walk to shop, however, there is no neighborhood center near this site. To approve the rezoning for this commercial, high density, private use would create a serious inconsistency under the General Plan. The site, being south of Rolling Oaks Drive, which demarcates the buffer or line between residential and commercial uses. The requested rezoning is an unhealthy commercial high density encroachment and intrusion across Rolling Oaks Drive into an established residential neighborhood.

The General Plan also states that "In pockets of potentially developable land, within the surrounding mountains, only very low density housing should be allowed." The said property is within the surrounding mountains and is being reviewed as developable land, the only the difference is that the proposal is for high-density development. Again, the proposal departs from what has been our long honored and proven goals under the General Plan.

Finally, the General Plan goes on to state that the City should "Maintain and preserve existing neighborhoods through the application of appropriate zoning and development controls." Rezoning would create a hardship for the neighborhood residents.

Based on the points described, the General Plan of the City would require amending to allow for a rezoning change and a high-density development to be decided.

**A Commercial Use.** The City's main commercial corridor is north of the 101 Freeway. This is beyond question a for profit or commercially operated facility. Being all in one very large building of two stories, at 75,226 sq. ft., and with 79 rentable rooms, a dining hall, a large kitchen, activity areas and with room maid and food services (and other numerous employees and deliveries), it is really like a hotel. Allowing such intensive commercial uses at this primarily residential location goes against the present Land Use map and General Plan concepts for this neighborhood south of the 101 Freeway. Like hotels, assisted living facilities make more sense in a commercial zone where

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cont.



## No Zoning Change - 400 East Rolling Oaks Drive | 2016

residents and the frequent visitors can easily go to nearby shops or restaurants. This remote location is not located close to any commercial shopping, shops or restaurants.

**Ridgeline Development.** One of the General Plan's goals is "To enhance and preserve the spaciousness and attractiveness of the Conejo Valley." One of the General Plan's Development Policies is that "silhouetting of structures on natural ridgelines shall be discouraged." The building pad for this site sits above a natural arroyo on a ridge. As a result, the proposed massive building will silhouette on a natural ridgeline and in a scenic corridor, in violation of these General Plan goals and policies. When the Young Set Club received approval on October 25, 1972, the Planning commission indicated in paragraph D. Conservation Element Compliance: "This proposal is in accordance with the Conservation Element of the General Plan, since excessive topographic modifications and building coverage is not involved on those portions of the site classified as 'moderate slopes'." (Conservation Element adopted in June, 1972) The current proposal has excessive topographical modifications and the building does extend over the moderate slope areas.

### A Spot Zoning Change That Grants a Special Privilege

This small site is currently zoned RE-1 acre, a Very Low Density level consistent with the General Plan designation for that site and the area to the south. Under current zoning, the City could not allow a developer to put in a hotel or a 79 attached dwelling unit apartment on this constrained parcel. The maximum allowed would be four (4) single-family dwellings that the citizens in opposition of the rezoning change would support. Four dwellings is low density and 79 apartments is high density. The only difference is a fictitious zoning label of "Public Lands" rather than "Commercial" or "Attached Multi-Residential." So what is the rational basis or land use concept that would justify the City Council saying "Yes" to a spot zoning for an assisted living facility that is like 79 apartments or a hotel at this rural low density residential location? It is the same land. Nothing has changed. An assisted living facility is nothing like four (4) or eight (8) detached homes. An Assisted Living Facility is an enormous commercial enterprise and it is not compatible with the neighborhood.

In reviewing the Land Use Map, and in accordance with the General Plan, "Highly intensive land uses--major industrial and commercial centers--should be located in proximity to or within easy access of the Ventura Freeway corridor." You will note that the majority of commercial properties are bordering the north side of the 101 Freeway. Large commercial developments should not be built in residential neighborhoods.

It is not good land planning or customary to allow such encroachments or intrusions of large commercial operations into essentially rural areas or low density neighborhoods as requested. Each case is unique and the City Council has broad legislative discretion to preserve our neighborhood, keep the status quo and **say No to this Project** and rezoning.

In the case of Reserve at Thousand Oaks, built in 1978, the surrounding properties were not developed until the mid-1980s, after the Reserve at Thousand Oaks. In the OakView case, built in 2009, the property was surrounded by University Village on all sides but the street. OakView is part of the University Village Plan. University Village is a Continuous Care Facility. First, University Village built the Independent and Assisted Living portion of the project in 2007 and then built the Skilled Nursing portion of the project in 2009. Across the street is Cal Lutheran University.

There are recent projects both approved and pending for the building of assisted living facilities.

- Grande Vista - Already zoned Public Lands. Pending.
- McCloud Avenue - Zoned Commercial, proposed to Public Lands. Pending.

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cont.



## No Zoning Change - 400 East Rolling Oaks Drive | 2016

- Belmont Village - Already zoned Public Lands. **Built in 2011.**

Past Zoning Changes (See Appendix for images)

- Reserve at Thousand Oaks - Rural Exclusive to Public Lands - **Built in 1978.** At that time, there were 66,000 in population size and likely more available land at that time. (<http://www.dof.ca.gov/research/demographic/reports/estimates/e-4/1971-80/counties-cities/>)
- OakView - Rural Exclusive to Public Lands. **Built in 2009.** This property is surrounded by University Village on all sides but the street and the CLU campus to the east and residential to the west and north.

This is not zoning for a large area or a district with a uniformed application of uses for many property owners. Rezoning just this one small four(4) acre site to PL just for a **commercial profit** making enterprise (and private benefit of one party - the developer) grants the applicant a special privilege, and is improper spot zoning. Spot zoning may be allowed if there is a justification or rational basis, such as a logical connection with the neighborhood and use like providing a needed public service to the surrounding residences, like a park, or a school or a fire station.

### Measure E

In 2005, the City Council adopted a formal interpretation of Measure E that (1) established a baseline of residential density and **a baseline of commercial acreage** that existed in the Land Use Element of the General Plan...and (2) required that any General Plan amendment that cause either the residential density or commercial acreage baseline in the Land Use Element to be exceeded must be ratified by the voters, in addition to the normal City Council approval required for any General Plan amendment." It seems that developers and real estate promoters are using the Public Lands zoning as a loophole to Measure E. The Public Lands zoning classification is supposed to be used whereby the public interest is the benefactor. Such interest would include a hospital, public school, or fire department where **everyone in the City would benefit.** There is nothing stated in the Public Lands zoning that would all this rezoning request to be exploited as a loophole by large for profit commercial developments (Oakmont) that do not benefit **all** of the citizens.

Below is the listing on LoopNet.com. The listing is an "investment" and not subject to Measure E if rezoned.

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## No Zoning Change - 400 East Rolling Oaks Drive | 2016

**Backup offers Market Senior Housing Site**

Price	\$3,600,000	Commission Split	2%
Property Type	Senior Housing	Lot Size	4.75 SF
Property Sub-type	Assisted Living Residences	APN / Parcel ID	681-0-180-265
Property Use Type	Investment		

[Find out more...](#)

Listing ID: 18520154      Date Created: 03/11/2014      Last Updated: 01/14/2016

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**Description**

Currently used as a Private School. Last session will be this summer. 4.75 acres and 7735 sf building. Across the street from T.O. Surgery Center and Los Robles apartments. Measure E in Thousand Oaks is a growth ordinance and it requires any net increase in commercial building area or any net increase in residential density to be subjected to a public vote. The most likely zones that could be applied to this property are: (current) R-E-1AC (very low density residential), PL Public Land, C-O Commercial Office, RPD Residential Planned Development. The City of T.O. is inclined to allow Senior Housing or Assisted Living structures and that zoning is PL and it would not require rezoning subject to the Measure E public vote parameters. See attached PL Senior Care Facility/Residences strategy proposal and 2 story building exhibit.. Buyer to determine suitable use for construction. In contract, subject to due diligence.

Moorpark Rd. south off of the 101, then left on Rolling Oaks Dr.

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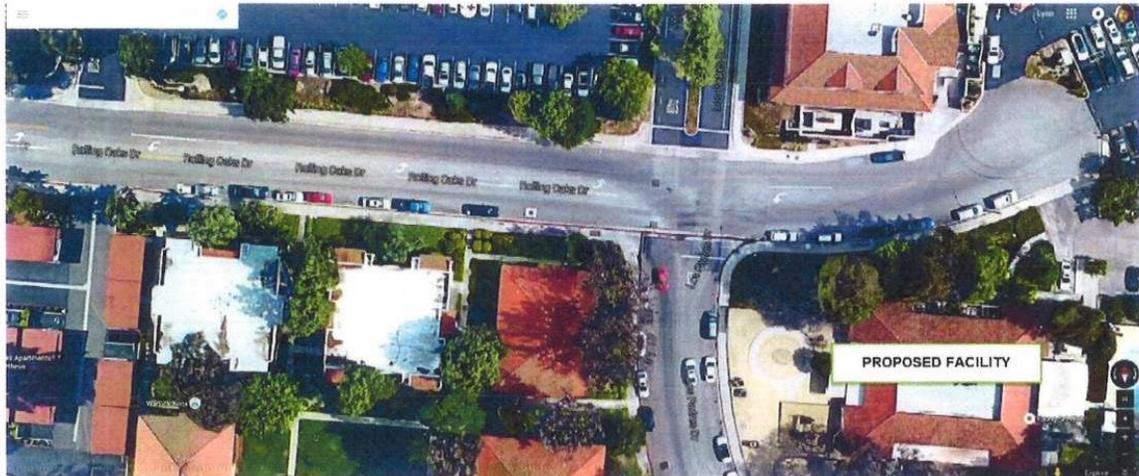
**Parking and Traffic Conflicts**

The neighborhood contains the following (from a Thousand Oaks realtor source):

- 523 residential dwellings (single family homes and condominium/townhomes) (Estimate resident count =  $523 \times 4 =$  **2,092 residents**)
- 248 apartments (239,224 sq ft building area) plus an approved 14 more units (Estimate resident count =  $248 \times 4 =$  **992 residents**) ( $262 \times 4 =$  **1,048 residents**)
- 1 theater (185 capacity)
- 1 golf course (75 acres)
- 1 restaurant (10,867 sq ft building area)
- 1 hospital (90,194 sq ft building area)
  - 21 bed capacity with 20 post surgery beds
- 1 commercial mixed use (66,667 sq ft building area)
- 3 medical buildings (99,194 sq ft building area)
- 1 day care (7,753 sq ft building area) = (Capacity = 150 children + 11 staff = **161**)
- 2 office buildings (57,136 sq ft building area)
- Thousand Oaks Transportation Center (290 vehicle spaces)

**There are over 3,000 residents in 523 residential dwellings and 248 apartments.** Note that the apartment has been approved to add an additional 14 units which will increase the population, parking and traffic issues.

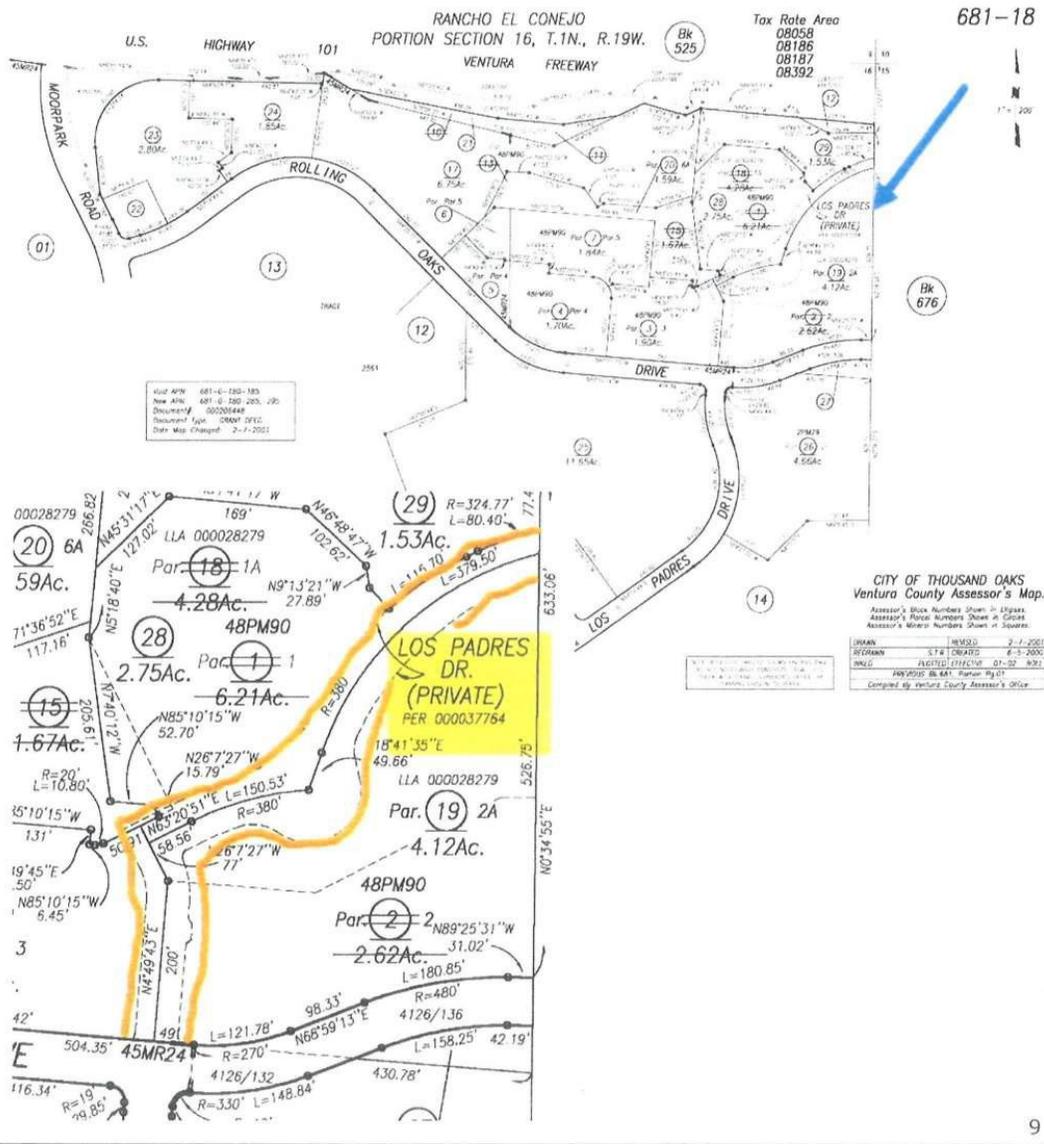
Major access routes for the area is via Moorpark Road or Rancho Road. Moorpark is a 4-lane boulevard and all other roads are smaller collector, **single lane roads** with on street parking. None of the residential roads can be widened to accommodate more traffic lanes. Below is an image of the intersection of Rolling Oaks Drive and Los Padres Drive. Note that there is a center turn lane.



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## No Zoning Change - 400 East Rolling Oaks Drive | 2016

Please also be aware that the section of roadway north of Rolling Oaks Drive that includes a Los Padres Drive extension, a circle at the back of the Thousand Oaks Surgical Hospital and then adjoining Haaland Drive is a **common access easement (deed restriction)** use of a privately owned street. The senior planner and City traffic division believed this road was a public street. The owners of the private street will be impacted. Has any consideration been made to its impact? (Planning Resolution 3488, [assessor.countyofventura.org /mapBooks/Book681/681-18.pdf](http://assessor.countyofventura.org/mapBooks/Book681/681-18.pdf))



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## No Zoning Change - 400 East Rolling Oaks Drive | 2016

The Public Works Agency Transportation Department Memorandum dated October 20, 2015 stated "The cumulative impacts of the development of this project, when considered with the cumulative impact of all other approved (or anticipated) development projects in the County, will be potentially significant." An appropriate Traffic Impact Mitigation Fee should be paid to the County when development occurs. If this project is not to have any impact on the traffic, then why charge a fee? The County would get \$12/bed. The neighborhood just gets the traffic and parking problems with no benefit from any fees collected.

### Limited Parking

As mentioned above, the proposed use will have numerous employees (maids, janitors, kitchen help, program aids, administrative staff or managers, care givers, etc.), delivery trucks and guests coming to the facility. There is excessive demand for parking along Rolling Oaks Drive and on Los Padres Drive near the intersection of Rolling Oaks.

- There is no written Transportation Plan to hold Oakmont accountable.
- The proposed site is on a dead end street.
- There is no public transportation near the proposed site.
- There is no parking on the North side of the street.
- The streets are only 60 feet wide.
- There is a turn lane in the middle of Rolling Oaks Drive.
- There are no signals or cross walks on Rolling Oaks Drive.
- Anyone living in the area or visiting the area must travel by car or truck.
- This location is not within walking distance to the mall, retail shops or stores, banks, entertainment or restaurants (except the Borderline Bar).
- A transportation center is located almost one mile from the site. Very few individuals are spotted walking to/from the transportation center.
- There are no bicycle stalls at any of the public buildings in the area and it would be rare to see a resident, employee, or visitor bicycle as a mode of transportation in this area.
- Haaland Drive is a no parking street.
- The proposed site would have ongoing delivery trucks for laundry, food and other supplies. There is no way to control the delivery times. Delivery trucks are frequently spotted parked in the public street, obstructing traffic.
- Overflow parking from TOSH and the medical buildings are now using the Young Set Club parking lot.



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It is unrealistic to believe that all staff, visitors and residents to an assisted living facility would park onsite. Please note the photograph of the Oakmont of Chino parking lot below. The parking lot is full. Also note in the photograph of the current Young Set Club. The recent photograph shows the overflow parking from the medical facility and TOSH. The Young Set Club is closed until the Summer. Oakmont is proposing 43 parking stalls. Note that two will likely be for handicap, two will

## No Zoning Change - 400 East Rolling Oaks Drive | 2016

be for tours, 20-30 will be for employees, up to 6 residents will likely have cars and the rest would be for visitors such as families, clergy, companions, spouses living at the facility, outside medical staff, and outside business guests. There are two bedroom units whereby a spouse may live with a resident and have their own vehicle. Mr. Mabry indicates that they "encourage" and "discourage" residents not to store vehicles on site. Encouraging or discouraging and requiring are not the same thing. There is no accountability by anyone and it would be the residents of this neighborhood that suffer the burden of this parking and traffic hardship. Mr. Mabry has stated that there will be 40 staff members in three shifts. Each shift will have 20-22 employees except at night when they will have between 3-4 employees. There will be an overlap of parking during shift change. There might be times in the afternoon, according to Mr. Mabry, where the traffic/parking will be clogged up.

Oakmont hosts major events throughout the year to include the Grand Opening, holiday parties, and Thanksgiving. Mr. Mabry admitted that these events would not be favorable for the residents. If each resident has one guest, that would be 89 cars just as an event visitor.

There is a significant difference between the inadequate City parking requirements and the reality of the operation of this kind of commercial use. The City requires 23 parking spaces for an Assisted Living Facility. There would be 20 employees working at the facility during the day shift, which would leave three spaces for everybody else. How is 23 parking spaces a valid City requirement?

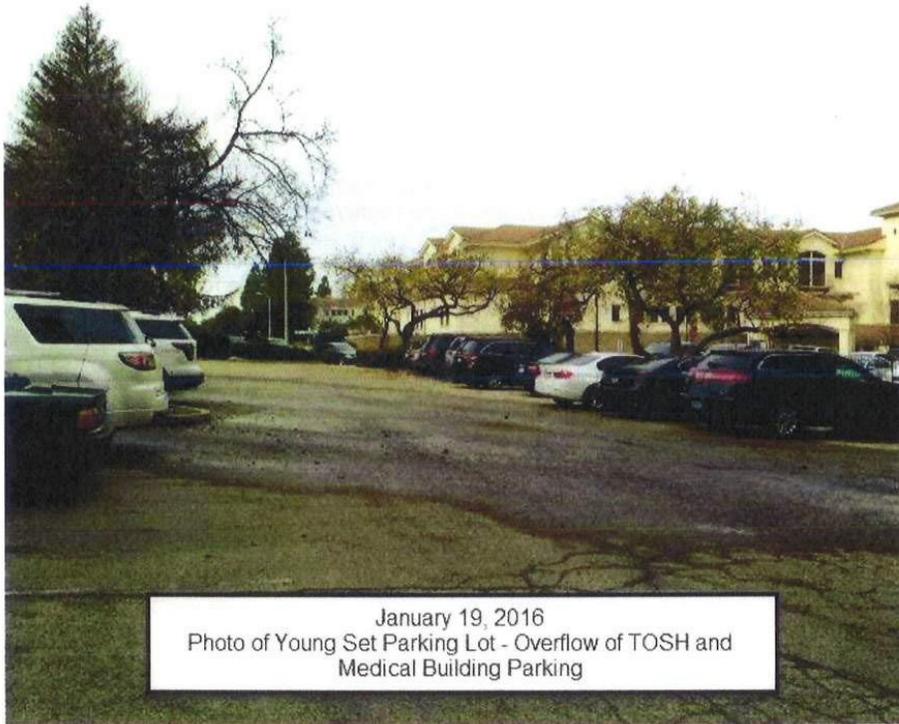


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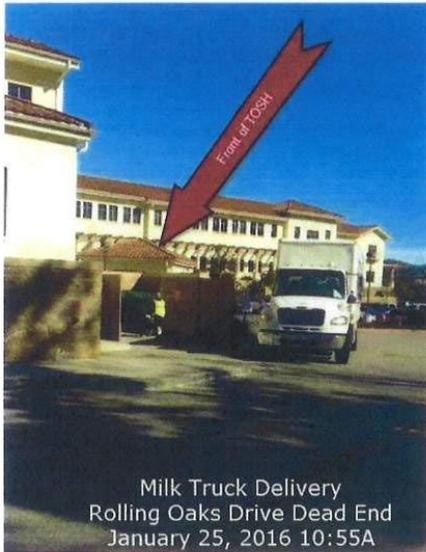
No Zoning Change - 400 East Rolling Oaks Drive | 2016

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No Zoning Change - 400 East Rolling Oaks Drive | 2016



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**Comprehensive Trip Generation and Parking Study - Trip Generation Rates**

A comprehensive trip generation and parking study was requested of Jim Mashiko, Kathy Lowry and Pam Leopold and denied. No comprehensive parking and trip generation study has been done on this neighborhood that has been presented, even historically. Only a study was done to compare a daycare facility and an assisted living facility. The traffic study is inadequate. The City Transportation Department used different figures than the Crane Transportation Study. In reality, this large commercial facility would have a greater effect on the neighborhood than what is being represented on paper.

The neighborhood traffic and parking has changed since 2005 when the Rolling Oaks/Haaland Drive medical complex was built. A new medical facility is now being built at the corner of Moorpark Road and Rolling Oaks Drive, which will add additional traffic to the neighborhood. The only previous study completed was in 2006 when a **limited** parking study that was done for the Los Robles Apartment complex that indicated that the demand for on street parking is high. The Thousand Oaks Transportation Center, about one mile from the Rolling Oaks Drive/Los Padres Drive intersection has a 290 capacity. These vehicles do come through the area.

It is our opinion that there is a "fair argument" that the operation of an assisted living facility would negatively affect the existing parking and traffic and exacerbate the problems especially when this area has to be evacuated, representing a significant adverse environmental impact that has not been addressed in the EIR. The neighborhood and this property backs up to open space that is designate as "Very High Fire Severity Zone."

Residents of the neighborhood can testify that they have been physically struck by illegal turns and regularly watch vehicles ignore the Stop signs posted at the intersection of Rolling Oaks Drive and

## No Zoning Change - 400 East Rolling Oaks Drive | 2016

Los Padres Drive as well as at Los Padres Drive and Haaland Drive. Residents have also witnessed individuals crossing through the circle on Haaland Drive almost being hit by vehicles because delivery trucks are blocking views all concerned. It is common to see vehicles parked in the cross walk on Los Padres Drive on the curve portion of the handicap ramps obstructing the views of pedestrians and vehicles.

Using the same source data (*Trip Generation*, 9th Edition, by the Institute of Transportation Engineers 2002) used by Crane Transportation Group, **we determined that the daily generated trips is in this residential neighborhood is 19,178.** The Crane Transportation Group study also determined that "Nearby on-street parking is frequently dominated by the heavy parking demand from the Surgical Hospital and Los Robles Apartments." "There is no public transit along Rolling Hills (Oaks) Drive..." **Also, note that the Trip Generation data source excludes visitors, defined as people not in the area for the sole purpose of conducting business.** The generated trip excludes the day care center and the assisted living facility.

10-Jan-16

**ITE Trip Generation Rates - 9th Edition**  
**Pass-by rates from ITE Trip Generation Handbook - 2nd Edition**  
 (copyrights. Institute of Transportation Engineers)

**Instructions:** Enter Expected Unit Volumes into Column 'M'  
 Notes on Color Coding at Bottom

Description/ITE Code	Units	ITE Vehicle Trip Generation Rates								Expected Units	Total Generated Trips			Total Distribution of Generated Trips					
		<small>(peak hours rate for peak hour of adjacent street traffic unless highlighted)</small>									Daily	AM Hour	PM Hour	AM In	AM Out	Pass-By	PM In	PM Out	Pass-By
		Weekday	AM	PM	Pass-By	AM In	AM Out	PM In	PM Out										
Single Family Homes 210	Acres	26.04	2.05	2.74		31%	65%	65%	34%	245.0	6,403	507	674	157	350	0	445	229	0
Apartment 220	DU	6.65	0.51	0.62		20%	80%	65%	35%	262.0	1,742	134	162	27	107	0	106	57	0
Resid. Condo Townhouse 230	DU	5.81	0.44	0.52		17%	83%	67%	33%	214.0	1,243	94	111	16	76	0	75	37	0
Assisted Living 254	Beds	2.66	0.14	0.22		65%	35%	44%	56%	89.0	237	12	20	8	4	0	9	11	0
Golf Course 430	Acres	5.04	0.38	0.48		74%	26%	34%	66%	75.0	378	16	23	12	4	0	8	15	0
Live/Healthier 441	Seats	NA	NA	0.00		NA	NA	50%	50%	185.0	0	NA	4	NA	NA	0	2	2	0
Daycare Center 505	KSF <sup>2</sup>	74.00	12.18	12.34		53%	47%	47%	53%	0.0	0	0	0	0	0	0	0	0	0
Daycare Center 505	Students	4.38	0.80	0.81		53%	47%	47%	53%	0.0	0	0	0	0	0	0	0	0	0
Daycare Center 505	Employees	26.73	4.85	4.73		53%	47%	47%	53%	0.0	0	0	0	0	0	0	0	0	0
Hospital 619	Beds	12.94	1.32	1.42		72%	28%	33%	67%	21.0	272	28	30	29	8	0	10	20	0
General Office 710	KSF <sup>2</sup>	11.03	1.00	1.41		88%	12%	17%	83%	57.1	630	89	85	78	11	0	14	71	0
Medical/Dental Office 720	KSF <sup>2</sup>	36.13	2.94	3.57		79%	21%	26%	74%	165.0	5,663	366	580	313	63	0	166	476	0
Quality Restaurant 931	KSF <sup>2</sup>	89.95	0.81	7.49	NA	NA	NA	67%	33%	10.9	977	9	81	NA	NA	4	31	15	36
Sub/Station w/ Concessions 945	Full Pads	162.78	10.16	13.93	50%	50%	50%	50%	50%	8.0	1,302	81	108	18	18	50	24	24	0
<b>19,178</b>											<b>1,366</b>	<b>1,890</b>	<b>649</b>	<b>663</b>	<b>46</b>	<b>887</b>	<b>906</b>	<b>95</b>	

113-185 cont.

The Crane Transportation Group did report that there would be "weekday" daily 2-way trip volume of 574 based upon the square footage of the facility. **Note that if the daycare did operate at full capacity it would only be open Monday through Friday and closed on Saturdays, Sundays, and public holidays.** Understand that daycare facilities are generally a facility where parents drop off and pick up children. They do not stay unlike assisted living facilities where the staff, residents who drive and visitors stays at the facility for a while. Neither study accounted for visitors. It would be expected that family, friends, medical staff, companions, clergy and the like would visit the residents of an assisted living facility.

The Appendix contains detailed information on the numerous businesses that operate at the corner of Rolling Oaks Drive and Los Padres Drive. The Appendix also contains the square footage used in determining the Trip Generation Rates.

### Residential Care Facility Visitors

The trip volume study included in the Mitigated Negative Declaration did not include the number of visitors to the Assisted Living Facility. Using the CDC data below, **it is estimated that the facility would receive over 200 visits per week using 89 beds.**

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According to a CDC 2010 National Survey of Residential Care Facilities, residents received visitors:

At least several times a week = 31% (89 x 31% = 27.59 resident visits times X number of days = X resident visits per week)

About once a week = 26% (89 x 26% = 23.14 resident visits)

Several times during (the day) = 13% (89 x 13% = 11.57 resident visits x 7 days = 80.99 resident visits per week)

Every day = 11% (89 x 11% = 9.79 resident visits x 7 days = 68.53 resident visits per week)

At least once in the last 30 days = 11% (89 x 11% = 9.79 resident visits)

Not at all in the last 30 days = 8%

Oakmont indicates that there would be no restriction on visiting hours.

### Apartment Frontage Street Parking

The Alliance JP Parking Study conducted in 2006 points out:

- The Rolling Oaks Drive frontage to the apartment complex provides parking for 17 vehicles and has red curb restrictions for visibility near driveways.
- Rolling Oaks Drive also has parking for 6 vehicles on the east side of Rolling Oaks Drive. **(These parking spots would be eliminated if the proposed site is built.)**
- The north side of Rolling Oaks Drive is posted with "No Stopping Anytime" signs.
- Parking is not permitted west of the site on Rolling Oaks Drive.
- The west side of Los Padres Drive at the apartment complex frontage provides parking for 23 vehicles.
- The east side of Los Padres Drive provides parking for 32 vehicles.
- Both sides of Los Padres Drive have red curb restrictions for visibility near driveways.
- The on-street parking in the vicinity of the Los Robles Apartments provides a total of 78 parking spaces."

113-185  
cont.



Proposed project will have two accesses on Rolling Oaks Drive, thus the **six vehicle spots currently available on street parking space will be eliminated due to visibility restrictions.**

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cont.

The City of Thousand Oaks will also need consider that two additional traffic signals will need to be installed. One at the intersection of Los Padres and Rolling Oaks and the other at Haaland Drive and Rancho Road.

The Revised MND specifically states that a mitigation of the project is to have Oakmont "contribute toward mitigating cumulative traffic effects, the developer has agreed to pay his fair share of the City's standard traffic mitigation fees." If this project is not supposed to generate any traffic effect, why charge a fee?

**Emergency Vehicle Noise and Frequency**

City Planning Commissioner Newman pointed out that Assisted Living Facilities likely will experience a higher number of emergency vehicle calls than to a residential neighborhood. No statistics could be provided by City emergency services on the call numbers. As Commissioner Newman pointed out, women generally live to age 81 and men to age 76. The profile of an Assisted Living resident is over these ages. It would be "statistically improbable" not to think that these types of facilities would have a higher number of emergency calls. The neighborhood would be impacted by the noise and increased traffic of rushing emergency vehicles.



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### Undermining Public Safety

Citywide Goals for the FY 2015-2016 and FY 2016-2017 is to "Maintain a strong commitment to public safety... to ensure City remains one of the safest Cities in the United States." Approving the building of an Assisting Living Facility next to a very high fire severity zone of extensive brush or fuel for fires is contrary to this commitment to the City's citizens. The property has two sides that abut to Open Space or low density large lot residential properties where much of each lot is undeveloped. The residential community is surrounded by undeveloped Open Space to the south and east. Failing above ground power lines that transverse the east side of the property line or smoldering cigarettes discarded from vehicles traveling on the 101 Freeway are real possibilities.

It is not a matter of "If" but a matter of "When." Below is an image of the Lake Sherwood Fire on November 7, 2015 taken from Rimrock Road.



With only two evacuation routes - Moorpark Drive and Rancho Road, and single, two-way residential collector streets to include a common access easement, an assisted living facility at this site would not only endanger the lives of the residents at the facility but the entire neighborhood. Evacuation of 523 residential dwellings, 248 apartments, the Thousand Oaks Surgical Hospital and all of the commercial and residential structures would be chaotic and dangerous.

400 East Rolling Oaks Drive is on a pivotal corner on a dead end street.

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2.2.2016

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113-185  
cont.

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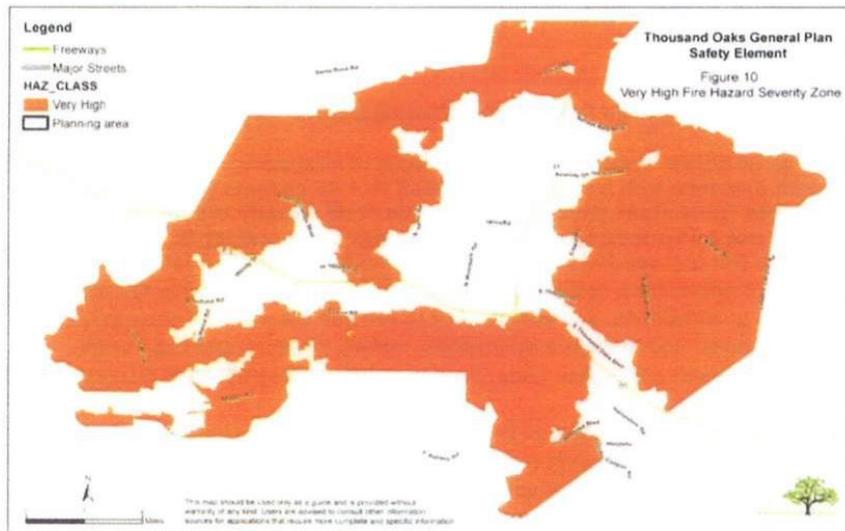
18

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According to the MND, only 100' of clearance was indicated and is inadequate. The Ventura County Fire Department strongly recommends an increase in brush clearance from 100' to 200' if the property is located on/or at the top of a slope, old brush not recently burned, and east or south facing, and heavy chaparral fuels. The property is at the top of a slope, is next to old brush not recently burned, has an east face and is located next to heavy chaparral fuels. The Los Angeles Fire Department requires a 200' brush clearance zone in a very high fire hazard severity zone. Warm climate, dense brush, flammable vegetation, drought conditions, and steep terrain combine for a volatile wildfire equation.

The County of Ventura Resource Management Agency, dated June 17, 2015, pointed the original MND (page 19) stating that the project site **is located** within a designated "high fire hazard area." The MND concludes that due to the project site's location within a high fire hazard area, that the proposed project may have a significant impact with regard to the significant risk of loss, injury, or death involving wild land fire.

- The Open Space around the property and residential neighborhood is designated as "**Very High Fire Hazard Severity Zone**"
- Downed power lines cause Hillside fires.



Chapter 4  
Fire Hazards  
Thousand Oaks General Plan  
Safety Element 2014 Update

113-185  
cont.

Assisted Living Facilities do perform emergency drills and all staff are trained in emergency procedures, but there are no drills on evacuating a facility and neighborhood. Interviewing several of the communities Assisted Living Facilities, none had practiced an evacuation.

- According to Ted Smith (Fire Chief of the Ventura County Fire Department), Bob Michels (Records Manager), and Ryan Kraai (Fire Prevention Officer), an **Assisted and/or Skilled**

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### **Nursing Evacuation Plan does not exist for the County of Ventura or City of Thousand Oaks.** (See email in Appendix.)

- There is no Critical Facilities evacuation plan in the Thousand Oaks General Plan Safety Element
- At the Thousand Oaks City Planning Meeting, when Mr. Mabry was asked about the facilities safety plan, Mr. Mabry indicated that residents would "shelter in place" or that the protocol would be in an evacuation is to call back in all of their employees back to the site.
- The Thousand Oaks General Plan Safety Element 2014 Update indicates the following Assisted Living / Nursing Homes as being Critical Facilities in Thousand Oaks and subject to a number of potential hazards such as flood, seismic, geohazards and fire hazards.
  - Atria Hillcrest
  - Belmont Village
  - GLC Oak View Health Care
  - Grand Oaks Senior Living
  - Hillcrest Royale
  - Mary Health of the Sick
  - Sunrise Assisted Living
  - The Reserve at Thousand Oaks
  - Thousand Oaks Health Care
  - Thousand Oaks Royale
  - United Cerebral Palsy
  - Westlake Health Care
- In addition to the above named facilities, The Thousand Oaks Surgical Center is a critical facility.
- There would be 89 elderly residents in various stages of incapacity, most without vehicles, and many with dementia with a staff ratio of 1 staff to 4.45 patients (day shift) and **1 staff to 29.7 patients (overnight shift). Maintenance staff usually makes up the night shift and may not be trained to work with Memory Care residents.**
  - There are Not any specific staff to resident ratio for assisted living/residential care facilities. California law requires that facility personnel shall at all times be sufficient in numbers, qualifications, and competency to provide the services necessary to meet resident needs, and to ensure their health, safety, comfort, and supervision. (California Health and Safety Code, Sections 1569.269(a)(6), 1569.618(c); CCR, Title 22, Section 87411.)
  - Rancho Santa Fe Fire Protection District Shelter-in-Place document states that sheltering in place, or staying requires considerable planning and that fire agencies cannot make that decision for you. Evacuation must be done early enough to avoid being caught in fire, smoke or **road congestion**. Fire agencies will not have time to knock on every door to tell you to leave.
  - *"Assisted living facilities face greater difficulties than any other business when it comes to respond to a disaster. Residents are often disabled, suffer from reduced mobility, and may not respond to instructions as expected."* (Source: 911 Consulting)
  - *"For fire departments, evacuations are difficult and labor intensive; difficulties arise because people are not always cooperative...Seniors are especially at risk as they are considered one of the most vulnerable populations."* (FireEngineering.com)

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cont.

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- *"Disasters can be particularly serious for elderly victims with inadequate transportation and limited personal support."* (Source: Rosenkoetter, M. M., Covan, E., Cobb, B. K., Bunting, S., & Weinrich, M. (2007). "Perceptions of Older Adults Regarding Evacuation in the Event of a Natural Disaster." *Public Health Nursing*, 24(2), 160-168.)  
*"Frail elderly are defined as those with serious physical, cognitive, or psychosocial problems. The three most common medical issues of this group are hypertension, diabetes, and cardiac problems. Although preparation for a disaster is essential, it is often left to those affected to determine how they want to prepare. The elderly may not know how to prepare or where to find that information and thus may find themselves at increased risk. More information must be given than just, "Grab your medications and eyeglasses."* (Source: FireEngineering.com)
- *"Sheltering in place and evacuation both carry risk. While preparing evacuation plans, transportation and decision making remain two issues requiring more work. Although United States nursing homes are required to maintain an evacuation plan, compliance is not always robust."* (Source: Nomura, S., Gilmour, S., Tsubokura, M., Yoneoka, D., Sugimoto, A., Oikawa, T., & Shibuya, K. (2013). "Mortality Risk Amongst Nursing Home Residents Evacuated after the Fukushima Nuclear Accident: A Retrospective Cohort Study." *Plos ONE*, 8(3), 1-9.)
- *"As a firefighter, whether you encounter a protect-in-place philosophy or people running for their lives, the fact is, people older than 65 are twice as likely to be killed or injured by fire regardless of where they are. Mobility issues as well as hearing and visual impairments are the primary causes of response challenges when dealing with seniors, especially as they enter their eighth and ninth decade...Remember too, health-care workers in senior-care centers are not firefighters and any visible threat could result in immediate evacuation by all ambulatory personnel regardless of condition or age. As firefighters arriving on scene, you will find a labor-intensive incident, fire or not...Responding firefighters will find any incident to be manpower intensive with patient mobility and time working against them. Outside, there are issues of weather, exigent care needs and again the sheer volume of people in the area."* (Source: Firerescue1.com)
- In an evacuation, staff and first responders must be prepared for the following impairments: Mobility, Visual, Hearing, Speech, Medical, and Cognitive.
- The city and city officials are at a high risk and could possibly face multi-million dollar criminal negligence suits if anyone is unable to evacuate, is injured or dies as a result of allowing for a high risk facility to be built in/next to a "Very High Fire Hazard Severity Zone."
- Wild Fires ([www.fema.gov/hazard/wildfire/index.shtml](http://www.fema.gov/hazard/wildfire/index.shtml)) Is your community likely to be affected by a wild fire? FEMA states the following: "The threat of wildland fires for people living near wildland areas or using recreational facilities in wilderness areas is real. Dry conditions at various times of the year and in various parts of the United States greatly increase the potential for wildland fires." That description could fit many areas in the United States and suggests that many communities should conduct a preparedness plan for such a wild fire. Unless the wild fire starts in the vicinity of the community, there will normally be time to evacuate as soon as local authorities suggest or require evacuation. Wild fires can

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## No Zoning Change - 400 East Rolling Oaks Drive | 2016

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move rapidly, and delay in evacuation can place the community at risk. FEMA has guidance if during the evacuation the wild fire traps your group.

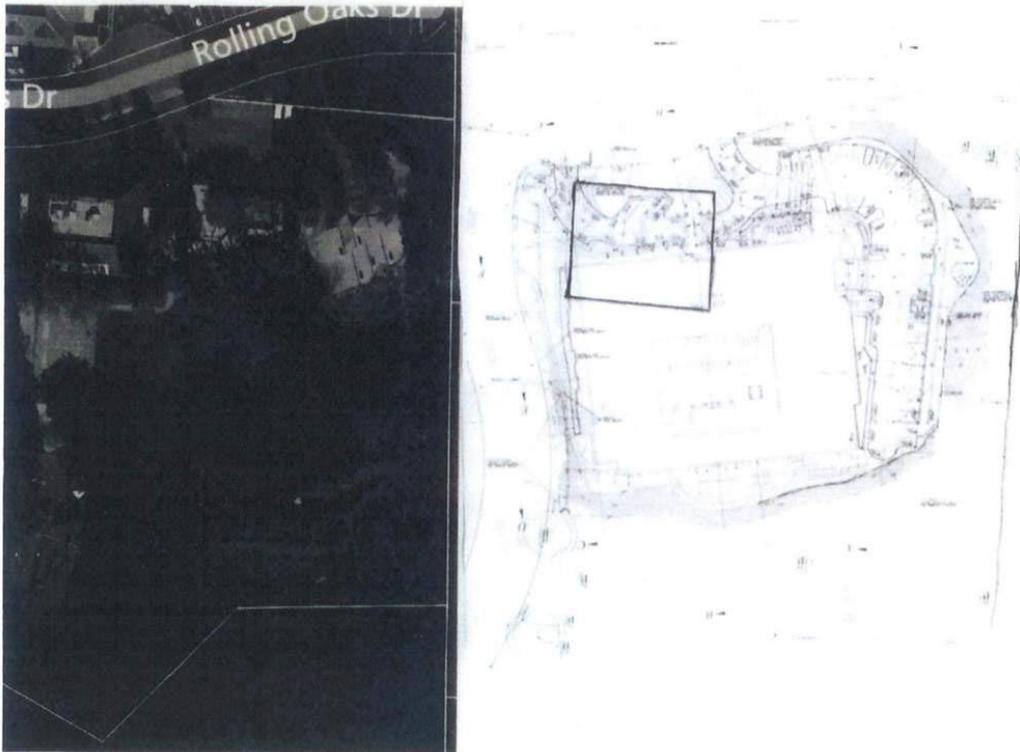
- Shelter in place, or defend in place, is a common strategy used regardless of building sprinkler status or building construction types, since these requirements vary according to the year of construction. At face value, this seems to go against normal fire service doctrine. However, one of the factors that makes the senior demographic susceptible to fire death is limited physical mobility. It is not a secret that attempting to move a large number of seniors takes significant time and resources. To be able to use the shelter-in-place strategy, senior units should have 20-minute rated fire doors or equivalent (*2000 edition of NFPA 101®*, section 19.3.6.3) between the individual units and common corridors.  
<http://www.fireengineering.com/articles/print/volume-161/issue-1/features/fire-operations-at-senior-living-facilities.html>

113-185  
cont.

No Zoning Change - 400 East Rolling Oaks Drive | 2016

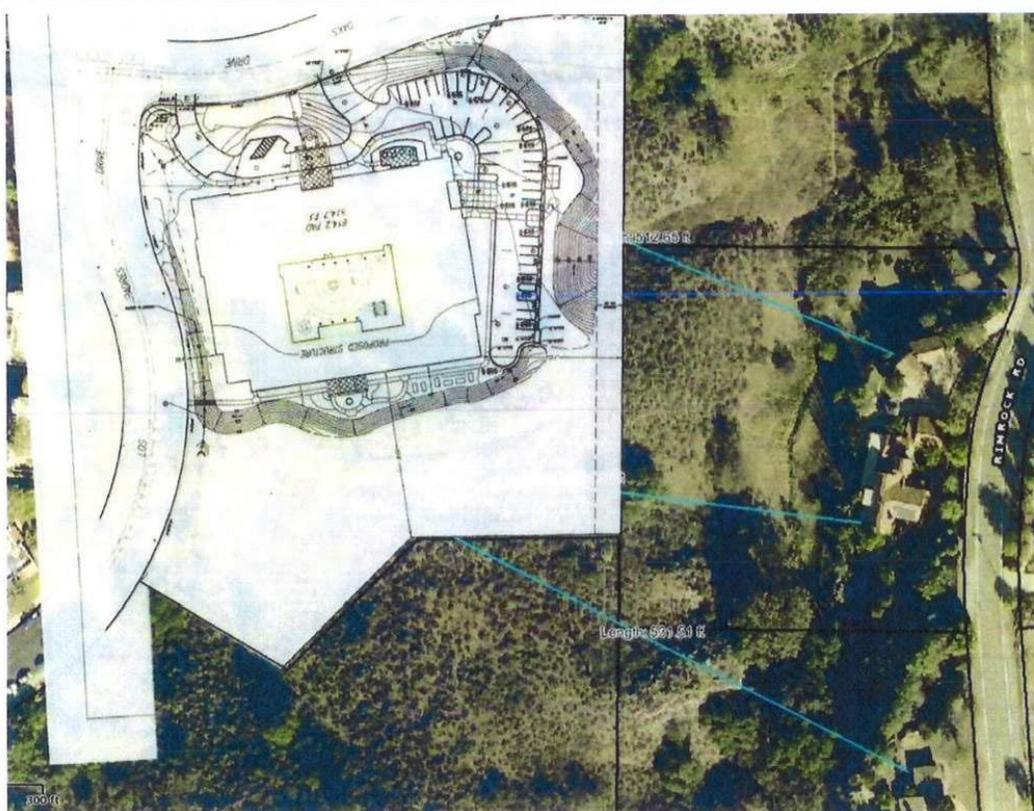
**Proposed Facility Footprint**

The proposed building is a two story 75,226 square feet. The current Young Set Club building is a one story 7,735 square feet (according to Ventura Tax records). The right image below shows the current building (rectangle) and then an overlay of the proposed structure.



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cont.

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13-185  
cont.

No Zoning Change - 400 East Rolling Oaks Drive | 2016



The green line is the size of the building foot print.

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- The proposed building is larger than the following well-known structures:

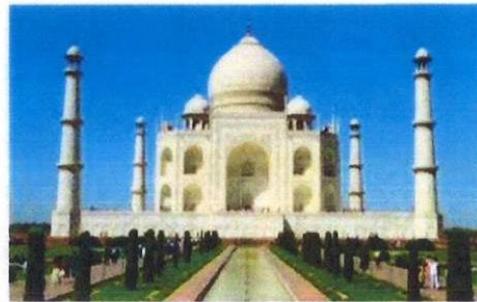
Description	Square Feet	Percentage Smaller than Oakmont
The Taj Mahal	35,000	53%
The White House	55,000	27%
Spelling Manson	57,000	24%
Hearst Castle	68,000	10%



**The White House**  
55,000 Square Feet on 18 Acres  
20,000 Square Feet Smaller



**Hearst Castle**  
68,500 Square Feet on 127 Acres  
6,500 Square Feet Smaller



**Taj Mahal**  
34,596 Square Feet on 55.5 Acres  
40,404 Square Feet Smaller

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cont.

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- There are 50 more examples of large buildings that have one major thing in common. They are larger than the proposed building but ALL have many more acres that the building occupies. They are all on over 10 acres and some over 100 acres in comparison to the proposed Oakmont building that would occupy less than 5 acres. Allowing a building of this size would set a new precedent of structure to buildable acreage.

### Many Senior Housing Options

Each senior is unique and therefore there is no single type of living arrangement that will fit everyone's needs. Senior housing options will vary according to the needs to the patient and family. And, as time progresses through a seniors life, needs will change and thus a new option maybe required. In determining whether or not there is sufficient options available for seniors, this study looks at all the options and availability of those options in our community (the County of Ventura and cities in close proximity to Thousand Oaks). **Large Senior Assisted Living facilities/communities are not the only options for senior housing.** Adding more Assisted Living where there is a plentiful supply is not addressing the expressed desires of the seniors of Thousand Oaks which is **affordable housing in a retirement community or apartment.** Opposing the Oakmont project will not jeopardize the availability of Assisted Living facilities for seniors.

Senior housing options consist of:

- Independent Living
- Assisted Living
- Continuing Care Retirement Community
- Home Care
- Skilled Nursing Home
- Adult Day Care

On Saturday, January 30, 2016, Senior Concerns, The Greater Conejo Valley Chamber of Commerce, and the Cities of Agoura Hills, Westlake Village, and Thousand Oaks will host Caregivers Matter...Conejo Cares in recognition family caregivers. According to Senior Concerns, **"Family caregivers provide 80% of the long-term care services in the United States."** **"Family caregivers play a vital role in caring for our large and growing senior population and are instrumental in keeping elders out of institutions and in the community."**

The following sites were visited and/or contacted to determine availability or waiting listing status. **All sites mentioned had availability** except Thousand Oaks Royale. Thousand Oaks Royale is more affordable. Interested parties were wait listed if they had a specific request for a exact floor plan. However, once the resident had moved into the facility, the resident could change from one floor plan to another when the desired floor plan became available.

- Belmont, Thousand Oaks
- Sunrise of Westlake Village, Westlake Village
- Ventura Townhouse, Ventura
- Atria Las Posas, Camarillo
- Atria Grand Oaks, Thousand Oaks
- Atria Hillcrest, Thousand Oaks
- Meadowbrook, Agoura
- Aegis of Ventura, Ventura
- Oakview, Thousand Oaks

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cont.



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The nonprofit group Long Term Care Services of Ventura County indicate that there are a total of 231 facilities in Ventura County with 6,908 beds. Facilities include residential care facilities, continuing care retirement community, skilled nursing facilities and adult day care facilities. We were able to identify the following types of providers and capacity. Please the Appendix for details.

Type of Care	Number of Providers	Capacity
Assisted Living / Board & Care - Ventura County	224	5,807
Assisted Living / Board & Care - Thousand Oaks*	80	2,395
Independent Living - Ventura County	13	n/a
Independent Living - Thousand Oaks	3	n/a
Skilled Nursing Facilities - Ventura County	21	1,915
Skilled Nursing Facilities - Thousand Oaks	5	375
Adult Day Care - Ventura County	14	n/a
Home Care Agencies - Serving Thousand Oaks	60	n/a
Home Care Agencies - Thousand Oaks	39	n/a

\*Includes proposed facilities, excluding Oakmont

### Resident Profile

As pointed out above, assisted living facilities likely will experience a higher number of emergency vehicle calls than to a residential neighborhood and safe evacuation of its residents in the event of a brush fire situation is a serious concern. The National Center for Assisted Living states that a typical resident is a woman who is about 87 years old, who is mobile, but needs assistance with approximately two to three activities of daily living (ADLs) <sup>1</sup>. The woman would also have two to three of the Top chronic conditions.<sup>2</sup> Note that assisted living facilities are not health care facilities or skilled nursing facilities. Assisted living facilities main purpose is to provide assistance with daily living activities and to provide a social environment. Assisted living facilities are not licensed to give nursing care.

**Percentage Of All Residents By Age Groups:** In 2010, 54 percent of assisted living residents are 85 years or older; 27 percent are 75-84 years old; 9 percent of residents are between 65 and 74 years; and 11 percent are younger than 65 years old.<sup>2</sup>

#### Top Ten Chronic Conditions <sup>2</sup>

- High Blood Pressure: 57%
- Alzheimer's disease and other dementias: 42%
- Heart Disease: 34%
- Depression: 28%
- Arthritis: 27%
- Osteoporosis: 21%
- Diabetes: 17%

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cont.



## No Zoning Change - 400 East Rolling Oaks Drive | 2016

- COPD and allied conditions: 15%
- Cancer: 11%
- Stroke: 11%

**Moving In** - Residents come to assisted living facilities from a variety of settings:<sup>1</sup>

- 70% moved from a private home or apartment
- 9% came from a nursing facility
- 9% moved from a retirement or independent living community
- 7% moved from a family residence (such as living with adult childrens)
- 5% came from another assisted living residence or group home

**Moving Out** - Fifty-nine percent of residents will move into a nursing facility. Thirty-three percent will pass away. The remaining will move home or to another location.<sup>1</sup>

**Median Length of Stay:** The median length of stay for residents is about 22 months.<sup>2</sup>

<sup>1</sup>Overview of Assisted Living," published by the American Association of Homes and Services for the Aging, American Seniors Housing Association, Assisted Living Federation of American, National Center for Assisted Living, and National Investment Center for the Seniors Housing & Care Industry, or reflects NCAL's philosophy of assisted living.

<sup>2</sup>Data from the 2010 National Survey of Residential Care Facilities. *The National Center for Health Statistics Data Brief No. 91.*

### A Profitable "Commercial" Operation

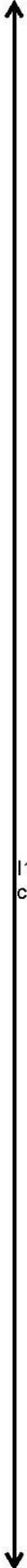
Oakmont Senior Living is a for profit private pay commercial operation that does not offer beds for low or moderate income users. According to Bill Mabry, the cost of just a small one room studio with transportation, utilities, dining, and medication reminder is \$3,500/month or \$42,000/year (assuming all 79 units are studios, there will likely be some more expensive 1 and 2 bedroom units, that is \$3,318,000 per year). The applicant's gross income or each resident's costs will likely go up from a base of \$3,500 a month to a possible total cost of approximately \$10,000/month or \$120,000/year (a \$9,480,000 gross income per year).

Additional fees include but not detailed:

- Community Fee
- Respite Fee
- Buy-In Fee
- High Care Needs Fee
- Medium Care Needs Fee
- Low Care Needs Fee
- 2<sup>nd</sup> Person Fee

The care needs fee covers assistance with daily living activities (i.e., bathing, dressing, grooming, oral care, toileting, transferring, walking, climbing stairs, eat, etc.) The additional cost is estimated

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cont.



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at \$1,100/month (Oakmont of Roseville averages between \$1,100 and \$1,400/month) or more depending on the level of care. The annual increase is around 3-5%. The Oakmont facility is not an independent living facility, but assisted living and memory care, and thus the base rates indicate would be higher as a result of the assistance with the daily living activities. Below are the minimum base rates:

Location	Monthly Basic Studio Rate	Memory Care Additional Fees	Monthly Low Care Needs Monthly Fee	Estimated Annual Cost With Low Care
Oakmont of San Antonio	\$4,000	\$3,300	\$1,100	\$61,200
Oakmont of Chino Hills	\$3,395	\$3,995	\$1,100	\$53,940
Oakmont of Carmichael	\$3,795	\$2,995	\$1,100	\$58,740
Oakmont of Whittier	\$3,500	\$4,200	\$1,100	\$55,200
Oakmont of Folsom	\$4,195	\$3,695	\$1,100	\$63,540
Oakmont of Santa Clarita	\$3,295	\$3,095	\$1,100	\$52,740
Oakmont of Fresno	\$3,795	\$3,895	\$1,100	\$58,740
Oakmont of Roseville	\$4,395	\$2,795	\$1,100	\$65,940
<b>Average Senior Yearly Income (from all sources)</b>				<b>\$22,248</b>
<b>Average Monthly Social Security Benefit</b>				<b>\$16,032</b>

Rates provided by Caring.com

### Alternative Options for Rural Exclusive Land Use

If the present owner no longer wants to operate the child care facility, under the Rural-Exclusive (R-E) - 1 acre zoning, they can find a residential builder as a buyer and have up to four (4) detached homes built, or have the property rezoned to RPD 0.5 and up to eight (8) detached homes can be built. We should not be looking for the most profitable option.

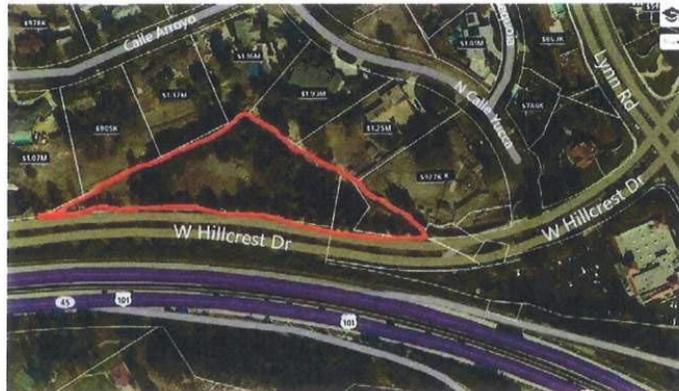
### Alternative Options for Assisted Living Facilities

Below are alternative locations for Assisted Living Facility properties in Thousand Oaks. Term deals vary and it is not the purpose of this analysis and study is not to suggest that Oakmont buy the sites listed.

113-185 cont.

No Zoning Change - 400 East Rolling Oaks Drive | 2016

- 865 Hillcrest Drive, Thousand Oaks, 91360 - 4.48 acres lot/land - \$1,495,000 Zoned Commercial Office. Buyer to investigate with TO City planning Dept. With SUP (Special Use Permit) you may apply for a Residential Care Facility/Assisted Living Facility with a 25 foot height limit. 2 lots, combined. APN 663 0 093 225 & 215. One lot is 1.95 acres and the other is 2.53 acres. (Zillow.com).



- Thousand Oaks Blvd / Oakwood Drive - APN #670-0-181-300 & 320 & 030, Thousand Oaks, 91360 - 3.08 acres - \$1,945,378. Zoned Commercial / Other (land).



- Pinecrest School is zoned Public Lands and will be closing at the end of the school term. 13 acres. Public Lands zoned.

113-185 cont.

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No Zoning Change - 400 East Rolling Oaks Drive | 2016

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The remaining Appendices  
are focused on alternative sites and resident  
options  
for assisted living.  
Pages 33 - 71.

113-185  
cont.

1/23/24, 11:07 AM

City Council denies assisted living facility in Thousand Oaks

VC Star.

Home News Sports Business Opinion Entertainment

CONEJO VALLEY

# City Council denies assisted living facility in Thousand Oaks



WENDY LEUNG/THE STAR Supporters and opponents of a proposed assisted living facility crowded the Thousand Oaks council chambers on Tuesday.

By Wendy Leung of the Ventura County Star

Posted: Feb. 10, 2016



A proposed assisted living facility that divided Thousand Oaks neighbors was denied by the City Council on Tuesday.

On a 4-1 vote, with Mayor Joel Price as the lone supporter, the council said no to a zoning change that would have allowed Oakmont Senior Living to build a two-story, 89-bed facility for seniors.

13-186

<https://archive.vcstar.com/news/local/conejo-valley/city-council-denies-assisted-living-facility-in-thousand-oaks-2b6ff50a-98db-143b-e053-0100007f32...> 1/4

1/23/24, 11:07 AM

City Council denies assisted living facility in Thousand Oaks

The proposed construction at Rolling Oaks and Los Padres drives is on land zoned rural. The project needed council approval of a zone change to public and institutional land.

After hearing testimony from 48 speakers, the council majority said the project is incompatible with the neighborhood.

Councilman Andy Fox said he was concerned with how the facility would affect street parking and the neighbors' views, while Councilman Al Adam said the facility isn't compatible with the adjacent properties.

***"Is the compatibility so compelling that we should upzone it from rural exclusive to (public land)? I'm having a hard time with that," Adam said. "To me, the zone should provide and maintain a rural residential area. This is not an issue of senior housing tonight. ... By no means is this a referendum on assisted living."***

But supporters of the project, who addressed the council in equal numbers with the opponents, believe this is indeed such a referendum.

They pointed to the strong neighborhood opposition that derailed an affordable housing project for seniors three years ago.

Tony Gitt, one of the speakers in support of the project, said a no vote from the council would ruin the chances of other senior living facilities being built.

"It will send a message that Thousand Oaks is just not friendly to senior living and memory care facilities," Gitt said. "This is the right project at the right time."

Proponents said the demand for senior housing of all types is huge in the community. They said that an assisted living facility, with residents who rarely drive and make little noise, is a perfect fit.

***"These are quiet seniors. We do not throw loud, rowdy parties," said Ron Hage, a Newbury Park senior. "We're all aging. You and someone in your family will some day need Oakmont."***

<https://archive.vcstar.com/news/local/conejo-valley/city-council-denies-assisted-living-facility-in-thousand-oaks-2b6ff50a-98db-143b-e053-0100007f32...>

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City Council denies assisted living facility in Thousand Oaks

The proposed facility was slated to have 79 rooms, with 23 of them reserved for seniors with memory loss. The 5-acre property is adjacent to open space, homes, apartments and a surgical hospital.

If approved, the facility would have been among the smaller assisted living facilities in the city in terms of building size and number of residents.

The project was approved by the Planning Commission on a 3-2 vote and recommended by city staff members.

But it received strong opposition from neighbors, who had concerns about parking, blocked views and lowered property values. Opponents showed up with "Stop big developer" signs and "No zone change" stickers. It was a counterpoint to the supporters who wore "Oakmont yes" signs around their necks.

"We like the idea of seniors having a home but just not in my neighborhood and not on our block," said Michael Stewart, who lives on Los Padres Drive.

There were 107 people who attended the meeting and submitted written comments instead of speaking. Of those, 74 comments came from Oakmont opponents.

Councilman Rob McCoy, whose father is an Alzheimer's patient living in a senior facility, said this vote was the hardest city decision he's had to make.

"I've always rested on the idea that when in doubt, don't," McCoy said.

**About Wendy Leung**

Wendy Leung covers the city of Oxnard.

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cont.

## CRPD buys land to serve as future park

District swings deal with local baseball coach

| February 17, 2022

By Kyle Jorrey  
[tonewstip@theacorn.com](mailto:tonewstip@theacorn.com)



PICTURE IT—The Conejo Rec and Park District closed escrow this week on two residential lots off Haaland Drive in unincorporated T.O. south of the 101 Freeway that it intends to use for a neighborhood park. Courtesy photo

PICTURE IT—The Conejo Rec and Park District closed escrow this week on two residential lots off Haaland Drive in unincorporated T.O. south of the 101 Freeway that it intends to use for a neighborhood park. Courtesy photo

The Conejo Recreation and Park District has acquired 5.4 acres it intends to use for a neighborhood park—its first such purchase in over 30 years.

On Tuesday, CRPD closed escrow on two residential lots south of the 101 Freeway between Rancho and Moorpark roads. The cost: \$975,000.

13-187



General Manager Jim Friedl said the parcels, which sit in an unincorporated island between Rimrock Road and Rolling Oaks Drive, have the same owner—former Newbury Park High School baseball coach Matt Goldfield, who led the Panthers to a CIF-Southern Section Division 1 championship win in 2012. Goldfield is currently a baseball coach at Westlake High School.

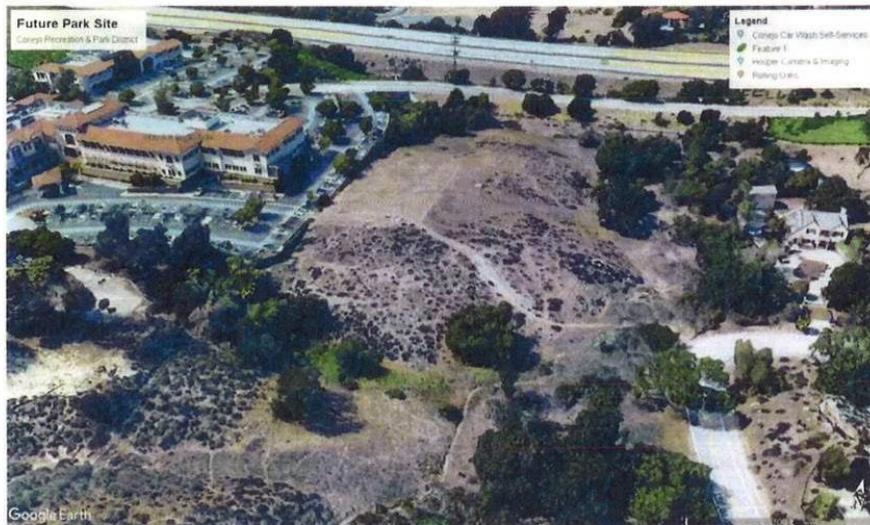
“The board of directors authorized staff to try to acquire this property on Jan. 20, and we were able to clear all contingencies and close escrow in less than one month,” Friedl said. “We’re so lucky to have longtime residents like coach Matt Goldfield and the Goldfield family offer flexibility on the price so we could afford to add a new park site to our system.”

Most of CRPD’s 60 parks have come by way of development agreements, deals struck between the city and residential developers to donate some of their holdings for a public park in exchange for approval to build homes.

“This is CRPD’s first cash-based property acquisition in decades,” Friedl said.

According to park district records, the last time CRPD bought park property with cash was El Parque de la Paz on Thousand Oaks Boulevard in 1986.

With no new tracts left to build, park district director Nellie Cusworth said, the agency had to consider a new approach.



AERIAL VIEW—A satellite image shows the location of the park district's \$975,000 purchase. CRPD plans to meet with neighbors in the coming months to discuss what they'd like to have included in the neighborhood park. Courtesy of CRPD

“We know the state of California is really pushing cities to add more housing, and we expect the population of Thousand Oaks to grow. With that anticipated growth, CRPD is trying hard to

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maintain its parks/population ratio and a park system which allows everyone access to a park within a 10-minute walk from their home,” she said.

Cusworth said there is no park south of the 101 between Rancho and Moorpark roads, requiring those who live there to pass under the freeway anytime they want to use a public park.

“In the future, this park will give them a public park within walking distance,” she said.

AERIAL VIEW—A satellite image shows the location of the park

AERIAL VIEW—A satellite image shows the location of the park district’s \$975,000 purchase. CRPD plans to meet with neighbors in the coming months to discuss what they’d like to have included in the neighborhood park. Courtesy of CRPD

Goldfield said the property has been his family since the 1960s.

“My parents were going to build their dream home on those lots but remained happily living in the family home in the Meadows tract in Thousand Oaks,” he said.

The one thing his father, Gerald, who died in 2000, did do with the property, which had originally been designated as horse property, was fight for the land to remain rural, Goldfield said.

“My father was a Jewish city kid from Philadelphia, and the reason he bought the land was because of it being rural,” he said. “He fought the city when it wanted to put a road through the property. That’s why the frontage road is where it is, because of my father.”

After Goldfield’s mother, Harriet, died in 2016, Goldfield said the family “knew it was time to sell.”

That the property will serve as a public park was an unexpected bonus.

“We were looking for a bit more money for the properties, but when I found out the Conejo Recreation and Park District wanted the property for a future park site, we made it work for them,” he said. “We’re a huge baseball family, and we know how important parks are to a community. I think my parents would be really happy knowing their dream home became a public park.”

Raymi Schwartz of Pinnacle Estate Properties Inc. represented the seller and buyer. Escrow closed Feb. 15.

The two adjacent lots just east of Thousand Oaks Surgical Hospital feature rolling hills and hundreds of trees, including many oaks.

The challenge will be access.



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As the land is unincorporated, CRPD will need to get permission from the County of Ventura if it wants to create an entry from the west, where there are hundreds of homes and apartments that could use the park.

Access from the east is limited because visitors would have to drive through a lightly populated neighborhood of million-dollar homes and large lots using Rimrock Road, a narrow, winding street.

“This is something CRPD must work on with the city and county, as well as our immediate neighbors, the Rolling Oaks Homeowners Association and Los Robles Regional Medical Center (owner of the surgical hospital),” Friedl said.

In the coming months, CPRD plans to host an open house, meet the neighbors and get a sense of what they would like to see in their park, the general manager said.

“After we go through a robust public input and planning process, CRPD will then try to find the money necessary to complete those improvements,” Friedl said

*Acorn reporter Becca Whitnall contributed to this article.*



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**Sec. 9-2.203. Increases on residential densities or commercial acreage.**

(a) Purpose. The City's General Plan is a long term guide for orderly development of this community, which plan should not be subject to unreasonable and increased development pressures. Based on the City's present build out under that General Plan, the City Council finds the City of Thousand Oaks is at a point where the ultimate and foreseeable residential and commercial development in the City's Planning Area can be accurately predicted. The City's infrastructure and public facilities were or have been designed based on the development projections in the City's General Plan, as in effect on November 5, 1996. These public facilities can accommodate that planned and foreseeable development. However, any increase in the residential density ranges or in commercial acreage over those presently shown in the Land Use Element of the General Plan will alter the character of the City and place an unacceptable burden on the City's topography and infrastructure. The City desires to promote an improved local jobs/housing balance, and since land use changes to environmentally sensitive industrial uses do not place as great a demand on public services, roads, freeways and infrastructure, as do residential and commercial uses, such changes are not a new policy direction requiring a vote of the community.

Any amendment either to the General Plan's designated acreage for "commercial" land uses or in the residential land use density ranges, which produces a net increase in excess of the land areas so designated, or in excess of the dwelling unit per net acre density ranges shown on the Land Use Element of the City's General Plan as of November 5, 1996, is a policy decision that the voters of the City of Thousand Oaks should make.

(b) Voter approval of certain general plan amendments. No proposed amendment to the Land Use Element of the City's General Plan of the following types shall be effective until it has been considered and approved for the ballot by the City Council, and then submitted to and approved by a majority of the City's voters voting at a general or special election:

- (1) Any amendment which reclassifies land from the "parks, golf course, and open space" designation to any other designation; or
- (2) Any amendment which cumulatively provides a net increase in the maximum number of residential dwelling units which could be permitted under the proposed land use designation; or
- (3) Any amendment which cumulatively provides a net increase in the land designated "commercial."

The proposed amendment to the Land Use Element must first have been initiated pursuant to Section 9-2.202, have completed any environmental analysis required by law and have been reviewed by the Planning Commission. A proposed ballot measure under this section may contain or affect more than one site, designation or parcel.

(c) Periodic Review. As required by law, the City Council shall periodically review the land uses and density ranges in the Land Use Element of the General Plan, as well as the overall General Plan's internal consistency, and may request the approval of proposed Land Use Element changes by the voters pursuant to this section, if the Council finds new circumstances, justification, or state/federal mandates require such an amendment.

(d) Exemptions. This requirement of a voter approval shall not be required or apply for the following amendments or situations:

- (1) Where the amendment is necessary to avoid, or the application of the voter approval requirement of this section would be deemed, an unconstitutional taking of property under the United States or California Constitutions, be contrary to federal laws, or the laws of this state:
- (2) Where the amendment is necessary in order to comply with, or is directed under a court order, judgment, writ or mandate.
- (3) Where the amendment is necessary for a viable use of publicly owned land which has been determined by the owner to be, and is, declared surplus as no longer needed for a public purpose, such as unneeded school sites or the approximate thirty-five (35) acres at 401 Hillcrest Drive.

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(e) City Council sponsored initiative; effective period. This section was enacted as a City Council sponsored initiative, approved by the voters at a city-wide general election on November 5, 1996. Except for evaluation, processing and procedural matters, this section cannot be amended or repealed by the City Council without such amendment or repeal being approved by the voters of Thousand Oaks. This section shall be effective and apply to any Land Use Element amendments up to November 5, 2026, at which time this section shall terminate.

(§ 2, Ord. 1280-NS, eff. Dec. 13, 1996)



I13-188  
cont.

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## Response to Comment Letter I13

Lynn Burdick  
January 30, 2024

- I13-1** The comment serves as an introduction to the letter. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No response is required.
- I13-2** The comment discusses concerns related to the earlier Oakmont project. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. Please see Master Response 2: Rejection of 2016 Oakmont Project.
- I13-3** The comment reiterates the residential zoning of the Project site and provides a partial history related to the Young Set Club, a daycare that had previously operated on the project site. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-4** The comment claims that the applicant has ignored the neighborhood's concerns about the Project. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-5** The comment states that HCA's representatives have stated HCA has no intention to develop residential units. Please see Master Response 3: Zoning.
- I13-6** The comment provides a summary of the proposed zoning for the Project sites. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-7** The comment states that HCA has repeatedly stated that no residential development is proposed for the Janss Road site. Please see Master Response 3: Zoning.
- I13-8** The comment restates the Project objective to consolidate existing medical offices. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-9** The comment states that the Project would set a precedent for spot zoning. Please see Master Response 3: Zoning.
- I13-10** The comment states that the Project entails spot zoning and encroachment of commercial development into residential zoning. Please see Master Response 3: Zoning.
- I13-11** The comment states that the Project conflicts with the General Plan regarding land use and housing but does not reference any specific policies. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

- I13-12** The comment states that support of the Project yields no assurance of the development of housing. Please see Master Response 3: Zoning.
- I13-13** The comment references public comment regarding the 2016 Oakmont project. Please see Master Response 2: Rejection of 2016 Oakmont Project.
- I13-14** The comment states that they are raising the same and/or similar concerns as with the 2016 Oakmont project. Please see Master Response 2: Rejection of 2016 Oakmont Project.
- I13-15** The comment states that the Project would remove 3 acres of net residential capacity. Please see Master Response 3: Zoning.
- I13-16** The comment provides a newspaper article regarding the 2016 Oakmont project. Please see Master Response 2: Rejection of 2016 Oakmont Project. Please see Response to Comment 01-10 and Master Response 3: Zoning.
- I13-17** The comment discusses the Project building size relative to other buildings. Please see Master Response 6: Building Size & Height.
- I13-18** The comment states that the issue is zoning. Please see Master Response 3: Zoning.
- I13-19** The comment states their disagreement with the Project. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. Master Response 3: Zoning and Master Response 4: Project Objectives & Alternatives.
- I13-20** The comment expresses support for Alternative 2. Please see Master Response 4: Project Objectives & Alternatives.
- I13-21** The comment discusses the Project location for Alternative 2. Please see Master Response 4: Project Objectives & Alternatives.
- I13-22** The comment expresses support for Alternative 2. Please see Master Response 4: Project Objectives & Alternatives.
- I13-23** The comment states that the Project approval would equate to spot zoning. Please see Master Response 3: Zoning.
- I13-24** The comment states that assumptions in the EIR are not always reasonable and are without factual support. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-25** The comment states that the Project does not meet its objectives. Please see Master Response 4: Project Objectives & Alternatives.

- I13-26** The comment states that the EIR lacks a public needs assessment. As discussed in Chapter 2, Introduction, of the Draft EIR, the purpose of CEQA is to evaluate the potential for environmental effects of a project. A public needs assessment suggested by the comment is not part of CEQA and is not included with the EIR. For more information regarding the need and objectives for the Project, please see Master Response 4: Project Objectives & Alternatives.
- I13-27** The comment provides excerpts from a report by HCA and requests information regarding the motives for the Project. Please see Master Response 4: Project Objectives & Alternatives.
- I13-28** The comment provides suggested revisions to the Project objectives. Please see Master Response 4: Project Objectives & Alternatives.
- I13-29** The comment states that the EIR contains buzzwords, jargon, and subjective words. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-30** The comment requests that a needs assessment be provided. Please see Master Response 4: Project Objectives & Alternatives.
- I13-31** The comment questions which specialties and practices would be consolidated and included in the Cancer Center. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-32** The comment questions what would happen to previous offices and facilities if they are consolidated as planned by the Project. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-33** The comment questions how the proposed Project would be different than the existing Los Robles Cancer Center. Please see Master Response 4: Project Objectives & Alternatives. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-34** The comment contains a screenshot from a website. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-35** The comment provides a recap of the Project description. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-36** The comment questions zoning encroachment and land use incompatibility. Please see Comment O1-10 and Master Response 3: Zoning. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

- I13-37** The comment questions visual safety of the area. Please see Master Response 5: Traffic, Safety, and Parking.
- I13-38** The comment states that speed has been a problem in the area. Please see Master Response 5: Traffic, Safety, and Parking.
- I13-39** The comment asks what requirements are being implemented for safety in the area. Please see Master Response 5: Traffic, Safety and Parking.
- I13-40** The comment suggests that the Project not allow site access from Los Padres Drive. Please see Master Response 5: Traffic, Safety, and Parking.
- I13-41** The comment questions the Project objectives. Please see Master Response 4: Project Objectives & Alternatives.
- I13-42** The comment requests evidence to support the Project objectives. Please see Master Response 4: Project Objectives & Alternatives.
- I13-43** The comment states that the mission of the Cancer Center is without substantiation. Please see Master Response 4: Project Objectives & Alternatives.
- I13-44** The comment questions patient needs. Please see Master Response 4: Project Objectives & Alternatives. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-45** The comment questions the synergy of services that would be provided by the Project. Please see Master Response 4: Project Objectives & Alternatives. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-46** The comment reiterates that the Project proposes to consolidate up to 7 existing medical offices. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-47** The comment questions the synergy between TOSH and the proposed Project. Please see Master Response 4: Project Objectives & Alternatives. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-48** The comment states that TOSH provides a broad spectrum of services. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

- I13-49** The comment questions what services would be offered by the Project that are not already available elsewhere. Please see Master Response 4: Project Objectives & Alternatives. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-50** The comment questions what state-of-the-art care is not already available. Please see Master Response 4: Project Objectives & Alternatives. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-51** The comment requests explanation regarding why the Project would provide a better experience. Please see Master Response 4: Project Objectives & Alternatives. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-52** The comment asks what new jobs would be provided by the Project. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-53** The comment questions if the Cancer Center's building design is compatible with the surrounding built environment. Compatibility is considered throughout the Draft EIR (i.e., Section 4.1 Aesthetics, Section 4.9 Noise, and Section 4.11 Transportation). Please see Master Response 6: Building Size & Height.
- I13-54** The comment questions the need for a rezone related to Project Objective 5. Please see Master Response 3: Zoning and Master Response 4: Project Objectives & Alternatives.
- I13-55** The comment questions HCA's position regarding building residential units. Please see Master Response 3: Zoning.
- I13-56** The comment questions where workers would park and suggests work vehicles be prohibits on Los Padres Drive and other residential streets. The conditions of approval for the Project require a Parking/Materials Storage plan which identifies areas on-site for construction worker parking and material staging to be submitted to the Planning Division for review and approval prior to the issuance of grading permits. The project will require various plans and permits (e.g., traffic control plan, haul route, and encroachment permit) that are beyond the scope of the CEQA analysis. Any appropriate plans and permits will be reviewed by City staff, where required. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required. Please see Master Response 5: Traffic, Safety, & Parking.
- I13-57** The comment requests that construction hours be limited to 8:00am to 5:00pm, Monday through Friday to reduce noise impacts on nearby residents. As stated on page 4.9-6 of the Draft EIR, Section 8-11.01 of the City's Municipal Code currently limits construction activity to between the hours

of 7:00 a.m. and 7:00 p.m., Monday through Saturday. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

**I13-58** The comment discusses the Proposed building size and states the ~58,000 square-foot building will be larger than the ~50,000 square-foot Thousand Oaks Surgical Hospital. Please see Master Response 6: Building Size & Height. The comment also states Draft EIR Figure 4.1- 5 is an inaccurate image of what the building will look like post-development. Draft EIR Figure 4.1- 5 was produced by the City's environmental consultant and provides a reasonable assessment of what the building will look like post-development. No further response is required.

**I13-59** The comment states that the TOSH building has not been landscaped as was agreed to when the project was completed in 2022. The Conditions of Approval for the Project require that prior to the issuance of a certificate of occupancy for the building, an independent auditor or licensed landscape architect is to provide a signed and stamped letter to the Community Development Director confirming the landscape plan has been installed consistent with the approved landscape plan. Additionally, Conditions of Approval for the Project require the approved landscaping to be permanently maintained for the life of the project. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

**I13-60** The comment questions how Project landscaping would be enforced. The Conditions of Approval for the Project require that prior to the issuance of a certificate of occupancy for the building, an independent auditor or licensed landscape architect is to provide a signed and stamped letter to the Community Development Director confirming the landscape plan has been installed consistent with the approved landscape plan. Additionally, Conditions of Approval for the Project require the approved landscaping to be permanently maintained for the life of the project. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

**I13-61** The comment relays a question and answer from the May 4, 2023 meeting. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

**I13-62** The comment questions the benefits to residences that would be visible from the Project site. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

**I13-63** The comment questions the number and size of trees that would be planted on the Project site. Upon occupancy the landscaping would not be expected to be at full maturity, but landscaping would grow and mature over time. The Conditions of Approval for the Project require that prior to the issuance of a

certificate of occupancy for the building, an independent auditor or licensed landscape architect is to provide a signed and stamped letter to the Community Development Director confirming the landscape plan has been installed consistent with the approved landscape plan. Additionally, Conditions of Approval for the Project require the approved landscaping to be permanently maintained for the life of the project. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

- I13-64** The comment questions the size and number of trees that would be planted on the Project site. The Project would result in the removal of 14 protected oak trees results in the project being conditioned to plant 42 oak trees, consisting of 26 24-inch box size and 16 36-inch box size oak trees, on site. The landscape plan identifies a total of 45 coast live oak and valley oak trees to be planted on the project site exceeding the required number of replacement trees. Additionally, please see Chapter 3, Errata, of this Final EIR. Please see Response to Comment I13-63.
- I13-65** The comment questions the size and number of trees that would be planted on the Project site. Please see Response to Comment I13-63.
- I13-66** The comment questions the size and number of trees that would be planted on the Project site. Please see Response to Comment I13-63.
- I13-67** The comment questions how glare from exterior illumination would be mitigated. Please see Response to Comment I11-4.
- I13-68** The comment states that landscaping was not installed when the medical building at 415 Rolling Oaks was constructed. Please see Response to Comment I13-63. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-69** The comment notes that the TOSH building exceeds or is equal to 42 feet in height and the apartment buildings are 20-25 feet. The maximum height of these referenced buildings are taller than 42 and 25 feet. Please see Master Response 6: Building Size & Height.
- I13-70** The comment questions the compatibility of a 42-foot building with the residential neighborhood. Please see Response to Comment I13-53 and see Master Response 6: Building Size & Height.
- I13-71** The comment references the 2016 Oakmont project. Please see Master Response 2: Rejection of 2016 Oakmont Project.
- I13-72** The comment states that the building design is a copy of one across the street. The design of the Cancer Center is not a copy of the Thousand Oaks Surgical Hospital; however, the Cancer Center's design was partially inspired by the Thousand Oaks Surgical Hospital and medical office buildings to the north and northwest. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

- I13-73** The comment states the opinion that the Project building does not fit with the surrounding area. Please see Response to Comment I13-53 and see Master Response 6: Building Size & Height.
- I13-74** The comment asks why the Project is not a project consisting of bungalows and asks for an explanation as to why the City should approve an exception to the maximum building height of 25 feet. The Project which was submitted to the City was not a bungalow project. The Draft EIR evaluated the Project which was submitted to the City. Please see Response to Comment I13-53 and see Master Response 6: Building Size & Height.
- I13-75** The comment states that the Project building is incompatible with the neighborhood. Please see Response to Comment I13-53 and see Master Response 6: Building Size & Height.
- I13-76** The comment states that there are no comments on multiple sections of the Draft EIR. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-77** The comment requests information regarding the storage and disposal of radioactive materials. As discussed on page 4.7-17 of the Draft EIR, any hazardous materials and petroleum products stored on site above regulatory thresholds would be regulated by Hazardous Material Business Plan and Spill Prevention, Control, and Countermeasure rules and regulations. The generation, storage, and disposal of hazardous wastes, if generated, would be managed in accordance with Department of Toxic Substances Control hazardous waste regulations in CCR Title 22, Division 4.5 and federal RCRA regulations under 40 CFR Parts 239 through 282. The use and disposal of any hazardous substances would be subject to applicable federal, state, and local health and safety laws and regulations that are intended to minimize health risk to the public associated with hazardous materials.
- I13-78** The comment questions how the proposed rezoning supports the General Plan strategy to preserve and enhance single-family and multifamily neighborhoods. Please see Master Response 3: Zoning.
- I13-79** The comment relates to a statement made during City hearings on the General Plan. The amendment is consistent with Measure E (Municipal Code Sec. 9-2. 203 and Sec. 9-2. 204) because it will not increase the Citywide residential or commercial capacity above that which existed on November 5, 1996, when Measure E was adopted. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-80** The comment states that the proposed rezone conflicts with the General Plan. Please see Response to Comment I13-79.
- I13-81** The comment states that the Project would rezone a parking lot for residential use. Please see Master Response 3: Zoning.
- I13-82** The comment states that the continued use of the Janss Road site as a parking lot would not be consistent with the proposed residential zoning. The parking lot was created by SUP 2594 Minor Modification No. 11, and a parking study prepared in 2023 for the expansion of the Emergency Department's waiting room concluded the hospital has surplus parking based on current operations.

The parking lot would be considered a legal non-conforming parking lot and may remain in place until the site is redeveloped with a project consistent with the City's regulations when the future project is proposed. Future redevelopment proposals would evaluate if required parking was provided for both the proposed project and the hospital property. Please see Master Response 3: Zoning.

- I13-83** The comment expresses concern regarding HCA's lack of plans to develop the residential units. Please see Master Response 3: Zoning.
- I13-84** The comment questions how the lack of guarantee to build residential units support the City in meeting the requirements of the Housing Crisis Act of 2019. Please see Master Response 3: Zoning.
- I13-85** The comment questions the proposed spot zoning. Please see Master Response 3: Zoning.
- I13-86** The comment states that the proposed zone swap would reduce residentially zoned land in the City. Please see Master Response 3: Zoning and Master Response 4: Project Objectives & Alternatives.
- I13-87** The comment questions the proposed zoning swap. Please see Master Response 3: Zoning.
- I13-88** The comment discusses the potential for "upzoning" the current residential parcel. Please see Master Response 3: Zoning.
- I13-89** The comment discusses the Housing Crisis Act of 2019. Please see Master Response 3: Zoning.
- I13-90** The comment states that HCA is taking no action to comply with the need for additional housing. Please see Master Response 3: Zoning.
- I13-91** The comment states that approval of the Project would result in the loss of residential land. Please see Master Response 3: Zoning.
- I13-92** The comment discusses zoning designations. Please see Master Response 3: Zoning.
- I13-93** The comment discusses the Oakmont Project. Please see Master Response 2: Rejection of 2016 Oakmont Project.
- I13-94** The comment expresses concern about the proposed zone changes. Please see Master Response 3: Zoning.
- I13-95** The comment discusses "spot zoning." Please see Master Response 3: Zoning.
- I13-96** The comment states that the proposed rezone is outside the 2045 General Plan. Please see Response to Comment I13-80.
- I13-97** The comment criticizes the proposed rezone. Please see Master Response 3: Zoning.
- I13-98** The comment questions the differences in the parcel acreages that are proposed for rezone. Please see Master Response 3: Zoning.

- I13-99** The comment references the Oakmont project. Please see Master Response 2: Rejection of 2016 Oakmont Project.
- I13-100** The comment notes that an acceptable alternative exists. Please see Master Response 4: Project Objectives & Alternatives.
- I13-101** The comment states the land use designation is not found in the Thousand Oaks Municipal Code. That is correct. The land use designations are found within the 2045 General Plan as land use designation names are separate and apart from zoning names. Zoning names and standards are found within the Thousand Oaks Municipal Code. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-102** Please see Response to Comment I13-101.
- I13-103** Please see Response to Comment I13-101.
- I13-104** Please see Response to Comment I13-101.
- I13-105** Please see Response to Comment I13-101.
- I13-106** Please see Response to Comment I13-101.
- I13-107** Please see Response to Comment I13-101.
- I13-108** The comment questions the validity of rezoning the Janss Road site if HCA has no intention to develop housing. Please see Master Response 3: Zoning.
- I13-109** The comment discusses the Oakmont project. Please see Master Response 2: Rejection of 2016 Oakmont Project.
- I13-110** The comment states that the EIR assumes construction would be noisy and impacts would be limited to residents living within 70 feet of the site but does address residences within 500 feet. The noise measurement locations used in Section 4.9, Noise, of the Draft EIR were chosen to represent the closest sensitive receptors to the Project site for purposes of evaluating construction and operational noise impacts. The spots were chosen for their close proximity to Project noise sources. For residences the commenter is concerned about within 500 feet of the site, impacts would be less than what would be expected at the measured locations as sound attenuates with distance. As discussed on pages 4.9-6 through 4.9-15 of the Draft EIR, incorporation of mitigation measures would ensure that Project noise impacts would be reduced to a less-than-significant level. No further response is required.
- I13-111** The comment states that 2 years is a significant time period for construction. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

- I13-112** The comment questions why Project construction would be permitted to begin at 7:00 a.m., Monday through Saturday. Section 8-11.01 of the Thousand Oak Municipal Code states that construction activities may take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-113** The comment states that traffic from the potential park adjacent to the Project site has not been included in the EIR. The purpose of CEQA is to disclose potential impacts of a project on the environment. The project analyzed in an EIR must include all components of the project, including any off-site improvements, if needed. In this case, the Project includes the development of the Project site and the allowance for residential development on the Janss Road site. The potential future park is not part of the proposed Project. Therefore, impacts related to something that has not been built yet or analyzed under CEQA is appropriately not included in this EIR.
- I13-114** The comment questions the impact of traffic from the potential future park. As discussed in Response to Comment I13-113, impacts related to a potential future park are beyond the scope of analysis required under CEQA for the proposed Project.
- I13-115** The comment states that the traffic analysis is incomplete and not based on complete information. However, the comment provides no evidence for this assertion. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. No further response is required.
- I13-116** The comment requests to know where vehicle counters were placed in the 2016 traffic study and states no vehicle counters were placed on the south side of Los Padres Drive. Please see Master Response 2: Rejection of 2016 Oakmont Project.
- I13-117** The comment references traffic counters for the Oakmont project. Please see Master Response 2: Rejection of 2016 Oakmont Project.
- I13-118** The comment questions a line-of-sight analysis for vehicles accessing the site from Los Padres Drive. Please see Master Response: 5: Traffic, Safety & Parking.
- I13-119** The comment references an attachment to the General Plan Final EIR. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-120** The comment references the increased traffic volume that would result from the Project. As discussed on page 4.11-9 of the Draft EIR, level of service (LOS), which measures impacts based on traffic volumes, is no longer a metric used to evaluate environmental impacts under CEQA. LOS and traffic volumes are relevant for City planning policies but are beyond the scope of the CEQA analysis.
- I13-121** The comment states that the EIR fails to consider development of a park adjacent to the Project site. Please see Response to Comment I13-113.
- I13-122** The comment discusses a blind curve on Los Padres Drive. Please see Master Response: 5: Traffic, Safety & Parking.

- I13-123** The comment requests confirmation of the Project's proposed operating hours. The Project is conditioned to limit customer service operations between the hours of 8:00 A.M. to 5:00 P.M. Monday through Sunday. Medical staff without patients being present may work on the property outside these hours. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-124** The comment states that characterizing Los Padres Drive as serving both residential and commercial land uses is inaccurate. Please see Master Response: 5: Traffic, Safety & Parking. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-125** The comment requests that the EIR not generalize existing conditions. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-126** The comment discusses existing traffic movement in the Project area. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-127** The comment questions the statement that Los Padres Road supports commercial land uses. The comment also provides an aerial image of the portion of Los Padres Drive that is adjacent to commercial uses. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-128** The comment states that it should not be construed that the entire length of Los Padres is adjacent to commercial uses. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-129** The comment questions why the Project does not include subterranean parking. The City does not have a requirement that subterranean parking be provided. The City does have requirements that parking areas be screened from public view, and the project is conditioned accordingly. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-130** The comment restates a General Plan goal and presents information regarding bike lanes. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

- I13-131** The comment discusses bike lanes in the Project area. Please see Master Response 5: Traffic, Safety and Parking.
- I13-132** The comment states the opinion that alternative transportation to/from the Project site is not realistic. Bicycle parking is required by the California Green Building Code. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-133** The comment questions the parking that would be provided for a potential future park located adjacent to the Project site. As discussed previously, the potential future park project is beyond the scope of the EIR for the proposed Project. As such, potential parking for the park is not discussed in this EIR. No further response is required.
- I13-134** The comment discusses potential parking and traffic violations in the area. The concerns are primarily related to Police enforcement of existing parking restrictions, which is beyond the scope of the CEQA analysis. Please also see Master Response 5: Traffic, Safety, and Parking.
- I13-135** The comment states that the EIR does not evaluate the Project impacts related to traffic and parking. Please see Response to Comment I13-120 and Master Response: 5: Traffic, Safety, & Parking.
- I13-136** The comment asks what mitigation would be implemented by the EIR. Each section of the draft EIR describes the Project's significant environmental impacts, if any, and any proposed mitigation measures. No further response is required.
- I13-137** The comment requests a 4-way stop at the corner of Los Padres Drive and Rolling Oaks Drive. Please see Master Response 5: Traffic, Safety, and Parking.
- I13-138** The comment requests that speeds be lowered on Los Padres Drive and Rolling Oak Drive. Please see Master Response 5: Traffic, Safety, and Parking.
- I13-139** The comment discusses existing traffic and parking problems in the area. Please see Master Response 5: Traffic, Safety, and Parking.
- I13-140** The comment asks what mitigation would be implemented by the EIR. Please see Response to Comment I13-136.
- I13-141** The comment states that loading and unloading should occur on the Project site, not within the street. A loading zone is provided on the west side of the building on the project site. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-142** The comment states that traffic will increase in the area. Please see Response to Comment I13-120.
- I13-143** The comment provides photos of preferred signage location. Please see Master Response 5: Traffic, Safety, and Parking.

- I13-144** The comment requests that painted sidewalks be included with the Project. Please see Master Response 5: Traffic, Safety, and Parking.
- I13-145** The comment requests that curbs be painted to indicate no parking zones. Please see Master Response 5: Traffic, Safety, and Parking.
- I13-146** The comment notes that the EIR should indicate that construction worker vehicles would not be allowed to park on residential streets. Please see Response to Comment I13-56.
- I13-147** The comment questions what the City will do to mitigate traffic and parking issues. Please see Master Response 5: Traffic, Safety, and Parking.
- I13-148** The project proposes and will be reviewed to ensure a proper drainage system as required by regulatory agencies' regulations and will be enforced by the City staff. The initial proposed system is to determine the feasibility of a system that meets the City, County-wide program, State, and Federal requirements. As part of these requirements, during the plan check review, the City's engineering staff will review the size of all conduits and storm facilities, including the storage tank for the proper sizing, to ensure not to increase any additional flooding or impact to the existing conditions. The initial proposed pipe sizes and tank(s) will be thoroughly reviewed by the City's engineering staff to verify or adjust as needed to meet all regulatory agencies' requirements.
- I13-149** Please see Response to Comment I13-148.
- I13-150** Please see Response to Comment I13-148.
- I13-151** Please see Response to Comment I13-148.
- I13-152** Please see Response to Comment I13-148.
- I13-153** The comment questions the extent of weed abatement required by a Ventura County ordinance. It is inferred that the comment is referring to Ventura County Fire Department Local Ordinance, which is more restrictive than State law. This ordinance is discussed on page 4.13-15 of the Draft EIR. The Project is subject to compliance with Ventura County Fire's regulations. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-154** The comment questions the use of mulch and chips in landscaping of defensible space as required by Ventura County Fire Department requirements and guidelines. These requirements and guidelines are discussed in the impact analysis of the Draft EIR as they apply to the proposed Project. The Project is subject to compliance with Ventura County Fire's regulations, and all landscaping will be reviewed in detail for compliance with applicable regulations during the Landscape Plan Check process. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-155** The comment notes that there is only a small section of open space between Project site and residences. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

- I13-156** The comment requests that wildlife also include deer, mountain lions, and bobcats. Section 4.3, Biological Resources, presents the plant and wildlife species observed on the Project sites beginning on page 4.3-4 of the Draft EIR. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-157** The comment has no comment on the No Project Alternatives. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-158** The comment quotes information regarding the Comprehensive Cancer Center at Janss Road Site Alternative. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-159** The comment notes that the City could increase the density of the Rolling Oaks Drive parcel. Please see Master Response 3: Zoning. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-160** The comment notes that a previous rezone request to change the Rolling Oaks site to Public Lands (PL) was denied. Please see Master Response 2: Rejection of 2016 Oakmont Project. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-161** The comment requests that Alternative 1B be modified to include the opportunity to increase the residential density of the Rolling Oaks site. Please see Master Response 4: Project Objectives & Alternatives.
- I13-162** The comment questions how rezoning the Rolling Oaks site to commercial is compatible with the existing residences. Please see Master Response 3: Zoning.
- I13-163** The comment questions the height of medical buildings adjacent to the Janss Road site. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-164** The comment questions why a 3-story building on the Janss Road site would be incompatible with surrounding medical and hospital buildings. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-165** The comment states that HCA has repeatedly stated they have no intention of building residential units on the Janss Road site. Please see Master Response 4: Project Objectives & Alternatives.
- I13-166** The comment questions the "spot zoning" that is part of the Project. Please see Master Response 3: Zoning.

- I13-167** The comment questions why there is not a proposed plan to build a cancer center on properly zoned land. The Draft EIR included a discussion of multiple alternatives to the proposed Project (see Chapter 6, Alternatives). Please see Master Response 4: Project Objectives & Alternatives.
- I13-168** The comment states that the EIR is deficient for evaluating building the cancer center at the Janss Road site. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required. Please see Master Response 4: Project Objectives & Alternatives.
- I13-169** The comment notes that the building size in Alternative 3 is strictly based on HCA's model. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required. Please see Master Response 4: Project Objectives & Alternatives.
- I13-170** The comment states that any zoning change to the Cancer Center Site that is not residential is unacceptable. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-171** The comment notes that Alternative 3 acknowledges that the visual presence of the medical facility is of concern to residents. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-172** The comment states that HCA has not considered mitigation suggested by the public. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-173** The comment requests that responses from HCA should be the appendix that includes public comments. It is presumed that the comment is referring to Appendix A of the Draft EIR which contains the Notice of Preparation (NOP) and comments received in response to the NOP. Responses to the comments made during the scoping process are reflected in the Draft EIR analysis and conclusions. As the NOP and EIR are CEQA requirements, there is no provision for a project applicant to respond to comment within the CEQA document. Such responses from a project applicant are beyond the scope of CEQA.
- I13-174** The comment presents a sentence from the Draft EIR: "Cumulative development would likely convert existing underutilized properties in the Project Vicinity to needed uses." The comment asks how a property owner might make best use of their residential property. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-175** The comment discusses the proposed rezone. Please see Master Response 3: Zoning.

- I13-176** The comment states that the EIR has demonstrated a more suitable location for the cancer center. Please see Master Response 4: Project Objectives & Alternatives.
- I13-177** The comment reiterates that HCA is looking to consolidate up to 7 offices/practices into one building. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-178** The comment states that the characterization that the zone change does not represent a drastic change in the overall intended uses of the area does not reflect the opinion of the public. As an informational document, the EIR is prepared by the lead agency (in this case, the City of Thousand Oaks) and provides an objective analysis of the potential environmental impacts of the proposed Project. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-179** The comment requests an explanation of HCA's position regarding the City's Strategy of preserving neighborhoods. The comment asks a question of the Project applicant, which is outside the scope of the EIR. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-180** The comment questions why there is a choice when a "valid alternative" is available to build the cancer center at the Janss Road Site. Please see Master Response 4: Project Objectives & Alternatives. Additionally, see Draft EIR Table 4.1-1 "Project Consistency With Scenic Quality Policies and Zoning" (Section 4.1, Pages 4.1-11 through 4.1-25), and EIR Table 4.8-1 "Project Consistency with General Plan - Cancer Center Site" (Section 4.8-1, Pages 4.8-6 through 4.8-8), and EIR Table 4.8-2 "Project Consistency with General Plan - Janss Road Site" (Section 4.8-1, Pages 4.8-9 through 4.8-10).
- I13-181** The comment identifies an attachment to the comment letter. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-182** The comment identifies an attachment to the comment letter. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-183** The comment identifies an attachment to the comment letter. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-184** The comment identifies an attachment to the comment letter. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

- I13-185** The comment includes a document dated February 2016, that presents the position of community representatives in opposition to a proposed zone change at 400 East Rolling Oaks Drive. Please see Master Response 2: Rejection of the 2016 Oakmont Project.
- I13-186** The comment includes a newspaper article posted on February 10, 2016, regarding the City's denial of the Oakmont project. Please see Master Response 2: Rejection of the 2016 Oakmont Project.
- I13-187** The comment provides a newspaper article dated February 17, 2022, regarding CRPD's purchase of land for a park. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I13-188** The comment contains Section 9-2.203 of the City's Municipal Code. Please see Response to Comment I13-79. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

Comment 1 – Parking at the Janss Road Site

The Project would involve a General Plan Amendment to modify the Janss Road site’s General Plan Land Use designation from Institutional to Neighborhood Low 1, and a Zone Change to modify the site’s zoning designation from Public, Quasi-public and Institutional Lands and Facilities (PL) to Residential Planned Development maximum 4.5 dwelling units per acre (PRD-4.5U). If the project is ultimately approved, please confirm the Janss Road site could henceforth only be used for residential purposes and not institutional purposes. Specifically, confirm the Janss Road site would no longer be used in its current institutional function as a parking lot. How will the applicant segregate this site from the adjacent parking area? How will the applicant accommodate the loss of these parking spaces? Does the hospital comply with parking requirements for the existing facility with the loss of these parking spaces? What are the environmental impacts of these required changes due to rezoning?

I14-1  
I14-2  
I14-3

Comment 2 –Compliance with the Housing Crisis Act

The Project would involve a General Plan Amendment to modify the Janss Road site’s General Plan Land Use designation from Institutional to Neighborhood Low 1, and a Zone Change to modify the site’s zoning designation from Public, Quasi-public and Institutional Lands and Facilities (PL) to Residential Planned Development maximum 4.5 dwelling units per acre (PRD-4.5U). For purposes of estimating project emissions, the draft EIR assumes residential development of the parcel that begins February 2027. This comment addresses the likely future use of this property for use for residential development. Several months ago, the hospital participated in a public forum to discuss the proposed development. When asked in this public forum about residential development of the property, a hospital executive said that if the hospital is successful in the proposed rezoning swap, the hospital would not sell or develop this parcel for residential purposes. A reason was not explicitly given, but the inference from the discussion was this property which is on the corner and contiguous with the hospital campus was not something the hospital would be interested in selling or converting to residential. This response suggests that a rezoning swap would effectively freeze this property from future residential development. This swap would appear to be inconsistent with the intent of the Housing Crisis Act. While on paper, the zoning swap would appear to result in “No Net Loss”, but in effect it would freeze this parcel from any future development into additional residential units. With this background, how is the proposed General Plan Amendment in compliance with the Housing Crisis Act? How is the city going to ensure that the property is made available for residential development based on the assumed February 2027 time frame in the draft EIR? What enforcement authority does the city have to ensure this property is made available for residential development?

I14-4  
I14-5  
I14-6  
I14-7  
I14-8

Comment 3 – Project Schedule

The Project construction is proposed to start in February 2024. Considering comments on the draft EIR are due February 5, 2024, it appears the proposed construction

I14-9

schedule is inconsistent with the ongoing regulatory review process. What is a realistic schedule for the proposed project?

I14-9  
cont.

Comment 4 – Environmentally Superior Alternative 2

When considering Alternatives to the Project, the EIR concludes that Alternative 2 is environmentally superior to the Project and meets most of the project objectives. The EIR indicates that Alternative 2 shortcomings relate to meeting Project Objectives 1 and 2, and 4 in its entirety. These shortcomings of Alternative 2 should be dropped or modified as discussed below, and the EIR’s conclusion that Alternative 2 is environmentally superior should be further enhanced.

I14-10

- OBJECTIVE 1: Any shortcoming of Alternative 2 relative to lack of proximity to TOSH is offset by Alternative 2’s proximity to the main hospital campus. This shortcoming should be dropped or modified to recognize the mitigation of the proposed project’s proximity to the hospital campus.
- OBJECTIVE 2: Project Objective 2 is subjective and therefore self-serving. Not everyone in the community agrees that the proposed medical facility is better use of the existing site versus current zoning for residential homes; not everyone agrees that the proposed medical facility is attractive. The Proposed Project is not unique in its proximity to medical facilities, in fact Alternative 2 is close to more medical facilities than the proposed project (ie the hospital campus) which may provide even greater convenience to patients. Like the proposed project, Alternative 2 is also close to a “key transportation corridor” since it is close to Interstate-101 and on bus routes. If proximity of the proposed project to a “key transportation corridor” includes reference to the bus terminal, this convenience is disingenuous since it is unlikely cancer patients are candidates to take a bus to cancer treatment and then walk several hundred yards to/from their cancer treatment facility. This shortcoming should be dropped or modified to recognize the offsetting mitigations and practicality of the objective.
- OBJECTIVE 4: Not achieving Object 4 is moot. Objective 4 is meaningful only if the project proceeds as proposed. If Alternative 2 is selected for development of the project, Objective 4 is not relevant. Therefore, not meeting project object 4 should be dropped in its entirety as a shortcoming of Alternative 2.

I14-11

I14-12

I14-13

I14-14

Comment 5 – Street Parking and Pedestrian Safety at the Proposed Project Site

The EIR does not appear to address an existing street parking issue and associated traffic/pedestrian safety issue in the immediate area due to an adjacent large apartment complex and existing medical facilities.

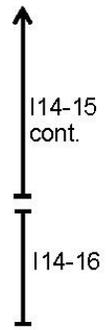
I14-15

At present, street parking on Los Padres drive is unrestricted and it is always nearly fully occupied by park cars owned by apartment residents. Families park on the street and naturally



mill around the cars to unload kids, groceries, etc. then cross the street, with the kids occasional darting across.

The EIR should specifically address the propose project's impact of more auto and pedestrian traffic in the area due to the proposed project, and identify mitigations.



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## Response to Comment Letter I14

Ganser  
February 1, 2024

- I14-1** The comment correctly describes the project description and asks if the Janss Road Site would no longer be used as a parking lot. Please see Response to Comment I13-82. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I14-2** The comment asks how the applicant would accommodate the loss of parking spaces currently provided on the Janss Road site and whether the hospital would comply with parking requirements without these parking spaces. Please see Response to Comment I13-82. The question of whether the hospital would meet parking requirements without the spaces on the Janss Road site is not an environmental issue under CEQA. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I14-3** The comment questions the environmental impacts of changes to parking due to the proposed rezone. The environmental impacts of rezoning are analyzed within the Draft EIR. As analyzed therein, the proposed Project would not result in any significant and unavoidable impacts. Please see Response to Comment I13-82.
- I14-4** The comment correctly describes the Project description and Draft EIR assumptions for estimating Project emissions. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I14-5** The comment states that the proposed zone swap would be inconsistent with the Housing Crisis Act and would not allow future housing to be developed. Please see Master Response 3: Zoning.
- I14-6** The comment questions how the project is in compliance with the Housing Crisis Act. Please see Master Response 3: Zoning.
- I14-7** The comment asks how the City is going to ensure that the Janss Road property is made available for residential development based on the assumed February 2027 time frame in the Draft EIR. The February 2027 time frame discussed in the Draft EIR was chosen as the earliest date for development of the residential use on the Janss Road site. This date was chosen for purposes of evaluating potential environmental impacts of the residential development that would be allowed if the rezone is approved. This date does not commit the applicant or another party to developing the site at that time. The date assumed in the Draft EIR allows for conservative evaluation of effects such as air pollutant emissions. Should the site not be developed until after the assumed February 2027 timeframe, it is generally understood that effects such as air pollutant emissions would decrease due to improvements in technology.
- I14-8** The comment questions what enforcement authority the City has to ensure the Janss Road property is made available for residential development. Please see Master Response 3: Zoning.

- I14-9** The comment states that the Draft EIR assumes construction of the proposed Project would begin in February of 2024 and questions whether it is realistic to assume a construction start date that is so close to the close of the Draft EIR's public review period. The assumption of construction starting in February 2024 is used for purposes of modeling environmental effects of the Project. This date does not commit the applicant or another party to developing the site by that time. The date assumed in the Draft EIR allows for conservative evaluation of effects such as air pollutant emissions. Should the site not be developed until after the assumed February 2024 timeframe, it is generally understood that effects such as air pollutant emissions would decrease due to improvements in technology.
- I14-10** The comment states that Alternative 2 should be dropped or modified and that the EIR's conclusions that Alternative 2 is the environmentally superior alternative should be further enhanced. Please see Master Response 4: Project Objectives & Alternatives.
- I14-11** The comment discusses Project Objective 1. Please see Master Response 4: Project Objectives & Alternatives.
- I14-12** The comment discusses Project Objective 2. Please see Master Response 4: Project Objectives & Alternatives.
- I14-13** The comment discusses Project Objective 2. Please see Master Response 4: Project Objectives & Alternatives.
- I14-14** The comment discusses Project Objective 2. Please see Master Response 4: Project Objectives & Alternatives.
- I14-15** The comment expresses concerns with parking and traffic/pedestrian safety. Please see Master Response 5: Traffic, Safety, and Parking.
- I14-16** The comment states that the EIR should address impacts of more vehicle and pedestrian traffic in the area. Please see Master Response 5: Traffic, Safety, and Parking.

**Scott Kolwitz**

**From:** Rob Marcarelli <rdm7@verizon.net>  
**Sent:** Thursday, February 1, 2024 8:24 AM  
**To:** Scott Kolwitz  
**Cc:** aadom@toaks.org; David Newman; Bob Engler; Kevin McNamee; Mikey Taylor  
**Subject:** EIR draft Response 400 E. Rolling Oaks/355 W. Janss Rd

Comment Letter I15

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To: Scott Kolwitz Senior Planner

From: Robert and Joyce Marcarelli

The following is our response to the proposal for the HCA/LRH development of 400 E. Rolling Oaks

Dear Scott,

Some may know but some might have forgotten the recent history of the proposed development of this property and the overwhelming rejection by City Council by a vote of 4-1 in 2016. That proposal for an assisted living facility by a corporation was very similar to the one now proposed by HCA/LRH for the development of more medical facilities on this site. In 2016 Al Adam was on City Council and David Newman, a current City Council member, was on the Planning Commission . Both voted "NO" on the proposal for a zone change that would have turned this residential 5 acre parcel into commercial property. Both of them commented that this is "not a good fit for the neighborhood" and if the zone change was approved it would set a precedent for future, similar proposals.

I15-1

Now, fast forward to 2024, where the City is experiencing a great deal of pressure from the state to INCREASE, not decrease our available acreage for housing. And here comes another aggressive proposal from a \$50 plus billion dollar, OUT OF STATE, mega medical, and real estate company which is seeking to enlarge their real estate portfolio. HCA/LRH has every right to do that, our problem lies with their proposal to change a residential neighborhood into a commercial one and their rather dubious plan to exchange the 5 acre parcel for a 2 acre parking lot. They can and should build this 58,000 sf building on their current campus, on the 2 acre lot that is already zoned commercial. This proposal to swap the 2 commercial acres for the 5 acre residential property doesn't make sense for the City of Thousand Oaks. Those 2 acres are more than sufficient to build their project. Even the EIR for this proposal states in "Alternative #2 Developing the plan on their current site would have the least environmental impact."

I15-2

I15-3

I15-4

In addition, the plan for the new medical building has a much larger footprint than the 2016 "rejected" proposal. It would be 13.5 ft higher and have over 200 more parking spaces than the Oakmont project. Looking at the site plan, its hard to fathom a building that is larger than the "White House" sitting on this neighborhood land. The proposed "zone change" is no more than a "sleight of hand" trick. You see, no matter how one might stretch to justify a 5 acre for 2 acre swap, the premise, motive, and spirit of the proposal is not a real trade. It is on its face, Fraudulent . I say that because on 04/27/23, at the one and only meeting we had with HCA, we were told on the record by Mr. Matt Cove, the COO of the hospital, that the 2 acres would never become Residential Housing. What developer

I15-5

I15-6

would think it a good idea to develop housing units on hospital grounds? So here you have a proposed exchange that's really no exchange. What good does it do during a "housing crisis" to trade 5 acres for 2? And those 2 will never even add one home or apartment to help alleviate the housing shortage in Thousand Oaks? If passed, there would actually be a NET LOSS of 5 perfectly fine acres that could be developed for much needed housing. This is a 100% loss of very developable housing property that will be gone forever.

We firmly believe that if the planning commission and City Council approve this exchange it would be "fraud" perpetrated against the community, against the State mandate of "no net loss" and it would set precedent for future "shady" smoke and mirror type deals like this one. This type of exchange could be used by future developers and lawyers as a sort of "case law" to assist in creating a "Sherman Oaksification" out of our beautiful Thousand Oaks.

In summary, knowing the history of this property, the negative impact it would have on the neighborhood, and knowing that its passage would violate the state's mandate for "No Net Loss" I urge you to, as did Al Adam and David Newman did in 2016 to reject the EIR and the proposal for a zone change of this residential property.

Sincerely,

Robert and Joyce Marcarelli

↑  
115-6  
cont.  
115-7  
↑

## Response to Comment Letter I15

Rob Marcarelli  
February 1, 2024

- I15-1** The comment discusses the 2016 Oakmont Assisted Living Project. Please see Master Response 2: Rejection of 2016 Oakmont Project.
- I15-2** The comment states that the City is experiencing pressure to increase housing but is considering a large commercial project. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I15-3** The comment states that the cancer center should be developed on a lot that is already zoned for commercial use. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I15-4** The comment discusses Alternative 2. Please see Master Response 4: Project Objectives & Alternatives.
- I15-5** The comment discusses the footprint of the Project, namely the proposed height and number of parking spaces. Please see Master Response 6: Building Size & Height. The number of parking spaces proposed by the Project was designed in accordance with City Municipal Code requirements.
- I15-6** The comment states that no residential development would be built on the Janss Road Site, which would result in a net loss of housing. Please see Master Response 3: Zoning.
- I15-7** The comment summarizes concerns that the Project would have a negative impact on the neighborhood and urges the City to deny the Project. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

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**Scott Kolwitz**

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**From:** Kim Zussman <zussman@gmail.com>  
**Sent:** Thursday, February 1, 2024 10:20 AM **Comment Letter I16**  
**To:** Scott Kolwitz  
**Subject:** Comments regarding Los Robles Comprehensive Cancer Center (EIR 2022-70775)

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Dear Mr Skolwitz

I have no experience with design or construction of medical treatment businesses. Undoubtedly the sharp pencils of HCA have done their homework, and to have gone this far the proposed cancer treatment center is projected to be very profitable. I do, however, have experience with hyper-urbanization.

Growing up long ago in the San Fernando Valley, I witnessed the transition from the open spaces, citrus groves, and ranches of the past to strip malls, commercial businesses, and the urban decay of today. Like many now living in the Conejo Valley, I came here because Thousand Oaks and its leaders historically gave mandated preservation of open space and the rural feel of this beautiful area.

A good exercise on this topic is to drive East on the 101, starting in Newbury Park. Watch what begins to happen after Calabasas and progresses in Tarzana, Reseda, and Sherman Oaks. The transitions of such a spatial trip are quite analogous to traveling in time: from the Conejo

I16-1

Valley of the past to what seems to be an inevitably Valley-ized future.

I16-1  
cont.

Our neighborhood - Rolling Oaks - along with Conejo Oaks, Lynn Ranch, etc, are among many in the Conejo that seek to preserve what attracted people for decades to the Conejo. In fact Rolling Oaks has a "Scenic Viewshed Overlay" - strict guidelines and permitting processes that requires new development to maintain the natural beauty and prohibit unsightly construction visible along other parts of the 101 corridor.

I16-2

Though the 50,000 square foot two-story building of the planned cancer treatment center will be plainly visible from the 101 (along with most homes in Rolling Oaks), it seems to have escaped the scenic overlay requirements. These well-intended prohibitions that are strictly enforced on local homeowners don't seem to apply to multi-billion dollar corporations building for-profit businesses, for some reason.

I16-3

One suggestion would be a re-design to a single story building which would be less obtrusive and less visible from the 101 and adjacent homes. Assuming HCA wants additional square footage, there is plenty of medical and commercial space currently available at the nearby TOSH buildings and elsewhere in the Conejo.

I16-4

California claims to be all about progress. Certain progress can be good but let's not forget the importance of preserving and conserving the environments, neighborhoods, and lifestyles that caused people to move

I16-5

here from areas permitted to go downhill.

Kim Zussman  
115 Saddle Trail  
Thousand Oaks 91361

↑  
I16-5  
cont.

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## Response to Comment Letter I16

Kim Zussman  
February 1, 2024

- I16-1** The comment serves as an introduction to the comment letter. No response is required.
- I16-2** The comment states that Rolling Oaks has a “Scenic Viewshed Overlay” and new development is subject to its guidelines and permitting processes to maintain views along the Highway 101 corridor. The guidelines and the Project’s consistency with them are discussed within Draft EIR Table 4.1-1 “Project Consistency With Scenic Quality Policies and Zoning” (Section 4.1, Pages 4.1-11 through 4.1-25),
- I16-3** The comment remarks that the Project seems to not to have been reviewed for consistency with the scenic overlay requirements. Please see Response to Comment I16-2.
- I16-4** The comment suggests that the project be re-designed into a single-story building. Project Alternatives are discussed in Draft EIR Section 7. Alternative 3 includes a Single-Story Comprehensive Cancer Center at the Cancer Cener site. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City’s decisionmakers. Please see Master Response 4: Project Objectives and Alternatives.
- I16-5** The comment reiterates the importance of preserving neighborhoods. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City’s decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

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**From:** M Nicholls <mnicholls@mikenichollsconstruction.com>  
**Sent:** Friday, February 2, 2024 5:29 PM  
**To:** Scott Kolwitz  
**Cc:** supervisor@ventura.org; Al Adam; David Newman; Bob Engler; Kevin McNamee; Mikey Taylor; Teri Nicholls  
**Subject:** Opposition to Los Robles Comprehensive Cancer Center (EIR 2022-70775)

**Comment Letter I17**

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Dear Mr. Scott Kolwitz & Thousand Oaks Leaders,

We would like to voice our opposition to the proposed Cancer Center owned by HCA. There are a few areas I will elaborate on that I have concerns with but before going into detail we love Thousand Oaks. The open space conservation and the natural beauty is one of the reasons for moving here. We live in a particularly remote rural location. Because of its remoteness it offers a setting that is difficult to reproduce. There are hundreds of woodpeckers, native birds, snakes and larger predator/prey, etc. that make up the perfect ecosystem. Coyotes are common and we have visits by Bobcats sometimes daily and weekly. All these things live in harmony because the land is left as natural as possible and the Owners in the area understand this and we all leave it alone. Water is the source that keeps the ecosystem alive and given we are surrounded by seasonal streams that have been largely untouched, any disruption will prove to have a cascading effect on the ecosystems ability to survive.

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I17-6  
I17-7  
I17-8  
I17-9  
I17-10

Our hope is the City and its staff will recognize the uniqueness of the area and not grant the Zone Change to HCA when a viable option does exist at the property already owned by HCA with the correct zoning. The only reason the property formerly known as the Young Set Club (Resolution No. 73-15) has not been sold and developed as its intended use for Residential is Greed. The Young Set Club was granted permission to build a Child Care Facility in 1972. This was a useful application of the property then and up until it fell into disarray. Once it fell into this condition the property could have been sold as its current value to a Developer for the proper amount it was worth based on its Zoning. Instead for years and years the City has listened to proposed zone changes which would bring more value to the property. If the past and present City Councils had stuck to the City's Master Plan the previous Land Owners would have seen there was only the value of a dividable residential lot and all these outrageous endeavors would have ended. Instead, here we are again. HCA can afford to lose money on the lot they purchased as that's the nature of speculation and if they did care about giving Thousand Oaks a Cancer Treatment Center they can more easily build on the property they already own. The City will get a new Cancer Center and HCA can then choose to sell the lot for its REAL value and eventually the City will end up with more wonderful housing in an area that truly is not replaceable.

1. I would like to see a deeper review of the Cumulative effect on the Biological Resources given there are numerous outlined in the Draft EIR.
2. Does this project conflict with the Habitat Conservation Plan?
3. Wildfires have always been a concern here. Given there are only 2 roads in or out with the Tosh side not a road but a shortcut through a parking lot a bad situation will only get worse. Just driving through the Tosh path on a regular day with a turnabout mixed in for dropping off patients makes a clear safe exit in a wildfire seem impossible.
4. MM-WF-3 Eastside 85' fuel modification zone. This will extend the effect of the Native Habitat's Destruction beyond the building pad and its massive grading directly adjacent to the Protected Blue-Line Stream.
5. I see no mention of the Protected Blue-Line Stream directly adjacent to the project and downslope. In last attempt to upzone the property Oakmont neglected to address the Blue-Line Stream. The City was not aware of

the conflict and also neglected to address its affect as well. The Governing bodies were contacted and expressed dismay over NO notification from the City or County. The California Department of Fish and Wildlife, the US Department of Fish and Wildlife and the Army Corp of Engineers eventually intervened. This needs to be addressed with all agencies that have governance over the protected Blue-Line Stream which I have mentioned quite a few times. This is the life blood of the ecosystem.

117-10  
cont.

In closing it is our opinion that there are too many negative factors for the City to force such a large-scale project into an area and parcel that was never intended for this use.

Keep Thousand Oaks the way it was planned.

Sincerely,  
Mike & Teri Nicholls  
196 Colt Lane  
Thousand Oaks, Ca. 91361  
818-314-8873 cell

117-11

## Response to Comment Letter I17

Mike and Terri Nicholls  
February 2, 2024

- I17-1** The comment serves as an introduction to the letter and states the commenter's relationship to the Thousand Oaks area. The comment also discusses the open space and beauty of the area. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No response is required.
- I17-2** The comment requests that the City deny the proposed zone change. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I17-3** The comment discusses the history of the Project site. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I17-4** The comment suggests that past and present City Council members have not followed the City's Master Plan. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. Please see Master Response 4: Project Objectives & Alternatives. No further response is required.
- I17-5** The comment states the applicant can build a cancer center on property they already own, implying the Janss Road site. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I17-6** The comment requests a deeper review of the potential cumulative effects on biological resources but does not describe any specific inadequacies of the Draft EIR analysis on this topic. Please see the analysis of cumulative impacts related to biological resources beginning on page 6-9 of the Draft EIR.
- I17-7** The comment questions whether the Project would conflict with the Habitat Conservation Plan. As stated on page 4.3-34 of the Draft EIR, the Project is not within any Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state HCP (CDFW 2019). Therefore, there would be no impacts related to conflict with an adopted HCP, NCCP, or other approved local, regional, or state HCP.
- I17-8** The comment expresses concern about wildfire and evacuation routes. Section 4.13, Wildfire, of the Draft EIR presents the environmental and regulatory setting regarding wildfire and evaluates the potential for Project impacts related to wildfire.

- I17-9** The comment states that Mitigation Measure MM-WF-3 would extend habitat destruction beyond the building pad. As detailed on page 4.13-33 of the Draft EIR, this measure requires the use of additional code-exceeding fire protection features. Impacts of the Project on natural habitats are discussed in Section 4.3, Biological Resources, of the Draft EIR.
- I17-10** The comment states that there is no mention of the blue-line stream adjacent to the Project site. As discussed on page 4.3-11 of the Draft EIR, a blue line riverine feature is identified as Drainage 2, and page 4.3-21 of the Draft EIR discusses erosion-control measures that would be implemented as part of the Storm Water Pollution Prevention Plan (SWPPP) for the Project, which would protect nearby waterways from indirect impacts from Project construction.
- I17-11** The comment expresses opposition to the Project. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

February 5, 2024

Mr. Scott Kolwitz Senior Planner  
City of Thousand Oaks  
2100 Thousand Oaks Blvd.

**Comment Letter I18**

RE: HCA/Los Robles Comprehensive Cancer Center and the 355 West Janns Road General Plan Amendment and Zone Change Project Draft – Draft EIR Comments

Dear Mr. Kolwitz,

I have been a resident of The Conejo Valley since 1964 and a homeowner in the Rolling Oaks neighborhood for 27 years.

I18-1

Following are my comments to the Draft EIR for the proposed projects located at 400 E. Rolling Oaks Drive and 355 W. Janss Road.

First and foremost, the community and the Council have spoken on this project site: In 2016 the community rallied to great numbers and loud voices in opposition to a smaller commercial project with lower buildings and far less parking on this same site. The fact that the proposed HCA/Los Robles Hospital project was given the green light by council to initiated a general plan amendment is disheartening, to say the least.

In February of 2016 City Council denied the proposed construction of an Oakmont 89-bed assisted living facility, which would have required a zone change from R-E Rural Exclusive (very low density) to PL. Oakmont was denied by the City Council in a 4-1 vote. Councilman Andy Fox, said he was concerned with how the facility would affect street parking and the neighbors' views, while Councilman Al Adam said the facility isn't compatible with the adjacent properties, quoting - "Is the compatibility so compelling that we should up-zone it from rural exclusive to public land? I'm having a hard time with that," Adam said. "To me, the zone should provide and maintain a rural residential area. This is not an issue of senior housing tonight...By no means is this a referendum on assisted living." Councilman Rob McCoy, whose father is an Alzheimer's patient living in a senior facility, voted against the project, stating this vote was the hardest city decision he's had to make. "I've always rested on the idea that when in doubt don't," McCoy said.

I18-2

Fast-forward 7 years. City Council in a 4-0 vote approves a general plan amendment to Hospital Corporations of America (HCA) for the construction of a Los Robles Comprehensive Cancer Center, which will require a zone change from R-E Rural Exclusive (very low density) to Commercial. The proposed Cancer Center project is much larger in scale and requires an even more drastic zone change than the rejected Oakmont project. In addition, due to the housing shortage to **ENSURE** "no net loss" of residential zoned property a second component was added to rezone 2 acres of parking lot at the 355 Janss location in exchange for nearly 5 acres at the Rolling Oaks Drive location, making the up-zoning of the Cancer Center project much more

I18-3



complex than that of the Oakmont project. [Please explain the basis for which this project is being considered when Oakmont was denied for all the same reasons that exist today with this project? What specific project components have changed which makes this project different from the rejected project?](#)

Project Need and Objectives – Cancer Center Site

The proposed Cancer Center, as stated in the EIR, is to consolidate up to 7 of their **existing** facilities, which are dispersed throughout the City. However, this is contradictory to their statement on the Los Robles Oncology website which reads: Los Robles Health System's cancer center is a full-service facility dedicated to your cancer treatment. **The center provides a complete array of services** for the screening, early detection, diagnosis, treatment, and management of cancer. These services are offered through a network of oncology specialists, **conveniently located at the hospital**. Our cancer care center has a long history of treating patients with all different types of cancer.

<https://losrobleshospital.com/specialties/oncology/>



Like many of us, I have lost friends and family to cancer, including my brother, Steve, to pancreatic cancer and my husband, Richie, after a 4-½ year battle with head and neck cancer. Having experienced navigating loved ones through a wide array of cancer treatments, I disagree that a single comprehensive center adjacent to Thousand Oaks Surgical Hospital (TOSH) is needed to improve a patients quality of care as stated in Objective 1 of the EIR. I have a lot of admiration for Los Robles Hospital, and the services and treatments they provide. In fact, Los Robles Hospital was dear to my husband’s heart. Richie was the founder of Musicians on a Mission, CA a 501-c3 non-profit organization. For years, on Wednesday afternoons he, along with board members and volunteers, would play music for patients and families in the lobby of the hospital.

For my husband and I, his caregiver, we never gave any thought to where treatments were being administered. Whether it was at a building a mile this way or a mile that way or steps from one medical building to the next, the building where treatments were located couldn’t have been further from our minds. We would have traveled to the ends of the earth for treatment if it were necessary. Let me remind you the 2 proposed sites for the project are only 2.3 miles away from each other as noted in the EIR. Los Robles also states that having various treatment locations causes significant patient and family inconvenience and stress and results in suboptimal quality of care. This is a very subjective statement. We did not find this to be true; there was no burden or stress in using existing facilities at various locations. Cancer



patients are all different and all their needs and treatments are not going to reside in one building. The Oncologist is the captain of the ship and he steers his patients to their treatments, which may be at completely different facilities than those of Los Robles Hospital and Medical Center. There are many other cancer centers in our community and surrounding areas, City of Hope which is located in a medical building next to the Los Robles Surgical Hospital (TOSH), which is across the street from the proposed Cancer Center site, and UCLA Cancer Treatment Center on La Venta in Westlake Village, just to name a few. I would also like to mention that cancer facilities for City of Hope and UCLA in Westlake, also comprehensive cancer centers, are not all housed in one building. The EIR also states that the proposed Cancer Center would be in close proximity to the existing Los Robles Surgical Hospital (TOSH) allowing for operational synergy and efficiencies, while at the same time providing critical patient care and services in a quite peaceful setting. *Wouldn't the same synergy and efficiencies be true if the proposed Cancer Center were built on the Los Robles Hospital and Medical Center campus? Please explain why it would be different?*

I18-7  
cont.

I18-8

The need for the cancer center at the 400 Rolling Oaks site is not addressed in the EIR, much less proven. *What is the benefit to the community? Please provide a public needs assessment study to support the statements made in the EIR.*

I18-9

Project Construction

Janss Road

The EIR states no development application has been submitted. No specific residential development project has been proposed for the Janss Road Site. There is nothing in the EIR that guarantees that residential housing will be built. Could it be because the site, although re-zoned accordingly to **ENSURE** "no net loss" to residential capacity, is going to remain an underutilized parking lot with no intent on ever building houses? The Thousand Oaks Acorn "Hospital planning to expand" article dated July 8, 2022, which covered the City Council meeting that took place July 5, 2022, states that **Los Robles CEO Natalie Mussi told the council the hospital has no plans to build housing next to the hospital.** *(See full Thousand Oaks Acorn article at the back of this letter).* Everything in the EIR pertaining to residential houses being built is either **ASSUMED** or **SPECULATIVE**. Example; No specific development plan is proposed at this time, as such, it would be speculative to assume the type of housing mix and size of units, building footprint and/or overall design that would be developed at Janss Road as part of the EIR. With no development application and no development project proposed, how can it be assumed that construction on this project would start in February 2027? **WHAT PROJECT?** *Please explain how this is a fair trade of residential land, when there are no guarantees that residential housing will ever be built at the 355 Janss site.*

I18-10

I18-11

I18-12

**ENSURE;** to make something certain to happen; to secure or guarantee.

I18-13



Project Objectives - Comments

Objective 2: Redevelop an underutilized site (see below) with a modern and attractive cancer center building that is adjacent to other medical offices, surgical hospital, and near a key transportation corridor, thereby reducing trips and providing convenience for patients. [Please explain why this objective would not be met at the Los Robles Hospital and Medical Center campus.](#)

118-14

Comment to underutilized site mentioned in objective 2

Since first listed, the Young Set Property has been tied up, for at least 7 years, with large corporations trying to up-zone a very low density Rural Exclusive R-E property to high density Quasi-Public, and Institutional Lands and Facilities (P-L) or Commercial Office (C-O) properties. Both these zones couldn't be further apart from the properties intended use. Here is a LoopNet listings from 8/20/2015 for the Young Set Club property. The marketing strategy for this property is very misleading. Note: The Young Set Club property was purchased by Los Robles Hospital 5 years ago on 02/02/2018 rendering it off the market for a potential housing developer or for any other uses that wouldn't require a re-zone from Rural Exclusive (R-E).

8/10/2015 LoopNet - Backup offers Market Senior Housing Site, Assisted Living Residences, 400 Rolling Oaks Dr, Thousand Oaks, CA

Senior Housing Property For Sale

Backup offers Market Senior Housing Site

400 Rolling Oaks Dr, Thousand Oaks, CA 91361



Price: \$3,600,000  
 Property Type: Senior Housing  
 Property Sub-type: Assisted Living Residences  
 Property Use Type: Investment  
 Commission Split: 2%  
 Lot Size: 4.75 SF  
 APN/Parcel ID: 681-0-180-265  
 Listing ID: 18560150  
 Last Updated: 1 day ago  
[Find Out More...](#)

118-15

Description

Currently used as a Private School. Last session will be this summer. 4.75 acres and 7735 sf building. Across the street from T.O. Surgery Center and Los Robles apartments. Measure E in Thousand Oaks is a growth ordinance and it requires any net increase in commercial building area or any net increase in residential density to be subjected to a public vote. The most likely zones that could be applied to this property are: (current) R-E-1AC (very low density residential), PL Public Land, C-O Commercial Office, RPD Residential Planned Development. The City of T.O. is inclined to allow Senior Housing or Assisted Living structures and that zoning is PL and it would not require rezoning subject to the Measure E public vote parameters. See attached PL Senior Care Facility/Residences strategy proposal and 2 story building exhibit.. Buyer to determine suitable use for construction. In contract, subject to due diligence.

Moorpark Rd. south off of the 101, then left on Rolling Oaks Dr.

Objective 3: Maximize employment opportunities by entitling a cancer center that is responsive to market needs and which will add high quality jobs to the Site. The EIR states that the Cancer Center will create 40 new jobs. Since this is a consolidation of existing facilities wouldn't the current employees move from one location to the next? Please explain the type of high quality jobs that would be added. Would the same jobs be added if built on the Janss site?

118-16

Objective 4: Ensure the building design and massing are sensitively developed relative to the surrounding built environment and compatible with existing hillside conditions, including limiting the amount of grading and dirt export to the greatest extent possible, while still meeting the critical need to consolidate multiple patient services into a single facility. HCA has ignored the history of the Cancer Center Site. A previous project (Oakmont Senior Living) was rejected largely due to incompatibility to surrounding properties. Instead of presenting a building plan that would be sensitive to surrounding neighborhoods HCA designed a building with substantially more impact than the project that had been rejected. Example: Oakmont 26.5' high building with 40 parking spaces compared to HCA's intense 40' high building with 233 parking spaces.

118-17

118-18

Alternatives

Considerations for Selection of Alternatives

**I would like to request that a list of Los Robles 7 existing cancer facilities be included in the EIR with their specialties and current addresses. I believe this information is key when considering the Project Needs and Alternatives.**

In the information pulled from Los Robles Hospital specialties/oncology website it states all their cancer facilities are located at the hospital. If that is the case, then **Alternative (1A)**, the No Project/No Development would make the most sense. Please remember the quality of treatment being offered is key, not the building it is in.

118-19

If several of Los Robles existing cancer facilities are located at other locations, possibly an additional alternative could be presented which would be to keep the existing facilities in place on the Los Robles Hospital and Medical Center campus, and construct a new building with a much smaller footprint than proposed at the 355 West Janss site to accommodate the facilities not currently housed on campus.

Another Possible Alternative

This seems like a good place to mention that 2 medical buildings located on the Los Robles Hospital and Medical Center Campus are currently listed for sale.



118-20

Wildfire

EIR: Would the Project substantially impair an adopted emergency response plan of emergency evacuation plan?

What is the emergency evacuation plan? If a wildfire were to occur during peak hours the Cancer Center would be adding to the risks associated with evacuating. Note: The EIR states there will be 233 parking spaces at the proposed Cancer Center. The area shown south of Hwy 101 on the aerial map below is considered extreme fire danger and I believe, like my property, this area is categorized as a Fire Hazard Severity Zone. There are only 2 main evacuation routes south of Hwy 101. They are Moorpark Road and Haaland Drive to S. Rancho Road where they intersect. Note: Haaland Drive encompasses a roundabout in front of the Thousand Oaks Surgical Center.

Evacuations would include the golf course, townhomes, apartment building, medical facilities, commercial buildings and single-family residences. If there were a wildfire, residences in the Rolling Oaks neighborhood would also be evacuating via S. Rancho Road. In the EIR the neighborhood east of the proposed project is referred to as a residential development or large residences that are scattered throughout the hillside. There is no mention that the neighborhood that borders east is a rural neighborhood consisting of many ranchettes. That said, if an evacuation were to take place not only would there be residential vehicles (cars and trucks), but there would also be a multitude of trailers evacuating horses and other livestock.

*(Sign photos were taken from Rimrock Road)*



118-21

118-22

118-23

Wildlife

I disagree with the following statement made in the EIR: The project site does not contain wildlife corridors, nursery sites, or natural communities of concern. However, there is one 0.09-acre area of riparian habitat consisting of coast live oak/willow woodland.

The EIR mentions the riparian area northeastern portion of the site but falls to mention the southeastern arroyo that runs below, and between, the Los Padres open space to the south and the upper portions of Rimrock Rd. The arroyo flows from the Santa Monica Mountains north and connects to the northeastern blue line 0.09-acre riparian habitat just feet away from the project site. The arroyo photos below were taken from 303 Rimrock Road, which is less than 500 ft. from the proposed Cancer Center site. In fact, the arroyo runs through my property, which also includes a portion of the Los Padres open space southeast of the project. This arroyo is a corridor for an abundance of wildlife, which includes larger species of animals, i.e., deer and mountain lions, which are not mentioned in the EIR.

**The wildlife study as presented needs revisiting due to its inaccuracy and incompleteness by not considering the larger animal population located in the arroyo and it's corridor.**

Arroyo north view towards  
Thousand Oaks Surgical Hospital (TOSH)  
and proposed site.



Arroyo south view towards  
the Santa Monica Mountains.



I18-24

I18-25

I18-26

I18-27

Drainage

In Appendix C-E, page 3 photograph, it looks like drainage 1, 2 & 3 run off into the main storm drain located on Rimrock Road. The additional 1.4-acre offsite drainage is located, where the proposed Conejo Valley Parks and Recreation (CRPD) neighborhood park will be located. The two parcels referred to as vacant land (East) are lots purchased by CRPD. (See full *Thousand Oaks Acorn* article pertaining to the CRPD purchase in back of this letter). During heavy rains, the Rolling Oaks neighborhood experiences major flooding where the main storm drain is located on Rimrock Road. Water from the Santa Monica Mountains, arroyo, Rimrock Rd., Sundown, and Saddle Trail all channel to the main storm drainage area. **What additional impact will be created with additional drainage from the Cancer Center Project as well as drainage and runoff from the proposed park?** A storm water pollution prevention plan (SWPPP) needs to be developed and incorporated into all drainage planning. Drainage impacts from the existing arroyo need to be considered along with proposed project drainage. What will the accumulative impacts be?

I18-28

I18-29

I18-30

I18-31



I18-32



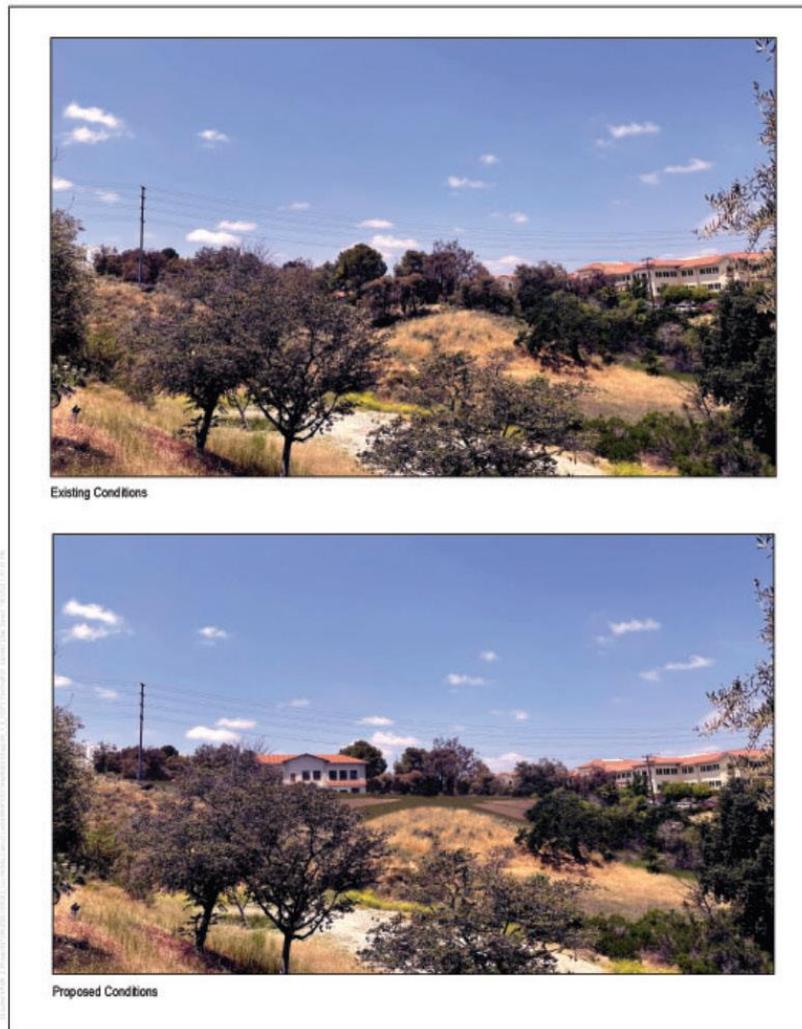
*Photos were taken from Rimrock Road across from main storm drain.*



Aesthetics – View Shed

The existing and proposed conditions representative photos taken from Rimrock Road are disingenuous and are not an accurate depiction of public view shed from Rimrock Road. The pictures shown on the following page were pictures taken on Rimrock Road looking directly at the proposed Cancer Center site from the dirt easement off the street and from the street in a vehicle. **I would like to request that more accurate existing and conditions representative photos be submitted and included in the EIR.**

I18-32  
cont.



I18-33

**DUDEK** **FIGURE 4.1-5**  
**Existing and Proposed Conditions from Rimrock Road (KOP-2)**  
EIR for Los Robles Comprehensive Cancer Center - 355 W Janss Road Land Use Change Project

Aesthetics – View Shed (Cont’d)

The photos below were taken from Rimrock Road looking west at the proposed project site.

**Note: Dense vegetation and ridge top tree line which all will be removed.**



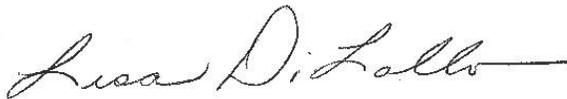
I18-33  
cont.

If the proposed project approval is in part based on the assumption that the residential compliance component will be located at the Los Robles Hospital and Medical Center property then all applicable residential requirements must be met, which include CEQA and local laws and regulations.

This project is inconsistent land use and the location should not be re-zoned to allow a commercial development that is not consistent with rural and residential neighborhoods.

Finally, I ask the elected officials of Thousand Oaks to conclude, as they did in 2016, that this project is not appropriate for this site.

Sincerely,



Lisa DiLallo  
303 Rimrock Road  
Thousand Oaks, CA 91361

CC: Supervisor Gorell – County of Ventura District 2  
Mayor Adam  
Mayor Pro Tem Newman  
Councilmember Engler  
Councilmember McNamee  
Councilmember Taylor  
Bob Cashier MS,CPSS

I18-34

I18-35



## Hospital planning to expand

Los Robles wants to build at site of former day care

| July 08, 2022

By Becca Whitnall  
becca@theacorn.com

GROWING—Los Robles Regional Medical Center is looking to build a new facility across the street from Thousand Oaks Surgical Hospital on Rolling Oaks Drive that would provide cancer patients with an outpatient destination. Acorn file photo

Los Robles Regional Medical Center hopes to expand its presence once again in Thousand Oaks—this time across the street from its Thousand Oaks Surgical Hospital.

At the Thousand Oaks City Council meeting Tuesday, Los Robles CEO Natalie Mussi said the hospital’s parent company, Nashville-based HCA Healthcare, hopes to construct a medical facility at 400 E. Rolling Oaks Drive, the former site of the Young Set Club at Rolling Oaks and Los Padres drives.

An apartment complex sits across Los Padres from the site.

“One gap in our offering in the community is our ability to provide our cancer patients with an outpatient destination,” Mussi told the council. “The proposed Los Robles medical office . . . would provide patients with a concierge-like experience offering full-scope cancer treatment options.”

Los Robles bought the 4.9- acre property in 2019 after an effort to turn the site into an assisted living facility failed. The City Council rejected the proposal after opposition from neighbors.

Mussi said the new facility would offer patient education, nutrition, genetic counseling and preventive care services.

118-36



None of that could happen without a zone change to the property, which the council initiated with a 4-0 vote—with Councilmember Ed Jones absent—at its July 5 meeting. A final vote on the change is expected sometime next year after both staff and the planning commission get a chance to weigh in.

CHANGING USE—Los Robles wants to turn this empty lot on Rolling Oaks Drive, former home of Young Set Club, into a new healthcare facility. Last week, the council approved a zone change from very-low residential to commercial to help facilitate the project.

The property is zoned for very-low residential use: one home per acre (learning centers are allowed in residential zones with a special-use permit). Los Robles is requesting a change to commercial.

Due to a new law—SB 330, or the Housing Crisis Act—a city cannot reduce its residential capacity, which changing the land-use designation would do. To avoid legal issues, a city may at the same time change the designation of another site to ensure there is no net loss of housing capacity.

In this case, Los Robles requested a second zoning change, this to the corner of a parking lot at the main hospital at Lynn and Janss roads, formally 355 W. Janss Road. That site would become residential.

Mussi told the council the hospital has no plans to build housing next to the hospital.

*This story was updated at 3:47 p.m. July 22, 2022. A previous version suggested the zone change was approved; instead, the council voted to initiate a general plan amendment, which will be voted on again some time in the future after staff and public review.*



118-36  
cont.



## CRPD buys land to serve as future park

District swings deal with local baseball coach

| February 17, 2022

By Kyle Jorrey  
[tonewstip@theacorn.com](mailto:tonewstip@theacorn.com)



PICTURE IT—The Conejo Rec and Park District closed escrow this week on two residential lots off Haaland Drive in unincorporated T.O. south of the 101 Freeway that it intends to use for a neighborhood park. Courtesy photo

118-36  
cont.

PICTURE IT—The Conejo Rec and Park District closed escrow this week on two residential lots off Haaland Drive in unincorporated T.O. south of the 101 Freeway that it intends to use for a neighborhood park. Courtesy photo

The Conejo Recreation and Park District has acquired 5.4 acres it intends to use for a neighborhood park—its first such purchase in over 30 years.

On Tuesday, CRPD closed escrow on two residential lots south of the 101 Freeway between Rancho and Moorpark roads. The cost: \$975,000.

General Manager Jim Friedl said the parcels, which sit in an unincorporated island between Rimrock Road and Rolling Oaks Drive, have the same owner—former Newbury Park High School baseball coach Matt Goldfield, who led the Panthers to a CIF-Southern Section Division 1 championship win in 2012. Goldfield is currently a baseball coach at Westlake High School.

“The board of directors authorized staff to try to acquire this property on Jan. 20, and we were able to clear all contingencies and close escrow in less than one month,” Friedl said. “We’re so lucky to have longtime residents like coach Matt Goldfield and the Goldfield family offer flexibility on the price so we could afford to add a new park site to our system.”

Most of CRPD’s 60 parks have come by way of development agreements, deals struck between the city and residential developers to donate some of their holdings for a public park in exchange for approval to build homes.

“This is CRPD’s first cash-based property acquisition in decades,” Friedl said.

According to park district records, the last time CRPD bought park property with cash was El Parque de la Paz on Thousand Oaks Boulevard in 1986.

With no new tracts left to build, park district director Nellie Cusworth said, the agency had to consider a new approach.

118-36  
cont.



“We know the state of California is really pushing cities to add more housing, and we expect the population of Thousand Oaks to grow. With that anticipated growth, CRPD is trying hard to maintain its parks/population ratio and a park system which allows everyone access to a park within a 10-minute walk from their home,” she said. Cusworth said there is no park south of the 101 between Rancho and Moorpark roads, requiring those who live there to pass under the freeway anytime they want to use a public park.

“In the future, this park will give them a public park within walking distance,” she said.

**AERIAL VIEW**—A satellite image shows the location of the park

**AERIAL VIEW**—A satellite image shows the location of the park district’s \$975,000 purchase. CRPD plans to meet with neighbors in the coming months to discuss what they’d like to have included in the neighborhood park. Courtesy of CRPD

Goldfield said the property has been his family since the 1960s.

“My parents were going to build their dream home on those lots but remained happily living in the family home in the Meadows tract in Thousand Oaks,” he said.

The one thing his father, Gerald, who died in 2000, did do with the property, which had originally been designated as horse property, was fight for the land to remain rural, Goldfield said.

“My father was a Jewish city kid from Philadelphia, and the reason he bought the land was because of it being rural,” he said. “He fought the city when it wanted to put a road through the property. That’s why the frontage road is where it is, because of my father.”

After Goldfield’s mother, Harriet, died in 2016, Goldfield said the family “knew it was time to sell.”

That the property will serve as a public park was an unexpected bonus.

“We were looking for a bit more money for the properties, but when I found out the Conejo Recreation and Park District wanted the property for a future park site, we made it work for them,” he said. “We’re a huge baseball family, and we know how important parks are to a community. I think my parents would be really happy knowing their dream home became a public park.”

Raymi Schwartz of Pinnacle Estate Properties Inc. represented the seller and buyer. Escrow closed Feb. 15.

The two adjacent lots just east of Thousand Oaks Surgical Hospital feature rolling hills and hundreds of trees, including many oaks.

The challenge will be access.

As the land is unincorporated, CRPD will need to get permission from the County of Ventura if it wants to create an entry from the west, where there are hundreds of homes and apartments that could use the park.

Access from the east is limited because visitors would have to drive through a lightly populated neighborhood of million-dollar homes and large lots using Rimrock Road, a narrow, winding street.

“This is something CRPD must work on with the city and county, as well as our immediate neighbors, the Rolling Oaks Homeowners Association and Los Robles Regional Medical Center (owner of the surgical hospital),” Friedl said.

In the coming months, CPRD plans to host an open house, meet the neighbors and get a sense of what they would like to see in their park, the general manager said.



118-36  
cont.

“After we go through a robust public input and planning process, CRPD will then try to find the money necessary to complete those improvements,” Friedl said

*Acorn reporter Becca Whitnall contributed to this article.*



118-36  
cont.

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## Response to Comment Letter I18

Lisa DiLallo  
February 5, 2024

- I18-1** The comment serves as an introduction to the letter and states the commenter’s relationship to the Thousand Oaks area. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City’s decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No response is required.
- I18-2** The comment discusses the 2016 Oakmont Assisted Living project. Please see Master Response 2: Rejection of 2016 Oakmont Project.
- I18-3** The comment discusses the 2016 Oakmont project. Please see Master Response 2: Rejection of 2016 Oakmont Project. Please also see Master Response 3: Zoning.
- I18-4** The comment questions why the proposed project is being considered when the earlier Oakmont Project was denied. Please see Master Response 2: Rejection of 2016 Oakmont Project.
- I18-5** The comment questions the need for a cancer center when Los Robles Hospital already has an oncology department. Please see Master Response 4: Project Objectives and Alternatives.
- I18-6** The comment expresses disagreement with Project Objective 1. Please see Master Response 4: Project Objectives and Alternatives.
- I18-7** The comment expresses disagreement with the statement that having various treatment locations causes significant patient and family inconvenience and stress and results in a suboptimal quality of care. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City’s decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I18-8** The comment requests an explanation as to why the same synergies and efficiencies wouldn’t be true if the proposed project were to be built on the Los Robles Hospital and Medical Campus. Please see Master Response 4: Project Objectives and Alternatives.
- I18-9** The comment requests a public needs assessment be provided to support the need for the project. Please see Response to Comment I13-26.
- I18-10** The comment states that no residential development would be built on the Janss Road Site, which would result in a net loss of housing. Please see Master Response 3: Zoning.
- I18-11** The comment states that no residential development would be built on the Janss Road Site, which would result in a net loss of housing. Please see Master Response 3: Zoning.
- I18-12** The comment questions how the EIR could assume a February 2027 start date in absence of a plan for development of the residential parcel. Please see Response to Comment I14-7.

- I18-13** The comment states that no residential development would be built on the Janss Road Site, which would result in a net loss of housing. Please see Master Response 3: Zoning.
- I18-14** The comment questions why Project Objective 2 would not be met at Los Robles Hospital and Medical Center Campus. Please see Master Response 4: Project Objectives and Alternatives.
- I18-15** The comment references the underutilized site mentioned in Project Objective 2. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I18-16** The comment discusses Project Objective 3 and questions whether the same number of employees (i.e., 40) would be added or needed if the cancer center were to be located on the Janss Road Site. see Master Response 4: Project Objectives and Alternatives.
- I18-17** The comment discusses Project Objective 4. Please see Master Response 4: Project Objectives and Alternatives.
- I18-18** The comment references the 2016 Oakmont Project. Please refer to Master Response 2: Rejection of 2016 Oakmont Project.
- I18-19** The comment requests a list of the seven existing Los Robles cancer facilities that would be combined by the Project, along with their specialties and addresses, and the comment offers support for alternative projects on the Janss Road site. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I18-20** The comment states that two buildings on the Los Robles Hospital and Medical Center Campus are for sale. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I18-21** The comment questions the emergency evacuation plan. Section 4.13, Wildfire, of the Draft EIR presents the environmental and regulatory setting regarding wildfire and evaluates the potential for Project impacts related to wildfire.
- I18-22** The comment discusses evacuation routes near the Project site. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I18-23** The comment notes that there are ranchettes in the area and that evacuation of such properties would include the evacuation of horses and other livestock. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

- I18-24** The comment states that the Project site contains 0.09 acres of riparian habitat consisting of coast live oak/willow woodland and expresses disagreement with the statement made in the EIR that the Project site does not contain wildlife corridors, nursery site, or natural communities of concern. As discussed on page 4.3-12 of the Draft EIR, the 0.09-acre area of coast live oak/willow riparian habitat in the northeast corner of the Project site is adjacent to commercial development and is isolated and lacks the vegetation connectivity that is significant to wildlife corridors. Instead, coast live oak/willow riparian habitat is part of a patchwork of ornamental trees to the northwest and non-native grassland to the east. Due to the small size and lack of habitat connectivity, this riparian patch is not a functional riparian corridor.
- I18-25** The comment states that the EIR did not consider an arroyo that is near the project site and none of the wildlife seen in the arroyo is mentioned in the analysis. In Appendix C-1, Biological Resources Assessment for Cancer Center Site, the literature review included a nine-quad search of the Project site (see page 1), and the reconnaissance field study included a 500-foot buffer around the Project site (see page 2). Thus, while the arroyo may not be mentioned in the biological resources section of the Draft EIR because it is not within the Project site, biological resources within the arroyo were included in the records search and field survey to the extent of public access. Please see Response to Comment I17-10.
- I18-26** The comment requests that the wildlife study be revisited because it is inaccurate and incomplete because it does not consider the larger animal population located in the arroyo and its corridor. As noted in Response to Comment I18-25 above, the biological resources assessment included areas of the arroyo. Specifically, the large animals observed by the commenter are identified in Appendix C-1 (see page 5). Because the biological resources assessment includes an appropriate buffer area around the Project site, there is no need to revise the biological resources assessment or the Draft EIR.
- I18-27** The comment includes two images of what is described as views of the arroyo. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I18-28** The comment discusses the drainage system of the area. The project proposes and will be reviewed to ensure a proper drainage system as required by regulatory agencies' regulations and will be enforced by the City staff. The initial proposed system is to determine the feasibility of a system that meets the City, County-wide program, State, and Federal requirements. As part of these requirements, during the plan check review, the City's engineering staff will review the size of all conduits and storm facilities, including the storage tank for the proper sizing, to ensure not to increase any additional flooding or impact to the existing conditions. The initial proposed pipe sizes and tank(s) will be thoroughly reviewed by the City's engineering staff to verify or adjust as needed to meet all regulatory agencies' requirements. As part of this process, an SWPPP plan will be required and reviewed by the staff.
- I18-29** Please see Response to Comment I18-28.
- I18-30** Please see Response to Comment I18-28.
- I18-31** Please see Response to Comment I18-28.

- I18-32** The comment states that the existing and proposed conditions representative photos taken from Rimrock Road are disingenuous and are not an accurate depiction of public view shed from Rimrock Road and requests that more accurate existing and conditions representative photos be submitted and included in the EIR. The City confirms the accuracy and authenticity of the photos included in the EIR. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I18-33** The comment includes Figure 4.1-5 included in the Draft EIR as well as two images that are described to be taken from Rimrock Road looking west at the proposed project site. The City confirms the accuracy and authenticity of the photos included in the EIR. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I18-34** The comment states that if the Project is approved and the residential component would be located at the Janss Road Site, all applicable residential requirements must be met, including CEQA and local laws and regulations. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I18-35** The comment states that the project is inconsistent with the rural and residential land uses, that the location should not be re-zoned, and the City's decisionmakers should conclude that a non-residential project is not appropriate for the site. Please see Master Response 2: Rejection of 2016 Oakmont Project and Master Response 3: Zoning.
- I18-36** The comment is an attachment of a news article. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

Comment Letter I19

Subject: Formal Expression of Concern and Request for Thorough Examination - Proposed Cancer Center at 400 Rolling Oaks

Date: February 5, 2024

Dear Scott Kolwitz and City Officials,

We write to you with profound concern and a dedicated commitment to the preservation of our community's integrity and well-being. As long-standing residents of Thousand Oaks for over two decades and current property owners directly adjacent to the proposed nearly 60,000 square-foot cancer center at 400 Rolling Oaks, we feel compelled to articulate our reservations and formally request a meticulous examination of the proposed project. I have personally dedicated nearly 30 years of my profession in oncology, clinical trials and research, while also serving Los Robles Hospital pathology department for nearly a decade, serving thousands of cancer patients.

I19-1

Our deeply rooted connection to this community is further emphasized by the recent passing of my father, Batta Vujicic, whom you know, was a well-respected local builder and developer. Batta recently faced his battle with cancer here in the Conejo Valley and his experience underscored the importance of comprehensive, locally accessible resources, acknowledging the outstanding facilities already present in the Conejo Valley. We have never perceived any lack of, or necessity for, additional resources. Our concerns predominantly revolve around the proposed rezoning of the property at 400 Rolling Oaks to accommodate the cancer center, as meticulously detailed in the Environmental Impact Report (EIR) submitted to the City of Thousand Oaks.

I19-2

We purchased our home based on the understanding that the adjacent land was zoned residential, we are deeply invested in preserving the rural character of our surroundings. The recent loss of my father has heightened our awareness of the critical importance of responsible development. His legacy, rooted in a commitment to community well-being, accentuates the pivotal roles city planners play in shaping the communities we proudly call home. In alignment with his values, our family advocates for thoughtful building, development, and growth that enrich community well-being.

I19-3

Our stance is not an outright opposition to progress, but rather a plea for projects that seamlessly align with the distinctive character of the area,



consider community needs, and showcase resourcefulness. It is evident that we strongly oppose any project lacking transparency, posing environmental risks, and disregarding genuine community needs.

I19-3  
cont.

Our objective is not simply to oppose development, but rather to ensure that any undertaking is a manifestation of responsible planning, reflecting meticulous consideration for the welfare and genuine needs of our community.

**1. Rezoning and Property Usage:** The proposed rezoning from single-family high density to a nearly 60,000 square-foot cancer center raises substantial concerns about the transparency of the project. Additionally, the contemplated "land swap" for the 2.5-acre parking lot at Los Robles Hospital Campus in exchange for the 4.9-acre property at 400 Rolling Oaks raises considerable suspicion and warrants thorough investigation. This proposed transaction, as articulated in recent discussions, raises significant red flags and prompts apprehensions about transparency and the feasibility of such an undertaking. The existing hospital facility is already grappling with limited parking spaces, and the proposal to exchange a parking lot amplifies the challenges faced by patients, visitors, and staff. This move seems counterintuitive and potentially deleterious to the current functionality of the hospital.

I19-4

**Rezoning for Housing:** The proposition to rezone a substantial 5-acre property, designated as rule residential low density, for housing within a hospital parking lot is perplexing. This proposed exchange appears to be an attempt to create an illusion of public benefit while potentially serving alternative, undisclosed interests.

I19-5

**Fraudulent Implications:** The lack of clarity surrounding this proposed land swap, combined with the apparent disparity between the current use and zoning of the properties involved, raises grave concerns about the legitimacy of the entire transaction. Transparently addressing these issues is crucial for maintaining trust within the community.

**Smoke and Mirrors:** The proposal, as it currently stands, appears to be veiled in smoke and mirrors, diverting attention from fundamental questions of practicality and public value. Such maneuvers have the potential to erode public trust and confidence in the decision-making process.

**Feasibility Doubts:** From a practical standpoint, the proposed exchange seems unfeasible and improbable. The stark disparity in the nature of the properties, from a parking lot to a substantial residentially zoned parcel, calls into question the true intent and viability of the proposed



transaction. We strongly urge you to thoroughly scrutinize and reassess the proposed property exchange and rezoning to ensure alignment with the best interests of the community. A comprehensive and transparent evaluation of the proposed exchange is imperative.

**2. Construction Concerns:** Geological concerns surrounding the presence of rock in the area and the potential use of explosives during construction necessitate careful consideration. This could have significant implications not only for the construction site but also for the surrounding environment and nearby residences.

**3. Impact on Oak Trees and Wildlife:** The proposed removal of 14 preserved and tagged oak trees raises valid environmental preservation concerns. This aspect should be re-evaluated to ensure minimal impact on the local ecosystem. Furthermore, given the mention of the area being home to only small wildlife, it's imperative to note it is also home to deer, mountain lions, and bobcats, thus it is imperative that the property remains rural residential. Given its adjacency to Conejo Open Space, it is imperative that the property retains its designation as rural residential.

**4. Need and Congestion:** The assertion that there is no need for additional cancer centers or medical buildings, coupled with the architect's own reservations on the location of this building during our in person meeting at Los Robles Hospital, should unequivocally prompt a reevaluation of the project's necessity. This becomes particularly relevant in a congested area that currently lacks substantial medical or commercial buildings. It is crucial to address this surplus of vacant medical space before considering the allocation of prime property for housing, which addresses a desperate need in our community. *Additionally, the proposed development coincides with upcoming plans for the CRPD park nearby (also directly adjacent to our home), which is poised to further exacerbate traffic congestion in the area.* The combined impact of the proposed medical center and proposed park raises serious concerns about the community's ability to manage increased traffic effectively in an area that is already highly congested.

**5. Fire Hazards and Traffic Concerns:** The potential impact on fire hazards, especially in a severe high-fire zone, along with concerns about traffic congestion and parking, demands thorough scrutiny. The potential bottlenecks and challenges in managing emergencies, particularly for nearby residents with large animals, require meticulous consideration. Our



community at Rolling Oaks is home to many large livestock such as donkeys and horses, all of which necessitate trailers for evacuation in the event of a wildfire. The presence of a large medical building with approximately 2000+ cars circulating daily poses a considerable threat to safety in the event of a wildfire or other emergencies.

I19-12  
cont.

**6. Public Input and Denied Proposals:** It is imperative to reexamine the public view-shed, landscaping, and the cumulative impact on the area. The prior denial of Oak Mont Senior living, a considerably smaller facility, should not be dismissed lightly. Considering these concerns, I urgently urge the City to thoroughly review and address these issues before progressing with the proposed project. The well-being and concerns of the community must take precedence in the decision-making process. Thank you for your attention to this matter.

I19-13

We anticipate a comprehensive evaluation of the environmental impact and community implications of the proposed cancer center.

Sincerely,

Bryan and Elena Radosavcev  
243 Rimrock Rd.  
Thousand Oaks, Ca, 91361  
818-917-2532



2/5/2024

## Response to Comment Letter I19

Bryan and Elena Radosavcev  
February 4, 2024

- I19-1** The comment serves as an introduction to the letter and states the commenter’s relationship to the community. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No response is required.
- I19-2** The comment states that the commenter’s primary concern is the proposed rezone of a residential parcel to a commercial use. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City’s decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I19-3** The comment expresses support for projects that seamlessly align with the distinctive character of the area, consider community needs, and showcase resourcefulness and opposition to any project lacking transparency, posing environmental risks, and disregarding genuine community needs. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City’s decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I19-4** The comment states that the proposed rezone from residential to commercial raises substantial concerns about the transparency of the project. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City’s decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I19-5** The comment expresses opposition to rezoning and doubts regarding the transparency of the process. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City’s decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. Please see Master Response 3: Zoning. No further response is required.
- I19-6** The comment expresses concern about the potential use of explosives during project construction. As stated on page 4.9-7 of the Draft EIR, no blasting is planned for the proposed Project.
- I19-7** The comment expresses concern about the removal of 14 protected oak trees. As discussed beginning on page 4.3-22 of the Draft EIR, the removal of the 14 protected trees requires mitigation in the form of replanting at a 3:1 ratio (see MM-BIO-10). With mitigation, impacts to protected trees would be reduced to a less-than-significant level.
- I19-8** The comment states that the Project site is home to many animals and should retain its residential designation. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City’s decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

- I19-9** The comment questions the need for the proposed Project. Please see Master Response 4: Project Objectives and Alternatives.
- I19-10** The comment urges the City to address the surplus of vacant medical space before considering whether to rezone the residential land. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I19-11** The comment states that proposed project, in combination with potential future CRPD park, would exacerbate traffic congestion in the area. Please see Master Response 5: Traffic, Safety, and Parking
- I19-12** The comment expresses concern regarding traffic congestion and parking and how those would affect evacuation in the event of an emergency. Please see Master Response: Traffic, Safety, and Parking. Please see Response to Comment I17-8.
- I19-13** The comment states that cumulative impacts, public viewshed, and landscaping should be reexamined, however, the comment does not describe any specific inadequacies or shortcoming of the Draft EIR analysis on these topics.

The comment also requests that the City review and address the issues presented, including the reasons for denial of the Oakmont Project. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. Please see Master Response 2: Rejection of 2016 Oakmont Project No further response is required.

Comment Letter I20

February 5, 2024

Via email

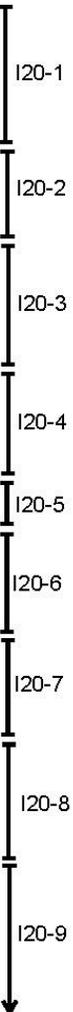
Scott Kolwitz, Senior Planner  
Community Development Department  
2100 Thousand Oaks Blvd.  
Thousand Oaks, CA 91362  
Email: [skolwitz@toaks.org](mailto:skolwitz@toaks.org)

Re: Environmental Impact Report  
Los Robles Comprehensive Cancer Center and the 355 West Janss Road General Plan Amendment and  
Zone Change Project Draft, State Clearinghouse No. 2023040287, December 2023

Dear Mr. Kolwitz,

I have reviewed the above document and wish to express my concerns with the some of the methodology and conclusions presented therein.

1. The five stated Project objectives, Section 3.3, p-3-4 indicate that Objective 1 is to have a facility adjacent to the existing Thousand Oaks Surgical Hospital. All alternatives were viewed through what appears to be a self-serving lens (adjacent to TOSH) and rejected.
2. Objective 2 includes being adjacent to TOSH and other medical offices and a key transportation corridor to reduce trips and provide convenience to patients. However, plentiful medical facilities exist at the Los Robles Medical Center on Janss Road and data supporting that patients and their families will rely on buses from the Transportation Center on Haaland Drive or bicycles has not been credibly established. Given that the proposed project is touted as “state of the art”, etc. and the generally affluent nature of the community, it is most likely that the vast majority of trips to be facility would be via personal vehicles or hired ride service. The proximity to the Transportation Center is a minor “tick off the box” consideration.
3. Objective 3 is vague regarding “market needs”, “high quality jobs at the Site”, and similar language.
4. Objective 4 for the project does not meet the stated objective that includes “limiting the amount of grading and dirt export to the greatest extent possible”. Paragraph 7.4.2 (Alternative 2) at the HCA Janss Road property would result in export of approximately 13,000 cubic yards of soil associated with a two-level subterranean parking garage. On the other hand, the proposed project on Rolling Oaks Drive would be graded resulting in 30,335 cubic yards of soils cut, necessitating 17,865 cubic yards of fill and 12,470 cubic yards of export. From a soils movement perspective, Alternative 2 at Janss Road is superior.
5. Objective 5 is “met”, but not in any meaningful tangible way. The zoning change for residential building at the HCA Janss Road property will not result in the construction of housing and is simply a legal maneuver on paper. I believe this practice is called “spot zoning” and not in conformance with applicable codes and regulations.
6. A review of the EIR documents also mention at section 7.3 that a reason for constructing at the Rolling Oaks Drive is that the HCA practices model currently “results in suboptimal quality of care”. My questions for HCA management are as follows: a) What metrics were collected to support this statement and over what period of time? b) What interventions, such as, but not limited to, policies, programs, procedures, training, etc. have been implemented to reverse said



suboptimal quality of care? c) How would interventions implemented directly relate to improvements at the imagined Rolling Oaks site? If there are fundamental issues in HCA’s delivery of patient care, switching to a different facility will not address the underlying root causes.

- 7. A review of EIR Appendices H-1 to H-3, Los Robles Traffic and Parking Study, Trip Generation, and Addendums reveals that the studies by Associated Transportation Engineers dated 10-24-22 and Iteris (Appendix H-3, dated 10-31-23) do not address concerns most important to the neighborhood. It is clear the scope of services for traffic studies scope were for compliance for, or related to, CEQA requirements. For example, the Associated Transportation Engineers report focuses on circumscribed criteria, such as intersection “Level of Service” letter grades, employee Vehicle Miles Traveled (VMT), and traffic counts at 7 study intersections. Nevertheless, Table 2 of the 10-24-22 report reveals the HCA Cancer Center project at Rolling Oaks Drive project will generate **2,103 daily trips** with an AM peak of 181 trips and PM peak of 235 trips. Notably, traffic counts **were not performed** for the area of concern, Los Padres Drive and Rolling Oaks Drive. Over two-thousand vehicles trips related to the proposed project can have no other than a detrimental impact on the quality of life for residents in the vicinity.

In closing, as a long-time resident of the Hillsborough neighborhood I have seen the negative impacts from increased traffic on Los Padres Drive and Rolling Oaks Drive. There is a longstanding parking shortage at the apartment complex at the corner of these streets which is accompanied with frequent double parking, copious littering, and abandonment of household goods. If the proposed project was to proceed, in addition to increased traffic, (as evidenced by data indicating over 2,100 daily trips) residents can look forward to more overnight parking (and littering) creeping westerly on Los Padres Drive and also onto Hunter’s Point Drive.

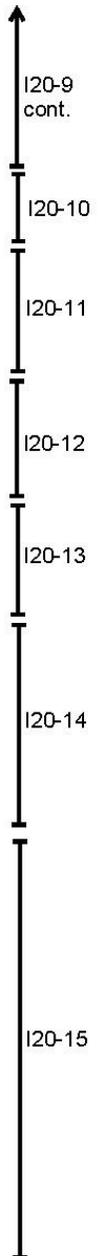
Thank you for your consideration.

Respectfully submitted,



Susan Gulbrandsen  
417 Newcastle St.  
Thousand Oaks, CA 91361  
805-381-1161  
Kevsuz311@gmail.com

CC: [bengler@toaks.org](mailto:bengler@toaks.org)  
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[mtaylor@toaks.org](mailto:mtaylor@toaks.org)



## Response to Comment Letter I20

Susan Gulbrandsen  
February 5, 2024

- I20-1** The comment serves as an introduction to the letter. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No response is required.
- I20-2** The comment discusses project objectives and alternatives. Please see Master Response 4: Project Objectives and Alternatives.
- I20-3** The comment discusses Project Objective 2. Please see Master Response 4: Project Objectives and Alternatives.
- I20-4** The comment discusses Project Objective 3. Please see Master Response 4: Project Objectives and Alternatives.
- I20-5** The comment discusses Project Objective 4. Please see Master Response 4: Project Objectives and Alternatives.
- I20-6** The comment discusses Project Objective 5 and Alternative 2. Please see Master Response 4: Project Objectives and Alternatives.
- I20-7** The comment states that from a soils movement perspective, Alternative 2 is superior. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. Please see Master Response 4: Project Objectives and Alternatives. No further response is required.
- I20-8** The comment states that no residential development would be built on the Janss Road Site and that the zoning change is characteristic of "spot zoning". Please see Master Response 3: Zoning.
- I20-9** The comment presents questions relating to the need for the Project to be constructed at the Rolling Oaks Drive location. Please see Master Response 4: Project Objectives and Alternatives.
- I20-10** The comment notes that switching to a different facility would not address the underlying root cause. Please see Master Response 4: Project Objectives and Alternatives.
- I20-11** The comment states that EIR Appendices H-1 to H-3 do not address concerns most important to the neighborhood. Please see Master Response 5: Traffic, Safety, and Parking.
- I20-12** The comment states that the Project would generate 2,103 daily trips. This is a restatement of information presented in the Draft EIR. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. Please see Master Response 5: Traffic, Safety, and Parking. No further response is required.

- I20-13** The comment notes that traffic counts were not performed for Los Padres Drive and Rolling Oaks Drive, and that over 2,000 trips per day would have a detrimental impact on nearby residents. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. Please see Master Response: Traffic, Safety, and Parking. No further response is required.
- I20-14** The comment presents concerns associated with increased traffic, parking and littering as a result of project implementation. Please see Master Response 5: Traffic, Safety, and Parking for concerns related to traffic and parking.
- I20-15** The comment serves as a conclusion to the letter. No further response is required.

Comment Letter I21

505 Rimrock Road  
Thousand Oaks CA 91361

February 5, 2024

Mr. Scott Kolwitz, Senior Planner  
City of Thousand Oaks  
2100 Thousand Oaks Blvd.

RE: HCA Comprehensive Cancer Center Project at 400 E. Rolling Oaks and 355 W. Janss Road

Dear Mr. Kolwitz:

We would like to add our comments to those of our neighbors opposed the the current version of HCA’s Comprehensive Cancer Center. The concerns expressed below go to bias in the draft EIR, a legally dubious zone swap, process failings by HCA and city staff, and a studied ignorance of local history. Because these concerns extend beyond the narrow scope of the draft EIR, we have copied some other city officials in this matter.

I21-1

**First, the draft EIR is biased in its conception** Objective 1 on page 3.4 defines success as “...patient service-related functions...located adjacent to the existing Thousand Oaks Surgical Center (TOSH) to allow for improved patient convience, efficeince and quality of care.” If any alternative is not “adjacent” to TOSH, it fails the #1 objective. The draft EIR is biased in favor of the project. Who authored this objective? HCA? The EIR consultant? City Staff? The public does not know and that undermines the integrity of the draft EIR and public trust in the process.

I21-2

I21-3

Objective #1 frames the analysis for the draft EIR; whoever authored it betrays a fatal bias in favor of this project. The entire draft EIR should be rejected in a case of such bias.

I21-4

**Second, this entire project relies on a “zone swap.” The “zone swap” is a fraud.** HCA has said it has no intent, understandably, to build residential units on the Los Robles Hospital Campus. In fact, when I asked at that single informational meeting, IF HCA would accept a bona fide offer to sell the two acres at 355 W. Janss Road to a developer to build residential units, we were told by HCA COO Matt Cova that they would never consider such a project. The State MANDATES “no net loss” of residential housing units and HCA has stated it has no intention to provide residential units nor would it allow anyone else to build on its land to do so. The “zone swap” on which this project relies is at best a legal fiction; at worst it is a fraud on the people of Thousand Oaks.

I21-5

**Third, HCA has itself identified the perfect location for this project: 355 W. Janss Road.** HCA owns the land; HCA has a hospital immediately adjacent; the neighborhood is accustomed to hospital and medical operations and the zoning accomodates the use. The proposed 58,000

I21-6



square foot footprint, with parking, fits easily on a 2-acre site with underground parking while respecting adjoining building heights. The City has recent precedents where underground parking is used to ensure any development is compatible with adjoining uses.

I21-6  
cont.

**Fourth, HCA ignored the history of this site.** The July 5, 2022 Staff Report on this project unanimously recommended the Council approve the start of this project. No where does the staff report mention the history of this site – that the prior proposal for this project was rejected by the Council in 2016; that the prior project was over 14’ lower; that the prior project had 200 (!) fewer parking spaces; that the community rallied to oppose that prior project and that the Council listened to the community and rejected such an inappropriate use. The July 5 staff report failed to provide needed context to the council.

I21-7

HCA purchased the property knowing the community and the Council had rejected an intense, commercial use at the site. HCA has worked diligently to ignore the history of this site and the community’s opposition such uses in this neighborhood. In fact, months before HCA submitted to the City, I reached out to HCA and reminded them that the community would have concerns about their proposal and, sharing contact information, invited them to open a conversation with neighbors to discuss their plans. HCA ignored this offer and the community.

I21-8

It is a best practice these days for a developer to reach out to – or at least respond to inquiries – before they proceed with a project. The city staff should have asked the question: “Have you talked to the neighbors about this? Do you know the history of this site? Do you know the Council just rejected a less intensive use? Do you know the neighbors rallied to the council chambers in the hundreds to express their opposition to this?” HCA studiously and deliberately ignored the history of this site.

The current project, as conceived, fails the neighborhood and the community. We urge the City Council to send a strong message that we will protect our neighborhoods from commercial intrusion while also working with HCA to protect the health of the community. City leaders sent that message in 2016 and we urge them to do so again.

Sincerely,

  
Bryan McQueeney and Gloria Hamblin



**Cc: Mayor Adam  
Mayor Pro Tem Newman  
Councilmember Engler  
Councilmember McNamee  
Councilmember Taylor  
Andrew Powers**

I21-9

## Response to Comment Letter I21

Bryan McQueeney and Gloria Hamblin  
February 5, 2024

- I21-1** The comment serves as an introduction to the letter. Specific concerns are addressed in the responses below. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No response is required.
- I21-2** The comment discusses Project Objective 1. Please see Master Response 4: Project Objectives and Alternatives.
- I21-3** The comment states that the Draft EIR is biased in favor of the Project and discusses Project Objective 1. Please see Master Response 4: Project Objectives and Alternatives.
- I21-4** The comment discusses Project Objective 1. Please see Master Response 4: Project Objectives and Alternatives.
- I21-5** The comment discusses the Project's proposed zone swap. Please see Master Response 3: Zoning.
- I21-6** The comment states that the Janss Road Site is the perfect location for the cancer center. Please see Master Response 4: Project Objectives and Alternatives.
- I21-7** The comment discusses the earlier Oakmont Project. Please see Master Response 2: Rejection of 2016 Oakmont Project.
- I21-8** The comment discusses the history of the Project site. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I21-9** The comment urges the City Council to protect the neighborhood and the community and decisionmakers should send the same message sent in 2016. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. Please see Master Response 4: Project Objectives and Alternatives. No further response is required.

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Comment Letter I22

**From:** Barbara Ballenger <baballenger1@gmail.com>  
**Sent:** Monday, February 5, 2024 2:03 PM  
**To:** Scott Kolwitz  
**Subject:** 400 E Rolling Oaks Dr EIR

You don't often get email from baballenger1@gmail.com. [Learn why this is important](#)

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To: Scott Kolwitz, Senior Planner

Please reject the plan for 400 E Rolling Oaks Drive based on the EIR.

1) There is no necessity to move cancer doctors to the 400 E Rolling Oaks Dr site. It would be much more sensible to add any extra facilities desired to the Janss site, where most of the doctors are already located.

I22-1

- HCA is a “for profit” Tennessee based company. According to the *2022 Healthcare America’s Annual Report*, the goal of building a facility or consolidation of multiple facilities is to “grow revenues” and “expand operations” for profit, and to “competitive position with similarly situated services.” It is not uncommon for HCA to prepare a Certificate of Needs (CON) to be included as part of a proposal being decided. While California is not one of those states, understanding the motive behind the proposal is a key part of this EIR.

I22-2

- Missing is the **needs assessment** supporting evidence for the build out of a cancer center *medical office building* inside a residential neighborhood that HCA indicates is *just* the consolidation of up to 7 community existing cancer related medical offices. There currently are at least 8 cancer centers within 20 minutes distance of a Thousand Oaks resident. Two are located on the Janss Road medical and hospital campus to include Los Robles Cancer Center and Coastal Radiation Oncology. These and neighboring cancer centers state that they are “World Class”, “State-of-the Art”, “Commission on Cancer Recognized Program”, “leading oncologists” as descriptive cancer center offerings. The EIR does not describe if HCA will just be the landlord of another HCA medical building and all of the services or consolidations might be from tenants who rent space within another HCA medical building. Nevertheless, the EIR describes this as a consolidation of existing facilities and not new.

I22-3

2) The zone exchange is a bogus, fraudulent attempt to skirt the state law (and the General Plan objective) to increase housing & bar changes of zones from housing to non-housing. There is little chance housing will ever be built on the Janss site & even the EIR states that any possible housing wouldn't be started for 3 years later than the 400 E Rolling Oaks site.

I22-4

- The ZONE CHANGE becomes a “scam” set forth by HCA due to the net change of potential residential land being taken off the market. The 2.15-acre trade for the 4.92 acres is not fair on its surface, however the “scam” or “smoke and mirrors” parlor trick lies in the fact that the 2.15 acres of parking lot on the HCA campus will NEVER be developed for housing of any kind. Nor would any developer want to build housing on a hospital campus. HCA’s senior vice president flatly

I22-5

stated, in a public meeting with local residents, that it would never be developed thereby admitting by default, that the trade is not real but a card trick. I don't think that anyone in city government would want to be part of this "trick". For if it was passed by the Thousand Oaks Planning Commission or the Thousand Oaks City Council, they would be SETTING PRECEDENT for future developers to use this "trick" to turn other potential residential properties into commercial. This would be a devastating blow to Thousand Oaks and would be a seminal moment in the changing of Thousand Oaks into Sherman Oaks.

- The spirit of the **Housing Crisis Act of 2019** is to **ensure** the building of desperately needed housing within the city, not to just have land zoned residential without any planned residential development. "...laws were passed to address the current 'housing crisis' in the State with three general aims: 1) **increase residential unit development**; 2) protect existing housing inventory; and, 3) expedite permit processing." The City allowing for a rezoning of residentially zoned land without the guarantee of residential unit development included in any proposal involving residentially zoned land is not in compliance with the Act. Ensuring means to secure or guarantee, safeguard, or make sure or certain. HCA's proposal does none of these things as indicated in the EIR and by documented verbal statements made by HCA representatives.

- Approval of a "Spot Zoning" of the Janss Road property to residential when the directly adjacent properties are commercial office (C-O) and public land (PL) has not been proven in the EIR to benefit the general public as is required. And residential zoning "*is not compatible*" with the adjacent properties.

- HCA owns existing compatible and correctly zoned property on Janss Road, that is indicated in the EIR as a suitable alternative, that **does meet** the HCA's objectives with small changes as italicized:

- Obj 1: Provide a state-of-the-art cancer center that consolidates various cancer services, cancer medical equipment, and patient services-related functions within a single comprehensive cancer treatment facility located adjacent to the existing "***Los Robles Hospital and Medical Center and medical campus***" to allow for improved patient convenience, efficiency, and quality of care.

- Obj 2: Redevelop an underutilized site "***that is presently a parking lot***" with a modern and attractive cancer center building that is adjacent to other medical offices, surgical hospital, and near a key transportation corridor, thereby reducing trips and providing convenience for patients.

- Obj 3: Maximize employment opportunities by entitling a cancer center that is responsive to market needs and which will add high quality jobs to the Site.

- Obj 4: Ensure the building design and massing are sensitively developed relative to the surrounding built environment and compatible with existing hillside conditions, including limiting the amount of grading and dirt export to the greatest extent possible, while still meeting the critical need to consolidate multiple patient services into a single facility.

- Obj 5: "***Ensure that City complies with the Housing Crisis Act of 2019 with property owner assurances and guarantees that residential development is included in proposed projects on residentially zoned properties within the City. And proposed zoning changes are based on compatibility with the surrounding properties that are in adherence to the strategies set forth in the City's established General Plan.***"

- HCA can sell the residentially zoned property located at Rolling Oaks Drive to a residential developer and still build its Cancer Center on the correctly zoned Public Lands property located at the corner of Janss and Lynn Roads. The City, however, can't bring in new land to the City to replace the residentially zoned land that HCA has now tied up by a for profit commercial enterprise with no assurance or guarantees of developing residential housing.

- The City has the option of upzoning the current zoning on the residentially zoned land at the Rolling Oaks Drive location to a higher density allowing the City to meet the State's housing requirements. This zoning "*is compatible*" with the residential neighborhood in which the property resides. This change has less than significant impact on the residential neighborhood.



3) The EIR misstates that the 400 E Rolling Oaks Dr building would be a modern & attractive building. In reality it will be a behemoth larger than the buildings around it, and in my opinion, not attractive at all.

- The footprint of the HCA proposal over what the City Council denied in 2016 as it related to the Oakmont Assisted Living proposal is 13.5 higher, 200 more parking spaces, thus having a much higher environmental impact. HCA is proposing a 58,000 square foot building, LARGER than adjacent buildings. The Thousand Oaks Surgical Hospital section across the street is 50,000 square feet and the attached adjacent medical offices is 38,042 square feet. The White House is 50,000 square feet.

22-12

4) The proposed entry/exit on Los Padres Drive would make traffic in that area even more dangerous. It is already a very congested area with street parking & apartment traffic & vehicles stopped to load and unload. Adding more traffic going into and out of the proposed cancer center would be dire. The EIR lists Los Padres as a "secondary" access which would be sending traffic through a residential neighborhood.

22-13

Also, Haaland, which might be chosen as an access, is not sufficient for the added traffic: the circle in front of TOSH and the medical buildings & their parking areas are congested & the inclines are higher than normal city code & I have witnessed many near misses and a couple bumper clashes due to difficulty seeing traffic.

22-14

- The EIR has identified that Los Padres Drive is a commercial and residential use street. When in fact, only 200 feet of Los Padres Drive is alongside of TOSH. The remaining 3,168 feet are within the residential neighborhood. The EIR indicates access to the site will also be off Los Padres Drive. Therefore, the proposal is promoting commercial traffic on Los Padres Drive.

22-15

- There are no mitigations described in the EIR related to parking and traffic nor any solutional feedback from the City's Traffic Department to mitigate the traffic violations along Los Padres Drive and Rolling Oaks Drive.

22-16

I respectfully request that you keep 400 E Rolling Oaks zoned for housing and deny the proposal for an oversized, unnecessary cancer center there, where it will increase traffic congestion. The EIR shows the Janss site is already zoned & a better & more logical site for the cancer center. Don't pretend to meet the state's housing zoning laws by exchanging zoning with the Janss site which almost certainly will never be used for housing. Don't let the city be open to lawsuits for going against the state's housing directives.

Thank you for considering the residents & constituents concerning this matter,

22-17

Barbara A Ballenger  
336 Los Padres Dr  
Thousand Oaks, CA 91361

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## Response to Comment Letter I22

Barbara Ballenger  
February 5, 2024

- I22-1** The comment states that there is no need to move cancer center doctors to the Rolling Oaks Drive site. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. Please see Master Response 4: Project Objectives and Alternatives. No further response is required.
- I22-2** The comment request that the applicant prepare a Certificate of Needs. Please see Master Response 4: Project Objectives and Alternatives.
- I22-3** The comment states that a needs assessment is missing. Please see Master Response 4: Project Objectives and Alternatives.
- I22-4** The comment expresses concern with the Project's proposed zone change. Please see Master Response 3: Zoning.
- I22-5** The comment alleges that the zone change is a scam. Please see Master Response 3: Zoning.
- I22-6** The comment discusses the Housing Crisis Act and the Project's proposed zoning. Please see Master Response 3: Zoning.
- I22-7** The comment states that the rezone request amounts to spot zoning that is not compatible with the adjacent properties. Please see Master Response 3: Zoning. Please see Response to Comment 01-10.
- I22-8** The comment introduces proposed revisions to the project objectives. Please see Master Response 4: Project Objectives and Alternatives.
- I22-9** The comment provides revised Project Objectives. Please see Master Response 4: Project Objectives and Alternatives.
- I22-10** The comment states that the City cannot bring in new land to replace the loss of residentially-zoned land. Please see Master Response 3: Zoning.
- I22-11** The comment states that the City has the option to upzone the parcel on Rolling Oaks Drive. Please see Master Response 3: Zoning and Master Response 4: Project Objectives and Alternatives.
- I22-12** The comment references the denied Oakmont project and states that the proposed building would not be consistent with other buildings in the area due to its size. Please see Master Response 2: Rejection of 2016 Oakmont Project. Please see Master Response 6: Building Size & Height.
- I22-13** The comment states that the proposed site access location located off of Los Padres Drive would result in traffic hazards due to increased traffic. Please see Master Response 5: Traffic, Safety, and Parking.

- I22-14** The comment states that Haaland Drive is not sufficient for site access. The Project proposes primary access off Rolling Oaks Drive and secondary access off Los Padres Drive. Please see Master Response 5: Traffic, Safety, and Parking.
- I22-15** The comment states that the Project would promote commercial traffic on Los Padres Drive. Please see Master Response 5: Traffic, Safety, and Parking.
- I22-16** The comment states that there are no mitigation measures provided in the Draft EIR that address parking or traffic. Please see Master Response 5: Traffic, Safety, and Parking.
- I22-17** The comment requests that the proposed zone swap be denied and states the Janss site is already zoned and a better and more logical site for the cancer center. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. Please see Master Response 3: Zoning and Master Response 4: Project Objectives and Alternatives. No further response is required.

Comment Letter I23

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**From:** Karen Martin <takeodogg@aol.com>  
**Sent:** Monday, February 5, 2024 12:00 PM  
**To:** Scott Kolwitz  
**Subject:** HCA Cancer Center and W. Janss EIR

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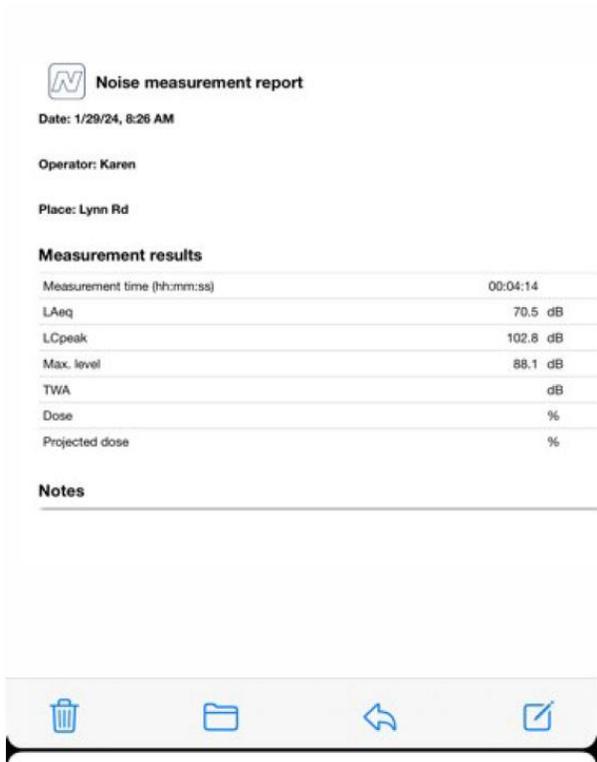
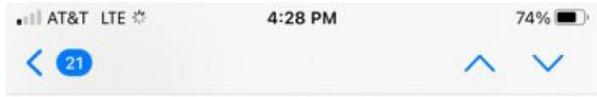
Dear Mr Kolwitz,

The city has presented it's impact study to the Thousand Oaks community and given us the opportunity to respond. I intend to be objective, concise, focused, and fair on my critique. Forgive me if I stray.

As a resident at this location for over 30 years, I can tell you traffic and noise levels have increased. I have included a traffic study from 2005 produced for the Los Robles expansion and retrofit project. as well as readings taken at the same location as the most recent Los Robles EIR with a dosimeter app on my phone. I had attempted to pay for a professional noise study, but I could find no takers.

As you can see, the LAeq is over 70 dB and in one reading the Maximum level is over 95 dB. Clearly a violation of California law as it pertains to exhaust.

I23-1



**Noise measurement report**

Date: 1/29/24, 8:26 AM

Operator: Karen

Place: Lynn Rd

**Measurement results**

Measurement time (hh:mm:ss)	00:04:14
L <sub>Aeq</sub>	70.5 dB
L <sub>Cpeak</sub>	102.8 dB
Max. level	88.1 dB
TWA	dB
Dose	%
Projected dose	%

**Notes**



HCA Cancer Center and W. Janss EIR

123-1  
cont.



**HCA Cancer Center and W. Janss EIR**

My initial assessment brought forth a question: Why is HCA and the city attempting to shoehorn a cancer center into a residential area and, by the same token, insert homes into a commercial setting that has noise levels “normally unacceptable”? While the reading (10 minutes) taken on July 20, 2023 at 1 pm (a Thursday, no school in session and after the lunch rush) was 67.4 dB (normally unacceptable) it gets much louder at rush hour thereby negating the feasibility of the W. Janss property as a residential site. I did think it was funny that they mentioned secondary noises that sound so bucolic:

**Birds singing:** I only heard crows, but nothing else.

**Leaves rustling:** no way!! Leaf rustling equates to whispering and sometimes I can't hear someone speak in a normal voice when I am next to them in my yard due to traffic noise.

**Distant airplane noise:** not so distant. Private jets are descending to land at Camarillo .

I23-1  
cont.

I23-2



123-3

In 2005, 20 years ago, the measurements taken at the same location were 73.4 dB and adding the project noise and cumulative noise the levels would increase to 74.7 dB.

**Table 5.8-4: Project Contribution to Roadway Noise Levels**

Receptor Location	Column				
	1 Existing	2 Existing + Cumulative	3 Existing + Cumulative + Project	4 Project Increase (column 3 – column 2)	5 Cumulative Increase (column 3 – column 1)
Lynn Rd. between Camino Manzanás & Janss	73.4	74.5	74.7	+0.2	+1.3
Lynn Rd. between Janss & Sidlee	72.7	74.0	74.0	+0.0	+1.3
Lynn Rd. between Sidlee & Flores	72.9	74.1	74.2	+0.1	+1.3
Moorpark Rd. between Arboles & Flores	70.5	71.0	71.0	+0.0	+0.5
Moorpark Rd. between Flores & Janss	71.3	72.0	72.0	+0.0	+0.7
Moorpark Rd.	71.5	72.2	72.3	+0.1	+0.8

123-4

How is it that noise has decreased in the area?

The 2005 expansion slated this lot for a much needed multistory parking structure. How is that not necessary with the hospital's growth?

123-5

I feel your current numbers have been chosen to fit your need. It is definitely louder. It is especially more annoying at night affecting the sleep and health of residents.

123-6

In 2005 the "Fast and Furious" movies were just beginning to affect driving patterns resulting in more race tuned exhaust screaming "Look at me!"

If the drivers aren't speeding, they are burning rubber. Loud is part of the culture.

123-7

The trend of delivery trucks bringing us everything we need didn't hit their stride until the pandemic. These trucks are in a hurry to make deliveries and more axels, more noise.

I23-7  
cont.

Then there are the distracted drivers that sit too long at the light. No, they don't make noise, but the horns that honk at them to move do.

Lastly there is the noise generated by the hospital: ambulances and their sirens, helicopters and the vibrational waves produced. In fact, their western approach to the helipad would bring them less than 500 ft above these proposed living spaces.

I23-8

Then there are the disgruntled nursing staff. Let us not forget that corner is a favorite place for protesting the hospital. Please do not tell me this is a fabrication of the unions. I personally heard a doctor complaining to a nurse about overbooking and understaffing of his department prior to a procedure. The corner of the West Janss lot was ground zero for protesters, bullhorns and honking cars Thanksgiving weekend. Nice to experience while you recover from surgery.

Lastly there is the emergency evacuation plan for this area. During the Hill fire in 2018, the 101 was shut down. We were unable to leave our home as Lynn Road was a gridlock both north and south. You need to have a viable escape plan during a disaster for the people already living here.

I23-9

For some perspective, let us review some of the city's recent projects. None of these projects required traffic mitigation therefore no money in the coffers for police funding (I understand they didn't get a raise this year).

The Blue Rock Project: Two years of pile drivers with dynamite blasts for a Subway. It also changed the center lane on Thousand Oaks Blvd. so cars compete to turn left/westbound with other vehicles turning left/eastbound.

Tarantula Hill Brewing: poor planning and we had to pay for a crosswalk for their patrons.

Lupe's: Mixed use space to encourage people to walk. There was also the ground water issue no one knew about that required special pilons Then there is the traffic solution that places two stoplights in 1/2 block. It made that area congested and near impossible to get in and out of the existing businesses.

I23-10

Rubber Duck: took out one of only two black walnut groves in Ventura County and impinges on a flood plain for mixed use and no low income apartments. Again, no traffic mitigation.

The Lakes: sold our land downtown for a pittance with the promise of luxury condos, but not green. Construction was to start 2022 and yet nothing has begun. Will it ever?

Quality Inn: un-homed project. How much are we being sued for by the state?

Don't get me wrong. I would love to have a center for the cancer I will probably get, but I also want compassionate care by happy, well paid staff and a competent city council who is in it for the greater glory of Thousand Oaks and not personal gain.

I23-11

Thanks for the opportunity.  
Karen Martin, DVM

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## Response to Comment Letter I23

Karen Martin  
February 5, 2024

- I23-1** The comment presents noise measurements taken through an app on the commenter's phone. The City stands behind the noise technical report (Appendix G) and the analysis presented in the Draft EIR as they represent the findings of technical experts. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I23-2** The comment questions why the applicant wants the cancer center Project in the residential neighborhood and homes into a commercial setting. The comments also present noise measurements and qualitative noise descriptions. Please see Master Response 4: Project Objectives and Alternatives. Please see Response to Comment I23-1 above.
- I23-3** The comment presents Table 4.9-3 from the Draft EIR. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I23-4** The comment presents a table of noise measurements from a 2005 document and questions how noise could have decreased since that time. No further details are provided regarding the 2005 noise measurements, so the City is unable to confirm the 2005 data. Please see Response to Comment I23-1.
- I23-5** The comment questions why a multistory parking structure was included in the proposed 2005 expansion but is not included in the proposed Project. Please see Master Response 4: Project Objectives and Alternatives. Please see Response to Comment I13-82.
- I23-6** The comment disagrees with the findings of the noise study and believes that actual conditions are louder. Please see Response to Comment I23-1.
- I23-7** The comment remarks about loud noises related to vehicles. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I23-8** The comment notes that there is noise generated by the hospital and the proposed residential site at Janss Road would put residents within the path to the hospital's helipad. It is important to note that CEQA requires evaluation of the Project's impacts on the environment and does not require analysis of the environment's impact on the Project. Please see Response to Comment I23-1 above.

The comment also raises the issue of disgruntled nursing staff. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

- I23-9** The comment states that there is an evacuation plan for the area. Please see Response to Comment I17-8. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I23-10** The comment discusses several recent projects within the City. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.
- I23-11** The comment is a closing statement regarding the Project. The comment is noted and will, as will all comments received regarding the Draft EIR, be included in the record before the City's decisionmakers. The comment does not contain any specific concerns related to the adequacy or accuracy of the environmental analysis or conclusions in the Draft EIR. No further response is required.

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# 3 Errata

Changes to the Draft Environmental Impact Report (Draft EIR) are noted below. A double-underline indicates additions to the text; ~~strike through~~ indicates deletions to the text. Changes have been analyzed and responded to in Chapter 2, Response to Comments. The changes to the Draft EIR do not affect the overall conclusions of the environmental document. Changes are listed by page and, where appropriate, by paragraph.

These errata address the technical comments on the Draft EIR, which circulated from December 22, 2023, through February 5, 2024. These revisions are not considered to result in any new or substantially greater significant impacts as compared to those identified in the Draft EIR. None of the revisions constitutes significant new information or substantial Project changes that, in accordance with CEQA Guidelines Section 15088.5, would trigger the need to recirculate portions or all of the Draft EIR.

## 3.1 Changes to the Draft Environmental Impact Report

### 3.1.1 Extended description of the Cancer Center

To further clarify the purpose and intent of the Cancer Center, the Project Description has been extended.

#### 3.1.1.1 Chapter 3, Project Description

Section 3.3, Project Need and Objectives, page 3-3. The paragraph under “Purpose and Need, Cancer Center” is revised as follows:

The Cancer Center is designed to consolidate various cancer services including radiation, oncology, medical oncology, surgical oncology, imaging, and patient service-related functions (navigation, geneticist, appearance center, library and other support services) within a single comprehensive cancer treatment facility. Currently, essential cancer treatment and medical functions are located at various disparate locations throughout the City (up to 7), which causes significant patient and family inconvenience and stress and results in suboptimal quality of care. The mission of the Cancer Center is to create an environment with all the needed services in one space to reduce the burden on patients and families. Consolidating all the above-mentioned services in a single Comprehensive Cancer Center, which are currently spread out at up to seven different locations, throughout the city could substantially reduce the number of required patient visits and the overall time required to obtain these vital services. The comprehensive cancer center would be in close proximity to the existing Los Robles Campus – Thousand Oaks Surgical Hospital allowing for operational synergy and efficiencies, while at the same time providing critical patient care and services in a quiet and peaceful setting.

Currently, essential cancer treatment and medical functions are located at various disparate locations throughout the City of Thousand Oaks, which causes significant patient inconvenience and stress, resulting in suboptimal quality of care. The Comprehensive Cancer Center would consolidate multiple oncology and medical related functions in a single campus. The single consolidated facility will include patient rooms, treatment services, office area for staff and physicians, conference/consultation rooms, educational areas, lounge and general storage and utility spaces. Specifically, the consolidated services would include, but are not limited to, radiation oncology, medical oncology, surgical oncology, radiology and imaging services, as

well as patient-centric services including a nurse navigator, genetic counseling, emotional counseling, financial support, and immune therapy. By providing this expansive scope of services within a dedicated Cancer Center, the opportunity is created for cancer patient and family discussions to be held with the patient's entire care team, as opposed to traditional appointments that are fragmented with respect to both time and location (e.g., attending separate doctor's appointments, infusion appointments, chemotherapy appointments, etc.), leading to less efficient care delivery.

Furthermore, the proposed Cancer Center's location adjacent to the TOSH will directly facilitate the effective provision of these services. Many cancer patients currently receive non-surgical services at multiple locations across the Conejo Valley, but elect to have their surgical procedures performed at TOSH, in recognition of the facility's ease of access and navigation, which helps provide a restorative environment for patients. The Cancer Center also will only be open during the day, and oncology patient surgical procedures sometimes require an overnight stay. By locating the Cancer Center adjacent to TOSH, which accommodates overnight outpatient surgical procedures, the above-described efficiencies in cancer care delivery can be enhanced even further, by reducing travel for patients between their receipt of non-surgical care and the performance of surgical procedures.

Additionally, TOSH's lack of an emergency room and associated provision of high acuity care is ideal for cancer patients with compromised immune systems, who benefit from not being in close proximity to patients with active infections. Furthermore, due in large part to its lack of an emergency room, ambulance traffic to and from TOSH is very limited, which helps further establish a calm and restorative environment for cancer patients, who benefit from a quiet and tranquil, healing environment.

Thus, the Project site on Rolling Oaks Drive was selected in large part due to its strategic location adjacent to the TOSH. Unlike the full service and far more active and complex Los Robles Hospital, TOSH provides the ideal location for these overnight oncology related procedures because it is a controlled and quiet environment. Accordingly, the level of acuity at TOSH is similar to and compatible with the Comprehensive Cancer Center, providing inherent synergies between the two campuses. Locating the Cancer Center in such close proximity to TOSH will offer a significant benefit and convenience to cancer patients as well as the medical professionals who are anticipated to actively utilize both facilities.

While Los Robles owns other property, locating the Cancer Center next to the main Los Robles hospital would not provide the same quiet and convenient location for overnight procedures given increased activity, ambulances and emergency treatment services that occur at the hospital campus. The success of the Project is therefore largely dependent on the relationship and compatibility of the Comprehensive Cancer Center's daytime focused services and treatment coupled with the quiet and controlled option for the outpatient surgical procedures (including overnight outpatient stays) performed at TOSH.

### 3.1.2 Roof Modification and Height Overlay

Since the release of the Draft EIR, to soften the appearance of the building's west elevation, the roof over an enclosed stair tower/roof top mechanical room was modified from a gable to a hipped roof. This results in a roof that recedes away from the Los Padres Drive public right-of-way reducing the overall massing of this element as seen from the west elevation. The architectural change resulted in an increase in the cancer center's maximum height from 42 feet to 44 feet 2 inches, but the altered height does not change the impact analysis nor the Less than Significant impact described in the Draft EIR. Before and after renderings are included in the following table to illustrate the difference, and specific changes related to the height alteration are identified. Additionally, the Height Overlay descriptor has been added to the Zone Change application which had been included in the EIR.

Before



MAIN ENTRY- NORTH ELEVATION

After



MAIN ENTRY- NORTH ELEVATION

**Before**



**WEST ELEVATION**

**After**



**WEST ELEVATION**

**Before**



**SOUTH ELEVATION**

**After**



**SOUTH ELEVATION**

Additionally, a Height Overlay has been added to the previously proposed zone change application. Zoning overlays are an additional layer of planning controls that are applied to properties as tailored zoning districts, with a specialized set of regulations. The proposed Project includes a Height Overlay (C-O-H), limited to the building footprint and at the finished floor levels as indicated in the plan materials, to allow a building to be up to 44-feet 2-inches tall for the property at 400 East Rolling Oaks Drive.

### 3.1.2.1 Chapter 1, Executive Summary

Page 1-2, second paragraph under “Cancer Center: is revised as follows:

The Cancer Center would result in construction of an approximately 58,000 square foot (SF) medical office that accommodates various cancer medical and patient services, having a split level amongst two stories with a mechanical rooftop screened with mansard roofing. The building height would range between 27 feet and ~~42~~ 44 feet ~~2 inches~~ at its highest point. An Office of Statewide Health Planning and Development (OSHPD) 3 building is proposed, requiring state review and approval of building permits applied to clinics that are licensed pursuant to Health and Safety Code Section 1200. The medical building would accommodate patient rooms, treatment services, an office area for staff and physicians, conference/consultation rooms, a lounge, and general storage and utility areas.

Page 1-6, the bulleted list under “Cancer Center Component, Discretionary Approvals” is revised as follows:

- **General Plan Amendment (2022-70587-LU):** to change the Land Use Element category designations from Neighborhood Very Low to Commercial Neighborhood for a 4.92-acre site located at 400 East Rolling Oaks Drive.
- **Zone Change (2022-70733-Z):** to change the zoning designation of 400 East Rolling Oaks Drive from RE1AC (Rural Exclusive, maximum one dwelling unit to the acre) to C-O/C-O-H (Commercial Office/Height Overlay) with the Height Overlay, limited to the building footprint and at the finished floor levels as indicated in the plan materials to allow a building to be up to 44-feet 2-inches tall for the property at 400 East Rolling Oaks Drive.
- **Development Permit (2022-70732-DP):** to allow the construction and use of the facility, ~~including a waiver to construct within a 44-foot 2-inch~~ 42-foot tall building (at maximum height).
- **Parcel Map Waiver (2022-70736-PMW):** to merge APNs 681-0-180-275 and 681-0-180-265 into one lot.
- **Protected Tree Permit (2022-70735-PTP):** for encroachment and removal of protected trees (approx. 14 protected trees would be removed and replaced 3:1).
- **Landscape Plan Check (LPC-2023-70008):** for landscape conformance review.
- **Certification of EIR (2022-70775-EIR):** The City Council will certify or reject this EIR, along with appropriate CEQA Findings, any Statement of Overriding Considerations, and the mitigation monitoring and reporting program.

### 3.1.2.2 Chapter 2, Introduction

Page 2-3, the bulleted list under “Cancer Center Component, Discretionary Approvals” is revised as follows:

- **General Plan Amendment (2022-70587-LU):** to change the Land Use Element category designations from Neighborhood Very Low to Commercial Neighborhood for a 4.92-acre site located at 400 East Rolling Oaks Drive.

- **Zone Change (2022-70733-Z):** to change the zoning designation of 400 East Rolling Oaks Drive from RE1AC (Rural Exclusive, maximum one dwelling unit to the acre) to C-O/C-O-H (Commercial Office/Height Overlay) with the Height Overlay, limited to the building footprint and at the finished floor levels as indicated in the plan materials to allow a building to be up to 44-feet 2-inches tall for the property at 400 East Rolling Oaks Drive.
- **Development Permit (2022-70732-DP):** to allow the construction and use of the facility, ~~including a waiver to construct within a 42-foot tall~~ 44-foot 2-inch-tall building (at maximum height).
- **Parcel Map Waiver (2022-70736-PMW):** to merge APNs 681-0-180-275 and 681-0-180-265 into one lot.
- **Protected Tree Permit (2022-70735-PTP):** for encroachment and removal of protected trees (approx. 14 protected trees would be removed and replaced 3:1).
- **Landscape Plan Check (LPC-2023-70008):** for landscape conformance review.
- **Certification of EIR (2022-70775-EIR):** The City Council will certify or reject this EIR, along with appropriate CEQA Findings, any Statement of Overriding Considerations, and the mitigation monitoring and reporting program.

### 3.1.2.3 Project Description

Page 3-5, the paragraph under “Comprehensive Cancer Center Building” is revised as follows:

#### Comprehensive Cancer Center Building

The Cancer Center would result in construction of an approximately 58,000 square foot (SF) medical office that accommodates various cancer medical and patient services, having a split level amongst two stories with a mechanical rooftop screened with mansard roofing. The building height would range between 27 feet and ~~42~~ 44 feet 2 inches at its highest point. An Office of Statewide Health Planning and Development (OSHPD) 3 building is proposed, requiring state review and approval of building permits applied to clinics that are licensed pursuant to Health and Safety Code Section 1200. The medical building would accommodate patient rooms, treatment services, an office area for staff and physicians, conference/consultation rooms, a lounge, and general storage and utility areas (see Figure 3-5, Conceptual Site Plan-Comprehensive Cancer Center site Plan, and Figure 3-6a - Figure 3-6b, Exterior Building Elevations-Cancer Center site).

Page 3-13, the bulleted list under “Cancer Center Component, Discretionary Approvals” is revised as follows:

- **General Plan Amendment (2022-70587-LU):** to change the Land Use Element category designations from Neighborhood Very Low to Commercial Neighborhood for a 4.92-acre site located at 400 East Rolling Oaks Drive.
- **Zone Change (2022-70733-Z):** to change the zoning designation of 400 East Rolling Oaks Drive from RE1AC (Rural Exclusive, maximum one dwelling unit to the acre) to C-O/C-O-H (Commercial Office/Height Overlay) with the Height Overlay, limited to the building footprint and at the finished floor levels as indicated in the plan materials to allow a building to be up to 44-feet 2-inches tall for the property at 400 East Rolling Oaks Drive.
- **Development Permit (2022-70732-DP):** to allow the construction and use of the facility, ~~including a waiver to construct within a 42-foot tall~~ 44-foot 2-inch-tall building (at maximum height).
- **Parcel Map Waiver (2022-70736-PMW):** to merge APNs 681-0-180-275 and 681-0-180-265 into one lot.

- **Protected Tree Permit (2022-70735-PTP):** for encroachment and removal of protected trees (approx. 14 protected trees would be removed and replaced 3:1).
- **Landscape Plan Check (LPC-2023-70008):** for landscape conformance review.
- **Certification of EIR (2022-70775-EIR):** The City Council will certify or reject this EIR, along with appropriate CEQA Findings, any Statement of Overriding Considerations, and the mitigation monitoring and reporting program.

Figure 3-6a on page 3-33 is replaced with the following image:



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Figure 3-6b on page 3-35 is replaced with the following image:

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SOURCE: HKS Architects, INC., October 2023



**FIGURE 3-6b**  
South and West Exterior Building Elevations, Cancer Center Site March 2024  
EIR for Los Robles Comprehensive Cancer Center - 355 W Janss Road Land Use Change Project

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### 3.1.2.4 Section 4.1, Aesthetics

Section 4.1.4, Impacts Analysis, page 4.1-25. The paragraphs below “City of Thousand Oaks Municipal Code, Cancer Center Site” are revised as follows:

#### City of Thousand Oaks Municipal Code

##### Cancer Center Site

The Cancer Center component proposes a rezone of the Cancer Center site from Rural-Exclusive (R-E-1AC) to Commercial Office (C-O). Under the new zoning of the Cancer Center site, the Cancer Center component is required to build to the development standards set forth in Municipal Code (MC) Section 9-4.1109. The Cancer Center component would be consistent with standards for setbacks, lighting, landscaping, and signage. The Cancer Center component would require Planning Commission approval of the proposed height given that the proposed medical facility would be two stories with a maximum height of ~~42~~ 44 feet 2 inches, and maximum height within the C-O zone shall not exceed two stories and 25 feet in height unless allowed by the Planning Commission. Lighting within the C-O zone is regulated by MC section 9-4.1109. Project compliance with MC section 9-4.1109 is discussed in further detail below.

Exceedance of the maximum height in the C-O zone is permitted if it is determined by the Planning Commission that the purpose of the C-O zone is met. The MC Section 9-4.1101 describes the purpose of the C-O zone is to provide professional and commercial offices that would be harmonious with adjacent residential developments and to foster developments that meet high standard of open space, concentrated buildings, parking facilities, landscaping, and pedestrian and vehicular circulation. The Cancer Center site is surrounded by an existing three-story medical complex to the north and two-story multi-family residential development to the west. Additionally, the proposed medical office building would be smaller in scale compared to the medical complex located north of Rolling Oaks Drive. The height of the existing medical office building to the north ranges from 48.5 feet to 60.5 feet. The proposed medical facility would have a split level among two stories and would be constructed on the northern portion of the Cancer Center site, closer to existing development to the north. Given the split-level design, and the existing topography sloping upward to the south and to the west across Los Padres Drive and the adjacent multi-family residential development (the finished grade of the development sits approximately 6-10 feet higher in elevation than the proposed Cancer Center building site), the maximum height of the medical facility (~~42~~ 44 feet 2 inches) would be similar to the two-story tiered apartment buildings located to the west. The top of the apartment buildings to the west would be approximately 37 feet and 43.5 feet above the proposed grade of the medical facility. Therefore, the ~~42-foot~~ 44 feet 2 inches maximum building height above the proposed grade of the Cancer Center site would be visually consistent with the perceived scale of the two-story multi-family residential development to the west. As previously discussed, the Cancer Center would also provide 14-percent landscape coverage (approximately 17,000 SF), parking, and internal circulation elements that would connect to existing circulation along Los Padres Drive and Rolling Oaks Drive. Despite the exceedance of the maximum allowable height in the zone, the project would be visually harmonious with the surrounding area and consistent with the purpose of the C-O zone.

Page 4.1-26, the following table and text are added between the first and second paragraphs on the page.

**Table 4.1-2. Proposed & Adjacent Development Compatibility**

<u>ADDRESS</u>	<u>SHAPE</u>	<u>STORIES</u>	<u>HEIGHT</u>	<u>SIZE</u>
<u>400 Rolling Oaks (Proposed)</u>	<u>Rectangle</u>	<u>2 stories</u>	<u>23 feet 5 inches to 44 feet 2 inches</u>	<u>~58,412 SF</u>
<u>425 Haaland Drive (Building A)</u>	<u>Rectangle</u>	<u>2 stories + Subterranean Garage</u>	<u>31 feet (exposed height) 42 feet (garage)</u>	<u>~40,000 SF</u>
<u>375 Rolling Oaks (Building C)</u>	<u>Rectangle</u>	<u>2 stories + Subterranean Garage</u>	<u>31 feet (exposed height) 42 feet (garage)</u>	<u>~40,000 SF</u>
<u>325 Rolling Oaks (Building E)</u>	<u>Rectangle</u>	<u>2 stories + Subterranean Garage</u>	<u>31 feet (exposed height) 41 feet (garage)</u>	<u>~30,000 SF</u>
<u>351 Rolling Oaks (Building D)</u>	<u>Rectangle</u>	<u>2 stories + Subterranean Garage</u>	<u>31 feet (exposed height) 41 feet (garage)</u>	<u>~35,000 SF</u>
<u>401 Rolling Oaks (Building A-1) TOSH</u>	<u>Rectangle</u>	<u>2 stories + basement – TOSH</u>	<u>47 (exposed height) 59 feet (basement)</u>	<u>~50,000 SF</u>
<u>415 Rolling Oaks (Building B) MOB</u>	<u>Rectangle</u>	<u>2 stories – Medical Office Building + Subterranean Garage</u>	<u>40 feet (exposed height) 52 feet (garage)</u>	<u>~40,000 SF</u>
<u>300 Rolling Oaks (Los Robles Apartments)</u>	<u>Rectangle</u>	<u>2 to 3 stories</u>	<u>20 to 35 feet</u>	<u>262 units</u>

The height of the building is measured from the existing grade or the finished grade, whichever is less. The site will be graded and the finished grade will be set into existing grade between approximately 0 to 10 feet and additional fill will be placed on the south side of the building resulting in the building appearing to be 16-feet shorter as viewed from the south elevation compared to other elevations. When viewing the building's elevations as tucked into the existing grade, the proposed building height will be similar to the existing apartments to the west and similar to or less than the medical office buildings to the north.

### 3.1.2.5 Chapter 7, Hazards and Hazardous Materials

Section 4.7.1, Impacts Analysis, page 4.7-6. The paragraphs under "Airport Hazards" is revised as follows:

The Federal Aviation Administration (FAA) has filing requirements for proposed structures that vary based on factors such as height, location, and proximity to an airport (see Section 4.7.3, Federal Regulatory Framework). The Project site was evaluated using the FAA Obstruction Evaluation/Airport Airspace Analysis (OEAAA) Notice Criteria Tool (FAA 2023) with an assumed maximum building height of 44-feet 2-inches 42 feet. Based on this search, there are no areas that exceeded notice criteria where notification would be required in accordance with 14 Code of Federal Regulations (CFR) 77.9.

### 3.1.2.6 Chapter 13, Wildfire

Section 4.13.4, Impacts Analysis, page 4.13-27. The paragraphs under “Roads” (starting on page 4.13-26) is revised as follows:

Aerial fire apparatus access shall be required when the vertical distance between the ground and the highest roof surface exceeds 30 feet. One aerial fire apparatus access road shall be provided per 50,000 square feet of building area. Aerial fire apparatus access roads shall have a minimum unobstructed width of 30 feet, exclusive of shoulders and a minimum of one required aerial apparatus access road shall be located within a minimum of 15 feet and a maximum of 30 feet from the building. It should be noted that the Los Robles Comprehensive Cancer Center building is multi-tiered; the front portion of the building (northern portion of the building) will include two stories and designed to be up to approximately 44-foot 2-inches ~~42-foot tall~~. However, as you move to the rear portion of the building (southern portion of the building), the tiered building is reduced to a single story and approximately 27 feet in height. With that said, two points of roof access will be provided; aerial fire apparatus access will be provided at the front of the medical office facility and engine ladder access will be provided along the rear portions of the facility. Per VCFD’s Fire Apparatus Access Code Standards (Standard 501, Chapter 5), the Project complies with all fire apparatus access road/interior driveway requirements.

### 3.1.3 Mitigation Tree Quantity

To clarify that mitigation requires the replacement of 14 protected oak trees at a 3:1 ratio, the mitigation tree count is revised to clarify the requirement for 42 trees, though the Applicant may plant additional trees beyond the mitigation requirement.

#### 3.1.3.1 Chapter 3, Project Description

Section 3.4, Proposed Project, page 3-5. The paragraph under “Landscaping and Setbacks” is revised as follows:

The Cancer Center development will provide 14 percent landscape coverage (approximately 17,000 SF) providing enhanced perimeter landscape treatment. All landscaping would utilize low water use trees, shrubs and would be consistent with Ventura County Fire Department (VCFD) standards. Refer to Figure 3-7a, Landscape Plan-Northern Portion of Cancer Center site Figure 3-7b, Landscape Plan-Southern Portion of Cancer Center site. 14 protected oak trees would be removed, and 16 protected oak trees would be preserved. The project would plant ~~45~~ 42 mitigation oak trees to replace the 14 protected oak trees removed. Existing trees bordering the parking lot along the northern boundary of the Cancer Center site and the northeastern corner would remain on site.

### 3.1.4 Alternatives

To provide additional information regarding Alternatives 1B, 2, and 3, the applicant has submitted figures showing the alternative site plan for Alternative 1B and building massing for Alternatives 2 and 3.

#### 3.1.4.1 Chapter 7, Alternatives

Figure 7-1 is added following the second paragraph on page 7-8.

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SOURCE: HKS Architect 2-22-2024



**FIGURE 7-1**  
**Alternative 1B Site Plan**

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Figure 7-2a and 7-2b are added following the second paragraph on page 7-10.

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SOURCE: NAIP 2020; LR Hospital DEIR Alts 2-14-2024

FIGURE 7-2a

Los Robles Comprehensive Cancer Center Alternative 2

EIR for Los Robles Comprehensive Cancer Center - 355 W Janss Road Land Use Change Project

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Los Robles Comprehensive Cancer Center Alternative 2 - Perspective #1



Los Robles Comprehensive Cancer Center Alternative 2 - Perspective #2

SOURCE: LR Hospital DEIR Alts 2-14-2024

FIGURE 7-2b

Los Robles Comprehensive Cancer Center Alternative 2 Perspectives

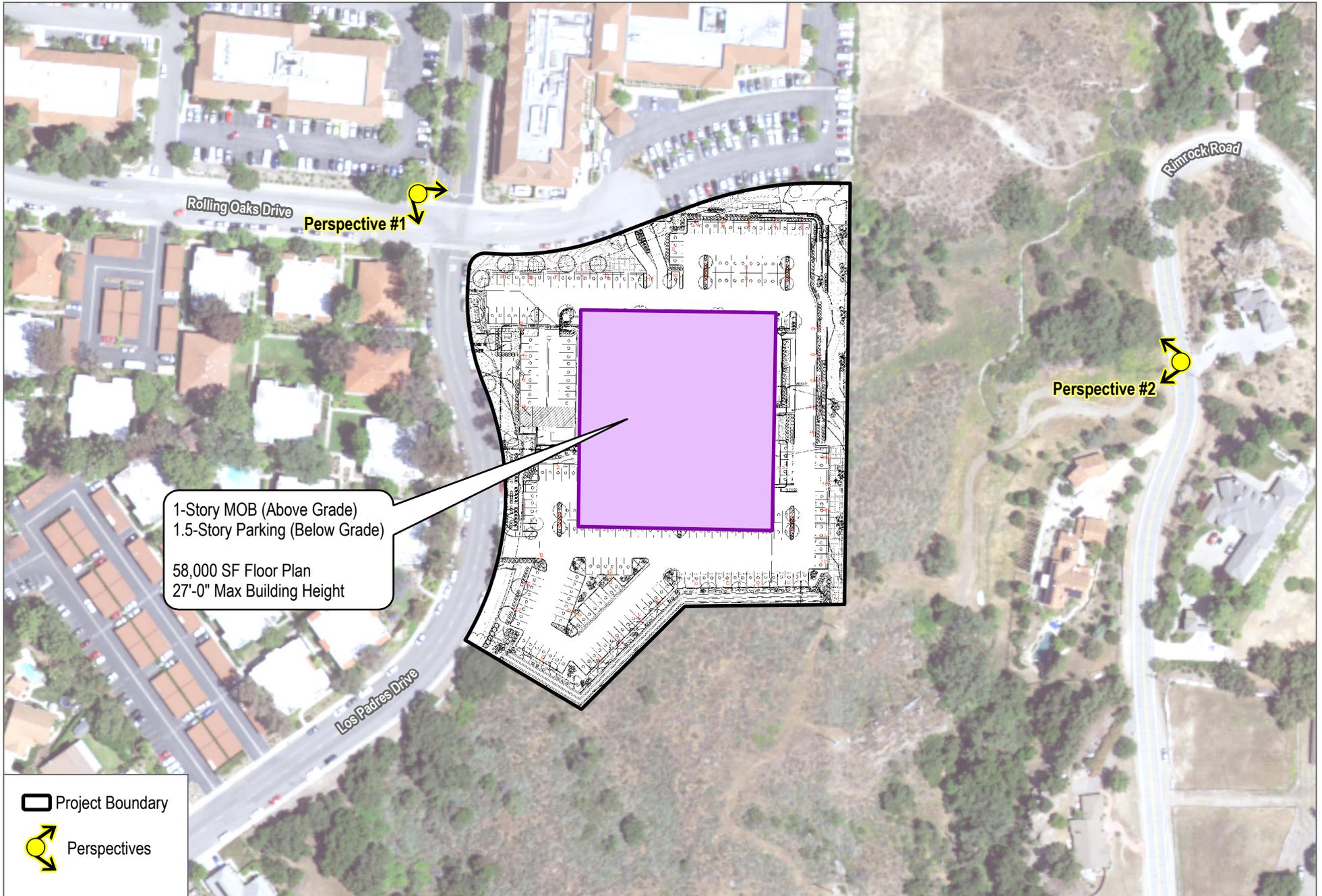
EIR for Los Robles Comprehensive Cancer Center - 355 W Janss Road Land Use Change Project



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Figure 7-3a and 7-3b are added following the second paragraph on page 7-13.

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SOURCE: NAIP 2020; LR Hospital DEIR Alts 2-14-2024

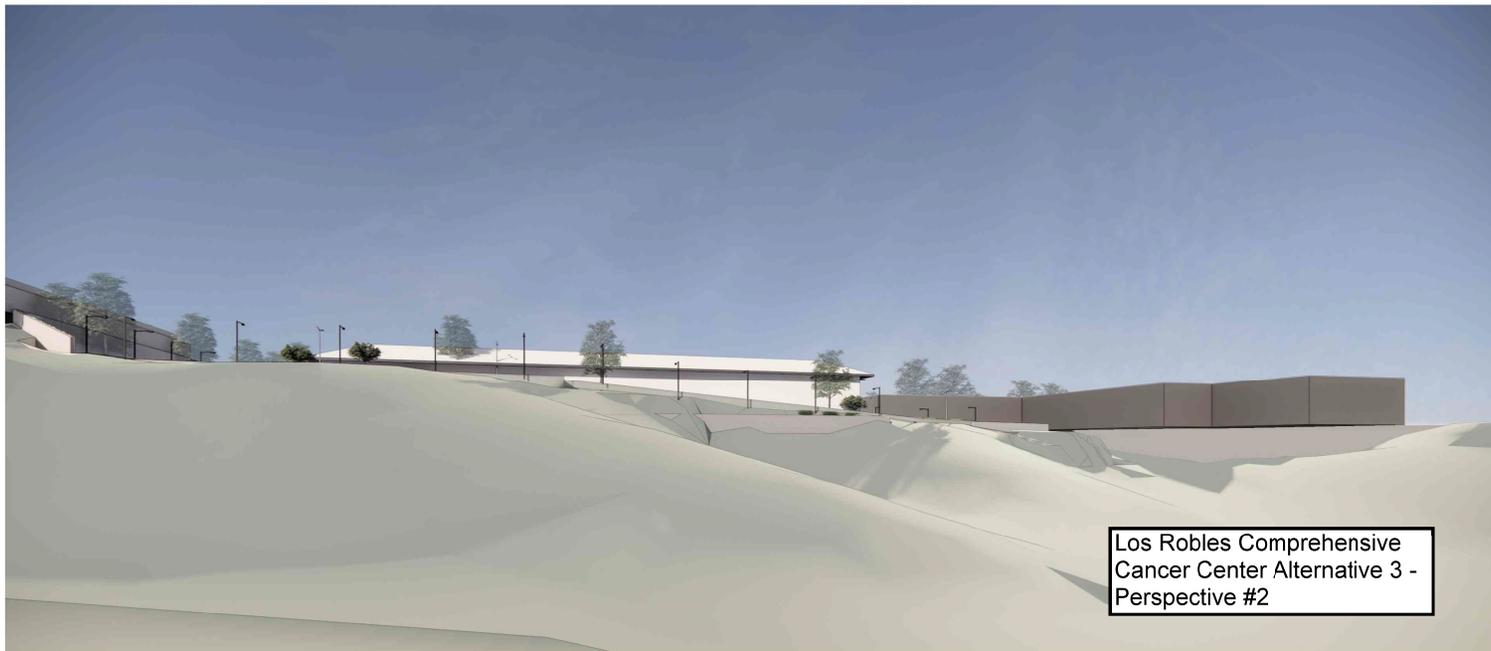
**FIGURE 7-3a**

**Los Robles Comprehensive Cancer Center Alternative 3**

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Los Robles Comprehensive Cancer Center Alternative 3 - Perspective #1



Los Robles Comprehensive Cancer Center Alternative 3 - Perspective #2

SOURCE: LR Hospital DEIR Alts 2-14-2024



**Los Robles Comprehensive Cancer Center Alternative 3 Perspectives**

EIR for Los Robles Comprehensive Cancer Center - 355 W Janss Road Land Use Change Project

**FIGURE 7-3b**

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# 4 Mitigation Monitoring and Reporting Program

## 4.1 Introduction

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring program. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring program must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

In compliance with Public Resources Code Section 21081.6, Table 4-1, Mitigation Monitoring and Reporting Program, has been prepared for the Los Robles Comprehensive Cancer Center and the 355 West Janss Road General Plan Amendment and Zone Change Project (Project). This Mitigation Monitoring and Reporting Checklist is intended to provide verification that all applicable mitigation measures and standard conditions relative to significant environmental impacts are monitored and reported. Monitoring will include: 1) verification that each mitigation measure/standard condition has been implemented; 2) recordation of the actions taken to implement each mitigation measure/standard condition; and 3) retention of records in the Los Robles Comprehensive Cancer Center and the 355 West Janss Road General Plan Amendment and Zone Change Project (Project) file.

This Mitigation Monitoring and Reporting Program (MMRP) delineates responsibilities for monitoring the project, but also allows the City of Thousand Oaks (City) flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure or standard condition. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures/standard conditions were implemented. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the Mitigation Monitoring and Reporting Checklist (Table 4-1). If an adopted mitigation measure or standard condition is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

Reporting consists of establishing a record that a mitigation measure or standard condition is being implemented, and generally involves the following steps:

- The City distributes reporting forms to the appropriate entities for verification of compliance.
- Departments/agencies with reporting responsibilities will review the Draft EIR and Final EIR, which provide general background information on the reasons for including specified mitigation measures/standard conditions.
- Problems or exceptions to compliance will be addressed to the City as appropriate.
- Periodic meetings may be held during project implementation to report on compliance of mitigation measures/standard conditions.
- Responsible parties provide the City with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures/standard conditions have been implemented. Monitoring compliance may be documented through existing review and approval programs such as field inspection reports and plan review.

- The City prepares a reporting form periodically during the construction phase and an annual report summarizing all project mitigation monitoring efforts.
- Appropriate mitigation measures and standard conditions will be included in construction documents and/or conditions of permits/approvals.

Minor changes to the MMRP, if required, would be made in accordance with CEQA and would be permitted after further review and approval by the City. No change will be permitted unless the MMRP continues to satisfy the requirements of Public Resources Code Section 21081.6.

The following subsections of the Draft EIR contain detailed environmental analyses of the existing conditions, project impacts (including direct and indirect, short-term, long-term, and cumulative impacts), recommended mitigation measures and standard conditions, and significant unavoidable impacts, if any.

Based on the Draft EIR, no significant impacts would occur in regard to the following environmental issue areas, which are addressed in Draft EIR Section 5, Effects Found Not To Be Significant:

- Agriculture and Forestry Resources;
- Geology and Soils;
- Hydrology and Water Quality;
- Mineral Resources; and
- Population and Housing

In accordance with Appendix G of the CEQA Guidelines, the following environmental issue areas were determined to have a potentially significant impact and have been analyzed within the Draft EIR:

- Aesthetics;
- Air Quality;
- Biological Resources;
- Cultural, Tribal Cultural, and Historical Resources;
- Energy;
- Greenhouse Gas Emissions;
- Hazards and Hazardous Materials;
- Land Use and Planning;
- Noise;
- Public Services and Recreation;
- Transportation;
- Utilities and Service Systems; and
- Wildfire.

For the purposes of the environmental analysis in the Draft EIR, impacts were analyzed in each environmental issue area for the proposed project. If necessary, mitigation measures and/or standard conditions were recommended in order to reduce any significant impacts.

## 4.2 Mitigation Monitoring and Reporting Program Table

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p><b>MM-BIO-1 Coastal California Gnatcatcher Protocol Survey and Permitting (Cancer Center site).</b> Prior to the issuance of a grading permit for the project, the applicant will retain a FESA section 10(a)(1)(A)-permitted biologist to conduct a protocol level survey for the coastal California gnatcatcher. The surveys will be conducted per the USFWS protocols (USFWS 1997) and will be conducted during the breeding season of the species (March 15 through June 30). Six surveys will all be conducted at least one week apart within the suitable habitat on the Project site. The adjacent private parcels will be surveyed from the Project site using binoculars. Results of the surveys will be submitted in a report to the USFWS and City. If the results of the survey are negative for coastal California gnatcatcher, then the suitable habitat on the Project site is considered not occupied and no further mitigation regarding the species is required.</p> <p>Compensatory Habitat Mitigation: If coastal California gnatcatcher is found to be occupying the suitable habitat on site, then the applicant will consult with the USFWS on the need for permitting for the species under FESA. The Project does not have a federal nexus (i.e., impacts to waters of the U.S.), so it is expected that Section 10 of FESA would be the permitting pathway and an HCP would need to be developed. The 1.78 acres of suitable habitat (coastal sage scrub) will require a minimum of 1:1 replacement of in-kind habitat that is occupied by the species in the vicinity of the Project site. Since there are no available mitigation banks in the Project vicinity, a City-approved property</p>	<p>Qualified Biologist; Construction Contractor; Applicant</p>	<p>Prior to issuance of grading permit</p>	<p>City of Thousand Oaks Community Development Department</p>	<p>Prior to issuance of grading permit</p>		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p>containing at least 1.78 acres of suitable coastal California gnatcatcher habitat would be purchased within the Conejo Valley. The property would have a conservation easement placed on it, with the Conejo Open Space Conservation Agency or similar entity holding the conservation easement. The applicant would fund an endowment for the management of the property in perpetuity. The establishment of the conservation area is expected to be done in conjunction with the HCP process with USFWS, both of which must be completed prior to issuance of a grading permit for the Project.</p> <p>Nesting Season Avoidance: If coastal California gnatcatcher is found to be occupying the suitable habitat on site, then all vegetation removal must occur from July 1 to March 14 to avoid the direct take of nests with eggs or young.</p>						
<p><b>MM-BIO-2 Biological Monitoring (Cancer Center site).</b> Prior to the issuance of a grading permit, the Applicant shall submit the qualifications of potential Biological Monitor(s) to the City for review and approval. The Applicant shall then retain the City-approved Biological Monitor(s) during Project construction to monitor construction activities and to ensure compliance with all mitigation measures. The Biological Monitor shall be present on site during all vegetation removal and each day prior to the commencement of grading activities. The Biological Monitor shall be responsible for conducting a pre-construction clearance survey and any wildlife (common or special-status) shall be relocated to City-approved areas. Pre-construction clearance surveys shall be conducted prior to construction of each new phase of the development. The Biological Monitor shall monitor to ensure that wildlife do not become entrapped in</p>	<p>Qualified Biological Monitor; Construction Contractor; Applicant</p>	<p>Prior to issuance of grading permit</p>	<p>City of Thousand Oaks Community Development Department</p>	<p>Prior to issuance of grading permit</p>		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p>excavation or trenching areas. Safeguards shall be implemented during daytime periods of non-activity and overnight, such as a placing a platform over trenches, flush with the ground surface; installing escape ramps in trenches; or installing exclusionary fencing. Should relocation of any trapped wildlife be required, construction shall be halted until the Biological Monitor arrives on site and clears the work area (in compliance with all applicable permits and authorizations).</p> <p>Daily monitoring reports shall be prepared by the Biological Monitor that at a minimum document the results of any surveys conducted, wildlife relocations, construction activities performed, compliance issues observed, corrective actions taken, and include photos. The monitoring reports shall be made available to the City Community Development Department.</p>						
<p><b>MM-BIO-3 Nesting Birds (Cancer Center site and Janss Road site).</b> Project construction shall be conducted in compliance with the conditions set forth in the Migratory Bird Treaty Act and California Fish and Game Code with methods approved by the California Department of Fish and Wildlife to protect active bird/raptor nests. Vegetation removal shall occur during the non-breeding season for nesting birds (generally late September to early March) and nesting raptors (generally early July to late January) to avoid impacts to nesting birds and raptors. However, if the Project requires that work be initiated during the breeding season for nesting birds (March 1–September 30) and nesting raptors (February 1–June 30), in order to avoid direct impacts on active nests, a pre-construction survey shall be conducted by a City-approved Biologist for nesting birds and/or raptors within 3 days prior to</p>	<p>Qualified Biologist; Construction Contractor; Applicant</p>	<p>Prior to and throughout construction</p>	<p>City of Thousand Oaks Community Development Department</p>	<p>Prior to and throughout construction</p>		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p>clearing or disturbance of any vegetation. The survey will be conducted within 300 feet for nesting birds and within 500 feet for nesting raptors and coastal California gnatcatcher. If the Biologist does not find any active nests within or immediately adjacent to the impact areas, the vegetation clearing/construction work shall be allowed to proceed.</p> <p>If the City-approved Biologist finds an active nest within or immediately adjacent to the construction area and determines that the nest may be impacted or breeding activities substantially disrupted, the Biologist shall delineate an appropriate buffer zone around the nest depending on the sensitivity of the species and the nature of the construction activity. Any nest found during survey efforts shall be mapped on the construction plans, which will be included in the report(s) documenting the survey(s) that will be submitted to the City within three days of the completion of the survey. The active nest shall be protected until nesting activity has ended. To protect any nest site, the following restrictions to construction activities shall be required until nests are no longer active, as determined by the City-approved Biologist: (1) clearing limits shall be established within a buffer around any occupied nest (the buffer shall be 100–300 feet for nesting birds and 300–500 feet for nesting raptors and California gnatcatcher), unless otherwise determined by a qualified Biologist and (2) access and surveying shall be restricted within the buffer of any occupied nest, unless otherwise determined by the City-approved Biologist. Encroachment into the buffer area around a known nest shall only be allowed if the Biologist determines that the proposed activity would not disturb the nest</p>						

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
occupants. Construction can proceed when the Biologist has determined that fledglings have left the nest, or the nest has failed.						
<b>MM-BIO-4 Bat Roost Avoidance (Cancer Center site and Janss Road site).</b> Prior to the issuance of a grading permit, the Applicant shall submit the qualifications of the biologist(s) to the City for review and approval. The City-approved biologist shall conduct a pre-construction bat habitat assessment of mature trees marked for potential removal. Potential for roosting shall be categorized by 1) potential for solitary roost sites, 2) potential for colonial roost sites (10 bats or more). If the potential for colonial roosting is determined, those trees shall not be removed during the bat maternity roost season (March 1 – July 31). Trees potentially supporting colonial roosts outside of maternity roost season, and trees potentially supporting solitary roosts may be removed via a two-step removal process, whereby some level of disturbance (such as trimming of lower branches) (at the direction of the City-approved biologist) is applied to the tree on day one to allow bats to escape during the darker hours, and the roost tree shall be removed two days later (i.e., there shall be no less or more than two nights between initial disturbance and the grading or tree removal). The trees will be dropped slowly under the supervision of the City-approved biologist and documented in the Biological Monitor’s daily monitoring report (see MM-BIO-2).	Qualified Biologist; Construction Contractor; Applicant	Prior to issuance of grading permit	City of Thousand Oaks Community Development Department	Prior to issuance of grading permit		
<b>MM-BIO-5 Crotch Bumble Bee Pre-Construction Surveys.</b> A pre-construction survey for Crotch bumble bee shall be conducted within the construction footprint prior to the start of ground-disturbing construction activities occurring during the Crotch bumble bee nesting period (February 1	Qualified Biologist; Construction Contractor; Applicant	Prior to ground disturbance	City of Thousand Oaks Community Development Department	Prior to ground disturbance		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p>through October 31). The survey shall ensure that no nests for Crotch bumble bee are located within the construction area. The pre-construction survey shall include 1) a habitat assessment and 2) focused surveys, both of which will be based on recommendations described in the “Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species,” released by the California Department of Fish and Wildlife (CDFW) on June 6, 2023, or the most current at the time of construction.</p> <p>The habitat assessment shall, at a minimum, include historical and current species occurrences; document potential habitat on site including foraging, nesting, and/or overwintering resources; and identify which plant species are present. For the purposes of this mitigation measure, nest resources are defined as abandoned small mammal burrows, bunch grasses with a duff layer, thatch, hollow trees, brush piles, and man-made structures that may support bumble bee colonies such as rock walls, rubble, and furniture. The habitat assessment will be repeated prior to February 1 in each year ground-disturbing activities will occur to determine if nesting resources are present within the impact area. If nesting resources are present in the impact area, focused surveys will be conducted.</p> <p>The focused survey will be performed by a biologist with expertise in surveying for bumble bees and include at least three (3) survey passes that are not on sequential days or in the same week, preferably spaced two to four weeks apart. The timing of these surveys shall coincide with the Colony Active Period (April 1 through August 31 for Crotch bumble bee). Surveys may occur between 1 hours after sunrise</p>						

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<p>and 2 hours before sunset. Surveys will not be conducted during wet conditions (e.g., foggy, raining, or drizzling) and surveyors will wait at least 1 hour following rain. Optimal surveys are when there are sunny to partly sunny skies that are greater than 60° Fahrenheit. Surveys may be conducted earlier if other bees or butterflies are flying. Surveys shall not be conducted when it is windy (i.e., sustained winds greater than 8 mph). Within non-developed habitats, the biologist shall look for nest resources suitable for bumble bee use. Ensuring that all nest resources receive 100% visual coverage, the biologist shall watch the nest resources for up to five minutes, looking for exiting or entering worker bumble bees. Worker bees should arrive and exit an active nest site with frequency, such that their presence would be apparent after five minutes of observation. If a bumble bee worker is detected, then a representative shall be identified to species. Biologists should be able to view several burrows at one time to sufficiently determine if bees are entering/exiting them depending on their proximity to one another. It is up to the discretion of the biologist regarding the actual survey viewshed limits from the chosen vantage point which would provide 100% visual coverage; this could include a 30- to 50-foot-wide area. If a nest is suspected, the surveyor can block the entrance of the possible nest with a sterile vial or jar until nest activity is confirmed (no longer than 30 minutes).</p> <p>Identification will include trained biologists netting/capturing the representative bumble bee in appropriate insect nets, per the protocol in U.S. National Protocol Framework for the Inventory and Monitoring of Bees. The bee shall be placed in a</p>						

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<p>clear container for observation and photographic documentation if able. The bee will be photographed using a macro lens from various angles to ensure recordation of key identifying characteristics. If bumble bee identifying characteristics cannot be adequately captured in the container due to movement, the container will be placed in a cooler with ice until the bumble bee becomes inactive (generally within 15 minutes). Once inert, the bumble bee shall be removed from the container and placed on a white sheet of paper or card for examination and photographic documentation. The bumble bee shall be released into the same area from which it was captured upon completion of identification. Based on implementation of this method on a variety of other bumble bee species, they become active shortly after removal from the cold environment, so photography must be performed quickly.</p> <p>If Crotch bumble bee nests are not detected, no further mitigation would be required. The mere presence of foraging Crotch bumble bees would not require implementation of additional minimization measures because they can forage up to 10 kilometers from their nests. If nest resources occupied by Crotch bumble bee are detected within the construction area, no construction activities shall occur within 100 feet of the nest, or as determined by a qualified biologist through evaluation of topographic features or distribution of floral resources. The nest resources will be avoided for the duration of the Crotch bumble bee nesting period (February 1 through October 31). Outside of the nesting season, it is assumed that no live individuals would be present within the nest as the daughter queens (gynes) usually leave by</p>						

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<p>September, and all other individuals (original queen, workers, males) die. The gyne is highly mobile and can independently disperse to outside of the construction footprint to surrounding open space areas that support suitable hibernacula resources.</p> <p>A written survey report will be submitted to the City and CDFW within 30 days of the pre-construction survey. The report will include survey methods, weather conditions, and survey results, including a list of insect species observed and a figure showing the locations of any Crotch bumble bee nest sites or individuals observed. The survey report will include the qualifications/resumes of the surveyor(s) and approved biologist(s) for identification of photo vouchers, detailed habitat assessment, and photo vouchers. If Crotch bumble bee nests are observed, the survey report will also include recommendations for avoidance, and the location information will be submitted to the California Natural Diversity Database (CNDDDB) at the time of, or prior to, submittal of the survey report.</p> <p>If the above measures are followed, it is assumed that the project shall not need to obtain authorization from CDFW through the California Endangered Species Act Incidental Take Permit process. If the nest resources cannot be avoided, as outlined in this measure, the project applicant will consult with CDFW regarding the need to obtain an Incidental Take Permit. Any measures determined to be necessary through the Incidental Take Permit process to offset impacts to Crotch bumble bee may supersede measures provided in this CEQA document and shall be incorporated into the habitat mitigation and monitoring plan.</p>						

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p>In the event an Incidental Take Permit is needed, mitigation for direct impacts to Crotch bumble bee will be fulfilled through compensatory mitigation at a minimum 1:1 nesting habitat replacement of equal or better functions and values to those impacted by the project, or as otherwise determined through the Incidental Take Permit process. Mitigation will be accomplished either through off-site conservation or through a CDFW-approved mitigation bank. If mitigation is not purchased through a mitigation bank, and lands are conserved separately, a cost estimate will be prepared to estimate the initial start-up costs and ongoing annual costs of management activities for the management of the conservation easement area(s) in perpetuity. The funding source will be in the form of an endowment to help the qualified natural lands management entity that is ultimately selected to hold the conservation easement(s). The endowment amount will be established following the completion of a project-specific Property Analysis Record to calculate the costs of in-perpetuity land management. The Property Analysis Record will consider all management activities required in the Incidental Take Permit to fulfill the requirements of the conservation easement(s), which are currently in review and development.</p>						
<p><b>MM-BIO-6</b> Least Bell's Vireo Focused Survey (Cancer Center site). A City-approved Biologist shall conduct two focused surveys for least Bell's vireo no earlier than 3 days prior to the beginning of grading or any other type of ground disturbance. The results of the survey shall be submitted to the City prior to commencement of work. If any least Bell's vireo nests are found, the Biologist shall implement a default 500-foot minimum avoidance buffer. The</p>	<p>Qualified Biologist; Construction Contractor; Applicant</p>	<p>Prior to ground disturbance</p>	<p>City of Thousand Oaks Community Development Department</p>	<p>Prior to ground disturbance</p>		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
breeding habitat/nest site shall be fenced and/or flagged in all directions. The nest will be monitored by the Designated Biologist, who will monitor the noise level generated by construction activities at the 500-foot avoidance buffer limits for one hour. If the noise level exceeds 60 dBA Leq at 500 feet from the active nest, the buffer will be expanded until the dBA falls below that level. This area shall not be disturbed until the nest becomes inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, and the young will no longer be impacted by the project, as determined by the Biologist. If a lapse in project-related work of 5 days or longer occurs, another survey shall be required before project work can be reinitiated with the results submitted to the City.						
<b>MM-BIO-7 Demarcation of Disturbance Limits (Cancer Center site).</b> Prior to commencement of earthwork for each phase of Project construction, the construction limits shall be clearly demarcated (e.g., installation of flagging or temporary high visibility construction fence), as recommended by the City-approved Biological Monitor. All construction activities including equipment staging and maintenance shall be conducted within the marked disturbance limits to prevent inadvertent disturbance to sensitive vegetation communities outside the limits of work. The flagging shall be maintained throughout construction.	Qualified Biological Monitor; Construction Contractor; Applicant	Prior to starting earthwork	City of Thousand Oaks Community Development Department	Prior to starting earthwork		
<b>MM-BIO-8 Invasive Species Prevention (Cancer Center site).</b> The Project shall not include invasive plant species listed in the California Invasive Plant Council (Cal-IPC) inventory in project landscaping palettes. Project landscape palettes shall be reviewed and approved by the Community	Qualified Biologist; Construction Contractor; Applicant	Prior to starting earthwork	City of Thousand Oaks Community Development Department	Prior to starting earthwork		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p>Development Director or their designee to ensure that invasive plant species are excluded. In addition, to prevent the spread of invasive plant species during construction and until the establishment of common landscaped areas associated with the project, the following measures shall be implemented:</p> <ul style="list-style-type: none"> <li>▪ A Workers Environmental Awareness Training (WEAT) program will be prepared that will include invasive species prevention measure implemented by the project. The WEAT will include descriptions of the common invasive plants known in the region. The WEAT will also include descriptions of sensitive resources known to occur in the Project site and the procedures to follow should a sensitive resource be encountered.</li> <li>▪ All mobile vehicles and construction equipment shall be washed prior to entering the Project site in an upland location where any seed material from invasive species will be contained and not carried onto the Project site. Logs of the washing will be submitted monthly to the City.</li> <li>▪ Following the completion of grading activities, for those areas of the Project site that are graded but not yet developed/landscaped, the City-approved Biological Monitor shall conduct monthly spot checks to prevent the introduction or establishment of invasive plant species onto the graded areas (see MM BIO-4). If invasive species are identified, the Biological Monitor shall remove the plants with hand tools or weeding equipment to prevent propagation.</li> <li>▪ All vegetative material removed from the Project Footprint shall be transported in a covered vehicle and will be disposed of at a certified disposal site.</li> </ul>						

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p><b>MM-BIO-9 Landscaping Plan (Cancer Center site).</b>                      Prior to the issuance of the first grading permit, the Applicant shall prepare a landscaping plan submit the landscaping plan to the City for review and approval. The landscaping plan shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>▪ Plant species list shall include scientific name, common name, plant container size, and quantities.</li> <li>▪ Invasive plant species (designated by the California Invasive Plant Council) shall not be included in the landscaping plan as they could establish off-site and have negative impacts to the adjacent habitats.</li> <li>▪ Non-native milkweeds shall not be included in the landscaping plan as they could establish off-site and have negative impacts to the adjacent habitats.</li> <li>▪ Plant layout shall indicate the location of the plant species.</li> <li>▪ Planting notes shall include irrigation and plant installation requirements such as mulch requirements.</li> </ul> <p>Where native species are required, the species shall be regionally appropriate native species of the region (locally indigenous native species).</p>	Construction Contractor; Applicant	Prior to grading permit	City of Thousand Oaks Community Development Department	Prior to grading permit		
<p><b>MM-BIO-10 Oak Tree Removal and Replacement (Cancer Center site and Janss Road site).</b> A total of 28 24-inch box size and 17 36-inch box size oak trees shall be planted and depicted on the landscape architect’s planting plan. If different sized oak trees are proposed for installation or an alternate mitigation site is identified, the proposed size, quantity, and site shall be approved by the City of Thousand Oaks Community Development</p>	Arborist; Construction Contractor; Applicant	Prior to tree removal	City of Thousand Oaks Community Development Department	Prior to tree removal		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p>Director. Trees shall be installed per ISA tree planting specifications under the direction and supervision of an ISA Certified Arborist. Installed trees shall be monitored by an ISA Certified Arborist for the first 5 years after installation. The ISA Certified Arborist shall submit an annual report documenting tree species, diameter, height above grade, measured dripline, appearance and health conditions, physical description, and photographs of each tree.</p>						
<p><b>MM-BIO-11 Tree Protection Prior to Construction (Cancer Center site and Janss Road site).</b> An ISA Certified Arborist shall be retained to oversee implementation of the following:</p> <p><b>Fencing:</b> All remaining trees that will not be relocated or removed shall be preserved and protected in place. Trees within approximately 15 feet of proposed construction activity shall be temporarily fenced with chain link or other material satisfactory to City planning staff throughout grading and construction activities. The fencing shall be installed 5 feet outside of the dripline of each tree (or edge of canopy for cluster of trees), be 4 feet tall, and staked every 6 feet. For trees located south of the project site and within 15 feet of construction limits, fencing may be installed closer to the trees and within the tree protection zone (TPZ) for trees that are otherwise protected by the existing retaining wall to the south of the project site. The fenced area shall be considered the TPZ unless proximate construction requires temporary removal.</p> <p><b>Flagging:</b> Above ground tree parts that could be damaged by construction equipment (e.g., low limbs, trunks) shall be flagged with red ribbon prior to the start of construction.</p>	<p>Arborist; Construction Contractor; Applicant</p>	<p>Prior to and throughout project construction</p>	<p>City of Thousand Oaks Community Development Department</p>	<p>Prior to and throughout project construction</p>		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p><b>Pre-Construction Meeting:</b> A pre-construction meeting shall be held between all contractors (including grading, tree removal/pruning, builders) and the ISA Certified Arborist. The ISA Certified Arborist shall instruct the contractors on tree protection practices and answer any questions. All equipment operators and spotters, assistants, or those directing operators from the ground, shall provide written acknowledgement of their receiving tree protection training. This training shall include information on the location and marking of protected trees, the necessity of preventing damage, and the discussion of work practices that will accomplish such.</p>						
<p><b>MM-BIO-12 Tree Protection and Maintenance During Construction (Cancer Center site and Janss Road site).</b> An International Society of Arboriculture (ISA) Certified Arborist shall be retained to oversee implementation of the following:</p> <p><b>Equipment Operation and Storage:</b> Heavy equipment operation and storage shall be avoided tree protection zone (TPZ). Operating heavy machinery around the root zones of trees will increase soil compaction, which decreases soil aeration and subsequently reduces water penetration in the soil. All heavy equipment and vehicles shall, at minimum, stay out of the fenced TPZ, unless where specifically approved in writing and under the supervision of an ISA Certified Arborist or as provided by the approved landscape plan.</p> <p><b>Storage and Disposal:</b> Do not store or discard any supply or material, including paint, lumber, concrete overflow, etc. within the tree protection zone. Remove all foreign debris within the tree protection</p>	<p>Arborist; Construction Contractor; Applicant</p>	<p>During construction</p>	<p>City of Thousand Oaks Community Development Department</p>	<p>During construction</p>		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p>zone; it is important to leave the duff, mulch, chips, and leaves around the retained trees for water retention and nutrients. Avoid draining or leakage of equipment fluids near retained trees. Fluids such as gasoline, diesel, oils, hydraulics, brake and transmission fluids, paint, paint thinners, and glycol (anti-freeze) shall be disposed of properly. Keep equipment parked at least 50 feet away from retained trees to avoid the possibility of leakage of equipment fluids into the soil. The effect of toxic equipment fluids on the retained trees could lead to decline and death.</p> <p><b>Grade Changes:</b> Grade changes, including adding fill, are not permitted within the TPZ without special written authorization and under the supervision of an ISA Certified Arborist or as provided by the approved landscape plan. Lowering the grade within this area will necessitate cutting main support and feeder roots, jeopardizing the health and structural integrity of the tree(s). Adding soil, even temporarily, on top of the existing grade will compact the soil further and decrease both water and air availability to the trees' roots.</p> <p><b>Moving Construction Materials:</b> Above ground tree parts that could be damaged (e.g., low limbs, trunks) shall be flagged with red ribbon prior to the start of construction, per MM-BIO-3. If contact with the tree crown is unavoidable, the conflicting branch(es) shall be pruned using ISA standards under the direction and supervision of an ISA Certified Arborist.</p> <p><b>Root Pruning:</b> Except where specifically approved in writing, all trenching shall be outside of the fenced tree protection zone. Roots primarily extend in a horizontal direction forming a support base to the</p>						

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<p>tree similar to the base of a wineglass. Where trenching is necessary in areas that contain tree roots, roots shall be pruned the roots using a Dosko root pruner or equivalent and under the direction and supervision of an ISA Certified Arborist. All cuts shall be clean and sharp, to minimize ripping, tearing, and fracturing of the root system. The trench shall be made no deeper than necessary.</p> <p><b>Irrigation:</b> In the event that root pruning is necessary, trees that have been substantially root pruned (30% or more of their root zone) will require irrigation for the first 12 months. The first irrigation shall be within 48 hours of root pruning. They shall be deep watered every 2 to 4 weeks during the summer and once a month during the winter (adjust accordingly with rainfall). One irrigation cycle shall thoroughly soak the root zones of the trees to a depth of 3 feet. The soil shall dry out between watering; avoid keeping a consistently wet soil. Designate one person to be responsible for irrigating (deep watering) the trees. Check soil moisture with a soil probe before irrigating. Irrigation is best accomplished by installing a temporary above ground micro-spray system that will distribute water slowly (to avoid runoff) and evenly throughout the fenced protection zone <i>but never soaking the area located within 6 feet of the tree trunk, especially during warmer months.</i></p> <p><b>Pruning:</b> Trees shall not be pruned until all construction is completed. This will help protect the tree canopies from damage. All pruning shall be completed under the direction of an ISA Certified Arborist and using ISA guidelines. Only dead wood shall be removed from tree canopies.</p>						

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<p><b>Washing:</b> During construction in summer and autumn months, wash foliage of trees adjacent to the construction sites with a strong water stream every two weeks in early hours before 10:00 a.m. to control mite and insect populations.</p> <p><b>Inspection:</b> An ISA Certified Arborist shall inspect the 26 preserved trees on a monthly basis during construction. A report comparing tree health and condition to the original, pre-construction baseline shall be submitted following each inspection. Photographs of representative trees are to be included in the report on a minimum annual basis.</p>						
<p><b>MM-BIO-13 Tree Maintenance After Construction (Cancer Center site and Janss Road site).</b> Once construction is complete the fencing may be removed, and the following measures shall be performed to sustain and enhance the vigor of the preserved trees:</p> <p><b>Mulch:</b> Provide a 4-inch mulch layer under the canopy of trees. Mulch shall include clean, organic mulch that will provide long-term soil conditioning, soil moisture retention, and soil temperature control.</p> <p><b>Pruning:</b> The trees will not require regular pruning. Pruning shall only be done to maintain clearance and remove broken, dead, or diseased branches. Pruning shall only take place following a recommendation by an ISA Certified Arborist and performed under the supervision of an ISA Certified Arborist. No more than 20% of the canopy shall be removed at any one time. All pruning shall conform to ISA standards.</p>	<p>Arborist; Construction Contractor; Applicant</p>	<p>After construction</p>	<p>City of Thousand Oaks Community Development Department</p>	<p>After construction</p>		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p><b>Watering:</b> The natural trees that are not disturbed shall not require regular irrigation, other than the 12 months following substantial root pruning. However, soil probing shall be necessary to accurately monitor moisture levels. Especially in years with low winter rainfall, supplemental irrigation for the trees that sustained root pruning and any newly planted trees may be necessary. The trees shall be irrigated only during the winter and spring months.</p> <p><b>Watering Adjacent Plant Material:</b> All plants near the trees shall be compatible with water requirements of said trees. The surrounding plants shall be watered infrequently with deep soaks and allowed to dry out in-between, rather than frequent light irrigation. The soil shall not be allowed to become saturated or stay continually wet. Irrigation spray shall not hit the trunk of any tree. A 60-inch dry-zone shall be maintained around all tree trunks. An aboveground micro-spray irrigation system is recommended over typical underground pop-up sprays.</p> <p><b>Washing:</b> Periodic washing of the foliage is recommended during construction but no more than once every 2 weeks. Washing shall include the upper and lower leaf surfaces and the tree bark. This shall continue beyond the construction period at a less frequent rate with a high-powered hose only in the early morning hours. Washing will help control dirt/dust buildup that can lead to mite and insect infestations.</p> <p><b>Spraying:</b> If the trees are maintained in a healthy state, regular spraying for insect or disease control shall not be necessary. If a problem does develop, an ISA Certified Arborist shall be consulted; the trees may require application of insecticides to</p>						

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<p>prevent the intrusion of bark-boring beetles and other invading pests. All chemical spraying shall be performed by a licensed applicator under the direction of a licensed pest control advisor.</p> <p><b>Inspection:</b> All trees that were impacted during construction within the TPZ shall be monitored by an ISA Certified Arborist for the first 5 years after construction completion. The ISA Certified Arborist shall submit an annual report, photograph each tree, and compare tree health and condition to the original, pre-construction baseline</p>						
<p><b>MM-CUL-1 Worker Environmental Awareness Program (WEAP).</b> Prior to the start of construction activities, all construction personnel and monitors shall be trained regarding identification and treatment protocol for inadvertent discoveries of cultural resources (archaeological and tribal) and human remains. A basic presentation and handout or pamphlet shall be prepared in order to ensure proper identification and treatment of inadvertent discoveries of cultural resources and human remains. The purpose of the Workers Environmental Awareness Program (WEAP) training is to provide specific details on the kinds of materials that may be identified during ground disturbing activities and explain the importance of and legal basis for the protection of human remains and significant cultural resources. Each worker shall also be trained in the proper procedures to follow in the event that cultural resources or human remains are uncovered during ground disturbing activities. These procedures include but are not limited to work curtailment or redirection, and the immediate contact of the site supervisor and archaeological monitoring staff. WEAP attendance requirement shall be stated on all Project site plans intended for use by those conducting the ground disturbing activities.</p>	<p>Construction Contractor; Applicant</p>	<p>Prior to the start of construction activities</p>	<p>City of Thousand Oaks Community Development Department</p>	<p>Prior to the start of construction activities</p>		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p><b>MM-CUL-2 Retention of an On-Call Qualified Archaeologist.</b> Prior to commencement of any grading activity on-site, the Applicant and/or subsequent responsible parties shall retain a Qualified Archaeologist, meeting the Secretary of the Interior’s Standards, and with experience in California prehistoric and historic resources (experience within Project area preferred), to complete the following: compose a Cultural Resource Discovery Management Plan (Plan), respond to inadvertent discoveries identified during project implementation, and manage archaeological monitoring if required. The purpose of the Plan is to outline a program of treatment and mitigation in the case of an inadvertent discovery of cultural resources during ground-disturbing phases and to provide for the proper identification, evaluation, treatment, and protection of any cultural resources in accordance with CEQA throughout the duration of the Project. Existence and importance of adherence to this Plan shall be stated on all Project site plans intended for use by those conducting the ground disturbing activities.</p>	<p>Qualified Archaeologist; Construction Contractor; Applicant</p>	<p>Prior to any grading activities</p>	<p>City of Thousand Oaks Community Development Department</p>	<p>Prior to any grading activities</p>		
<p><b>MM-CUL-3 Inadvertent Discovery Clause.</b> In the event that potential archaeological resources (sites, features, or artifacts) are exposed during ground disturbing, all construction work occurring not less than 50 feet of a cultural resource discovery and 100 feet of a human remains discovery shall immediately stop and the qualified archaeologist that has been retained on call must be notified immediately to assess the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under the CEQA, the archaeologist may simply record the find and allow work to continue. If the</p>	<p>Construction Contractor; Applicant</p>	<p>During construction activities</p>	<p>City of Thousand Oaks Community Development Department</p>	<p>During construction activities</p>		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p>discovery proves significant under CEQA, additional work (e.g., preparation of an archaeological treatment plan, testing, data recovery, or monitoring) may be warranted if the resource cannot be feasibly avoided. If the discovered archaeological resource is determined to be Native American in origin, the Tribe/s traditionally and culturally affiliated with geographic area of the project site shall be contacted.</p> <p>In the event that human remains are inadvertently encountered during construction activities, the remains and associated resources shall be treated in accordance with state and local regulations that provide requirements regarding the discovery of human remains, including California Health and Safety Code Section 7050.5, California Public Resources Code Section 5097.98, and CEQA Guidelines Section 15064.5(e). In accordance with these regulations, if human remains are found, the County Coroner must be immediately notified of the discovery. No further excavation or disturbance of the Project site or any nearby (no less than 100 feet) area reasonably suspected to overlie adjacent remains can occur until the County Coroner has determined if the remains are potentially human in origin. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she is required to notify the NAHC that shall notify those persons believed to be the most likely descendant. The most likely descendant shall determine, in consultation with the property owner, the disposition of the human remains. Existence and importance of adherence to this clause shall be stated on all Project site plans intended for use by those conducting the ground disturbing activities.</p>						

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p>NOTE: These measures have been developed to mitigate any potential impacts to unknown archaeological resources, as previously defined, or human remains within the Cancer Center site. As previously mentioned, since the current proposed Project does not include any ground disturbance within the Janss Road site, there are no impacts anticipated to result from current Project implementation. However, if a future project proposed on the Janss Road site includes ground disturbance, subsurface testing would be required to determine whether the resource extends into the Janss Road site, meets the criteria of a historical resource or unique archaeological site pursuant to CEQA Guidelines Section 15064.5 or demonstrates evidence or potential evidence of the presence of human remains and either archaeological resources, as previous defined, or human remains have the potential to be impacted.</p>						
<p><b>MM-CUL-4 Paleontological Resources Impact Mitigation Program (PRIMP).</b> Prior to commencement of any grading activity on-site, the applicant shall retain a qualified paleontologist per the Society of Vertebrate Paleontology (SVP) (2010) guidelines. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the Project. The PRIMP shall be consistent with the SVP (2010) guidelines and should outline requirements for preconstruction meeting attendance and worker environmental awareness training, where monitoring is required within the Project site based on construction plans and/or geotechnical reports, procedures for adequate paleontological monitoring and discoveries treatment, and paleontological methods (including sediment sampling for microvertebrate</p>	<p>Qualified Paleontologist; Construction Contractor; Applicant</p>	<p>Prior to any grading activity</p>	<p>City of Thousand Oaks Community Development Department</p>	<p>Prior to any grading activity</p>		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p>fossils), reporting, and collections management. The PRIMP shall also include a statement that any fossil lab or curation costs (if necessary due to fossil recovery) are the responsibility of the Project applicant or proponent. The qualified paleontologist shall attend the preconstruction meeting and a qualified paleontological monitor shall be on-site during all rough grading and other significant ground-disturbing activities (including augering) in previously undisturbed, fine-grained Pleistocene alluvial deposits. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontological monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the monitor will remove the rope and allow grading to recommence in the area of the find.</p>						
<p><b>MM-HAZ-1 Phase I Environmental Site Assessment (ESA) for Janss Road site.</b> A Phase I ESA shall be conducted in accordance with ASTM Standard E-1527-21 (or a more recent version of ASTM E-1527) prior to change of land use or issuance of a demolition, grading, or building permit where ground disturbance is required. Recognized environmental conditions identified in the Phase I ESA shall be investigated through completion of a Phase II ESA in accordance with ASTM Standard 1903-19 (or a more recent version of ASTM 1903). The Phase II ESA shall compare sampling results to regulatory screening levels (RWQCB ESLs, EPA RSLs, and DTSC-SLs) based on the proposed land use (i.e., residential, commercial, industrial) as well as construction worker safety requirements. If concentrations exceed current screening levels, the applicant may be</p>	<p>Construction Contractor; Applicant</p>	<p>Prior to change of land use or issuance of a demolition, grading, or building permit where ground disturbance is required</p>	<p>City of Thousand Oaks Community Development Department</p>	<p>Prior to change of land use or issuance of a demolition, grading, or building permit where ground disturbance is required</p>		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p>required to provide additional data (i.e., further sample collection) and/or a human health risk assessment to the City to demonstrate protection of human health prior to the issuance of a permit. If concentrations exceed current screening levels or if the increased human health risk estimate exceeds one in a million, the City shall consult a regulatory agency (e.g., Ventura County Environmental Health, RWQCB, or DTSC) prior to the issuance of permits to determine an appropriate plan of action for remediation or mitigation related to the potential hazards. Written confirmation from the overseeing regulatory agency shall be provided to the City documenting that the existing environmental contamination will not significantly impact the health and safety of construction workers, adjacent sensitive receptors, future occupants, or future land uses on the site, and that protections or remediation completed are adequate to ensure future activities and land uses will not be subject to a health risk at the site. Alternatively, the regulatory agency review may indicate that safety standards cannot be assured, which may result in denial of the permit application.</p>						
<p><b>MM-NOI-1 Construction Noise Reduction – Cancer Center site.</b> The following measures shall be implemented by the construction contractor to reduce Project construction noise exposures as predicted in this EIR and as received by nearest existing off-site residential receptors west and east of the proposed Project site to levels less than 10 dBA over the pre-project outdoor daytime ambient sound environment.</p> <ul style="list-style-type: none"> <li>▪ The project contractor shall schedule construction phases to avoid concurrent operation of construction equipment from</li> </ul>	<p>Construction Contractor; Applicant</p>	<p>During construction activities</p>	<p>City of Thousand Oaks Community Development Department</p>	<p>During construction activities</p>		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p>multiple phases at nearest horizontal distances to an off-site noise-sensitive receiver.</p> <ul style="list-style-type: none"> <li>▪ All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained engine exhaust mufflers.</li> <li>▪ Based on feasibility and/or practicality, contractor shall apply the following on-site equipment noise control and sound abatement methods:                             <ul style="list-style-type: none"> <li>- shutting off idling engines of vehicles and stationary engine-driven equipment when not in use;</li> <li>- orient operating stationary equipment so that audibly or measurably louder cabinet surfaces or penetrations (e.g., air intake or discharge vents) are facing away from nearest off-site noise-sensitive receptors; and</li> <li>- apply factory-approved enclosures, vent shrouds, and other equipment-mounted features to attenuate (via dissipative acoustical absorption, sound path occlusion or redirection, etc.) noise emission.</li> </ul> </li> <li>▪ During the site demolition, grading, building construction, and paving phases of the Project, the contractor shall install a minimum 12-foot-tall temporary noise barrier (e.g., vertical installation of adjoining plywood sheeting, a frame-suspended outdoor acoustical blanket, or other materials/assembly that demonstrates a minimum of sound transmission class [STC] 25) along an extent of the Project boundary between the construction activity of concern and the off-site noise-sensitive receptor of interest. The barrier shall feature the following:                             <ul style="list-style-type: none"> <li>- No open gaps between the ground surface and the barrier bottom edge;</li> </ul> </li> </ul>						

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<ul style="list-style-type: none"> <li>- No gaps or cracks between adjoining vertical barrier element edges (e.g., overlap plywood sheeting or acoustical blanket flaps);</li> <li>- As depicted in Exhibit 4.9-1, the horizontal extent of an installed linear barrier, with a midpoint at a perpendicular distance (PD) from the midpoint of the construction zone width (CZW), should be equal to the width of the construction zone plus four times the perpendicular distance between the noise source and barrier plane (i.e., linear barrier extent = CZW+4PD). As illustrated in Exhibit 4.9-2, one or both ends of the barrier may instead be turned inward up to ninety degrees towards the construction zone or noise source, creating an “L” or “C”-shaped barrier layout with less total length than CZW+4PD, so long as angle “alpha” between the ray connecting the vertical edge position with the construction zone centroid and the plane of the barrier parallel to the construction zone is held constant. Either barrier layout per this guidance should thus minimize flanking around the vertical edges and help preserve noise reduction performance.</li> <li>▪ In combination with application of a temporary barrier per MM-NOI-1-iv, the cumulative hours on site within a typical 8-hour daytime construction period during which an operating piece of construction equipment may operate at the indicated closest distance to an off-site noise-sensitive receptor shall be limited as follows for each of the four construction phases:             <ul style="list-style-type: none"> <li>- Demolition – no more than 5 hours each for the excavator and dozer, operating as close</li> </ul> </li> </ul>						

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p>as 75 feet to the nearest off-site noise-sensitive receptor.</p> <ul style="list-style-type: none"> <li>- Grading – no more than 6 hours each for the excavator, front-end loader, and backhoe, operating as close as 125 feet to the nearest off-site noise-sensitive receptor; no more than 2 hours each for the dozer and tractor, operating as close as 75 feet to the nearest off-site noise-sensitive receptor.</li> <li>- Building Construction – no limitation on equipment operating hours at the closest distance of 180 feet to the nearest off-site noise-sensitive receptor.</li> <li>- Paving – no more than 6 hours each for the concrete mixer truck and roller, operating as close as 75 feet to the nearest off-site noise-sensitive receptor; no more than 4 hours for the paver operating as close as 75 feet to the nearest off-site noise-sensitive receptor; no more than 7 hours for the front-end loader operating as close as 75 feet to the nearest off-site noise-sensitive receptor.</li> </ul> <p>For the remaining hours of an 8-hour daytime construction work shift, the above-listed equipment may operate on site but at least three times the indicated distance.</p> <ul style="list-style-type: none"> <li>▪ At the representative first-day of each project construction phase, or under similar conditions that are indicative of normal on-site construction activity for that phase, a noise level monitor shall be deployed on the receiver side of an installed project on-site temporary noise barrier to measure and document that off-site noise exposure levels attributed to project construction activity of concern at a sample</li> </ul>						

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p>western and eastern off-site sensitive receptor is in conformance with the 10 dBA increase-over-ambient noise level threshold when compared to a sample measured baseline condition without project construction activity occurring.</p> <p>The construction noise model prediction worksheets attached herein include predictive sound propagation calculations for both non-mitigated and mitigation scenarios associated with off-site receptors ST1 and ST2 and present by phase what would be expected to reduce aggregate construction noise level (as an 8-hour <math>L_{eq}</math>) to no more than 10 dB greater than the measured samples of outdoor baseline or pre-project sound environment for the western off-site receptors represented by ST1 and ST2 as studied herein. These predictions include incorporation of mitigation measures as described in MM-NOI-1 above.</p>						
<p><b>MM-NOI-2 Construction Noise Reduction – Janss Road site.</b> The following measures shall be implemented by the construction contractor to reduce Project construction noise exposures as predicted in this EIR and as received by nearest existing off-site residential receptors west and east of the proposed Project site to levels less than 10 dBA over the pre-project outdoor daytime ambient sound environment.</p> <ul style="list-style-type: none"> <li>▪ The project contractor shall schedule construction phases to avoid concurrent operation of construction equipment from multiple phases at nearest horizontal distances to an off-site noise-sensitive receiver.</li> </ul>	Construction Contractor; Applicant	During construction activities	City of Thousand Oaks Community Development Department	During construction activities		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<ul style="list-style-type: none"> <li>▪ All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained engine exhaust mufflers.</li> <li>▪ Based on feasibility and/or practicality, contractor shall apply the following on-site equipment noise control and sound abatement methods:                             <ul style="list-style-type: none"> <li>- shutting off idling engines of vehicles and stationary engine-driven equipment when not in use;</li> <li>- orient operating stationary equipment so that audibly or measurably louder cabinet surfaces or penetrations (e.g., air intake or discharge vents) are facing away from nearest off-site noise-sensitive receptors; and</li> <li>- apply factory-approved enclosures, vent shrouds, and other equipment-mounted features to attenuate (via dissipative acoustical absorption, sound path occlusion or redirection, etc.) noise emission.</li> </ul> </li> <li>▪ During the site demolition, grading, building construction, and paving phases of the Project, the contractor shall install a minimum 8-foot-tall temporary noise barrier (e.g., vertical installation of adjoining plywood sheeting, a frame-suspended outdoor acoustical blanket, or other materials/assembly that demonstrates a minimum of sound transmission class [STC] 20) along an extent of the Project boundary between the construction activity of concern and the off-site noise-sensitive receptor of interest. The barrier shall feature the following:                             <ul style="list-style-type: none"> <li>- No open gaps between the ground surface and the barrier bottom edge;</li> </ul> </li> </ul>						

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<ul style="list-style-type: none"> <li>- No gaps or cracks between adjoining vertical barrier element edges (e.g., overlap plywood sheeting or acoustical blanket flaps);</li> <li>- As depicted in Exhibit 4.9-1, the horizontal extent of an installed linear barrier, with a midpoint at a perpendicular distance (PD) from the midpoint of the construction zone width (CZW), should be equal to the width of the construction zone plus four times the perpendicular distance between the noise source and barrier plane (i.e., linear barrier extent = CZW+4PD). As illustrated in Exhibit 4.9-2, one or both ends of the barrier may instead be turned inward up to ninety degrees towards the construction zone or noise source, creating an “L” or “C”-shaped barrier layout with less total length than CZW+4PD, so long as angle “alpha” between the ray connecting the vertical edge position with the construction zone centroid and the plane of the barrier parallel to the construction zone is held constant. Either barrier layout per this guidance should thus minimize flanking around the vertical edges and help preserve noise reduction performance.</li> <li>▪ At the representative first-day of each project construction phase, or under similar conditions that are indicative of normal on-site construction activity for that phase, a noise level monitor shall be deployed on the receiver side of an installed project on-site temporary noise barrier to measure and document that off-site noise exposure levels attributed to project construction activity of concern at a sample western and eastern off-site sensitive receptor is in</li> </ul>						

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p>conformance with the 10 dBA increase-over-ambient noise level threshold when compared to a sample measured baseline condition without project construction activity occurring.</p> <p>The construction noise model prediction worksheets attached herein include predictive sound propagation calculations for both non-mitigated and mitigation scenarios associated with off-site receptor ST4 and present by phase what would be expected to reduce aggregate construction noise level (as an 8-hour <math>L_{eq}</math>) to no more than 10 dB greater than the measured samples of outdoor baseline or pre-project sound environment for the off-site receptor represented by ST4 south of Janss Road as studied herein. These predictions include incorporation of mitigation measures as described in MM-NOI-1 above.</p>						
<p><b>MM-NOI-3 Mechanical Equipment Noise Abatement</b>                      Because heating, ventilation, and air conditioning (HVAC) equipment can generate noise that could affect surrounding sensitive receptors and because the details, specifications, and locations of this equipment is not yet known, the project applicant shall retain an acoustical specialist to review project construction-level plans prior to final approval to ensure that the equipment specifications and plans for HVAC and other outdoor mechanical equipment incorporate measures, such as the specification of quieter equipment or provision of acoustical enclosures, that will not exceed relevant noise standards at nearby noise-sensitive land uses (e.g., residential). Prior to the commencement of construction, the acoustical specialist shall certify in writing to the City that the equipment specifications and plans incorporate measures that will achieve the relevant noise limits.</p>	Construction Contractor; Applicant	Prior to building plan approval	City of Thousand Oaks Community Development Department	Prior to building plan approval		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p><b>MM-WF-1 Pre-Construction Requirements.</b>                      Vegetation management shall be conducted prior to the start of construction and throughout all construction phases. Existing flammable vegetation shall be reduced by 50% on vacant portions of the project site upon commencement of construction. Firebreaks and fuel modification shall be implemented in accordance with Appendix J, Fire Protection Plan, and approved by VCFD.</p> <p>Prior to bringing lumber or combustible materials onto the site, site improvements within the active development area shall be in place, including utilities, operable fire hydrants, an approved, temporary roadway surface, and fuel modification zones established. These features shall be approved by VCFD prior to combustibles being brought on site.</p> <p>To limit the risk of fire ignitions, the Project shall comply with the following risk reducing measures:</p> <ul style="list-style-type: none"> <li>▪ All new power lines shall be underground for fire safety. Temporary construction power lines may be allowed in areas that have been cleared of combustible vegetation.</li> <li>▪ No Smoking will be allowed on site except in designated safe smoking areas which include cleared area with no combustible vegetation or materials and approved butt receptacles (noncombustible containment of cigarette butts).</li> <li>▪ Minimize combustible and flammable materials storage on site.</li> <li>▪ Store any combustible or flammable materials that need to be on site away from ignition sources and native vegetation.</li> </ul>	<p>Construction Contractor;                      Applicant</p>	<p>Prior to the start of construction and throughout construction activities</p>	<p>City of Thousand Oaks Community Development Department</p>	<p>Prior to the start of construction and throughout construction activities</p>		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<ul style="list-style-type: none"> <li>▪ Parking areas shall be cleared of all grass and brush by a distance of at least 10 feet.</li> <li>▪ Keep evacuation routes free of obstructions.</li> <li>▪ Label all containers of potentially hazardous materials with their contents and stored in the same location as flammable or combustible liquids.</li> <li>▪ Perform “hot work” according to fire safe practices in a controlled environment and with fire suppression equipment at the job site. A fire watch person (Fire Patrol), with extinguishing capability (e.g., fire extinguishers), should be in place for all ‘Hot Work” activities during construction. Ensure hot work adheres to the guidelines provided.</li> <li>▪ Dispose of combustible waste promptly and according to applicable laws and regulations.</li> <li>▪ Report and repair all fuel leaks without delay.</li> <li>▪ Extension cords shall not be relied on if wiring improvements are needed, and overloading of circuits with multiple pieces of equipment shall be prohibited.</li> <li>▪ Turn off and unplug electrical equipment when not in use.</li> <li>▪ Direct contractors on site to restrict use of chainsaws, chippers, vegetation masticators, grinders, drill rigs, tractors, torches, and explosives to outside during Red Flag Warnings. When the above tools and equipment are used, water trucks (4,000-gallon capacity) equipped with hoses, shovels, Pulaski’s, and McLeod’s shall easily be accessible to personnel.</li> <li>▪ When an evacuation has been called, all site personnel will gather at the designated assembly area and the Site Safety Officer will account for all personnel. Once all personnel</li> </ul>						

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p>are accounted for, the vehicles will safely convoy from the site to safe zones, which are generally areas off-site away from the threat.</p> <ul style="list-style-type: none"> <li>Contractor shall monitor for erosion, document issues, and take corrective actions to minimize erosion during vegetation removal. Construction crew members and contractors shall use caution to avoid causing erosion or ground (including slope) instability or water runoff due to vegetation removal, vegetation management, maintenance, landscaping, or irrigation. Standard federal, state, and local regulations for erosion control and erosion control best practices shall be implemented.</li> </ul>						
<p><b>MM-WF-2.</b> A fully irrigated landscape, planted with drought-tolerant, fire-resistive plants shall be implemented in accordance with VCFD Fire Hazard Reduction Program Plant Reference Guide. No undesirable, highly flammable plant species shall be planted, as listed in the VCFD Prohibited Plant List. The landscaping shall be routinely maintained and shall be watered by an automatic irrigation system that will maintain healthy vegetation with high moisture contents that would minimize ignition by embers from a wildfire. The landscape plan shall be submitted to VCFD for review and approval before construction may commence.</p>	Construction Contractor; Applicant	Prior to the start of construction and throughout construction activities	City of Thousand Oaks Community Development Department	Prior to the start of construction and throughout construction activities		
<p><b>MM-WF-3.</b> The east side of the proposed structure, which achieves up to approximately 85 feet of on-site fuel modification and is adjacent to naturally vegetated open space areas, shall be constructed with code exceeding dual pane dual tempered glass windows. The east side of the proposed structure shall also include 5/8-inch Type X fire rated gypsum sheathing applied behind the exterior covering or cladding (stucco or exterior siding) on the exterior</p>	Construction Contractor; Applicant	Prior to building permits	City of Thousand Oaks Community Development Department	Prior to building permits		

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	Verification Date	Verification Initials
<p>side of the framing, from the foundation to the roof for a facade facing the open space and naturally vegetated areas. 5/8-inch Type X fire rated gypsum sheathing is required to be manufactured in accordance with established ASTM standards defining type X wallboard sheathing as that which provides not less than one-hour fire resistance when evaluated in specified building assemblies and has been tested and certified as acceptable for use in a one-hour fire rated system. CertainTeed Type X Gypsum Board has a Flame Spread rating of 15 and Smoke Developed rating of 0, in accordance with ASTM E 84, (UL 723, UBC 8-1, NFPA 255, CAN/ULC-S102); UL classified for Fire Resistance (ANSL/UL 263; ASTM E119) and listed under UL File No. CKNX.R3660 (CertainTeed, 2021).</p>						

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# 5 CEQA Findings of Fact

The California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) (CEQA) requires that public agencies shall not approve or carry out a project for which an environmental impact report (EIR) has been certified that identifies one or more significant adverse environmental effects of a project unless the public agency makes one or more written Findings for each of those significant effects, accompanied by a brief explanation of the rationale for each Finding (CEQA Guidelines [Cal. Code Regs., tit. 14, § 15000 et seq.], § 15091). This document presents the CEQA Findings of Fact made by the City of Thousand Oaks, in its capacity as the CEQA Lead Agency, regarding the Los Robles Comprehensive Cancer Center / 355 W Janss Road General Plan Amendment and Zone Change Project (Project), evaluated in the Draft Environmental Impact Report (Draft EIR) and Final Environmental Impact Report (Final EIR) for the Project.

## SECTION I. INTRODUCTION

Public Resources Code Section 21002 states that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” Section 21002 further states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.”

Pursuant to Section 21081(a) of the Public Resources Code, a public agency may only approve or carry out a project for which an EIR has been completed that identifies any significant environmental effects if the agency makes one or more of the following written finding(s) for each of those significant effects accompanied by a brief explanation of the rationale for each finding:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

As indicated above, Section 21002 requires an agency to “avoid or substantially lessen” significant adverse environmental impacts. Thus, mitigation measures that “substantially lessen” significant environmental impacts, even if not completely avoided, satisfy Section 21002’s mandate. (*Laurel Hills Homeowners Assn. v. City Council* (1978) 83 Cal.App.3d 515, 521 [“CEQA does not mandate the choice of the environmentally best feasible project if through the imposition of feasible mitigation measures alone the appropriate public agency has reduced environmental damage from a project to an acceptable level”]; *Las Virgenes Homeowners Fed., Inc. v. County of Los Angeles* (1986) 177 Cal.App.3d 300, 309 [“[t]here is no requirement that adverse impacts of a project be avoided completely or reduced to a level of insignificance . . . if such would render the project unfeasible”].)

While CEQA requires that lead agencies adopt feasible mitigation measures or alternatives to substantially lessen or avoid significant environmental impacts, an agency need not adopt infeasible mitigation measures or alternatives (Pub. Resources Code, § 21002.1(c) [if “economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment of a project, the project may nonetheless be carried out or approved at the discretion of a public agency”]; see also State CEQA Guidelines, § 15126.6(a) [an “EIR is not required to consider alternatives which are infeasible”].) CEQA defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.” (Pub. Resources Code, § 21061.1.) The CEQA Guidelines add “legal” considerations as another indicia of feasibility. (State CEQA Guidelines, § 15364.) Project objectives also inform the determination of “feasibility.” (*Jones v. U.C. Regents* (2010) 183 Cal.App.4th 818, 828-829.) “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) “Broader considerations of policy thus come into play when the decision-making body is considering actual feasibility[.]” (*Cal. Native Plant Soc’y v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1000 (“*Native Plant*”); see also Pub. Resources Code, § 21081(a)(3) [“economic, legal, social, technological, or other considerations” may justify rejecting mitigation and alternatives as infeasible] (emphasis added).)

Environmental impacts that are less than significant do not require the imposition of mitigation measures. (*Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1337, 1347.)

The California Supreme Court has stated, “[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 576.) In addition, perfection in a project or a project’s environmental alternatives is not required; rather, the requirement is that sufficient information be produced “to permit a reasonable choice of alternatives so far as environmental aspects are concerned.” Outside agencies (including courts) are not to “impose unreasonable extremes or to interject [themselves] within the area of discretion as to the choice of the action to be taken.” (*Residents Ad Hoc Stadium Com. v. Board of Trustees* (1979) 89 Cal.App.3d 274, 287.)

## SECTION II. FINDINGS REGARDING ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The City Council hereby finds that the following potential environmental impacts of the proposed Project are less than significant and therefore do not require the imposition of mitigation measures.

### A. Aesthetics

#### 1. Scenic Vistas

**Threshold:** Would the Project have a substantial adverse effect on a scenic vista?

**Finding:** Less than significant.

**Explanation:** A scenic vista is typically described as a panoramic view or vista from an identified point, public road, public trail, public recreational area, or scenic highway. The City of Thousand Oaks General Plan does not specifically identify protected scenic vistas within the City. Protection of natural viewshed features in the City has been formally embodied in the City's General Plan, including its Conservation and Land Use Elements, and in ordinances and resolutions concerning the preservation and enhancement of the Conejo Valley's unique scenic attributes (City of Thousand Oaks 2023a). The location and extent of specific natural resources of importance to the community are identified in the Conservation Element, including streams and creeks, wetlands and riparian habitat, wildlife corridors and key habitat areas, significant biological resources such as oak woodland, rare and endangered species, cultural and historic resources, certain topographic features such as steeply sloping land and ridgelines, and scenic resources (City of Thousand Oaks 2023a). Development of the Cancer Center site would not include development within open space areas, ridgelines, or sloping terrain that has valued scenic qualities. Further, development of the site would not result in the substantial obstruction, interruption, or degradation of a significant scenic vista or City-identified resource (obstruction would be limited to brief blockage of mobile views to distant terrain of the Conejo Ridge Open Space that is currently partially blocked by existing trees – see Figure 4.1-7 of the Draft EIR). Assuming that future development of the Janss Road site would be consistent with City development standards and that the trees along the edge of the Janss Road site would be preserved, changes to the Janss Road site would not result in a new disruption in views of the scenic resources in proximity to the Janss Road site. Further, future development of the Janss Road site would not result in development within an open space area, ridgelines, or sloping terrain that has valued scenic qualities.

## 2. Scenic Resources

**Threshold:** Would the Project substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

**Finding:** Less than significant.

**Explanation:** The closest state scenic highway is State Route (SR) 27 located approximately 17 miles southwest of the Cancer Center site. Due to distance, intervening terrain, landscaping, and existing development, the Cancer Center site is not visible from SR-27. The state scenic highway map identifies one scenic county route (Mulholland Highway) approximately 5.75 miles south of the Cancer Center site. Due to distance, and intervening terrain, the Cancer Center site is not visible from Mulholland Highway. The centerline of U.S. Highway (US) 101 is located approximately 860 feet north of the Cancer Center site and is designated as an eligible state scenic highway. As shown in Figure 4.1-4 of the Draft EIR, views of the Cancer Center site from US 101 are partially obstructed due to existing trees onsite and intervening topography. Additionally, views of the Cancer Center site from US 101 would be brief as cars pass the Cancer Center site. Figure 4.1-4 of the Draft EIR shows a simulated view of the proposed project from US 101 that indicates views of the proposed building would be partially disrupted by the existing trees on site and intervening topography. The Project proposes the development of a medical facility at the base of a hill within the Los Padres Open Space area. As described in Section 4.3, Biological Resources, of the Draft EIR, the Project would include the removal of approximately 83 trees, including 14 protected oak trees. Replacement of protected trees on site would be required at a 3:1 ratio with implementation of mitigation measure (MM)-BIO-9, Oak Tree Removal and Replacement. Forty-two oak trees would be planted as part of MM-BIO-9. Additionally, the project would provide 14 percent landscape coverage (approximately 17,100 SF), providing enhanced perimeter landscape treatment, and a 20-foot side and front setback from property line to building along Rolling Oaks Drive and Los Padres Drive and a 20-foot side setback from the property line along the east edge of the property. All improvements adjacent to open space areas, including brow ditches, bench drains, etc., shall be tinted an earth color to blend

with the surrounding natural landscape and/or soil. No historic buildings or rock outcroppings are located in proximity to the Cancer Center site and therefore would not be impacted by the project. As shown in Figure 4.1-7 of the Draft EIR, views from a nearby trail in Los Padres Open Space Area indicate the project would blend in with existing development and would not be appreciably altered by the proposed project. In addition, the project would not substantially alter views of Los Padres or Conejo Ridge Open Space, ridgelines, and hillsides in proximity to the Cancer Center site from U.S. 101.

The Janss Road site is not located in proximity to a designated state scenic highway. The closest state scenic highway is SR-27 located approximately 19 miles southwest of the Janss Road site. Due to distance, intervening terrain, landscaping, and existing development, the Janss Road site is not visible from SR 27. The state scenic highway map identifies one scenic county route (Mulholland Highway), located 7.18 miles south of the site. Due to distance and intervening terrain, the Janss Road site is not visible from Mulholland Highway. U.S. 101 is located approximately 1.55 miles south of the Janss Road site and is designated as an eligible state scenic highway. As the Janss Road site is not located in proximity to a designated state scenic highway and future development would not be visible from a state scenic highway.

### 3. Visual Character

**Threshold:** In non-urbanized areas, would the Project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?

**Finding:** Less than significant.

**Explanation:** The City is considered an urbanized area per CEQA and the first portion of this threshold, related to changes in the visual character or quality of public views of the site and its surroundings, would not be applicable to the project. As such, this analysis focuses on the second portion of this threshold, regarding whether the project would conflict with applicable zoning and other regulations governing scenic quality, for projects in urbanized areas. As indicated in Table 4.1-1 of the Draft EIR, the Project would be consistent with the applicable goals and policies regarding scenic resources within the City General Plan's Conservation Element, and Land Use Element.

Exceedance of the maximum height in the C-O zone is permitted if it is determined by the Planning Commission that the purpose of the C-O zone is met. The MC Section 9-4.1101 describes the purpose of the C-O zone is to provide professional and commercial offices that would be harmonious with adjacent residential developments and to foster developments that meet high standard of open space, concentrated buildings, parking facilities, landscaping, and pedestrian and vehicular circulation. Despite the exceedance of the maximum allowable height in the zone, the project would be visually harmonious with the surrounding area and consistent with the purpose of the C-O zone. Development of the Cancer Center would not conflict with General Plan policies governing scenic quality as demonstrated above. Additionally, the proposed height of the building would be assessed by the Planning Commission prior to approval of the proposed building height to ensure the Cancer Center is harmonious with the purpose of the C-O zone and compatible with surrounding development.

Future development of the Janss Road site with residential units would alter the visual character of the existing on-site parking lot. For purposes of this CEQA analysis, it is assumed future development of 9 single-family residential units would be developed within the Janss Road site. While it is reasonably foreseeable that future development at the Janss Road site would consist of residences developed at the maximum allowable intensity of 9 residential

units on the 2.15-acre site and in a manner consistent with the proposed zoning and General Plan land use designation, no specific development or site plan is proposed at this time. Once a development application for review is filed with the City and a site plan is prepared, discretionary City review and CEQA analysis would be required for project approval. The Project proposes a rezone of the Janss Road site from Public, Quasi-public and Institutional Lands and Facilities (PL) to Residential Planned Development. Under the new zoning, the Janss Road site would be developed consistent with the development standards set forth in Municipal Code Section 9-4.904 and will be evaluated as part of any future required discretionary review process. A development application would need to be submitted and analyzed in detail at time of submittal. However, the City's design and review process would ensure that any future development proposed at the Janss Road site complies with the Municipal Code and is harmonious with the purpose of the Residential Planned Development rezone and is compatible with surrounding development. Therefore, it is anticipated that future development at the Janss Road site would not conflict with General Plan policies or Municipal Code regulations governing scenic quality.

## 4. Light and Glare

**Threshold:** Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

**Finding:** Less than significant.

**Explanation:** The Cancer Center site is currently vacant with no sources of light or glare. Surrounding sources of light and glare are typical of an area developed with commercial and residential uses, including streetlights on surface streets, internal and external building lights emanating from the adjacent commercial buildings and nearby residential uses, landscape lighting and safety lighting, building windows, and illuminated commercial signage. Sensitive receptors to light and glare in the project vicinity include the residential community located west of the Cancer Center site across Los Padres Drive, and the Rolling Oaks Residential Community to the East. The nearest residence to the Cancer Center site is approximately 75 feet west of the property line, within the Los Robles Apartments. The Cancer Center would introduce new sources of lighting through the development of a medical facility and associated parking lot. Outdoor lighting would be installed in conformance with City codes and ordinances, applicable safety, and illumination requirements, and California Title 24 requirements. Lighting would be installed along public streets as appropriate for public safety. Limited safety and security lighting and indirect shielded lighting would also be provided.

Building materials would consist of smooth-finish stucco, concrete masonry, glass windows, and composite metal paneling. New sources of lighting would include external landscape and safety lighting in parking areas and along walkways, internal and external building lighting, illuminated building signage, and a monument sign. Lighting on the Cancer Center site would be designed to minimize illumination of the adjacent open space area and would be in compliance with Thousand Oaks Municipal Code Sections 9-4.1109, and 9-4.2405, and the Building Code, which specifies that lighting should be downcast and shielded to reduce or avoid light trespass and glare while providing the minimum required lighting to meet safety standards. During non-occupied hours, exterior building mounted/canopy lighting and exterior parking lighting would be dimmed to 20% and 30% respectively.

Existing lighting on the Janss Road site is limited to pole-mounted parking lot lighting. Surrounding sources of light and glare are typical of an area developed with commercial and residential uses, including streetlights on surface streets, internal and external building lights emanating from the adjacent commercial buildings and nearby residential uses, landscape lighting and safety lighting, building windows, and illuminated commercial signage. The site is bordered to the north by a medical office development, to the west by Lynn Road and Arroyo Conejo Open

Space, to the east by an internal access road and parking lot, and to the south by West Janss Road and residential development. Sensitive receptors to light and glare from the Janss Road site vicinity include the residential community located south of the site and Janss Road. The nearest residence to the Janss Road site is approximately 150 feet south of the property line.

Required compliance with the City's regulatory requirements for lighting would ensure that future development at the Cancer Center site and Janss Road site would not result in substantial new sources of light or glare that would adversely affect day or nighttime views in the area.

## B. Agricultural and Forestry Resources

**Thresholds:** Conversion of Agricultural Lands and Forestlands

**Finding:** No Impact.

**Explanation:** According to the California Department of Conservation (DOC) California Important Farmland Finder (CDOC 2023), both the Cancer Center site and Janss Road site are designated as "Urban and Built-Up Land", a designation for land that is or has been used for development purposes and does not contain "Important Farmland" (i.e., Prime Farmland, Unique Farmland, or Farmland of Statewide Importance). The Cancer Center Component and development of the Janss Road site would not occur within any farmland locations, would not result in the conversion of agricultural land to nonagricultural use, and is not under a Williamson Act contract. As such, implementation of the Cancer Center Component and development of the Janss Road site would not conflict with existing zoning for agricultural use or land under a Williamson Act contract.

Regarding forestland or timberland, the Cancer Center site and Janss Road site are not located on or adjacent to forestland, timberland, or timberland zoned timberland production. Therefore, no impact associated with Important Farmland, Williamson Act contracts/Farmland Security Zones, forestland, or timberland would occur.

## C. Air Quality

### 1. Air Quality Plan

**Threshold:** Would the Project conflict with or obstruct implementation of the applicable air quality plan?

**Finding:** Less than significant.

**Explanation:** The Ventura County Air Quality Management Plan (AQMP) relies primarily on the land use and population projections provided by Southern California Association of Governments (SCAG) and the California Air Resources Board (CARB) on-road emissions forecast as a basis for vehicle emission forecasting. The current zoning for the Cancer Center site is residential, and the Project would implement a commercial use. The 2022 AQMP relied on growth projections in SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (SCAG 2020). In 2016, SCAG estimated that the City had 70,100 jobs and in 2045 would have 80,000 jobs for an additional 9,900 jobs or 330 jobs per year. According to the Project applicant, there would be approximately 40 jobs created by the Project. The Project would not exceed the projected annual employment growth in the City. Therefore, the Project is within the growth assumptions that underlie the emissions forecasts in the 2022 AQMP. In addition, the Project and cumulative projects combined would remain consistent with the growth projections. As a result, the Project would not conflict with or obstruct implementation of the AQMP.

The current zoning for the Janss Road site is Institutional, and the project would implement a residential use. The 2022 AQMP relied on growth projections in SCAG's 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (SCAG 2020). In 2016, SCAG estimated that the City had 46,000 households and in 2045 would have 51,300 households for an additional 5,300 households or 182 households per year. The Janss Road site would include up to 9 residential units. The Project would not exceed the projected annual household growth in the City. Therefore, the Project is within the growth assumptions that underlie the emissions forecasts in the 2022 AQMP. In addition, the Project and cumulative projects combined would remain consistent with the growth projections. As a result, the Project would not conflict with or obstruct implementation of the AQMP.

## 2. Net Increase of Criteria Pollutant

**Threshold:** Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

**Finding:** Less than significant.

**Explanation:** Construction and operation of the Project would result in emissions of criteria air pollutants, which may result in a cumulatively considerable net increase in emissions of criteria air pollutants for which the South Central Coast Air Basin (SCCAB) is designated as nonattainment under the National Ambient Air Quality Standard (NAAQS) or California Ambient Air Quality Standard (CAAQS). The SCCAB has been designated as a nonattainment area for O<sub>3</sub> and PM<sub>10</sub> under national and/or California standards.

Construction of the Project would result in the temporary addition of pollutants to the local airshed caused by on-site sources and off-site sources. Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation, and, for dust, the prevailing weather conditions. Implementation of the Project would generate air pollutant emissions from entrained dust, off-road equipment, vehicle emissions, architectural coatings, and asphalt pavement application. Entrained dust results from the exposure of earth surfaces to wind from the direct disturbance and movement of soil, resulting in respirable particulate matter (PM<sub>10</sub>) and fine particulate matter (PM<sub>2.5</sub>) emissions. The Project would implement various dust control strategies and would be required to comply with Ventura County Air Pollution Control District (VCAPCD) Rule 55 to control dust emissions generated during the grading activities. Proposed construction practices that would be employed to reduce fugitive dust emissions include watering of the active sites and unpaved roads two times per day depending on weather conditions. Internal combustion engines used by construction equipment, vendor trucks (i.e., delivery trucks), and worker vehicles would result in emissions of reactive organic gases (ROGs), oxides of nitrogen (NO<sub>x</sub>), carbon monoxide (CO), PM<sub>10</sub>, and PM<sub>2.5</sub>. Project construction would not exceed 25 pounds per day of volatile organic compound (VOC) or NO<sub>x</sub> emissions.

Operation of the Project at the Cancer Center Site would generate ROG, NO<sub>x</sub>, CO, sulfur oxides (SO<sub>x</sub>), PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from mobile sources, including vehicle trips from passenger vehicles and heavy-duty trucks; area sources, including the use of consumer products and landscape maintenance equipment; energy sources; and stationary sources. The combined daily area, energy, and mobile source emissions would not exceed the VCAPCD's operational thresholds for ROG or NO<sub>x</sub>.

Operation of the Project at the Janss Road Site would generate ROG, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from mobile sources, including vehicle trips from passenger vehicles and heavy-duty trucks; area sources, including the use of consumer products and landscape maintenance equipment; energy sources; and stationary sources. The

combined daily area, energy, and mobile source emissions would not exceed the VCAPCD's operational thresholds for ROG or NOx.

Operation of the Project would not contribute to exceedances of the NAAQS and CAAQS for nitrogen dioxide (NO<sub>2</sub>). Health effects that result from NO<sub>2</sub> and NOx include respiratory irritation, which could be experienced by nearby receptors during the periods of heaviest use of off-road construction equipment. Due to the Project not exceeding thresholds of NOx, the Project would not result in potential health effects associated with NO<sub>2</sub> and NOx. The existing CO concentrations in the area are well below the NAAQS and CAAQS standards. Thus, the Project's CO emissions would not contribute to significant health effects associated with this pollutant.

Construction and operation of the Project would also not contribute to exceedances of the NAAQS and CAAQS for PM or obstruct the SCCAB from coming into attainment for these pollutants. The Project would also not result in substantial diesel particulate matter (DPM) emissions during construction and operation, and therefore would not result in significant health effects related to DPM exposure. Additionally, the Project would implement dust control strategies and be required to comply with VCAPCD Rule 55, which limits the amount of fugitive dust generated during construction. Due to the minimal contribution of PM during construction and operation, the Project is not anticipated to result in health effects associated with PM<sub>10</sub> or PM<sub>2.5</sub>. In summary, because construction and operation of the project would not result in exceedances of the VCAPCD significance thresholds, the potential health effects associated with criteria air pollutants would be less than significant.

### 3. Sensitive Receptors

**Threshold:** Would the Project expose sensitive receptors to substantial pollutant concentrations?

**Finding:** Less than significant.

**Explanation:** Operation of the Cancer Center site and Janss Road site would not exceed the VCAPCD threshold of 25 pounds per day for ozone (O<sub>3</sub>) precursors (VOCs or NOx). VCAPCD has not established a daily significance threshold for CO emissions. As such, the Project is not anticipated to significantly affect congestion levels at roadway intersections due to the minimal number of vehicle trips generated by the project. As a result, the Project does not trigger the need for a CO hotspot analysis and would not cause or contribute to a CO hotspot. Therefore, the Project would not expose sensitive receptors to substantial CO concentrations.

A construction HRA was performed to estimate the Maximum Individual Cancer Risk and the Chronic Hazard Index for proximate sensitive receptors as a result of Project construction. Project construction activities related to the Cancer Center site would result in a Residential Maximum Individual Cancer Risk of 2.1 in 1 million, which is less than the significance threshold of 10 in 1 million. Project construction related to the Cancer Center site would result in a Residential Chronic Hazard Index of 0.002, which is below the 1.0 significance threshold. Janss Road site construction activities would result in a Residential Maximum Individual Cancer Risk of 4.6 in 1 million, which is less than the significance threshold of 10 in 1 million. The Janss Road site construction would result in a Residential Chronic Hazard Index of 0.006, which is below the 1.0 significance threshold. Combined Project construction activities would result in a Residential Maximum Individual Cancer Risk of 4.6 in 1 million, which is less than the significance threshold of 10 in 1 million. Project construction would result in a Residential Chronic Hazard Index of 0.006, which is below the 1.0 significance threshold. The Project construction TAC health risk impacts would be less than significant.

During operation, the Cancer Center site would emit TAC emissions during maintenance and testing of the emergency generator. No TAC emissions would be generated by Janss Road site during operation. An HRA was performed assessing the cancer and noncancer health impacts to proximate sensitive receptors to the Cancer Center site during operation. The Cancer Center site operation would result in a Residential Maximum Individual Cancer Risk of 0.2 in 1 million, which is less than the significance threshold of 10 in 1 million. Additionally, Cancer Center site operation would result in a Residential Chronic Hazard Index of 0.0001, which is below the 1.0 significance threshold.

The City has a low incidence rate of valley fever. Furthermore, the project would not impact undisturbed land; it would be built on an existing developed site, which is not a source of valley fever spores.

## 4. Odors

**Threshold:** Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

**Finding:** Less than significant.

**Explanation:** During Cancer Center site and Janss Road site construction, exhaust from equipment may produce discernible odors typical of most construction sites. Potential odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment. However, such odors would disperse rapidly from the Project site and generally occur at magnitudes that would not affect substantial numbers of people.

Land uses and industrial operations associated with odor complaints include agricultural uses, wastewater treatment plants, food-processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding facilities (VCAPCD 2003). The Cancer Center site and Janss Road site would not create new sources of odor during operation.

## D. Biological Resources

### 1. Wetlands

**Threshold:** Would the Project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

**Finding:** Less than significant.

**Explanation:** Construction and operation of the Cancer Center would avoid direct impacts to jurisdictional features and associated riparian habitat since no construction is proposed within areas identified as potential jurisdictional waters. Potential temporary indirect impacts to the adjacent drainages could result from construction activities and would include impacts from the generation of fugitive dust and the potential introduction of chemical pollutants (including herbicides). However, during construction, erosion-control measures would be implemented as part of the Storm Water Pollution Prevention Plan (SWPPP) for the Project. Prior to the start of construction activities, the Contractor is required to file a Permit Registration Document with the State Water Resources Control Board in order to obtain coverage under the National Pollutant Discharge Elimination System General Permit for

Storm Water Discharges Associated with the Construction and Land Disturbance Activities (Order No 2009-009-DWQ, NPDES No. CAS000002) or the latest approved general permit. The required SWPPP will mandate the implementation of best management practices to reduce or eliminate construction-related pollutants in the runoff, including sediment, for all exposed soils. No wetlands or other jurisdictional waters occur on the Janss Road site.

## 2. Wildlife Corridors and Nursery Sites

**Threshold:** Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

**Finding:** Less than significant.

**Explanation:** The Cancer Center site does not support aquatic features that would provide native resident or migratory fish movement. The Cancer Center site is bordered by commercial development to the north and residential development to the west and east. Only the southern edge of the Cancer Center site abuts an undeveloped area, the Los Padres Open Space. Due to the amount of developed area surrounding the Cancer Center site, wildlife movement through the project is generally restricted to local movement as opposed to a regional basis. The Janss Road site does not support aquatic features that would provide native resident or migratory fish movement. The Janss Road site is bordered by a medical center and associated parking areas to the north and east, to the west by North Lynn Road followed by Wildwood Park Open Space, and to the south by West Janss Road. Due to the amount of developed area surrounding the Janss Road site, wildlife movement through the site is generally restricted to local movement not on regional basis.

## 3. Conflict with Plans

**Threshold:** Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

**Finding:** No impact.

**Explanation:** The Cancer Center site and Janss Road site are not within any HCP, Natural Community Conservation Plan (NCCP), or other approved local, regional, or state HCP (CDFW 2019).

## E. Cultural, Tribal Cultural, and Paleontological Resources

### 1. Historic Resources

**Threshold:** Would the Project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?

**Finding:** No impact.

**Explanation:** No structures are currently present within the Cancer Center or Janss Road site and no historical resources of either an archaeological or built environment nature have been identified. Based on the absence of any structures and that no historical resources have been identified within the Cancer Center and Janss Road site, no impact would occur to a built historical resource as defined in CEQA guidelines Section 15064.5.

## 2. Tribal Cultural Resources

**Threshold:** Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

**Finding:** No impact.

**Explanation:** No tribal cultural resource, defined in Public Resources Code Section 21074 and significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 was identified within the Cancer Center site as a result of the notification and consultation conducted in accordance with AB 52 and SB 18. Additionally, no tribal cultural resource, defined in Public Resources Code Section 21074 and significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 was identified within the Janss Road site as a result of the notification and consultation conducted in accordance with AB 52 and SB 18.

## F. Energy

### 1. Consumption of Energy Resources

**Threshold:** Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?

**Finding:** Less than significant.

**Explanation:** The total electricity usage from on-site Project construction related activities is estimated to be approximately 19,492 kilowatt-hours (kWh) at the Cancer Center site and 4,230 kWh at the Janss Road site. Natural gas is not anticipated to be required during Project construction of the Cancer Center site or Janss Road site because construction of new buildings and facilities typically do not consume natural gas. Nonetheless, any use of natural gas is anticipated to be sufficiently served by existing supply from Southern California Gas Company (SoCalGas) and would not require additional local or regional capacity. Any minor amounts of natural gas that may be consumed because of construction would be temporary and negligible and would not have an adverse effect.

Construction associated with the potential future development facilitated by the Project over the construction period is conservatively anticipated to consume 9,745 gallons of gasoline from worker vehicles and 22,440 gallons of diesel for off-road equipment and vendor trucks in relation to the Cancer Center site and 1,118 gallons of gasoline from worker vehicles and 35,209 gallons of diesel for off-road equipment and vendor trucks in relation to the Janss Road site. Overall, the Project would not be unusual when compared to overall local and regional demand for energy resources and would not involve characteristics that require equipment that would be less energy-efficient than at comparable construction sites in the region or state.

Project operation at the Cancer Center site and Janss Road site would require electricity for multiple purposes including, but not limited to, building heating and cooling, water heating, lighting, appliances, and electronics. Additionally, the supply, conveyance, treatment, and distribution of water would indirectly result in electricity usage.

Under peak conditions, the Cancer Center site would consume a net increase of 1,933 megawatt hours (MWh) on an annual basis which is equivalent to a peak of 0.2 megawatts (MW). In comparison to the Southern California Edison (SCE) power grid base peak load of 26,192 MW for 2025, the Project would represent approximately 0.001% of the SCE base peak load conditions. The increase in potential development associated with the Janss Road site is estimated to have a total electrical demand of approximately 57,063 kWh per year. Under peak conditions, the Janss Road site would consume a net increase of 57 MWh on an annual basis which is equivalent to a peak of 0.01 MW. In comparison to the SCE power grid base peak load of 26,192 MW for 2028, the Janss Road site would represent approximately 0.00004% of the SCE base peak load conditions.

The Cancer Center site would increase natural gas demand by 1.5 million cubic feet (MMcf) per year, accounting for approximately 0.0002% of SoCalGas' projected natural gas demand for the year 2025 and the Janss Road site would increase natural gas demand by 0.4 MMcf per year, accounting for approximately 0.00005% of SoCalGas' projected natural gas demand for the year 2028. Therefore, it is anticipated that SoCalGas' existing and planned natural gas supplies would be sufficient to support the Project's demand for natural gas.

During operations, the majority of fuel consumption resulting from the Cancer Center site and the Janss Road site would involve the use of motor vehicles traveling to and from the Project sites. The annual petroleum consumption for the Cancer Center site is estimated to be approximately 242,801 gallons per year and approximately 10,687 gallons per year for the Janss Road site.

Enhanced fuel economies realized pursuant to federal and State regulatory actions, and related transition of vehicles to alternative energy sources would likely decrease future gasoline fuel demands per VMT. The applicant is required to prepare a transportation demand management plan in accordance with Article 40 of the City's Municipal Code. The Project would also comply with Corporate Average Fuel Economy standards, and Project-related vehicle trips would comply with Pavley Standards. The Cancer Center site would use renewable energy onsite as determined to be feasible and the future Janss Road Project would include solar power as required by Title 24. The Cancer Center site and the Janss Road site would not result in wasteful, inefficient, or unnecessary consumption of energy resources, including electricity, natural gas, or petroleum during Project construction or operation.

## 2. Renewable Energy or Energy Efficiency

**Threshold:** Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

**Finding:** Less than significant.

**Explanation:** The Project would utilize construction contractors who must demonstrate compliance with applicable regulations. Construction equipment would be required to comply with federal, state, and regional requirements where applicable. Construction equipment would be certified to EPA Tier 4 Final. With respect to truck fleet operators, USEPA and NHSTA have adopted fuel-efficiency standards for medium- and heavy-duty trucks that will be phased in over time. Phase 1 heavy-duty truck standards apply to combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles for model years 2014 through 2018 and result in a reduction in fuel consumption from 6 to 23 percent over the 2010 baseline, depending on the vehicle type (USEPA 2011). USEPA and NHTSA also adopted the Phase 2 heavy-duty truck standards, which cover model years 2021 through 2027 and require the phase-in of a 5 to 25 percent reduction in fuel consumption over the 2017 baseline depending on the compliance year and vehicle type (USEPA 2016). The energy modeling for trucks does not take into account specific fuel reductions from these regulations, since they would apply to fleets as they incorporate newer trucks

meeting the regulatory standards; however, these regulations would have an overall beneficial effect on reducing fuel consumption from trucks over time as older trucks are replaced with newer models that meet the standards.

In addition, construction equipment and trucks are required to comply with CARB regulations regarding heavy-duty truck idling limits of 5 minutes per occurrence. Off-road emissions standards would increase equipment efficiencies as they are phased-in over time and less-efficient equipment is phased out of construction fleets. These limitations would result in an increase in energy savings in the form of reduced fuel consumption from more fuel-efficient engines. Although these requirements are intended to reduce criteria pollutant emissions, compliance with the anti-idling and emissions regulations would also result in the efficient use of construction-related energy.

Title 24 of the California Code of Regulations contains energy efficiency standards for residential and non-residential buildings based on a state mandate to reduce California's energy demand. Specifically, Title 24 addresses a number of energy efficiency measures that impact energy used for lighting, water heating, heating, and air conditioning, including the energy impact of the building envelope such as windows, doors, skylights, wall/floor/ceiling assemblies, attics, and roofs. Compliance with the City's Green Building code will also reduce energy use in new operational residential and non-residential buildings at the Project site.

Part 6 of Title 24 specifically establishes energy efficiency standards for residential and non-residential buildings constructed in the State of California in order to reduce energy demand and consumption. The Project would comply with Title 24, Part 6, per state regulations. In accordance with Title 24 Part 6, the Project would have: (a) sensor-based lighting controls—for fixtures located near windows, the lighting would be adjusted by taking advantage of available natural light; and (b) efficient process equipment—improved technology offers significant savings through more efficient processing equipment. Title 24, Part 11, contains voluntary and mandatory energy measures that are applicable to the Project under the CALGreen Code. As discussed under Threshold 1, the Project would result in an increased demand for electricity, natural gas, and petroleum. In accordance with Title 24, Part 11, mandatory compliance, the applicant would have: (b) mandatory inspections of energy systems to ensure optimal working efficiency and (d) a 20% reduction in indoor water use. Compliance with all of these mandatory measures would decrease the consumption of electricity, natural gas, and petroleum.

Consistent with the 2022 Title 24 Building Energy Efficiency standards and CALGreen Code, the Project will have alternative fueled vehicle spaces available and pre-wiring for electric vehicle charging stations, which will make it easier for residents to adopt electric vehicles. The Janss Road site would include solar as required by Title 24, Part 11. Because the Project would comply with Title 24, Part 6 and Part 11, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

## G. Geology and Soils

### 1. Fault Rupture

**Threshold:** Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known **fault**; strong seismic ground shaking; seismic-related ground failure including liquefaction; or landslides?

**Finding:** No Impact.

**Explanation:** The Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act) requires the delineation of fault zones along active faults in California. The purpose of the Alquist-Priolo Act is to regulate development on or near active fault traces to reduce hazards associated with fault rupture. The Alquist-Priolo Earthquake Fault Zones are the regulatory zones that include surface traces of active faults. Neither the Cancer Center site nor the Janss Road site are located in an Alquist-Priolo Earthquake Fault Zone (CGS 2023). According to the City General Plan, Safety Element, no active faults have been mapped within the City limits (City of Thousand Oaks 2023a). In addition, construction and operation of the Cancer Center Component and development of the Janss Road site would not cause a nearby or regional fault to rupture. As a result, the Cancer Center Component and Janss Road Component would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault.

## 2. Seismic Ground Shaking

**Threshold:** Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; **strong seismic ground shaking**; seismic-related ground failure including liquefaction; or landslides?

**Finding:** Less than significant.

**Explanation:** Similar to other areas located in seismically active Southern California, the Cancer Center site and Janss Road site would be susceptible to strong ground shaking during an earthquake. Pursuant to City Municipal Code, Chapter 1, Building Code, Section 8-1.02, Adoption of California Building Code, grading and construction would be completed in accordance with the provisions of the 2022 California Building Code. The California Building Code requires that all new construction be completed in accordance with the recommendations of a project-specific geotechnical report. Additionally, structures developed onsite would be designed consistent with the building code in effect at the time of construction, which includes universal standards relating to seismic load requirements. Development on the Cancer Center site and the Janss Road site would not be anticipated to cause nearby or regional fault rupture and associated seismically induced ground shaking. As a result, development at the Cancer Center site and Janss Road site would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking.

## 3. Seismic-Related Ground Failure

**Threshold:** Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; **seismic-related ground failure including liquefaction**; or landslides?

**Finding:** Less than significant.

**Explanation:** Based on Figure 10.3 of the City General Plan Safety Element (City of Thousand Oaks 2023a), the Cancer Center site and Janss Road site are not located in an area of potential liquefaction. Similarly, the California Geological Survey indicates that the Janss Road site is not located in an area susceptible to liquefaction (CGS 2023). In addition, future development on the Cancer Center site and the Janss Road site would not cause nearby

or regional fault rupture and associated seismically induced ground failure. As a result, future development of the Cancer Center site and the Janss Road site would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic related ground failure, including liquefaction.

#### 4. Landslide

**Threshold:** Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; **seismic-related ground failure including** liquefaction; or **landslides**?

**Finding:** Less than significant.

**Explanation:** Numerous landslides have been mapped within the hillsides of the City. These hillsides pose an elevated risk of debris flows, mudflows, and rockfalls. Based on Figure 10.2 of the City General Plan Safety Element (City of Thousand Oaks 2023a), which is a small-scale, generalized landslide figure, the Cancer Center site is located in proximity to a Landslide Hazard Area while the Janss Road site is not. However, based on the Project-specific geotechnical report, no landslides are present within or near the Cancer Center site. With implementation of the recommendations in the Project-specific geotechnical report, the Cancer Center Component would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides and impacts would be less than significant. As the Janss Road site is not within a Landslide Hazard Area, this component would have no impact related to landslides.

#### 5. Soil Erosion and Topsoil Loss

**Threshold:** Would the project result in substantial soil erosion or the loss of topsoil?

**Finding:** Less than significant.

**Explanation:** Future development at the Cancer Center site and the Janss Road site would involve earthwork and other construction activities that would disturb surface soils and temporarily leave exposed soil on the ground's surface. Construction activities must comply with all applicable federal, state, and local regulations for erosion control. As discussed in Section 4.2, Air Quality, of the Draft EIR, all development would be required to comply with standard regulations, including Ventura County Air Pollution Control District Regulation IV, Rule 55, Fugitive Dust. These regulations include measures minimizing the disturbance area, watering the site prior to commencement of ground-disturbing activities, covering all truck loads, and limiting on-site vehicle speeds to 15 miles per hour or less (VCAPCD 2003).

Since construction activities associated with development at the Cancer Center site and the Janss Road site would disturb 1 or more acres, the development would be required to adhere to the provisions of the City-mandated Stormwater Pollution Control Plan, which in turn requires the applicant to obtain a National Pollutant Discharge Elimination System (NPDES) Construction General Permit, which requires implementation of a stormwater pollution prevention plan (SWPPP) and associated best management practices (BMPs) designed to prevent erosion and protect the quality of stormwater runoff. Sediment-control BMPs may include stabilized construction entrances, straw wattles on earthen embankments, sediment filters on existing inlets, or the equivalent. In addition, the City is required to regulate stormwater quality at construction sites in accordance with the NPDES Municipal Separate

Storm Sewer Systems (MS4) Permit. Under this County permit, the City is required to ensure implementation of adequate BMPs at active construction sites.

## 6. Unstable Geologic Unit or Soil

**Threshold:** Would the project be located on a **geologic unit or soil that is unstable**, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

**Finding:** Less than significant.

**Explanation:** As discussed previously, the potential for future development at the Cancer Center site and the Janss Road site to result in or be affected by landslides and liquefaction is low, and these issues are not anticipated at either site. Lateral spreading is soil movement on an unsupported slope as a result of liquefaction. Because the site is not susceptible to liquefaction, lateral spreading would similarly not occur. In addition, the Cancer Center site and the Janss Road site are not located in an area of historic or recent subsidence due to groundwater extraction, peat loss, or oil extraction (USGS 2023). Compliance with the recommendations of site-specific geotechnical reports is mandated by City Municipal Code, Chapter 1, Building Code, Section 8-1.02, Adoption of California Building Code, which requires grading and construction to be completed in accordance with the provisions of the 2022 California Building Code.

## 7. Expansive Soil

**Threshold:** Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

**Finding:** Less than significant.

**Explanation:** Expansive soils are composed predominantly of clays, which greatly increase in volume when saturated with water and shrink when dried. Expansive soils can cause structural foundations to rise during the rainy season and fall during the dry season. If this expansive movement varies underneath various parts of the structure, foundations may crack and portions of the structure may be distorted. The potential for soil to undergo shrink and swell is greatly enhanced by the presence of a fluctuating, shallow groundwater table. Both the Cancer Center site and the Janss Road site are located in an area of moderate to high soil expansion potential. However, future development of the sites would be completed in compliance with recommendations of site-specific geotechnical reports. Implementation of geotechnical recommendations would address these potentially hazardous conditions and ensure structural integrity following construction. In addition, as previously discussed, compliance with the recommendations of a geotechnical report is mandated by City Municipal Code, Chapter 1, Building Code, Section 8-1.02, Adoption of California Building Code, which requires grading and construction to be completed in accordance with the provisions of the most recent California Building Code at time of construction.

## 8. Septic Tanks

**Threshold:** Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

**Finding:** No Impact.

**Explanation:** Development at the Cancer Center site and the Janss Road site would connect to the City's municipal sewer lines. Neither the Cancer Center Component nor development of the Janss Road site would require septic tanks or any other alternative wastewater disposal system.

## H. Greenhouse Gas Emissions

**Thresholds:** Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? Would the Project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Finding:** Less than significant.

**Explanation:** As shown in Table 4.6-17 of the Draft EIR, estimated annual Project-generated GHG emissions would be approximately 2,857 MT CO<sub>2</sub>e per year as a result of the Cancer Center site and Janss Road site operations and amortized construction. As a point of comparison for informational purposes only, this would not exceed the SCAQMD screening threshold of 3,000 MT CO<sub>2</sub>e per year for all land uses. Tables 4.6-7 through 4.6-12 of the Draft EIR evaluate the Cancer Center Component and the Janss Road Component for compliance with applicable plans, policies, and regulations.

## I. Hazards and Hazardous Materials

### 1. Transport, Use, or Disposal of Hazardous Materials

**Threshold:** Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

**Finding:** Less than Significant.

**Explanation:** Construction of the Cancer Center would include demolition of the existing hardscape (building foundations, swimming pool shell, paving, and fencing) and landscaping. There is a potential for asbestos-containing materials to be present on the remaining slab foundations (vinyl flooring/mastic) observed during the site reconnaissance. Hazardous materials that may be used during construction and demolition activities of the proposed project associated with the Cancer Center site include gasoline, diesel fuel, oil, lubricants, grease, welding gases (e.g., acetylene, oxygen, and argon), solvents, and paints. These materials would be used and stored in designated construction staging areas within the boundaries of the Cancer Center site and would be transported, handled, and disposed of in accordance with all applicable federal, state, and local laws and regulations. The use of these materials for their intended purpose would not pose a significant risk to the public or environment. In general, hazardous materials would be limited to the use of commercially available cleaning products, landscaping chemicals and fertilizers, medical-grade testing chemicals and treatments, and various other commercially available substances. Although the project would introduce commercially available potentially hazardous materials to future patients, employees, and visitors of the project site, the use of these substances would be subject to applicable federal, state, and local health and safety laws and regulations that are intended to minimize health risk to the public associated with hazardous materials.

Construction of future residential development at the Janss Road site would include demolition of the existing parking lot; no hazardous materials associated with demolition of the parking lot are anticipated. Hazardous

materials that may be used during construction of future development at the site would include gasoline, diesel fuel, oil, lubricants, grease, welding gases (e.g., acetylene, oxygen, and argon), solvents, and paints. The use of these materials for their intended purpose would not pose a significant risk to the public or environment and would be subject to applicable federal, state, and local health and safety laws and regulations that are intended to minimize health risk to the public associated with hazardous materials. Hazardous wastes accumulated during construction of future development at the site may include unused or off-specification paint and primer, paint thinner, solvents, and vehicle- and equipment-maintenance-related materials, many of which can be recycled. Typically, chemical storage is not associated with a residential development beyond small quantities of commercial cleaning supplies.

## 2. Proximity to Schools

**Threshold:** Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed?

**Finding:** Less than Significant.

**Explanation:** There are no existing or proposed schools within 0.25 mile of the Cancer Center site. The nearest school to the Janss Road site is Aspen Elementary School (1870 Oberlin Avenue), which is located approximately 0.21 mile southeast of the Janss Road site. Future development at the site would be required to comply with all federal, State, and local regulations related to the transport, use, and disposal of hazardous materials and enforced by the City, and any hazardous dust from construction would be controlled by adhering to existing regulations, including implementation of dust control strategies and required compliance with VCAPCD Rule 55.

## 3. Hazardous Materials Sites

**Threshold:** Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?

**Finding:** No Impact.

**Explanation:** The Cancer Center site and the Janss Road site are not on, nor impacted by, a hazardous materials site listed pursuant to Government Code Section 65962.5.

## 4. Public Airports

**Threshold:** Would the Project be located within an airport land use plan, be within two miles of a public airport, and would result in a safety hazard or excessive noise for people residing or working in the Project area?

**Finding:** No impact.

**Explanation:** The Cancer Center site and the Janss Road site are not within 2 miles of a public airport, nor within an airport land use plan.

## 5. Emergency Response or Evacuation Plans

**Threshold:** Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

**Finding:** Less than Significant.

**Explanation:** While evacuation routes are identified at the time of emergency, U.S. Route 101, which is located approximately 0.2 mile north of the Cancer Center site, is a designated major evacuation route. Construction of the proposed Cancer Center would not significantly impact these roadways, because all staging and construction would occur on the site. Parking for operation of the Cancer Center would remain on site, further eliminating potential impacts to emergency evacuation routes. All access points would be designed according to the City's applicable design standards to ensure adequate access to the site, including access for emergency vehicles and adequate turning radii is provided. The internal drive aisles and loading and parking areas would be designed to comply with City's width, clearance, and turning radius requirements of the Ventura County Fire Department (VCFD), which were established to ensure safe and efficient vehicular circulation.

The location of evacuation shelters Major evacuation routes located near the Janss Road site include U.S. Route 101, SR-23, West Janss Road, and North Lynn Road. Future residential development would be required to comply with all applicable design standards set forth by the City, which were established to ensure safe and efficient vehicular circulation and emergency access. Internal circulation would comply with City and VCFD width, clearance, and turning-radius requirements for fire apparatus access (Ventura County Fire Protection District Ordinance Number 29). The project would comply with all applicable local requirements related to emergency vehicle access and circulation and would not result in closure or blockage of external City roads, the project would not impair an emergency response plan or evacuation plan.

## J. Hydrology and Water Quality

### 1. Water Quality

**Threshold:** Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

**Finding:** Less than significant.

**Explanation:** Demolition of existing site features, grading, and construction could result in incidental spills of petroleum products and hazardous materials from construction equipment, which in turn could result in water quality impacts of downstream drainages. However, because construction of the Cancer Center Component and the Janss Road Component would involve ground disturbance in excess of 1 acre, grading and construction would be completed in accordance with the requirements outlined in the City-mandated Stormwater Pollution Control Plan, which in turn requires the applicant to obtain a NPDES Construction General Permit. In addition, the City is required to regulate stormwater quality at construction sites in accordance with the MS4 Permit. Under this Ventura County permit, the City is required to ensure implementation of adequate BMPs at active construction sites.

Water quality impairments typical of commercial and residential developments and associated streets include sediment, nutrients, metals, oxygen demanding substances, toxic organics, bacteria, trash and debris, herbicides, pesticides, and oil and grease. Runoff of these constituents could occur as a result of future development within

Cancer Center site and the Janss Road site and may result in impairment of downstream drainages, including the North Fork Arroyo Conejo Creek Watershed, which is part of the greater Calleguas Creek drainage and empties into Mugu Lagoon (City of Thousand Oaks 2009). In accordance with the MS4 Permit, the Cancer Center Component has been designed with Low Impact Development (LID) features to reduce water-quality impacts during operation of the Cancer Center Component, in accordance with the Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) provisions, issued to the City in Stormwater Permit CAS004002. In accordance with the MS4 Permit and the Ventura County Technical Guidance Manual for Stormwater Quality Control Measures Manual (Ventura County Stormwater Manual) (Geosyntec Consultants 2018), the Janss Road Component would be designed with LID features to reduce water-quality impacts during operation of future residential development. LID features may include stormwater retention features on individual lots, such as roof gutters and yard areas flowing into small pervious detention basins or into subsurface stormwater detention vaults.

## 2. Groundwater Supply

**Threshold:** Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

**Finding:** Less than significant.

**Explanation:** With respect to groundwater supply, based on the City's 2020 Urban Water Management Plan (Kennedy Jenks 2021), groundwater from the Conejo Valley Groundwater Basin is not currently part of the City's water supply, but may be used beginning in 2025. The poor-quality groundwater would likely require treatment in a desalter prior to municipal use. The City is dependent upon imported water for most of its domestic, commercial, and industrial needs. Imported water is delivered to the City and other water purveyors by the Calleguas Municipal Water District (CMWD), from the Metropolitan Water District of Southern California (MWD). The three major water purveyors serving the City are California-American Water Company, California Water Service Company, and the City of Thousand Oaks Water Department (City of Thousand Oaks 2023a). Both the Cancer Center site and the Janss Road site are within the boundaries of the California American Water Company (City of Thousand Oaks 2023b). Based on the City's 2020 Urban Water Management Plan (Kennedy Jenks 2021), CMWD anticipates having sufficient supplies to meet water demands through 2045, and anticipates having surplus supplies, including during five consecutive drought years. As a result, the Cancer Center Component and the Janss Road Component would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin.

## 3. Drainage

**Threshold:** Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation, substantially increase the rate or amount of surface runoff in a manner which would result in flooding, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flood flows on- or off-site?

**Finding:** Less than significant.

**Explanation:** Grading would be required to achieve proposed grade across the Cancer Center site, especially in the eastern and southern portions of the Cancer Center site, resulting in changes in the existing drainage patterns

on-site. Internal drainage improvements would be completed to accommodate new construction, but the overall drainage pattern would remain similar to existing conditions. Stormwater control measures included as part of the Cancer Center Component include two underground stormwater detention vaults, which would minimize off-site stormwater runoff rates. In the proposed parking area, stormwater would be diverted to a proposed 3,000-cubic foot underground stormwater detention vault, which would substantially reduce runoff rates prior to off-site disposal. From the detention vault, stormwater would be transmitted to a proposed 30-inch storm drainpipe along the western boundary of the Cancer Center site, parallel to Los Padres Drive. This storm drain would connect to the underground portion of an existing V-channel, which in turn would transmit stormwater off-site to an existing storm drain within Los Padres Drive or Rolling Oaks Drive. In the northern portion of the Cancer Center site, stormwater would be diverted to an on-site 5,000-cubic foot underground stormwater detention vault, which in turn would feed into a proposed 18-inch on-site storm drain and then a 7-foot catch basin in the northwest portion of the Cancer Center site. Stormwater from the catch basin would feed into the existing storm drain on Rolling Oaks Drive. These detention vaults would reduce stormwater flow volumes and runoff rates in comparison to existing conditions. In addition, water quality control measures included as part of the development of the Cancer Center site include a biofiltration treatment system, consisting of a modular wetland system, or approved equivalent device, in combination with the stormwater detention vaults. This treatment system would be installed within the Cancer Center site's on-site storm drain system, such that stormwater runoff would be filtered of potential contaminants prior to draining off-site, thus further reducing stormwater flow velocities.

The Janss Road site is predominantly covered by an impervious, paved parking lot. The existing site drains via sheet flow toward the northwest corner of the Janss Road site and is collected via two grated inlets, ultimately draining into Lynn Road (City of Thousand Oaks 2009). Any residential project proposed following the zone and General Plan designation change proposed by the Janss Road Component would include landscaping, which would increase the potential for infiltration of precipitation and stormwater runoff, and as a result, would decrease the potential for stormwater runoff. Such a decrease would result in beneficial impacts with respect to stormwater runoff flow rates. In addition, in accordance with the MS4 Permit and the Ventura County Technical Guidance Manual for Stormwater Quality Control Measures Manual (Ventura County Stormwater Manual) (Geosyntec Consultants 2018), future development at the Janss Road site would require LID features in its design to reduce stormwater runoff rates during operation.

#### 4. Flooding

**Threshold:** Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation, **substantially increase the rate or amount of surface runoff in a manner which would result in flooding**, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flood flows on- or off-site?

**Finding:** Less than significant.

**Explanation:** Flood mapping by the Federal Emergency Management Agency (FEMA) indicates that the Cancer Center site and the Janss Road site are not within a Special Flood Hazard Area (100-year flood zone). The nearest Special Flood Hazard Area is located approximately 1,600 feet north of the Cancer Center site, along Arroyo Conejo (Conejo Creek) (FEMA 2023; City of Thousand Oaks 2023a). Flood hazards can also be associated with inundation due to dam failure. Five dams in the Thousand Oaks area, including Lake Sherwood, Lake Eleanor (Banning Dam), Wood Ranch (Lake Bard), Potrero Dam (Westlake Lake), and Westlake (Las Virgenes) Reservoir dams, have the

potential to result in inundation of downstream areas in the event of failure. Potential failure of any of these five dams would not result in flooding at the Cancer Center site or the Janss Road site (City of Thousand Oaks 2023a).

## 5. Compliance with Regional Plans

**Threshold:** Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation, substantially increase the rate or amount of surface runoff in a manner which would result in flooding, create or **contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flood flows on- or off-site?**

**Finding:** Less than significant.

**Explanation:** Water quality impacts during construction at the Cancer Center site and the Janss Road site would be minimized as a result of required implementation of a City-mandated Stormwater Pollution Control Plan, which in turn requires the applicant to obtain a NPDES Construction General Permit. Similarly, water quality impacts during operations would be minimized as a result of implementation of required LID features, which would in turn contribute to compliance with the water quality objectives of the Water Quality Control Plan, Los Angeles Region (Los Angeles RWQCB 1995). In addition, although the Conejo Valley Groundwater Basin would not be relied upon as a water source for Project operations, this basin has been classified as a very low priority with regard to the Sustainable Groundwater Management Act (SWRCB 2023).

## K. Land Use and Planning

### 1. Divide an Established Community

**Threshold:** Would the Project divide an established community?

**Finding:** No impact.

**Explanation:** Redevelopment of the Cancer Center site would provide new interconnections within and adjacent to the site. Under the existing condition, the Cancer Center site is vacant land with remnants of previous onsite development and surrounded by existing roads, medical office uses, residential uses, and open space. Connectivity within the area surrounding the site is facilitated via local roadways and existing pedestrian and bicycle facilities. With Project implementation, the site would be redeveloped as a medical facility that includes new driveways, pedestrian, and bicycle improvements that interconnect the site with surrounding uses. The Project would not impede movement within the Project area, within an established community, or from one established community to another.

The Project would allow for future residential development that would provide new interconnections within and adjacent to the Janss Road site. Under the existing condition, the Janss Road site is an employee parking lot surrounded by existing roads, medical office development, residential uses, and open space. Future development of the Janss Road site would include associated improvements that facilitate interconnection with surrounding roadways, pedestrian, and bicycle facilities. The future development of the site would not impede movement within the Project area, within an established community, or from one established community to another.

## 2. Conflict with Land Use Plan, Policy, or Regulation

**Threshold:** Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

**Finding:** Less than Significant.

**Explanation:** With implementation of the mitigation measures throughout the EIR, the Project would be consistent with applicable City policies and regulations upon approval of the Project and associated land use changes as proposed. With approval of the proposed General Plan Amendment and rezoning and the implementation of mitigation measures described in the EIR, the Project would eliminate any potential inconsistency between proposed land uses and the site's existing land use designation and zoning or any conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Any nonconforming conditions that may occur at the time future development of the Janss Road site is proposed would require resolution during review of that project; this includes the replacement of code-required hospital employee parking spaces that would be required with future development of the site. Consistency with the 2020-2045 RTP/SCS goals demonstrates that the Cancer Center and Janss Road components would not conflict with the applicable goals in the RTP/SCS adopted for the purpose of avoiding or mitigating an environmental effect.

## L. Mineral Resources

**Thresholds:** Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? Would the project Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

**Finding:** No impact.

**Explanation:** The Cancer Center site and the Janss Road site have not been utilized for mineral extraction in the past. As the sites have not historically been utilized for mineral resource extraction and neither the state or the City has designated the sites for mineral resource conservation or use, there is no potential for an impact to the environment from the loss of availability of a regionally, statewide, or locally important mineral resource.

## M. Noise

### 1. Groundborne Vibration and Noise

**Threshold:** Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?

**Finding:** Less than significant.

**Explanation:** Common sources of groundborne vibration are trains and construction activities such as blasting, pile-driving, and heavy earth-moving equipment. No blasting or pile driving is anticipated as part of the proposed Project; thus, the primary source of groundborne vibration from the proposed Project is heavy earth-moving equipment during construction activity. Although heavy equipment would operate throughout the Project site at various construction phases, it is anticipated that heavy equipment would occasionally operate as close as approximately 120 feet from existing residences at both the Cancer Center site and the Janss Road site. At the

distance from the nearest vibration-sensitive receivers (residences located to the west for the Cancer Center site, and residence located to the south for the Janss Road site) to where construction activity would be occurring on the Project site, the peak particle velocity vibration level would be approximately 0.008 inches per second. As such, vibration levels would be less than the Caltrans threshold of 0.20 inches per second for human annoyance or the standard used by Caltrans for the prevention of structural damage to typical residential buildings of 0.3 ips PPV (Caltrans 2020).

## 2. Airport Noise

**Threshold:** For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?

**Finding:** No impact.

**Explanation:** The Project components are not located within 2 miles of any public airport or within the boundaries of any airport land use plans. Therefore, the proposed Project components would not expose or result in excessive noise for people residing or working in the area.

## N. Population and Housing

### 1. Inducement of Population Growth

**Threshold:** Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

**Finding:** Less than significant.

**Explanation:** The Cancer Center Component would require a temporary construction workforce and a permanent operational workforce, both of which could potentially induce population growth in the area. The temporary workforce would be needed to construct the medical office building and associated improvements. The number of construction workers needed during any given period would largely depend on the specific stage of construction but would likely range from a dozen to several dozen workers on a daily basis. These short-term positions are anticipated to be filled primarily by construction workers who are able to commute to the Cancer Center site without relocating their household; therefore, construction of the Cancer Center Component would not be anticipated to generate a permanent increase in population within the vicinity.

According to the Southern California Association of Governments (SCAG) Demographics and Growth Forecast, the population growth of the City from 2016 to 2045 is projected to be approximately 15,200 residents, and the employment growth of the City is projected to be 9,900 employees (SCAG 2020). As such, the addition of approximately 40 employees for the Cancer Center Component would represent a nominal percentage of the City's projected future population and employment, based on SCAG estimates. The Cancer Center Component's temporary and permanent employment requirements could likely be met by the City's existing labor force without people needing to relocate into the Project region, and the Cancer Center Component would not stimulate population growth or a population concentration above what is assumed in local and regional land use plans.

Future residential development associated with the Janss Road Component would directly induce population growth in the City by constructing nine residential units on the Janss Road site. According to SCAG, the average household size in the City is 2.8 persons (SCAG 2019). Using this factor of 2.8 persons per household, the Janss Road Component could support a residential population of approximately 25 persons. By comparison to SCAG's growth forecast, the future residential development's 25 additional residents would represent 0.16% of the projected growth in the City. As such, direct population growth resulting from future development at the Janss Road site would not constitute a substantial unplanned population growth within the City. Additionally, it should be noted that the Janss Road Component is included in this Project to ensure there would be not net loss of residential capacity as required under SB 330. Because the Janss Road Component would replace the potential residential development lost through development of the Cancer Center Component, the Janss Road Component would not result in an overall increase in development capacity or anticipated population within the City. The future residential development would not lead to indirect growth, as the Janss Road Component does not propose substantial infrastructure improvements that would allow for additional unplanned growth in the area.

## 2. Displacement of Existing Housing and People

**Threshold:** Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

**Finding:** Less than significant.

**Explanation:** The Cancer Center site is currently vacant and contains no housing or other residential uses. The Cancer Center site is currently designated and zoned for residential use, and the Project would amend the General Plan designation and rezone the Cancer Center site to allow for a commercial medical facility. The act of rezoning the property would eliminate the potential for residences to be developed on the site. As explained in Section 3.3, Purpose, and Need, of the Draft EIR, Senate Bill 330 requires the re-zoning of another parcel(s) to ensure no net loss of residential zoning capacity would occur from approval of the Project. Thus, while development of the Cancer Center site with non-residential use would potentially result in the loss of developable residential land, the inclusion of the Janss Road Component would ensure that there would be no net loss of residential capacity within the City.

The Janss Road site is currently vacant and contains no housing or other residential uses. Rezoning of the Janss Road site would serve as a replacement for the loss of residential development capacity that would occur with implementation of the proposed Cancer Center Component. Given that no residential uses are currently located on site, no impacts associated with displacement of housing or people would occur, and the Janss Road site would provide for residential development capacity lost at the Cancer Center site.

## O. Public Services and Recreation

### 1. Need for New or Physically Altered Governmental Facilities

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

**Finding:** Less than Significant.

## Explanation:

### Fire Protection?

The Cancer Center site is consistent with the uniform emergency access and installation standards used throughout the State of California as described in the 2022 California Building Code (CBC) including those standards identified within Chapter 7A. The Cancer Center development would be subject to current Ventura County Fire Department (VCFD) requirements for fire sprinkler systems, fire alarm systems, fire flow, and equipment and firefighter access, as well as Fire Code requirements. Compliance with the Fire Code standards would be ensured through the plan check process prior to the issuance of building permits and would reduce the potential demand for fire services at the Cancer Center site. As required by standard procedure, the Cancer Center would be submitted to the VCFD for review and approval of the site plan and building plan's fire safety features in conformance with applicable codes. Additionally, the Project Applicant would be required to pay any applicable VCFD facility fees.

Since the Janss Road site is located in a developed part of the City that is within the service area of the VCFD, it is anticipated that future development at the Janss Road site could be served without adversely affecting personnel-to-resident ratios, response times, or other performance objectives. The Project Applicant would be required to pay any applicable VCFD facility fees.

### Police Protection?

The Cancer Center site component of the proposed project would consist of construction of a medical office building on a previously occupied site; therefore, there would be no anticipated increase in City residents that would represent an increase in demand for police services within the City, nor would there be an anticipated increase in demand for police services such that existing staffing levels would be insufficient. Additionally, the Project would be required to pay applicable development impact fees to the City prior to the issuance of building permits.

Since the Janss Road site is located in a developed part of the City that is within the service area of the VCSD Sheriff's Station, it is anticipated that future development at the site could be provided without adversely affecting personnel-to-resident ratios, response times, or other performance objectives. Additionally, future development would require payment of applicable development impact fees to the City prior to the issuance of building permits.

### Schools?

Although the Cancer Center would require employees to construct and operate the Project, these short-term and long-term employees would likely already reside within the broader Project area. As such, it is not anticipated that many people would relocate to the City as a result of the proposed development, and an increase in school-age children requiring public education is not expected to occur as a result. The Project would be subject to Senate Bill 50, which requires payment of mandatory impact fees to offset any impact to school services or facilities.

Using the student generation rates used in the Conejo Valley Unified School District's Enrollment Projections, development of 9 residential units on the site could generate approximately 2 elementary school students, 1 middle school student, and 2 high school students. Because CVUSD has existing capacity, it is assumed that the schools serving future residential development at the site would have the facilities to accept what equates to a nominal increase in students generated by the project. There would be no net increase in school impact, as the residential use has been accounted for within the City previously. Future development of the Janss Road site would be subject to Senate Bill 50, which requires payment of mandatory impact fees to offset any impact to school services or facilities.

## Parks?

Given the size and nature of the proposed Cancer Center site and the anticipated future development at the Janss Road site, it is anticipated that any additional use of nearby trails as a result of Project implementation would be nominal.

## Other public facilities?

If employees or visitors of the Cancer Center site or potential future residents of the Janss Road site use the City's library services, such usage would not overburden the current facilities. Due to the transfer of the residential land use from the Cancer Center site to the Janss Road site, there would be no net increase in impacts to libraries within the City, as the residential use has been accounted for within the City previously.

## 2. Physical Deterioration of Parks or Recreation Facilities

**Threshold:** Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

**Finding:** Less than Significant.

**Explanation:** Any additional use of parks or recreational facilities as a result of Project implementation would be nominal and would not generate a demand for recreational facilities that would affect City parkland ratios, nor would employee or visitor use increase deterioration of existing facilities that would require the construction or expansion of recreational facilities resulting in environmental impacts. Additionally, due to the transfer of the residential land use from the Cancer Center site to the Janss Road site, there would be no net increase in impacts to parks or recreational facilities within the City, as the residential use has been accounted for within the City previously.

## 3. Construction or Expansion of Recreational Facilities

**Threshold:** Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

**Finding:** No Impact.

**Explanation:** Development of the Cancer Center site proposes construction of a medical office building and does not include the construction or expansion of any recreational facilities. The Janss Road component, consisting of an assumed 9 single-family residential unit development, does not include the construction or expansion of any recreational facilities.

## P. Transportation

### 1. Conflict with Circulation System Plans, Ordinances, or Policies

**Threshold:** Would the Project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

**Finding:** Less than significant.

**Explanation:** Project development would increase transit accessibility of jobs and services within the Project site's vicinity, which has a mix of residential, office and commercial development uses, thereby reducing travel demands for people and the resulting vehicle miles traveled (VMT). The proposed Project would not alter the existing roadway network nor hinder the City's ability to emphasize a diversity of transportation modes or choices. The Project would not include site improvements that would extend into the public right-of-way or interfere with existing public transit, bicycle, or pedestrian facilities, or impede the construction of new or the expansion of such existing facilities in the future. All pedestrian areas within the site would meet American Disability Act requirements and adhere to City design guidelines. Bicyclist and pedestrian safety would be maintained at existing levels in the area. Additionally, the Project would not conflict with or result in the change of bus routes in the study area. The project would not change the existing level of service (LOS) for the seven study intersections within the Project vicinity. Since the intersections would continue to operate at a minimum LOS C or better, and the Project is consistent with various planning documents' goals and policies, the Project would not result in an inconsistency.

Site specific information is not available for the Janss Road component of the Project, however the Project is not anticipated to conflict with the circulation policies within the City's General Plan, or the City's Active Transportation Plan. Site improvements would likely not extend into the public right-of-way or interfere with existing public transit, bicycle, or pedestrian facilities, or impede the construction of new or the expansion of such existing facilities in the future. Similar to the Los Robles Medical Center, the Project would be subject to the City's Design Standards and zoning code. The data presented in the Los Robles Medical Center Traffic and Parking Study (Appendix H-1 of the EIR) indicate that the medical office would not have an adverse effect on the study-area intersections based on the Resolution No. 2019-011 standard of maintaining LOS C operation for roadways and intersections at most intersections and LOS D at select intersections. The study-area intersections would continue to operate at LOS C or better during the AM or the PM peak hour periods. Therefore, the Project is anticipated to be consistent with various planning documents' goals and policies and would not result in an inconsistency.

## 2. Vehicle Miles Traveled

**Threshold:** Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

**Finding:** Less than significant.

**Explanation:** The existing Citywide work-based VMT per employee is 22.63 VMT per employee. The Ventura County Transportation Commission (VCTC) Transportation Model data shows that the employees within the combined Cancer Center site component of Project traffic analysis zones (TAZs) generate 20.65 VMT per employee, which is 9 percent below the Citywide baseline VMT per employee impact threshold. As such, the Cancer Center component of the Project would not exceed the City's threshold for VMT and the Project's contribution to cumulative VMT would not be cumulatively considerable.

Based on the City's VMT policy, the Project components would be screened out from conducting a VMT analysis because it would generate less than 100 peak hour trips. Therefore, no further VMT analysis is required. However, to determine the Project's potential VMT level of impact, a new VCTM scenario including the proposed Project land use (for both the medical office and the residential land use) was conducted. The existing Citywide residential VMT per capita is 15.31 VMT per resident. The VCTC Transportation Model data shows that combined Project TAZs residential VMT per capita is 12.69 VMT per resident, which is 17 percent below the Citywide baseline VMT per resident impact threshold. As such, the Project would not exceed the City's threshold for VMT and the Project's contribution to cumulative VMT would not be cumulatively considerable.

### 3. Hazards

**Threshold:** Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

**Finding:** Less than significant.

**Explanation:** The Cancer Center site component of the Project will use an existing full access driveway on Rolling Hills Drive and a new driveway on Los Padres Drive will be designed to City of Thousand Oaks design standards to allow full access. The Project would not substantially increase hazards due to a geometric design feature or incompatible uses. The segment of Rolling Oaks Drive adjacent to the site has vertical and horizontal curves, however adequate sight distance is provided at the existing driveway. Per the City's Conditions of Approval, adequate vehicular and pedestrian sight visibility shall be provided at all intersections of public streets and private driveways in accordance with the criteria specified within the City's Roadway Design Standards Plate 3-10. Additionally, there would be no changes to the off-site circulation on City roads. On-site and adjacent improvements at the Cancer Center site would be designed in accordance with all applicable design standards set forth by the City. As such, no sharp curves, dangerous intersections, or incompatible uses would be introduced by the Project.

Similar to the Cancer Center Component, the Janss Road Component would be subject to the City's standard design guidelines to regulate the design of the Project. All on-site and adjacent off-site improvements must be designed in accordance with all applicable design standards set forth by the City. As such, no sharp curves, dangerous intersections, or incompatible uses would be introduced by the Project.

### 2. Emergency Access

**Threshold:** Would the Project result in inadequate emergency access?

**Finding:** Less than significant.

**Explanation:** The Cancer Center site would be accessible through an existing driveway on Rolling Hills Drive and a new driveway on Los Padres Drive. All Project access points would be designed according to the City's applicable design standards to ensure adequate access to the project site, including access for emergency vehicles and adequate turning radii is provided. The internal drive aisles and loading and parking areas would be designed to comply with City's width, clearance, and turning radius requirements of the Fire Department.

The Janss Road site must be designed according to the City's applicable design standards to ensure adequate access to the project site, including access for emergency vehicles and adequate turning radii is provided. The internal drive aisles and loading and parking areas would be designed to comply with City's width, clearance, and turning radius requirements of the Fire Department.

## Q. Utilities and Service Systems

### 1. Relocation or Construction of New or Expanded Utilities

**Threshold:** Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

**Finding:** Less than Significant.

**Explanation:** The Cancer Center component would involve the construction of water distribution infrastructure to provide domestic water, firewater, and irrigation to the site. There are no unique impacts associated with the installation of water infrastructure to serve the Cancer Center. Future development of the Janss Road site would involve the construction of water distribution infrastructure to provide domestic water, firewater, and irrigation to the site. Onsite water utility infrastructure would be included in future development site plans that would be reviewed and approved by the City Department of Public Works. The design and review process would ensure that mains are of adequate capacity and design to provide water service to future development on the site.

The Cancer Center's water demand would not result in or require new or expanded water treatment facilities beyond those facilities that are already planned as part of California American Water's 2020 Urban Water Management Plan (UWMP). Additionally, a will serve letter for the Cancer Center dated November 16, 2022, states that California American Water is willing to provide water services to the Cancer Center. While future development of the Janss Road site would result in an incremental increase in demand for water treatment capacity, the future development's water demand would not result in or require new or expanded water treatment facilities beyond those facilities that are already planned as part of California American Water's 2020 UWMP. The existing water lines adjacent to the site have the capacity to accommodate the future development of nine residential units.

Projected wastewater from the Cancer Center would represent approximately 0.36% of the remaining capacity of the treatment facility. Given the remaining capacity of the Hill Canyon Treatment Plant (HCTP), the HCTP will be able to adequately accommodate the Cancer Center's contribution of wastewater. Given the remaining capacity of the HCTP, the HCTP will be able to adequately accommodate the assumed future 9-unit residential Janss Road development's contribution of wastewater. As such, no improvements to any of the City's or HCTP's facilities would be required to ensure sewer service to the Cancer Center site or Janss Road site.

Stormwater from the proposed Cancer Center site development will be treated onsite via biofiltration and then detained on-site before being released to replicate pre-development conditions. There are no unique impacts associated with the installation of storm drain improvements to serve the Cancer Center. A stormwater drainage plan would be included in future development site plans at the Janss Road site that would be reviewed and approved by the City Department of Public Works. In addition, all runoff from the Janss Road site would be required to comply with the Regional Permit to reduce pollution from the future development.

Development of the Cancer Center would increase demands for electricity and natural gas and would increase requirements for telecommunication technology infrastructure. Upgrades would be required with respect to electric power, natural gas, and telecommunication facilities, based on the change in land use. Upgrades and connections have been considered as part of the Cancer Center site, and their disturbance footprints and construction techniques, as well as their associated impacts, have been accounted for within the Draft EIR. Future development of the Janss Road site would increase demands for electricity and natural gas and would increase requirements for telecommunication technology infrastructure. Upgrades would be required for the site with respect to electric power, natural gas, and telecommunication facilities, based on the change in land use. A utility plan would be included in future development site plans that would be reviewed and approved by the City and providers. It is anticipated that demand from the Cancer Center site as well as from future development at the Janss Road site for electricity, natural gas and telecommunications would be adequately served by existing infrastructure and capacity.

## 2. Water Supply

**Threshold:** Would the Project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years?

**Finding:** Less than significant.

**Explanation:** The Cancer Center component is estimated to result in a net increase in water demand of 24.3 acre-feet per year (AFY) and the Janss Road site is estimated to result in an increase in water demand of 6.16 AFY. The California American Water 2020 UWMP identifies a sufficient and reliable water supply for California American Water's service area, including sufficient water supply for the Cancer Center site and the Janss Road site.

## 3. Adequate Wastewater Treatment Capacity

**Threshold:** Would the Project result in a determination by the wastewater treatment provider, which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?

**Finding:** Less than Significant.

**Explanation:** Projected wastewater from the Cancer Center would represent approximately 0.36% of the remaining capacity of the treatment facility. Given the remaining capacity of the HCTP, the HCTP will be able to adequately accommodate the Cancer Center's contribution of wastewater. The remaining capacity of the HCTP also indicates that the HCTP will be able to adequately accommodate the future residential development's contribution of wastewater at the Janss Road site.

## 4. Solid Waste Generation

**Threshold:** Would the Project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

**Finding:** Less than Significant.

**Explanation:** Construction of the Cancer Center would result in the generation of solid waste such as scrap lumber, concrete, residual wastes, packing materials, plastics, and soils. Per CALGreen, at least 65% of construction and demolition waste must be diverted from landfills. Construction of future development at the Janss Road site would result in the generation of solid waste such as scrap lumber, concrete, residual wastes, packing materials, plastics, and soils. As waste from the City can be taken to various landfill locations depending on which limited hauler is used, it is assumed that these various landfills would have remaining capacity to accept construction and demolition waste from the Cancer Center site and Janss Road site. Once operational, the Cancer Center and future Janss Road site development would produce solid waste on a regular basis, in association with operation and maintenance activities. Assuming solid waste is collected weekly, the net solid waste that is anticipated to be produced by the Cancer Center would equate to approximately 0.0004% of the available capacity of the Calabasas Landfill through its estimated closure date. Additionally, the net solid waste that is anticipated to be produced by the future development at the Janss Road site would equate to approximately 0.0002% of the available capacity of the Calabasas Landfill through its estimated closure date. In the event of closure of the Simi Valley Landfill, other

secondary landfills, such as Calabasas Landfill, in the region would be able to accommodate solid waste from the Cancer Center, and regional planning efforts would ensure continued landfill capacity into the foreseeable future.

## 5. Solid Waste Reduction

**Threshold:** Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

**Finding:** Less than Significant.

**Explanation:** Waste diversion and reduction during Cancer Center construction and operations as well as future construction and operations of the Janss Road site development would be completed in accordance with CALGreen standards and City diversion standards. As a result, the Cancer Center component and future Janss Road development would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

## R. Wildfire

### 1. Impair an Emergency Response or Evacuation Plan

**Threshold:** Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?

**Finding:** Less than Significant

**Explanation:** Access (ingress and egress) to the Cancer Center site would be provided through two entrances at Rolling Oaks Drive and Los Padres Drive with Haaland Road serving as an additional access road to the site. On-site circulation improvements and underground utility connections would be designed in accordance with all applicable design standards set forth by the City. Internal circulation would comply with City and VCFD width, clearance, and turning-radius requirements for fire apparatus access.

Future residential development at the Janss Road site would be required to comply with all applicable design standards set forth by the City, which were established to ensure safe and efficient vehicular circulation and emergency access. Internal circulation would comply with City and VCFD width, clearance, and turning-radius requirements for fire apparatus access. Because the Cancer Center site and future development of the Janss Road site would be required to comply with all applicable local requirements related to emergency vehicle access and circulation and would not result in closure or blockage of external City roads, the Project would not impair an emergency response plan or evacuation plan.

### 2. Runoff, Post-Fire Slope Instability, and Drainage Changes

**Threshold:** Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

**Finding:** Less than Significant.

**Explanation:** The Cancer Center site is not in a location that would be subject to significant risks associated with downslope or downstream flooding or landslides. Project design and construction would occur in compliance with

recommendations of the Project-specific geotechnical report and provisions of the 2022 California Building Code, which requires that grading, structural design, and construction be completed such that slopes would not be undercut or destabilized during construction.

The Janss Road site is not in a location that would be subject to significant risks associated with downslope or downstream flooding or landslides. Potential future residential construction would be required to occur in compliance with recommendations of the Project-specific geotechnical report and provisions of the 2022 California Building Code, which requires that grading, structural design, and construction be completed such that slopes would not be undercut or destabilized during construction. Therefore, future residential development of the Project would not expose people or structures to significant risks associated with landslides or flooding as a result of runoff, post-fire slope instability or drainage changes.

## SECTION III. IMPACTS THAT ARE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

The City Council hereby finds that changes or alterations in the form of Mitigation Measures have been required in, and incorporated into, the Project which avoid and/or substantially lessen the significant environmental effects identified in the EIR to a less than significant level. The potentially significant impacts, and the Mitigation Measures that will reduce them to a less than significant level, are as follows:

### A. Biological Resources

#### 1. Sensitive Species

**Threshold:** Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

**Finding:** Less than significant with mitigation. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, Section 15091(a)(1).)

**Explanation:** Several special-status wildlife species and/or their habitats may be directly or indirectly affected by the Project. Species of concern include Least Bell's vireo, Coastal California gnatcatcher, Coastal whiptail, Cooper's hawk and other nesting birds, bats, and Crotch bumble bee.

MM-BIO-1 Coastal California Gnatcatcher Protocol Survey and Permitting (Cancer Center site). Prior to the issuance of a grading permit for the project, the applicant will retain a FESA section 10(a)(1)(A)-permitted biologist to conduct a protocol level survey for the coastal California gnatcatcher. The surveys will be conducted per the USFWS protocols (USFWS 1997) and will be conducted during the breeding season of the species (March 15 through June 30). Six surveys will all be conducted at least one week apart within the suitable habitat on the Project site. The adjacent private parcels will be surveyed from the Project site using binoculars. Results of the surveys will be submitted in a report to the USFWS and City. If the results of the survey are negative for coastal California gnatcatcher, then the suitable habitat on the Project site is considered not occupied and no further mitigation regarding the species is required.

**Compensatory Habitat Mitigation:** If coastal California gnatcatcher is found to be occupying the suitable habitat on site, then the applicant will consult with the USFWS on the need for permitting for the species under FESA. The Project does not have a federal nexus (i.e., impacts to waters of the U.S.), so it is expected that Section 10 of FESA would be the permitting pathway and an HCP would need to be developed. The 1.78 acres of suitable habitat (coastal sage scrub) will require a minimum of 1:1 replacement of in-kind habitat that is occupied by the species in the vicinity of the Project site. Since there are no available mitigation banks in the Project vicinity, a City-approved property containing at least 1.78 acres of suitable coastal California gnatcatcher habitat would be purchased within the Conejo Valley. The property would have a conservation easement placed on it, with the Conejo Open Space Conservation Agency or similar entity holding the conservation easement. The applicant would fund an endowment for the management of the property in perpetuity. The establishment of the conservation area is expected to be done in conjunction with the HCP process with USFWS, both of which must be completed prior to issuance of a grading permit for the Project.

**Nesting Season Avoidance:** If coastal California gnatcatcher is found to be occupying the suitable habitat on site, then all vegetation removal must occur from July 1 to March 14 to avoid the direct take of nests with eggs or young.

MM-BIO-2 **Biological Monitoring (Cancer Center site).** Prior to the issuance of a grading permit, the Applicant shall submit the qualifications of potential Biological Monitor(s) to the City for review and approval. The Applicant shall then retain the City-approved Biological Monitor(s) during Project construction to monitor construction activities and to ensure compliance with all mitigation measures. The Biological Monitor shall be present on site during all vegetation removal and each day prior to the commencement of grading activities. The Biological Monitor shall be responsible for conducting a pre-construction clearance survey and any wildlife (common or special-status) shall be relocated to City-approved areas. Pre-construction clearance surveys shall be conducted prior to construction of each new phase of the development. The Biological Monitor shall monitor to ensure that wildlife do not become entrapped in excavation or trenching areas. Safeguards shall be implemented during daytime periods of non-activity and overnight, such as a placing a platform over trenches, flush with the ground surface; installing escape ramps in trenches; or installing exclusionary fencing. Should relocation of any trapped wildlife be required, construction shall be halted until the Biological Monitor arrives on site and clears the work area (in compliance with all applicable permits and authorizations).

Daily monitoring reports shall be prepared by the Biological Monitor that at a minimum document the results of any surveys conducted, wildlife relocations, construction activities performed, compliance issues observed, corrective actions taken, and include photos. The monitoring reports shall be made available to the City Community Development Department.

MM-BIO-3 **Nesting Birds (Cancer Center site and Janss Road site).** Project construction shall be conducted in compliance with the conditions set forth in the Migratory Bird Treaty Act and California Fish and Game Code with methods approved by the California Department of Fish and Wildlife to protect active bird/raptor nests. Vegetation removal shall occur during the non-breeding season for nesting birds (generally late September to early March) and nesting raptors (generally early July to late January) to avoid impacts to nesting birds and raptors. However, if the Project requires that work be initiated during the breeding season for nesting

birds (March 1–September 30) and nesting raptors (February 1–June 30), in order to avoid direct impacts on active nests, a pre-construction survey shall be conducted by a City-approved Biologist for nesting birds and/or raptors within 3 days prior to clearing or disturbance of any vegetation. The survey will be conducted within 300 feet for nesting birds and within 500 feet for nesting raptors and coastal California gnatcatcher. If the Biologist does not find any active nests within or immediately adjacent to the impact areas, the vegetation clearing/construction work shall be allowed to proceed.

If the City-approved Biologist finds an active nest within or immediately adjacent to the construction area and determines that the nest may be impacted or breeding activities substantially disrupted, the Biologist shall delineate an appropriate buffer zone around the nest depending on the sensitivity of the species and the nature of the construction activity. Any nest found during survey efforts shall be mapped on the construction plans, which will be included in the report(s) documenting the survey(s) that will be submitted to the City within three days of the completion of the survey. The active nest shall be protected until nesting activity has ended. To protect any nest site, the following restrictions to construction activities shall be required until nests are no longer active, as determined by the City-approved Biologist: (1) clearing limits shall be established within a buffer around any occupied nest (the buffer shall be 100–300 feet for nesting birds and 300–500 feet for nesting raptors and California gnatcatcher), unless otherwise determined by a qualified Biologist and (2) access and surveying shall be restricted within the buffer of any occupied nest, unless otherwise determined by the City-approved Biologist. Encroachment into the buffer area around a known nest shall only be allowed if the Biologist determines that the proposed activity would not disturb the nest occupants. Construction can proceed when the Biologist has determined that fledglings have left the nest, or the nest has failed.

MM-BIO- 4 **Bat Roost Avoidance (Cancer Center site and Janss Road site).** Prior to the issuance of a grading permit, the Applicant shall submit the qualifications of the biologist(s) to the City for review and approval. The City-approved biologist shall conduct a pre-construction bat habitat assessment of mature trees marked for potential removal. Potential for roosting shall be categorized by 1) potential for solitary roost sites, 2) potential for colonial roost sites (10 bats or more). If the potential for colonial roosting is determined, those trees shall not be removed during the bat maternity roost season (March 1 – July 31). Trees potentially supporting colonial roosts outside of maternity roost season, and trees potentially supporting solitary roosts may be removed via a two-step removal process, whereby some level of disturbance (such as trimming of lower branches) (at the direction of the City-approved biologist) is applied to the tree on day one to allow bats to escape during the darker hours, and the roost tree shall be removed two days later (i.e., there shall be no less or more than two nights between initial disturbance and the grading or tree removal). The trees will be dropped slowly under the supervision of the City-approved biologist and documented in the Biological Monitor’s daily monitoring report (see MM-BIO-2).

MM-BIO-5 **Crotch Bumble Bee Pre-Construction Surveys.** A pre-construction survey for Crotch bumble bee shall be conducted within the construction footprint prior to the start of ground-disturbing construction activities occurring during the Crotch bumble bee nesting period (February 1 through October 31). The survey shall ensure that no nests for Crotch bumble bee are located within the construction area. The pre-construction survey shall include 1) a habitat assessment and 2) focused surveys, both of which will be based on recommendations described in the “Survey

Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species,” released by the California Department of Fish and Wildlife (CDFW) on June 6, 2023 or the most current at the time of construction.

The habitat assessment shall, at a minimum, include historical and current species occurrences; document potential habitat onsite including foraging, nesting, and/or overwintering resources; and identify which plant species are present. For the purposes of this mitigation measure, nest resources are defined as abandoned small mammal burrows, bunch grasses with a duff layer, thatch, hollow trees, brush piles, and man-made structures that may support bumble bee colonies such as rock walls, rubble, and furniture. The habitat assessment will be repeated prior to February 1 in each year ground-disturbing activities will occur to determine if nesting resources are present within the impact area. If nesting resources are present in the impact area, focused surveys will be conducted.

The focused survey will be performed by a biologist with expertise in surveying for bumble bees and include at least three (3) survey passes that are not on sequential days or in the same week, preferably spaced two to four weeks apart. The timing of these surveys shall coincide with the Colony Active Period (April 1 through August 31 for Crotch bumble bee). Surveys may occur between 1 hour after sunrise and 2 hours before sunset. Surveys will not be conducted during wet conditions (e.g., foggy, raining, or drizzling) and surveyors will wait at least 1 hour following rain. Optimal surveys are when there are sunny to partly sunny skies that are greater than 60° Fahrenheit. Surveys may be conducted earlier if other bees or butterflies are flying. Surveys shall not be conducted when it is windy (i.e., sustained winds greater than 8 mph). Within non-developed habitats, the biologist shall look for nest resources suitable for bumble bee use. Ensuring that all nest resources receive 100% visual coverage, the biologist shall watch the nest resources for up to five minutes, looking for exiting or entering worker bumble bees. Worker bees should arrive and exit an active nest site with frequency, such that their presence would be apparent after five minutes of observation. If a bumble bee worker is detected, then a representative shall be identified to species. Biologists should be able to view several burrows at one time to sufficiently determine if bees are entering/exiting them depending on their proximity to one another. It is up to the discretion of the biologist regarding the actual survey viewshed limits from the chosen vantage point which would provide 100% visual coverage; this could include a 30- to 50-foot-wide area. If a nest is suspected, the surveyor can block the entrance of the possible nest with a sterile vial or jar until nest activity is confirmed (no longer than 30 minutes).

Identification will include trained biologists netting/capturing the representative bumble bee in appropriate insect nets, per the protocol in U.S. National Protocol Framework for the Inventory and Monitoring of Bees. The bee shall be placed in a clear container for observation and photographic documentation if able. The bee will be photographed using a macro lens from various angles to ensure recordation of key identifying characteristics. If bumble bee identifying characteristics cannot be adequately captured in the container due to movement, the container will be placed in a cooler with ice until the bumble bee becomes inactive (generally within 15 minutes). Once inert, the bumble bee shall be removed from the container and placed on a white sheet of paper or card for examination and photographic documentation. The bumble bee shall be released into the same area from which it was captured upon completion of identification. Based on implementation of

this method on a variety of other bumble bee species, they become active shortly after removal from the cold environment, so photography must be performed quickly.

If Crotch bumble bee nests are not detected, no further mitigation would be required. The mere presence of foraging Crotch bumble bees would not require implementation of additional minimization measures because they can forage up to 10 kilometers from their nests. If nest resources occupied by Crotch bumble bee are detected within the construction area, no construction activities shall occur within 100 feet of the nest, or as determined by a qualified biologist through evaluation of topographic features or distribution of floral resources. The nest resources will be avoided for the duration of the Crotch bumble bee nesting period (February 1 through October 31). Outside of the nesting season, it is assumed that no live individuals would be present within the nest as the daughter queens (gynes) usually leave by September, and all other individuals (original queen, workers, males) die. The gyne is highly mobile and can independently disperse to outside of the construction footprint to surrounding open space areas that support suitable hibernacula resources.

A written survey report will be submitted to the City and CDFW within 30 days of the pre-construction survey. The report will include survey methods, weather conditions, and survey results, including a list of insect species observed and a figure showing the locations of any Crotch bumble bee nest sites or individuals observed. The survey report will include the qualifications/resumes of the surveyor(s) and approved biologist(s) for identification of photo vouchers, detailed habitat assessment, and photo vouchers. If Crotch bumble bee nests are observed, the survey report will also include recommendations for avoidance, and the location information will be submitted to the California Natural Diversity Database (CNDDDB) at the time of, or prior to, submittal of the survey report.

If the above measures are followed, it is assumed that the project shall not need to obtain authorization from CDFW through the California Endangered Species Act Incidental Take Permit process. If the nest resources cannot be avoided, as outlined in this measure, the project applicant will consult with CDFW regarding the need to obtain an Incidental Take Permit. Any measures determined to be necessary through the Incidental Take Permit process to offset impacts to Crotch bumble bee may supersede measures provided in this CEQA document and shall be incorporated into the habitat mitigation and monitoring plan.

In the event an Incidental Take Permit is needed, mitigation for direct impacts to Crotch bumble bee will be fulfilled through compensatory mitigation at a minimum 1:1 nesting habitat replacement of equal or better functions and values to those impacted by the project, or as otherwise determined through the Incidental Take Permit process. Mitigation will be accomplished either through off-site conservation or through a CDFW-approved mitigation bank. If mitigation is not purchased through a mitigation bank, and lands are conserved separately, a cost estimate will be prepared to estimate the initial start-up costs and ongoing annual costs of management activities for the management of the conservation easement area(s) in perpetuity. The funding source will be in the form of an endowment to help the qualified natural lands management entity that is ultimately selected to hold the conservation easement(s). The endowment amount will be established following the completion of a project-specific Property Analysis Record to calculate the costs of in-perpetuity land management. The Property Analysis Record will consider all management activities required in the Incidental Take Permit to fulfill the requirements of the conservation easement(s), which are currently in review and development.

MM-BIO-6 Least Bell's Vireo Focused Survey (Cancer Center site). A City-approved Biologist shall conduct two focused surveys for least Bell's vireo no earlier than 3 days prior to the beginning of grading or any other type of ground disturbance. The results of the survey shall be submitted to the City prior to commencement of work. If any least Bell's vireo nests are found, the Biologist shall implement a default 500-foot minimum avoidance buffer. The breeding habitat/nest site shall be fenced and/or flagged in all directions. The nest will be monitored by the Designated Biologist, who will monitor the noise level generated by construction activities at the 500-foot avoidance buffer limits for one hour. If the noise level exceeds 60 dBA Leq<sup>1</sup> at 500 feet from the active nest, the buffer will be expanded until the dBA falls below that level. This area shall not be disturbed until the nest becomes inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, and the young will no longer be impacted by the project, as determined by the Biologist. If a lapse in project-related work of 5 days or longer occurs, another survey shall be required before project work can be reinitiated with the results submitted to the City.

With implementation of MM-BIO-1 through MM-BIO-6, potentially significant impacts to species identified as a candidate, sensitive, or special-status species would be reduced to less than significant with mitigation incorporated.

## 2. Riparian or Sensitive Habitat

**Threshold:** Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

**Finding:** Less than significant with mitigation. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, Section 15091(a)(1).)

**Explanation:** A total of five vegetation communities were mapped on the Cancer Center site, consisting of coast live oak/willow woodland and coastal sage scrub and three non-native vegetation communities including ornamental, developed, and ruderal/barren. Only the coast live oak/willow woodland (*Platanus racemosa* - *Quercus agrifolia* Woodland Alliance) is considered a sensitive and riparian community. The project will not have direct impacts to coast live oak/willow woodland. Direct impacts could also occur to the coast live oak/willow woodland during construction by due to encroachment into the area and from the introduction of invasive plant species. Indirect impacts could occur through the introduction of invasive, non-native plant species for the long-term landscaping of the completed Cancer Center development. For the Janss Road site, no direct or indirect impact to riparian habitat or other sensitive natural community would occur (Appendix C-3 of the Draft EIR).

MM-BIO-7 Demarcation of Disturbance Limits (Cancer Center site). Prior to commencement of earthwork for each phase of Project construction, the construction limits shall be clearly demarcated (e.g., installation of flagging or temporary high visibility construction fence), as recommended by the City-approved Biological Monitor. All construction activities including equipment staging and maintenance shall be conducted within the marked disturbance limits to prevent inadvertent

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<sup>1</sup> dBA = weighted decibel, Leq = average noise level on an energy basis for any specified time period

disturbance to sensitive vegetation communities outside the limits of work. The flagging shall be maintained throughout construction.

MM-BIO-8 Invasive Species Prevention (Cancer Center site). The Project shall not include invasive plant species listed in the California Invasive Plant Council (Cal-IPC) inventory in project landscaping palettes. Project landscape palettes shall be reviewed and approved by the Community Development Director or their designee to ensure that invasive plant species are excluded. In addition, to prevent the spread of invasive plant species during construction and until the establishment of common landscaped areas associated with the project, the following measures shall be implemented:

- A Workers Environmental Awareness Training (WEAT) program will be prepared that will include invasive species prevention measure implemented by the project. The WEAT will include descriptions of the common invasive plants known in the region. The WEAT will also include descriptions of sensitive resources known to occur in the Project site and the procedures to follow should a sensitive resource be encountered.
- All mobile vehicles and construction equipment shall be washed prior to entering the Project site in an upland location where any seed material from invasive species will be contained and not carried onto the Project site. Logs of the washing will be submitted monthly to the City.
- Following the completion of grading activities, for those areas of the Project site that are graded but not yet developed/landscaped, the City-approved Biological Monitor shall conduct monthly spot checks to prevent the introduction or establishment of invasive plant species onto the graded areas (see MM BIO-4). If invasive species are identified, the Biological Monitor shall remove the plants with hand tools or weeding equipment to prevent propagation.
- All vegetative material removed from the Project Footprint shall be transported in a covered vehicle and will be disposed of at a certified disposal site.

MM-BIO-9 Landscaping Plan (Cancer Center site). Prior to the issuance of the first grading permit, the Applicant shall prepare a landscaping plan submit the landscaping plan to the City for review and approval. The landscaping plan shall include, but not be limited to, the following:

- Plant species list shall include scientific name, common name, plant container size, and quantities.
- Invasive plant species (designated by the California Invasive Plant Council) shall not be included in the landscaping plan as they could establish off-site and have negative impacts to the adjacent habitats.
- Non-native milkweeds shall not be included in the landscaping plan as they could establish off-site and have negative impacts to the adjacent habitats.
- Plant layout shall indicate the location of the plant species.
- Planting notes shall include irrigation and plant installation requirements such as mulch requirements.
- Where native species are required, the species shall be regionally appropriate native species of the region (locally indigenous native species).

With implementation of MM-BIO-2 and MM-BIO-7 through MM-BIO-9, potentially significant impacts to riparian habitat or other sensitive natural communities would be reduced to less than significant with mitigation incorporated.

### 3. Local Policies or Ordinances

**Threshold:** Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

**Finding:** Less than significant with mitigation. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, Section 15091(a)(1).)

**Explanation:** Prior to construction of the Cancer Center, the Applicant would be required to obtain a City of Thousand Oaks Oak/Landmark Tree Permit and required to implement MM-BIO-10 through MM-BIO-13. With implementation of these measures, impacts to protected trees would be reduced to less than significant.

MM-BIO-10 Oak Tree Removal and Replacement (Cancer Center site and Janss Road site). A total of 28 24-inch box size and 14 36-inch box size oak trees shall be planted and depicted on the landscape architect's planting plan. If different sized oak trees are proposed for installation or an alternate mitigation site is identified, the proposed size, quantity, and site shall be approved by the City of Thousand Oaks Community Development Director. Trees shall be installed per ISA tree planting specifications under the direction and supervision of an ISA Certified Arborist. Installed trees shall be monitored by an ISA Certified Arborist for the first 5 years after installation. The ISA Certified Arborist shall submit an annual report documenting tree species, diameter, height above grade, measured dripline, appearance and health conditions, physical description, and photographs of each tree.

MM-BIO-11 Tree Protection Prior to Construction (Cancer Center site and Janss Road site). An ISA Certified Arborist shall be retained to oversee implementation of the following:

**Fencing:** All remaining trees that will not be relocated or removed shall be preserved and protected in place. Trees within approximately 15 feet of proposed construction activity shall be temporarily fenced with chain link or other material satisfactory to City planning staff throughout grading and construction activities. The fencing shall be installed 5 feet outside of the dripline of each tree (or edge of canopy for cluster of trees), be 4 feet tall, and staked every 6 feet. For trees located south of the project site and within 15 feet of construction limits, fencing may be installed closer to the trees and within the tree protection zone (TPZ) for trees that are otherwise protected by the existing retaining wall to the south of the project site. The fenced area shall be considered the TPZ unless proximate construction requires temporary removal.

**Flagging:** Above ground tree parts that could be damaged by construction equipment (e.g., low limbs, trunks) shall be flagged with red ribbon prior to the start of construction.

**Pre-Construction Meeting:** A pre-construction meeting shall be held between all contractors (including grading, tree removal/pruning, builders) and the ISA Certified Arborist. The ISA Certified Arborist shall instruct the contractors on tree protection practices and answer any questions. All equipment operators and spotters, assistants, or those directing operators from the ground, shall provide written acknowledgement of their receiving tree protection training. This training shall include information on the location and marking of protected trees, the necessity of preventing damage, and the discussion of work practices that will accomplish such.

MM-BIO-12 Tree Protection and Maintenance During Construction (Cancer Center site and Janss Road site). An International Society of Arboriculture (ISA) Certified Arborist shall be retained to oversee implementation of the following:

**Equipment Operation and Storage:** Heavy equipment operation and storage shall be avoided tree protection zone (TPZ). Operating heavy machinery around the root zones of trees will increase soil compaction, which decreases soil aeration and subsequently reduces water penetration in the soil. All heavy equipment and vehicles shall, at minimum, stay out of the fenced TPZ, unless where specifically approved in writing and under the supervision of an ISA Certified Arborist or as provided by the approved landscape plan.

**Storage and Disposal:** Do not store or discard any supply or material, including paint, lumber, concrete overflow, etc. within the tree protection zone. Remove all foreign debris within the tree protection zone; it is important to leave the duff, mulch, chips, and leaves around the retained trees for water retention and nutrients. Avoid draining or leakage of equipment fluids near retained trees. Fluids such as gasoline, diesel, oils, hydraulics, brake and transmission fluids, paint, paint thinners, and glycol (anti-freeze) shall be disposed of properly. Keep equipment parked at least 50 feet away from retained trees to avoid the possibility of leakage of equipment fluids into the soil. The effect of toxic equipment fluids on the retained trees could lead to decline and death.

**Grade Changes:** Grade changes, including adding fill, are not permitted within the TPZ without special written authorization and under the supervision of an ISA Certified Arborist or as provided by the approved landscape plan. Lowering the grade within this area will necessitate cutting main support and feeder roots, jeopardizing the health and structural integrity of the tree(s). Adding soil, even temporarily, on top of the existing grade will compact the soil further and decrease both water and air availability to the trees' roots.

**Moving Construction Materials:** Above ground tree parts that could be damaged (e.g., low limbs, trunks) shall be flagged with red ribbon prior to the start of construction, per MM-BIO-3. If contact with the tree crown is unavoidable, the conflicting branch(es) shall be pruned using ISA standards under the direction and supervision of an ISA Certified Arborist.

**Root Pruning:** Except where specifically approved in writing, all trenching shall be outside of the fenced tree protection zone. Roots primarily extend in a horizontal direction forming a support base to the tree similar to the base of a wineglass. Where trenching is necessary in areas that contain tree roots, roots shall be pruned the roots using a Dosko root pruner or equivalent and under the direction and supervision of an ISA Certified Arborist. All cuts shall be clean and sharp, to minimize ripping, tearing, and fracturing of the root system. The trench shall be made no deeper than necessary.

**Irrigation:** In the event that root pruning is necessary, trees that have been substantially root pruned (30% or more of their root zone) will require irrigation for the first 12 months. The first irrigation shall be within 48 hours of root pruning. They shall be deep watered every 2 to 4 weeks during the summer and once a month during the winter (adjust accordingly with rainfall). One irrigation cycle shall thoroughly soak the root zones of the trees to a depth of 3 feet. The soil shall dry out between watering; avoid keeping a consistently wet soil. Designate one person to be responsible for irrigating (deep watering) the trees. Check soil moisture with a soil probe before irrigating. Irrigation is best accomplished by installing a temporary above ground micro-spray

system that will distribute water slowly (to avoid runoff) and evenly throughout the fenced protection zone *but never soaking the area located within 6 feet of the tree trunk, especially during warmer months.*

**Pruning:** Trees shall not be pruned until all construction is completed. This will help protect the tree canopies from damage. All pruning shall be completed under the direction of an ISA Certified Arborist and using ISA guidelines. Only dead wood shall be removed from tree canopies.

**Washing:** During construction in summer and autumn months, wash foliage of trees adjacent to the construction sites with a strong water stream every two weeks in early hours before 10:00 a.m. to control mite and insect populations.

**Inspection:** An ISA Certified Arborist shall inspect the 26 preserved trees on a monthly basis during construction. A report comparing tree health and condition to the original, pre-construction baseline shall be submitted following each inspection. Photographs of representative trees are to be included in the report on a minimum annual basis.

MM-BIO-13 **Tree Maintenance After Construction (Cancer Center site and Janss Road site).** Once construction is complete the fencing may be removed, and the following measures shall be performed to sustain and enhance the vigor of the preserved trees:

**Mulch:** Provide a 4-inch mulch layer under the canopy of trees. Mulch shall include clean, organic mulch that will provide long-term soil conditioning, soil moisture retention, and soil temperature control.

**Pruning:** The trees will not require regular pruning. Pruning shall only be done to maintain clearance and remove broken, dead, or diseased branches. Pruning shall only take place following a recommendation by an ISA Certified Arborist and performed under the supervision of an ISA Certified Arborist. No more than 20% of the canopy shall be removed at any one time. All pruning shall conform to ISA standards.

**Watering:** The natural trees that are not disturbed shall not require regular irrigation, other than the 12 months following substantial root pruning. However, soil probing shall be necessary to accurately monitor moisture levels. Especially in years with low winter rainfall, supplemental irrigation for the trees that sustained root pruning and any newly planted trees may be necessary. The trees shall be irrigated only during the winter and spring months.

**Watering Adjacent Plant Material:** All plants near the trees shall be compatible with water requirements of said trees. The surrounding plants shall be watered infrequently with deep soaks and allowed to dry out in-between, rather than frequent light irrigation. The soil shall not be allowed to become saturated or stay continually wet. Irrigation spray shall not hit the trunk of any tree. A 60-inch dry-zone shall be maintained around all tree trunks. An aboveground micro-spray irrigation system is recommended over typical underground pop-up sprays.

**Washing:** Periodic washing of the foliage is recommended during construction but no more than once every 2 weeks. Washing shall include the upper and lower leaf surfaces and the tree bark. This shall continue beyond the construction period at a less frequent rate with a high-powered hose

only in the early morning hours. Washing will help control dirt/dust buildup that can lead to mite and insect infestations.

**Spraying:** If the trees are maintained in a healthy state, regular spraying for insect or disease control shall not be necessary. If a problem does develop, an ISA Certified Arborist shall be consulted; the trees may require application of insecticides to prevent the intrusion of bark-boring beetles and other invading pests. All chemical spraying shall be performed by a licensed applicator under the direction of a licensed pest control advisor.

**Inspection:** All trees that were impacted during construction within the TPZ shall be monitored by an ISA Certified Arborist for the first 5 years after construction completion. The ISA Certified Arborist shall submit an annual report, photograph each tree, and compare tree health and condition to the original, pre-construction baseline.

As described in Chapter 3, Project Description, of this EIR, it is assumed that existing onsite trees along the Janss Road Project boundaries would remain in place with future development and that landscaping and protected trees located within the parking lot would be removed. With required obtainment of a City of Thousand Oaks Oak/Landmark Tree Permit prior to future construction at the Janss Road site, if necessary, and implementation of MM-BIO-10 through MM-BIO-13, impacts to protected trees would be less than significant with mitigation incorporated.

## B. Cultural, Tribal Cultural, and Paleontological Resources

### 1. Archaeological Resources

**Threshold:** Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?

**Finding:** Less than significant with mitigation. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, Section 15091(a)(1).)

**Explanation:** An intensive-level archaeological survey of the Cancer Center site was conducted November 16, 2022. Thirty percent of the Cancer Center site is covered in hardscape consisting of asphalt, structural foundations, a swimming pool and compacted fill soils. The geotechnical study conducted for the Project revealed the presence of artificial fill soils between 1 to 8.5 feet below current grade underlain by Quaternary-age older alluvium between 4 to 7.5 feet below current grade and Conejo Volcanics Extrusive Rocks ranging from 1 to 8.5 feet below current grade. The native soils currently present below fill soils date to between approximately 11,700 and 2.58 million years ago of which, although unlikely, only the more recent soils could potentially include buried cultural deposits. In consideration of these factors, the potential to encounter intact cultural deposits containing an archaeological historical resource pursuant to Section 15064.5 or a unique archaeological resource pursuant to Section 21083.2(g) as a result of Project implementation is unlikely within the Cancer Center site but cannot be ruled out.

A review of the CHRIS records search (completed July 20, 2023) indicates that six cultural resource studies have been conducted within 0.5 miles of the Janss Road site between 1976 and 2006. Of these studies, one addressed 100 percent of the Janss Road site. The SCCIC records indicate that six previously recorded cultural resources, all prehistoric archaeological resources, are located within 0.5 miles of the site, one of which is located immediately adjacent to the Janss Road site and is described within the site record as a small area scattered with tools and

flakes. The other five prehistoric sites are located between 43 meters (141 feet) and 520 meters (1,706 feet) and at varying elevations from the Janss Road site. The site record for the archaeological resource located adjacent to the Janss Road site confirmed no subsurface testing has been conducted and includes recommendations that a subsurface investigation be conducted prior to development within the resource. No cultural materials were observed as a result of the intensive-level archeological survey of the Janss Road site.

Due to the presence of a recorded archaeological resource located immediately adjacent to the Janss Road site, the site is considered sensitive for archaeological resources. As such, if a future project proposed on the Janss Road site includes ground disturbance, subsurface testing would be required to determine whether the resource extends into the Janss Road site, meets the criteria of an archaeological historical resource pursuant to Section 15064.5 or a unique archaeological resource pursuant to Section 21083.2(g) and has the potential to be impacted.

- MM-CUL-1 **Worker Environmental Awareness Program (WEAP).** Prior to the start of construction activities, all construction personnel and monitors shall be trained regarding identification and treatment protocol for inadvertent discoveries of cultural resources (archaeological and tribal) and human remains. A basic presentation and handout or pamphlet shall be prepared in order to ensure proper identification and treatment of inadvertent discoveries of cultural resources and human remains. The purpose of the Workers Environmental Awareness Program (WEAP) training is to provide specific details on the kinds of materials that may be identified during ground disturbing activities and explain the importance of and legal basis for the protection of human remains and significant cultural resources. Each worker shall also be trained in the proper procedures to follow in the event that cultural resources or human remains are uncovered during ground disturbing activities. These procedures include but are not limited to work curtailment or redirection, and the immediate contact of the site supervisor and archaeological monitoring staff. WEAP attendance requirement shall be stated on all Project site plans intended for use by those conducting the ground disturbing activities.
- MM-CUL-2 **Retention of an On-Call Qualified Archaeologist.** Prior to commencement of any grading activity on-site, the Applicant and/or subsequent responsible parties shall retain a Qualified Archaeologist, meeting the Secretary of the Interior's Standards, and with experience in California prehistoric and historic resources (experience within Project area preferred), to complete the following: compose a Cultural Resource Discovery Management Plan (Plan), respond to inadvertent discoveries identified during project implementation, and manage archaeological monitoring if required. The purpose of the Plan is to outline a program of treatment and mitigation in the case of an inadvertent discovery of cultural resources during ground-disturbing phases and to provide for the proper identification, evaluation, treatment, and protection of any cultural resources in accordance with CEQA throughout the duration of the Project. Existence and importance of adherence to this Plan shall be stated on all Project site plans intended for use by those conducting the ground disturbing activities.
- MM-CUL-3 **Inadvertent Discovery Clause.** In the event that potential archaeological resources (sites, features, or artifacts) are exposed during ground disturbing, all construction work occurring not less than 50 feet of a cultural resource discovery and 100 feet of a human remains discovery shall immediately stop and the qualified archaeologist that has been retained on call must be notified immediately to assess the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under the CEQA, the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work (e.g., preparation of an archaeological treatment plan, testing, data recovery, or monitoring) may be warranted if the resource cannot be feasibly avoided. If the discovered

archaeological resource is determined to be Native American in origin, the Tribe/s traditionally and culturally affiliated with geographic area of the project site shall be contacted.

In the event that human remains are inadvertently encountered during construction activities, the remains and associated resources shall be treated in accordance with state and local regulations that provide requirements regarding the discovery of human remains, including California Health and Safety Code Section 7050.5, California Public Resources Code Section 5097.98, and CEQA Guidelines Section 15064.5(e). In accordance with these regulations, if human remains are found, the County Coroner must be immediately notified of the discovery. No further excavation or disturbance of the Project site or any nearby (no less than 100 feet) area reasonably suspected to overlie adjacent remains can occur until the County Coroner has determined if the remains are potentially human in origin. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she is required to notify the NAHC that shall notify those persons believed to be the most likely descendant. The most likely descendant shall determine, in consultation with the property owner, the disposition of the human remains. Existence and importance of adherence to this clause shall be stated on all Project site plans intended for use by those conducting the ground disturbing activities.

NOTE: These measures have been developed to mitigate any potential impacts to unknown archaeological resources, as previously defined, or human remains within the Cancer Center site. As previously mentioned, since the current proposed Project does not include any ground disturbance within the Janss Road site, there are no impacts anticipated to result from current Project implementation. However, if a future project proposed on the Janss Road site includes ground disturbance, subsurface testing would be required to determine whether the resource extends into the Janss Road site, meets the criteria of a historical resource or unique archaeological site pursuant to CEQA Guidelines Section 15064.5 or demonstrates evidence or potential evidence of the presence of human remains and either archaeological resources, as previous defined, or human remains have the potential to be impacted.

With implementation of MM-CUL-1, MM-CUL-2, and MM-CUL-3, potentially significant impacts to unknown archaeological resources would be reduced to less than significant with mitigation incorporated.

## 2. Human Remains

**Threshold:** Would the Project disturb any human remains, including those interred outside of formal cemeteries?

**Finding:** Less than significant with mitigation. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, Section 15091(a)(1).)

**Explanation:** No prehistoric or historic burials were identified within the Cancer Center site as a result of the CHRIS records search, NAHC SLF search, or pedestrian survey, nor are there any dedicated cemeteries within or surrounding the site. In the event that unknown human remains are encountered during ground disturbing activities implemented during construction at the Cancer Center site, impacts to these resources would be potentially significant.

No prehistoric or historic burials were identified within the Janss Road site as a result of the CHRIS records search, NAHC SLF search, or pedestrian survey, nor are there any dedicated cemeteries within or surrounding the site.

Ground disturbance is not currently proposed within the Janss Road site. However, in the event that unknown human remains are encountered during ground disturbing activities implemented during construction of future development at the Janss Road site, impacts to these resources would be potentially significant.

MM-CUL-1 Worker Environmental Awareness Program (WEAP).

MM-CUL-2 Retention of an On-Call Qualified Archaeologist.

MM-CUL-3 Inadvertent Discovery Clause.

With implementation of MM-CUL-1, MM-CUL-2, and MM-CUL-3, potentially significant impacts to unknown human remains, including those interred outside of formal cemeteries, would be reduced to less than significant with mitigation incorporated.

### 3. Tribal Cultural Resources

**Threshold:** Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

**Finding:** Less than significant with mitigation. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, Section 15091(a)(1).)

**Explanation:** No historical resources that are listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k) were identified within the Cancer Center site as a result of the investigation conducted to inform the CEQA analysis outlined in this document. Additionally, no tribal cultural resources, as defined in Public Resources Code Section 21074, were identified within the Cancer Center site as a result of the notification and consultation conducted in accordance with AB 52 and SB 18. The potential to encounter intact cultural deposits containing historical archaeological resources of Native American origin as a result of project implementation is unlikely within the Cancer Center site but cannot be ruled out.

Ground disturbance is not currently proposed within the Janss Road site. However, if a future project proposed on the Janss Road site includes ground disturbance, subsurface testing would be required to determine whether the resource extends into the Janss Road site, meets the criteria of a historical resource, unique archaeological site or Tribal Cultural Resources, as defined in Public Resources Code Section 5020.1(k) and listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), and has the potential to be impacted. If the result of the aforementioned subsurface testing is negative, the potential to inadvertently encounter a tribal cultural resource during ground disturbing activities is still possible. In the event that a tribal cultural resource is encountered during construction of future development at the Janss Road site, impacts to these resources would be potentially significant.

MM-CUL-1 Worker Environmental Awareness Program (WEAP)

MM-CUL-2 Retention of an On-Call Qualified Archaeologist

**MM-CUL-3** Inadvertent Discovery Clause

With implementation of MM-CUL-1 through MM-CUL-3, potentially significant impacts to tribal cultural resources, as defined in Public Resources Code Section 21074 and listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), would be reduced to less than significant with mitigation incorporated.

## 4. Paleontological Resources

**Threshold:** Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

**Finding:** Less than significant with mitigation. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, Section 15091(a)(1).)

**Explanation:** If intact paleontological resources are located within the Cancer Center site, ground-disturbing activities associated with construction of the Project, such as grading during site preparation and trenching for utilities, have the potential to destroy a unique paleontological resource or site. As such, the Cancer Center site is considered to be potentially sensitive for paleontological resources. Given the proximity of past fossil discoveries in the surrounding area within Pleistocene older alluvial deposits and the Conejo Volcanics, the Cancer Center site is highly sensitive for supporting paleontological resources below the depth of artificial fill.

If intact paleontological resources are located within the Janss Road site, ground-disturbing activities associated with future development of the site, such as grading during site preparation and trenching for utilities, have the potential to destroy a unique paleontological resource or site.

**MM-CUL-4** Paleontological Resources Impact Mitigation Program (PRIMP). Prior to commencement of any grading activity on-site, the applicant shall retain a qualified paleontologist per the Society of Vertebrate Paleontology (SVP) (2010) guidelines. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the Project. The PRIMP shall be consistent with the SVP (2010) guidelines and should outline requirements for preconstruction meeting attendance and worker environmental awareness training, where monitoring is required within the Project site based on construction plans and/or geotechnical reports, procedures for adequate paleontological monitoring and discoveries treatment, and paleontological methods (including sediment sampling for microvertebrate fossils), reporting, and collections management. The PRIMP shall also include a statement that any fossil lab or curation costs (if necessary due to fossil recovery) are the responsibility of the Project applicant or proponent. The qualified paleontologist shall attend the preconstruction meeting and a qualified paleontological monitor shall be on-site during all rough grading and other significant ground-disturbing activities (including augering) in previously undisturbed, fine-grained Pleistocene alluvial deposits. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontological monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the monitor will remove the rope and allow grading to recommence in the area of the find.

With implementation of MM-CUL-4, potentially significant impacts to paleontological resources at the Project Site would be reduced to less than significant with mitigation incorporated.

## C. Hazards and Hazardous Materials

### 1. Accidental Release of Hazardous Materials

**Threshold:** Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

**Finding:** Less than significant with mitigation. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, Section 15091(a)(1).)

**Explanation:** Survey for and identification of asbestos-containing materials is required prior to demolition activities at the Cancer Center site, in accordance with NESHAP 62.7 and Ventura County APCD rules. Regulations in place for handling and storage of hazardous materials include the requirement to prepare and implement emergency response procedures (including California Accidental Release Prevention Program; Spill Prevention, Control, and Countermeasure Plans; and Hazardous Material Business Plans) as appropriate. The Phase I ESA (Appendix F of the Draft EIR) did not identify hazardous material impacts to groundwater, soil, or soil vapor on or near the Cancer Center site. It is not anticipated that any impacted materials will be encountered during construction; therefore, excavation on the site is not expected to create an upset or accident condition.

Regulations in place for handling and storage of hazardous materials include the requirement to prepare and implement emergency response procedures (including California Accidental Release Prevention Program; Spill Prevention, Control, and Countermeasure Plans; and Hazardous Material Business Plans) as appropriate. Based on the Cortese and Non-Cortese List review of the Janss Road site, it is not anticipated that any impacted materials will be encountered during construction. A Phase I ESA shall be conducted for the Janss Road site prior to future development to confirm that there are no recognized environmental conditions at the site.

MM-HAZ-1 Phase I Environmental Site Assessment (ESA) for Janss Road site. A Phase I ESA shall be conducted in accordance with ASTM Standard E-1527-21 (or a more recent version of ASTM E-1527) prior to change of land use or issuance of a demolition, grading, or building permit where ground disturbance is required. Potential recognized environmental conditions identified in the Phase I ESA shall be investigated through completion of a Phase II ESA in accordance with ASTM Standard 1903-19 (or a more recent version of ASTM 1903). The Phase II ESA shall compare sampling results to regulatory screening levels (RWQCB ESLs, EPA RSLs, and DTSC-SLs) based on the proposed residential land use as well as construction worker safety requirements. If concentrations exceed current screening levels, the applicant may be required to provide additional data (i.e., further sample collection) and/or a human health risk assessment to the City to demonstrate protection of human health prior to the issuance of a permit. If concentrations exceed current screening levels or if the increased human health risk estimate exceeds one in a million, the City shall consult a regulatory agency (e.g., Ventura County Environmental Health, RWQCB, or DTSC) prior to the issuance of permits to determine an appropriate plan of action for remediation or mitigation related to the potential hazards. Written confirmation from the overseeing regulatory agency shall be provided to the City documenting that the existing environmental contamination

will not significantly impact the health and safety of construction workers, adjacent sensitive receptors, future occupants, or future land uses on the site, and that protections or remediation completed are adequate to ensure future activities and land uses will not be subject to a health risk at the site. Alternatively, the regulatory agency review may indicate that safety standards cannot be assured, which may result in denial of the permit application.

The Cancer Center site would have a less-than-significant impact related to reasonably foreseeable upset or accident conditions involving the release of hazardous materials. No mitigation is required.

With the implementation of MM-HAZ-1, potentially significant impacts at the Janss Road site related to the reasonably foreseeable upset or accident conditions involving the release of hazardous materials would be reduced to less than significant with mitigation incorporated.

## 2. Wildland Fire

**Threshold:** Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

**Finding:** Less than significant with mitigation. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, Section 15091(a)(1).)

**Explanation:** Construction of the Cancer Center would introduce new potential sources of ignition to the site, including the use of heavy machinery and the potential for sparks during welding activities or other hot work. The Cancer Center must comply with City, State and Fire Protection District requirements for construction activities in hazardous fire areas, including fire safety and prevention practices, to reduce the possibility of fire ignitions during construction activities.

Future construction and operation of a residential development at the Janss Road site would introduce new potential sources of ignition to the site and project area, as well as additional habitable structures and people in a very high fire hazard severity zone (VHFHSZ). However, new structures would be constructed to Ventura County Fire Code, Ventura County Fire Protection District's Fire Ordinance 33, and 2019 CFC standards (or the current edition). Future development of the site would also be required to submit a Fire Protection Plan (FPP) to implement VCFD fire safety requirements and project specific mitigation measures.

**MM-WF-1** **Pre-Construction Requirements.** Vegetation management shall be conducted prior to the start of construction and throughout all construction phases. Existing flammable vegetation shall be reduced by 50% on vacant portions of the project site upon commencement of construction. Firebreaks and fuel modification shall be implemented in accordance with Appendix J, Fire Protection Plan, and approved by VCFD.

Prior to bringing lumber or combustible materials onto the site, site improvements within the active development area shall be in place, including utilities, operable fire hydrants, an approved, temporary roadway surface, and fuel modification zones established. These features shall be approved by VCFD prior to combustibles being brought on site.

To limit the risk of fire ignitions, the Project shall comply with the following risk reducing measures:

- All new power lines shall be underground for fire safety. Temporary construction power lines may be allowed in areas that have been cleared of combustible vegetation.
- No Smoking will be allowed on site except in designated safe smoking areas which include cleared area with no combustible vegetation or materials and approved butt receptacles (noncombustible containment of cigarette butts).
- Minimize combustible and flammable materials storage on site.
- Store any combustible or flammable materials that need to be on site away from ignition sources and native vegetation.
- Parking areas shall be cleared of all grass and brush by a distance of at least 10 feet.
- Keep evacuation routes free of obstructions.
- Label all containers of potentially hazardous materials with their contents and stored in the same location as flammable or combustible liquids.
- Perform “hot work” according to fire safe practices in a controlled environment and with fire suppression equipment at the job site. A fire watch person (Fire Patrol), with extinguishing capability (e.g., fire extinguishers), should be in place for all “Hot Work” activities during construction. Ensure hot work adheres to the guidelines provided.
- Dispose of combustible waste promptly and according to applicable laws and regulations.
- Report and repair all fuel leaks without delay.
- Extension cords shall not be relied on if wiring improvements are needed, and overloading of circuits with multiple pieces of equipment shall be prohibited.
- Turn off and unplug electrical equipment when not in use.
- Direct contractors on site to restrict use of chainsaws, chippers, vegetation masticators, grinders, drill rigs, tractors, torches, and explosives to outside during Red Flag Warnings. When the above tools and equipment are used, water trucks (4,000-gallon capacity) equipped with hoses, shovels, Pulaski’s, and McLeod’s shall easily be accessible to personnel.
- When an evacuation has been called, all site personnel will gather at the designated assembly area and the Site Safety Officer will account for all personnel. Once all personnel are accounted for, the vehicles will safely convoy from the site to safe zones, which are generally areas off-site away from the threat.
- Contractor shall monitor for erosion, document issues, and take corrective actions to minimize erosion during vegetation removal. Construction crew members and contractors shall use caution to avoid causing erosion or ground (including slope) instability or water runoff due to vegetation removal, vegetation management, maintenance, landscaping, or irrigation. Standard federal, state, and local regulations for erosion control and erosion control best practices shall be implemented.

MM-WF-2

A fully irrigated landscape planted with drought-tolerant, fire-resistive plants shall be implemented in accordance with VCFD Fire Hazard Reduction Program Plant Reference Guide. No undesirable, highly flammable plant species shall be planted, as listed in the VCFD Prohibited Plant List. The landscaping shall be routinely maintained and shall be watered by an automatic irrigation system that will maintain healthy vegetation with high moisture contents that would minimize ignition by embers from a wildfire. The landscape plan shall be submitted to VCFD for review and approval before construction may commence.

**MM-WF-3** The east side of the proposed structure, which achieves up to approximately 85 feet of on-site fuel modification and is adjacent to naturally vegetated open space areas, shall be constructed with code exceeding dual pane dual tempered glass windows. The east side of the proposed structure shall also include 5/8-inch Type X fire rated gypsum sheathing applied behind the exterior covering or cladding (stucco or exterior siding) on the exterior side of the framing, from the foundation to the roof for a facade facing the open space and naturally vegetated areas. 5/8-inch Type X fire rated gypsum sheathing is required to be manufactured in accordance with established ASTM standards defining type X wallboard sheathing as that which provides not less than one-hour fire resistance when evaluated in specified building assemblies and has been tested and certified as acceptable for use in a one-hour fire rated system. CertainTeed Type X Gypsum Board has a Flame Spread rating of 15 and Smoke Developed rating of 0, in accordance with ASTM E 84, (UL 723, UBC 8-1, NFPA 255, CAN/ULC-S102); UL classified for Fire Resistance (ANSL/UL 263; ASTM E119) and listed under UL File No. CKNX.R3660 (CertainTeed, 2021).

With the implementation of MM-WF-1, MM-WF-2, and MM-WF-3, potentially significant impacts related to significant risk of loss, injury, or death involving wildland fires would be reduced to less than significant with mitigation incorporated.

## D. Noise

### 1. Increase in Noise Levels

**Threshold:** Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

**Finding:** Less than significant with mitigation. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, Section 15091(a)(1).)

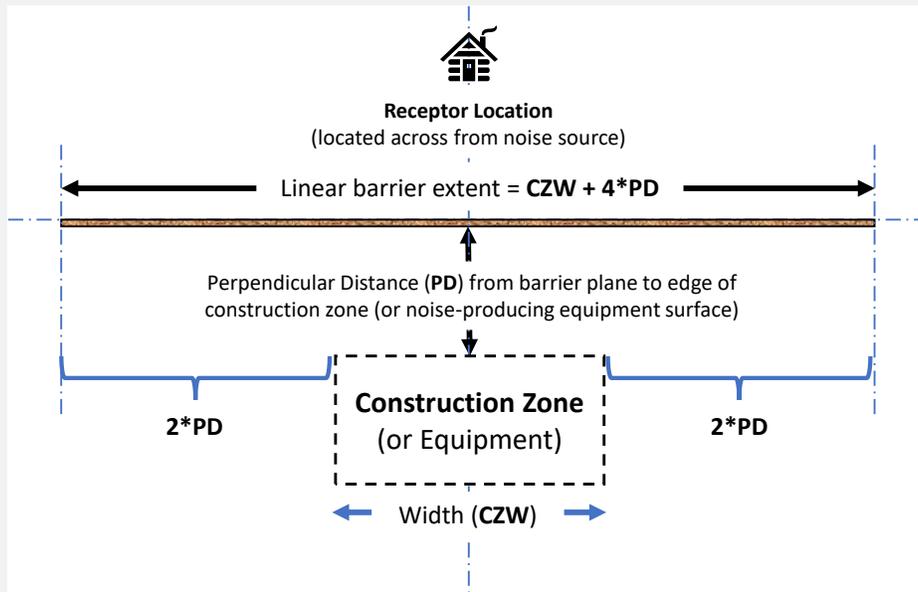
**Explanation:** With regard to potential temporary and relative increases in daytime outdoor ambient noise at nearby off-site noise-sensitive receptors west of the Cancer Center for all five studied sequential phases of proposed construction, the project would result in impacts that are less-than-significant with application of MM-NOI-1 detailed as follows:

**MM-NOI-1** [Construction Noise Reduction–Cancer Center site](#). The following measures shall be implemented by the construction contractor to reduce project construction noise exposures as predicted in this EIR and as received by nearest existing off-site residential receptors west and east of the project site to levels less than 10 dBA over the pre-project outdoor daytime ambient sound environment.

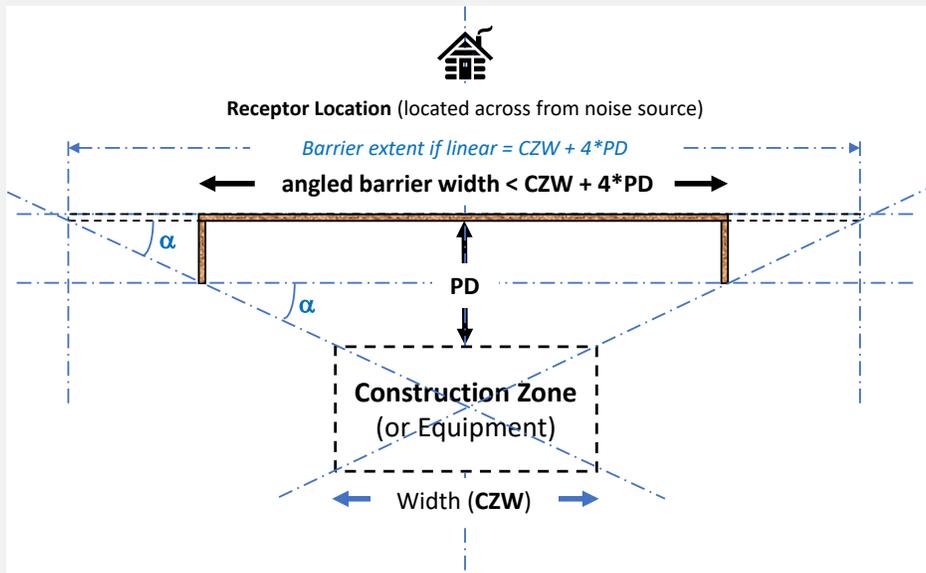
- The project contractor shall schedule construction phases to avoid concurrent operation of construction equipment from multiple phases at nearest horizontal distances to an off-site noise-sensitive receiver.
- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained engine exhaust mufflers.

- Based on feasibility and/or practicality, contractor shall apply the following on-site equipment noise control and sound abatement methods:
  - a. shutting off idling engines of vehicles and stationary engine-driven equipment when not in use;
  - b. orient operating stationary equipment so that audibly or measurably louder cabinet surfaces or penetrations (e.g., air intake or discharge vents) are facing away from nearest off-site noise-sensitive receptors; and
  - c. apply factory-approved enclosures, vent shrouds, and other equipment-mounted features to attenuate (via dissipative acoustical absorption, sound path occlusion or redirection, etc.) noise emission.
- During the site demolition, grading, building construction, and paving phases of the Project, the contractor shall install a minimum 12-foot-tall temporary noise barrier (e.g., vertical installation of adjoining plywood sheeting, a frame-suspended outdoor acoustical blanket, or other materials/assembly that demonstrates a minimum of sound transmission class [STC] 25) along an extent of the Project boundary between the construction activity of concern and the off-site noise-sensitive receptor of interest. The barrier shall feature the following:
  - d. No open gaps between the ground surface and the barrier bottom edge;
  - e. No gaps or cracks between adjoining vertical barrier element edges (e.g., overlap plywood sheeting or acoustical blanket flaps);
  - f. As depicted in Exhibit 4.9-1, the horizontal extent of an installed linear barrier, with a midpoint at a perpendicular distance (PD) from the midpoint of the construction zone width (CZW), should be equal to the width of the construction zone plus four times the perpendicular distance between the noise source and barrier plane (i.e., linear barrier extent =  $CZW+4PD$ ). As illustrated in Exhibit 4.9-2, one or both ends of the barrier may instead be turned inward up to ninety degrees towards the construction zone or noise source, creating an “L” or “C”-shaped barrier layout with less total length than  $CZW+4PD$ , so long as angle “alpha” between the ray connecting the vertical edge position with the construction zone centroid and the plane of the barrier parallel to the construction zone is held constant. Either barrier layout per this guidance should thus minimize flanking around the vertical edges and help preserve noise reduction performance.

**Exhibit 4.9-1. Temporary Construction Barrier Layout Guidance – Linear Barrier**



**Exhibit 4.9-2. Temporary Construction Barrier Layout Guidance – Angled Barrier**



- In combination with application of a temporary barrier per MM-NOI-1-iv, the cumulative hours on site within a typical 8-hour daytime construction period during which an operating piece of construction equipment may operate at the indicated closest distance to an off-site noise-sensitive receptor shall be limited as follows for each of the four construction phases:
  - g. **Demolition** – no more than 5 hours each for the excavator and dozer, operating as close as 75 feet to the nearest off-site noise-sensitive receptor.
  - h. **Grading** – no more than 6 hours each for the excavator, front-end loader, and backhoe, operating as close as 125 feet to the nearest off-site noise-sensitive receptor; no more than 2 hours each for the dozer and tractor, operating as close as 75 feet to the nearest off-site noise-sensitive receptor.
  - i. **Building Construction** – no limitation on equipment operating hours at the closest distance of 180 feet to the nearest off-site noise-sensitive receptor.
  - j. **Paving** – no more than 6 hours each for the concrete mixer truck and roller, operating as close as 75 feet to the nearest off-site noise-sensitive receptor; no more than 4 hours for the paver operating as close as 75 feet to the nearest off-site noise-sensitive receptor; no more than 7 hours for the front-end loader operating as close as 75 feet to the nearest off-site noise-sensitive receptor.

For the remaining hours of an 8-hour daytime construction work shift, the above-listed equipment may operate on site but at least three times the indicated distance.

At the representative first-day of each project construction phase, or under similar conditions that are indicative of normal on-site construction activity for that phase, a noise level monitor shall be deployed on the receiver side of an installed project on-site temporary noise barrier to measure and document that off-site noise exposure levels attributed to project construction activity of concern at a sample western and eastern off-site sensitive receptor is in conformance with the 10 dBA increase-over-ambient noise level threshold when compared to a sample measured baseline condition without project construction activity occurring.

With regard to potential temporary and relative increases in daytime outdoor ambient noise at nearby off-site noise-sensitive receptors west of the Janss Road site during the demolition phase of future development of the site, the project would result in impacts that are less-than-significant with application of MM-NOI-2 detailed as follows:

MM-NOI-2 **Construction Noise Reduction—Janss Road site.** The following measures shall be implemented by the construction contractor to reduce project construction noise exposures as predicted in this EIR and as received by nearest existing off-site residential receptors west and east of the project site to levels less than 10 dBA over the pre-project outdoor daytime ambient sound environment.

1. The project contractor shall schedule construction phases to avoid concurrent operation of construction equipment from multiple phases at nearest horizontal distances to an off-site noise-sensitive receiver.
  - All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained engine exhaust mufflers.

- Based on feasibility and/or practicality, contractor shall apply the following on-site equipment noise control and sound abatement methods:
  - a. shutting off idling engines of vehicles and stationary engine-driven equipment when not in use;
  - b. orient operating stationary equipment so that audibly or measurably louder cabinet surfaces or penetrations (e.g., air intake or discharge vents) are facing away from nearest off-site noise-sensitive receptors; and
  - c. apply factory-approved enclosures, vent shrouds, and other equipment-mounted features to attenuate (via dissipative acoustical absorption, sound path occlusion or redirection, etc.) noise emission.
- During the site demolition, grading, building construction, and paving phases of the Project, the contractor shall install a minimum 8-foot-tall temporary noise barrier (e.g., vertical installation of adjoining plywood sheeting, a frame-suspended outdoor acoustical blanket, or other materials/assembly that demonstrates a minimum of sound transmission class [STC] 20) along an extent of the Project boundary between the construction activity of concern and the off-site noise-sensitive receptor of interest. The barrier shall feature the following:
  - d. No open gaps between the ground surface and the barrier bottom edge;
  - e. No gaps or cracks between adjoining vertical barrier element edges (e.g., overlap plywood sheeting or acoustical blanket flaps);
  - f. As depicted in Exhibit 4.9-1, the horizontal extent of an installed linear barrier, with a midpoint at a perpendicular distance (PD) from the midpoint of the construction zone width (CZW), should be equal to the width of the construction zone plus four times the perpendicular distance between the noise source and barrier plane (i.e., linear barrier extent =  $CZW + 4PD$ ). As illustrated in Exhibit 4.9-2, one or both ends of the barrier may instead be turned inward up to ninety degrees towards the construction zone or noise source, creating an “L” or “C”-shaped barrier layout with less total length than  $CZW + 4PD$ , so long as angle “alpha” between the ray connecting the vertical edge position with the construction zone centroid and the plane of the barrier parallel to the construction zone is held constant. Either barrier layout per this guidance should thus minimize flanking around the vertical edges and help preserve noise reduction performance.

At the representative first-day of each project construction phase, or under similar conditions that are indicative of normal on-site construction activity for that phase, a noise level monitor shall be deployed on the receiver side of an installed project on-site temporary noise barrier to measure and document that off-site noise exposure levels attributed to project construction activity of concern at a sample western and eastern off-site sensitive receptor is in conformance with the 10 dBA increase-over-ambient noise level threshold when compared to a sample measured baseline condition without project construction activity occurring.

As a result of rezoning and land use changes to the Janss Road site that are proposed under this Project, this EIR assumes future development at the site will consist of 9 single-family residential units. The primary source of on-site operational noise from single-family residential units are HVAC equipment. HVAC equipment located on the ground or on the rooftop of the units would have the potential to generate high noise levels. The specific details (location, size, manufacturer, and model) of the equipment have not yet been determined as no specific

development plans for the site have been proposed. Because future residential development of the site could result in HVAC noise that may exceed the City's Noise Element's compatibility guidelines for residential uses of 60 dBA CNEL at nearby existing residential uses to the south and southwest, this impact is considered potentially significant. Implementation of MM-NOI-3 would reduce noise impacts from HVAC equipment to a less than significant level.

**MM-NOI-3 Mechanical Equipment Noise Abatement** Because heating, ventilation, and air conditioning (HVAC) equipment can generate noise that could affect surrounding sensitive receptors and because the details, specifications, and locations of this equipment is not yet known, the project applicant shall retain an acoustical specialist to review project construction-level plans prior to final approval to ensure that the equipment specifications and plans for HVAC and other outdoor mechanical equipment incorporate measures, such as the specification of quieter equipment or provision of acoustical enclosures, that will not exceed relevant noise standards at nearby noise-sensitive land uses (e.g., residential). Prior to the commencement of construction, the acoustical specialist shall certify in writing to the City that the equipment specifications and plans incorporate measures that will achieve the relevant noise limits.

With the implementation of MM-NOI-1, MM-NOI-2, and MM-NOI-3, potentially significant impacts related to a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies would be reduced to less than significant with mitigation incorporated.

## E. Wildfire

### 1. Pollutant Concentrations

**Threshold:** Due to slope, prevailing winds, and other factors, would the Project exacerbate wildfire risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

**Finding:** Less than significant with mitigation. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, Section 15091(a)(1).)

**Explanation:** The Cancer Center, once developed, would not facilitate wildfire spread and would reduce projected flame lengths to levels that would be manageable by firefighting resources for protecting the site's structures, especially given the ignition resistance of the structures and the planned ongoing maintenance of the entire site landscape. Therefore, wildfire occurrence, frequency or size would not be expected to be significantly exacerbated by construction of the Cancer Center. With adherence to all required building and fire codes, and with implementation of the fire prevention measures and design features as outlined in MM-WF-1, MM-WF-2, and MM-WF-3, the Project would not exacerbate wildfire risks, due to slope, prevailing winds, and other factors, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire and impacts would be less than significant with mitigation incorporated.

As outlined in MM-WF-1, vegetation management requirements would be implemented at the start of and throughout all phases of construction, and combustible materials would not be brought on site until site improvements (e.g., utilities, access roads, fire hydrants, fuel modification zones) have been implemented and approved by VCFD. Project landscaping would not include high hazard vegetation, and MM-WF-2 would be

implemented to ensure the Janss Road site's landscaping would not create a fire risk. Review of the final landscape plans by VCFD would ensure that plants are adequately spaced, drought-tolerant, and low-fuel-volume to provide a reasonable level of protection to structures from wildland fire.

Any future development proposed at Janss Road site would be required to implement a fire hardened landscape, highly ignition resistant structures, and adequate fuel modifications. Fires from off-site would not have continuous fuels across this site and would therefore be expected to burn around and/or over the site via spotting. Future development of the site would be required to submit a FPP to implement VCFD fire safety requirements and project specific mitigation measures. With adherence to all required building and fire codes, and with implementation of the fire prevention measures and design features as outlined in MM-WF-1 through MM-WF-2, future development of the site would not exacerbate wildfire risks, due to slope, prevailing winds, and other factors, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

With the implementation of MM-WF-1, MM-WF-2, and MM-WF-3 (see mitigation measures above), potentially significant impacts related to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire would be reduced to less than significant with mitigation incorporated.

## 2. Infrastructure

**Threshold:** Would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

**Finding:** Less than significant with mitigation. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, Section 15091(a)(1).)

**Explanation:** Installation and maintenance of Project roads, service utilities, fuel modification, drainage and water quality improvements, and other associated infrastructure would not exacerbate wildfire risks given appropriate fire prevention, access, and vegetation management activities will be implemented as required by the VCFD, City code, and state requirements.

Given that the activities involved with installation or maintenance of associated infrastructure would require ground disturbance and the use of heavy machinery associated with trenching, grading, site work, and other construction and maintenance activities, the installation of related infrastructure could potentially result in temporary or ongoing impacts to the environment. However, the installation and maintenance of roads, service utilities, drainage and water quality improvements, and vegetation management activities are part of the Project analyzed herein. As such, any potential temporary or ongoing environmental impacts related to these components of the proposed Project have been accounted for and analyzed in this EIR as part of the impact assessment conducted for the entirety of the Project. Additionally, the Project would be required to comply with all regulatory requirements and mitigation measures outlined within this EIR for the purposes of mitigating impacts associated with trenching, grading, site work, and the use of heavy machinery. No adverse physical effects beyond those already disclosed and mitigated in the EIR would occur as a result of implementation of the Project's associated infrastructure. Therefore, the installation and maintenance of associated infrastructure would not exacerbate wildfire risk or result in impacts to the environment beyond those already disclosed in the EIR.

With the implementation of MM-WF-1 and MM-WF-2 (see mitigation measures above), potentially significant impacts related to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire would be reduced to less than significant with mitigation incorporated.

## SECTION IV. IMPACTS THAN CANNOT BE FULLY MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The City Council hereby finds that, as identified in the EIR and in these Findings, all impacts are or can be reduced to a less than significant level and a Statement of Overriding Considerations is not required.

## SECTION V. CUMULATIVE IMPACTS

Regarding the proposed Project's potential to result in cumulative impacts, the City hereby finds as follows:

### A. Aesthetics

#### Scenic Vistas

Although aesthetic impacts are generally site-specific, impacts that may affect scenic vistas or recognized visual resources can influence a broader area. As concluded in Section 4.1 of the Draft EIR, development of the Cancer Center site with a medical office and associated features (e.g., site access and circulation, parking, landscaping, and utility improvements) would result in less than significant impacts to scenic vistas. Cumulative projects that are located within or near the project viewshed include cumulative projects (i.e., Project 3, 6, and 12 shown in Figure 6-1 of the Draft EIR). These projects consist of the development of multi-family residences on previously developed lots (Project 12 at 111 Jensen Court is undeveloped) located to the north of U.S. 101. Each of the three sites is bound or adjacent to existing professional services development (i.e., medical/dental offices). Because these projects are located to the north of the highway, proposed future development of the sites would not have an adverse effect on open space or other identified scenic resources including the hillsides and ridgelines of the Los Padres Open Space (which is located south of the highway). Therefore, development of the Cancer Center site as proposed would not result in a cumulatively considerable impact to scenic vistas.

Section 4.1 of the Draft EIR concluded that potential foreseeable development of the site would likely result in a less than significant impact to scenic vistas; however, additional discretionary City review and CEQA analysis would be required once a formal development application is submitted to the City for review. Through adherence to applicable City development standards and assuming retention of existing perimeter trees, reasonably foreseeable development of the Janss Road site would not result in a cumulatively considerable impact to scenic vistas. The area surrounding the Janss Road site is bordered by medical facilities to the north and east and single-family residential homes to the south. The Wildwood Open Space area is located to the west, across North Lynn Road. Due to the developed nature of the surrounding area, and the presence of preserved open space to the west, future development within the limited viewshed of the Janss Road site is unlikely to result in substantial obstruction or interruption of available public views to City identified scenic resources (including the hillside and ridgelines of the Arroyo Conejo Open Space area). Therefore, future development of the Janss Road site would not result in a cumulatively considerable impact to scenic vistas.

## Scenic Resources

The closest state scenic highway to the Cancer Center site is SR-27 located approximately 17 miles southwest of the Cancer Center site. The state scenic highway map identifies one scenic county route (Mulholland Highway) approximately 5.75 miles south of the Cancer Center site. Due to distance, and intervening terrain, the Cancer Center site is not visible from Mulholland Highway. However, the Cancer Center site and cumulative Projects 3, 5, 6, 9, and 12 are located within proximity to U.S. 101, which is designated as an eligible state scenic highway. While Cumulative Projects 3, 6, and 12 are within or near the viewshed of the Cancer Center site, development of these cumulative projects would mostly occur on previously disturbed lots and would not result in substantial damage to scenic resources. The Cumulative Project 12 site is not visible from U.S. 101 due to the presence of intervening features (i.e., landscape berm and mature trees and two-story structures) between the highway and site (thus, future development would not result in substantial damage to resources within the viewshed of the highway). Regarding Cumulative Project 9, development of the Los Robles Green Golf Course with a multistory hotel and commercial project would be visible from U.S. 101; however, the existing between the golf course and highway is densely planted with mature trees which result in primarily obstructed views to the golf course and open space areas to the south. Given the lack of existing available views to local open space along the U.S. 101 frontage of Cumulative Project 9, future development of the site would not result in a new (or substantial) adverse effect on a scenic vista. Lastly, Cumulative Project 5 is located to the north of U.S. Route 101 and as such, future development of the site would not alter views from the highway to identified scenic resources located to the south of the highway (including ridgelines and hillsides in the Los Padres Open Space). Based on the analysis presented above and because development of the Cancer Center site would not be visible from a designated state scenic highway and would not substantially damage scenic resources visible from an eligible state scenic highway, this impact would remain less than cumulatively considerable.

As described in Section 4.1 of the Draft EIR, the Janss Road site is not located in proximity to a designated state scenic highway and future development would not be visible from a state scenic highway. Therefore, this Janss Road Component would not cumulatively contribute to damage of scenic resources visible from an eligible state scenic highway.

## Visual Character

As described in Section 4.1 of the Draft EIR, the Cancer Center would be consistent with the policies governing scenic quality. The Project would include limited grading on slopes greater than 25% natural grade, which can be allowed through a discretionary Planning entitlement application. Other projects within the viewshed of the Cancer Center site (i.e., Cumulative Projects 3, 6, and 12) are located on relatively flat sites that do not contain slopes of 25% grade or greater. Additionally, and as concluded in Section 4.1, future views to the retaining walls and modified slopes on the Cancer Center site would be mostly limited to passing motorists on Rolling Oaks Drive and would not result in a substantial effect to existing scenic quality. Therefore, the limited policy conflicts identified for development of the Cancer Center site would not be cumulatively considerable.

The City's design and review process would ensure that any future development proposed at the Janss Road site complies with the Municipal Code and is harmonious with the purpose of the Residential Planned Development rezone and is compatible with surrounding development and therefore impacts would be less than significant. Cumulative projects that do not comply with policies that govern scenic quality would be required to implement appropriate mitigation measures to reduce impacts from conflict with policies governing scenic quality. This impact would remain less than cumulatively considerable.

## Light and Glare

Development of a medical facility at the Cancer Center site would entail the installation of new lighting and glare sources. However, new lighting installed on the Cancer Center site and new lighting on cumulative project sites would adhere to applicable City ordinances and standards including Thousand Oaks Municipal Code Sections 9-4.2405 (b) (general lighting standards applicable to off-street parking areas) and 9.42308(b) regarding signage lighting. Therefore, in combination with all other cumulative projects, development of the Cancer Center site would not result in a cumulatively considerable impact related to lighting and glare.

Future development of the Janss Road site with nine residential units would introduce new sources of lighting and potentially, glare, to the site. However, lighting associated with the Janss Road component and nearby cumulative projects would adhere to applicable City ordinances and standards. Therefore, in combination with nearby cumulative projects, reasonably foreseeable development of the Janss Road site would not result in a cumulatively considerable impact to lighting and glare.

## B. Air Quality

### Air Quality Plan

Buildout of the project would not exceed the growth projections for the City for employment estimates. As discussed in response to Thresholds 4.2a and 4.2b (see Section 4.2, Air Quality, of the Draft EIR), implementation of the project would result in construction and operational emissions that would be below the Ventura County Air Pollution Control District (VCAPCD) mass daily regional significance thresholds, and as such, would not conflict with the VCAPCD's consistency criterion for consistency with an applicable Air Quality Management Plan (AQMP). The impact of the project, in addition to growth anticipated through cumulative projects listed in Table 6-2 of the Draft EIR, would constitute a less than significant cumulative impact related to AQMP implementation with mitigation. Therefore, the impact would remain less than cumulatively considerable.

Buildout of the project would not exceed the growth projections for the City for housing estimates. As discussed in response to Thresholds 4.2a and 4.2b (see Section 4.2, Air Quality, of the Draft EIR), implementation of the project would result in construction and operational emissions that would be below the VCAPCD's mass daily regional significance thresholds, and as such, would not conflict with the VCAPCD's consistency criterion for consistency with an applicable AQMP. The impact of the project, in addition to the additional growth anticipated through cumulative projects listed in Table 6-3 of the Draft EIR, would constitute a less than significant cumulative impact related to AQMP implementation with mitigation. Therefore, the impact would remain less than cumulatively considerable.

### Net Increase of Criteria Pollutant

Air pollution by nature is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development, and the VCAPCD develops and implements plans for future attainment of ambient air quality standards. The potential for the project to result in a cumulatively considerable impact, specifically, a cumulatively considerable new increase of any criteria pollutant for which the project region is nonattainment under an applicable National Ambient Air Quality Standards (NAAQS) and/or California Ambient Air Quality Standards (CAAQS), is addressed in response to Threshold 4.2b (see Section 4.2, Air Quality, of the Draft EIR). Consistent with the finding for the Project, the cumulatively considerable net increase of any criteria pollutant for which the project

region is in nonattainment would be less than significant during construction and operation for cumulative impacts. Therefore, the impact would remain less than cumulatively considerable.

## Sensitive Receptors

The Project would result in a less than significant impact for construction-related and operational impacts. The Project would also not cause or create a carbon monoxide (CO) hotspot. The Project would not emit substantial quantities of criteria pollutant emissions or toxic air contaminants (TACs) during operation. The impact of the Project, in addition to growth within ½-mile of the Project sites could further increase the exposure of air quality pollutants to sensitive receptors. All cumulative projects within Table 6-2 of the Draft EIR are residential and commercial and the majority of their emissions (mobile sources) are offsite. Emissions during construction would disperse rapidly from the project sites and generally occur at magnitudes that would not affect substantial numbers of people. Consistent with the significance finding for the Project, during construction there would be a less than significant cumulative impact related to exposure of sensitive receptors to substantial pollutant concentrations from TACs. Consistent with the significance finding for the Project, during operation there would be a less than significant cumulative impact related to exposure of sensitive receptors to substantial pollutant concentrations from TACs. Therefore, the impact would remain less than cumulatively considerable.

## Odors

The Project would result in a less than significant impact during construction and operation. Odor impacts are generally limited to the immediate area surrounding the source. Potential odors from the Project site would be temporary and limited (due to the type of land uses—medical office buildings and residences are not typically substantial odor-producing land uses) and all Cumulative Projects in Table 6-2 and Table 6-3 of the Draft EIR, among other developments in the South Central Coast Air Basin (SCCAB), would be subject to VCAPCD Rule 51. Therefore, the Project would not contribute to a cumulatively considerable impact regarding other emissions, such as those leading to odors, which would adversely affect a substantial number of people

## C. Biological Resources

Proposed development includes a medical office building and residential use on two separate Project sites, the Cancer Center site and the Janss Road site, respectively. The total impacts of this proposed Project would require the demolition of existing structures to make way for these developments. Currently, proposed Project activities are limited to these two sites, and all proposed development would occur within the proposed Project sites. Other development plans in the city exist, but, similar to the site, will develop on sites that have been historically developed for years, where structures are already present, as well as parking lots and ornamental vegetation. Because the Project sites are already developed, impacts to sensitive biological resources from ground disturbing activities is limited. Although mitigable, the proposed Project could adversely impact sensitive species, such as bats and nesting birds, and would impact protected trees. Other related disturbances, such as noise, dust, and vibrations can alter landscapes that would normally support species in ornamental vegetation and nearby open areas. However, implementation of Mitigation Measures BIO-1 through BIO-13 would reduce these project impacts to a less than significant level. In addition, individual development proposals are reviewed separately by the appropriate jurisdiction and undergo environmental review when it is determined that the potential for significant impacts exist. If future proposed Project activities or additional related activities in other locations were to occur and thereby result in potential impacts to sensitive habitats and biological resources, impacts to such resources would be addressed

on a project-by-project basis. Therefore, impacts related to sensitive habitats and biological resources would not be cumulatively considerable.

## D. Cultural, Tribal Cultural, and Paleontological Resources

### Cultural and Tribal Cultural Resources

Potential cumulative impacts to cultural and tribal cultural resources would result from projects that combine to create an environment where cultural and/or tribal cultural resources are vulnerable to destruction by demolition or alteration, earthmoving equipment, looting by the public, and natural causes such as weathering and erosion. The majority of impacts to cultural and tribal cultural resources are site-specific and are therefore generally mitigated on a project-by-project basis. Cumulative projects would be required to assess impacts to cultural and/or tribal cultural resources. Additionally, as needed, projects would incorporate individual mitigation for site-specific cultural and/or tribal cultural resources and conditions present for each individual project site. Furthermore, the project does not propose construction (including grading/excavation) or design features that could directly or indirectly contribute to an increase in a cumulative impact to known cultural and/or tribal cultural resources, as the mitigation measures provided in analysis conducted for this project ensures any significant cultural resources uncovered during project implementation would be properly identified, evaluated, and treated. Implementation of Mitigation Measures CUL-1 through CUL-3 would reduce these project impacts to a less than significant level. Therefore, the project, in combination with the past, present, and reasonably foreseeable future projects in the vicinity, would result in less-than-significant cumulative impacts to cultural and/or tribal cultural resources, and no further mitigation measures are required. Moreover, impacts to cultural and/or tribal cultural resources would be avoided and/or mitigated with implementation of a cultural resource discovery management plan, workers environmental awareness program, and inadvertent discovery clause. Therefore, the Project's contribution to cumulative impacts would not be cumulatively considerable. As a result, the Project's contribution to cumulative impacts related to archaeological and tribal cultural resources would be less than cumulatively considerable.

### Paleontological Resources.

Potential cumulative impacts to paleontological resources would result from projects that combine to create an environment where fossils, exposed on the surface, are vulnerable to destruction by earthmoving equipment, looting by the public, and natural causes such as weathering and erosion. The majority of impacts to paleontological resources are site-specific and are therefore generally mitigated on a project-by-project basis. Cumulative projects would be required to assess impacts to paleontological resources. Additionally, as needed, projects would incorporate individual mitigation for site-specific geological units present on each individual project site. The project would not directly or indirectly contribute to an increase in a cumulative impact to paleontological resources because the mitigation measure proposed would ensure any significant paleontological resources uncovered during project excavations would be properly analyzed and salvaged by the on-site paleontological monitor. Implementation of Mitigation Measures CUL-4 would reduce these project impacts to a less than significant level. Therefore, the project, in combination with the past, present, and reasonably foreseeable future projects in the vicinity, would result in less-than-significant cumulative impacts to paleontological resources. Moreover, impacts to paleontological resources would be avoided and/or mitigated with implementation of a paleontological mitigation program during excavations into paleontologically sensitive geological units. Therefore, the Project's contribution to cumulative impacts would not be cumulatively considerable.

## E. Energy

Cumulative projects that could exacerbate the Project's impacts include any projects that could result in wasteful, inefficient, or unnecessary use of energy. However, cumulative projects would be required by the City, as applicable, to conform to current federal, state, and local energy conservation standards, including the California Energy Code Building Energy Efficiency Standards (24 CCR Part 6), the CALGreen Code (24 CCR Part 11), and SB 743. As a result, the Project, in combination with other reasonably foreseeable projects, would not cause a wasteful use of energy or other non-renewable natural resources. Therefore, the energy demand and use associated with the Project and cumulative projects would not substantially contribute to a cumulative impact on existing or proposed energy supplies or resources and would not cause a significant cumulative impact on energy resources. Therefore, the Project's contribution to cumulative impacts would not be cumulatively considerable.

Future development would be subject to the Title 24 standards in place at the time of construction. It is speculative whether other projects would conflict with a state or local plan for renewable energy. However, development projects are subject to CEQA and evaluate whether a conflict with applicable plans would occur. The Project would not conflict with applicable plans for renewable energy as it would be required to include solar pursuant to Title 24. Further, the cumulative projects identified in Table 6-2 and 6-3 would also include commercial that would be subject to the solar requirements of Title 24. As such, the Project in combination with other reasonably foreseeable projects, would not conflict with a state or local plan for renewable energy or energy efficiency. Therefore, the Project's contribution to cumulative impacts would not be cumulatively considerable.

## F. Greenhouse Gas (GHG) Emissions

Global climate change is a cumulative impact; a project participates in this potential impact through its incremental contribution combined with the cumulative increase of all other sources of GHGs. As discussed in Section 4.6.1, Existing Conditions, of the Draft EIR, GHG emissions inherently contribute to cumulative impacts, and thus, any additional GHG emissions would result in a cumulative impact. As shown in Table 4.6-6 of the Draft EIR, the Project would not exceed the GHG threshold established, Therefore, the Project's contribution to cumulative generation of GHG emissions would not be cumulatively considerable.

The Project would not conflict with any applicable GHG reduction plans, including applicable GHG-related laws and regulations, SCAG's 2020-2045 RTP/SCS, SB 32, EO S-3-05, and CARB's Scoping Plan. Therefore, the Project's contribution to cumulative impacts would not be cumulatively considerable.

## G. Hazards and Hazardous Materials

Because cumulative projects would be fully regulated and mitigated with the implementation of Mitigation Measure HAZ-1, thus reducing potential for public safety risks, cumulative impacts associated with exposure to hazards and hazardous materials would be less than significant. Through compliance with regulatory requirements, the construction or operation of the Project itself would not create significant human or environmental health or safety risks that could combine with other project impacts to create a significant and cumulatively considerable impact. For these reasons, the proposed Project would not result in cumulatively considerable impacts related to hazards and hazardous materials.

## H. Land Use and Planning

Cumulative land use impacts could occur if any of the related projects would result in incompatible land uses or result in land uses that are inconsistent with adopted land use plans when combined with the impacts of the Project. Given the built-out conditions of the greater Los Angeles Metropolitan region, including the Cancer Center and Janss Road site, cumulative development would likely convert existing underutilized properties in the Project Vicinity to needed uses.

Generally, land use conflicts would be related to noise, traffic, air quality, and hazards/human health and safety issues, which are discussed in Chapter 4 of this Draft EIR. Land use conflicts are also typically site-specific and not cumulative in nature; in other words, despite the number of cumulative projects in a given area, they would not necessarily compound to create cumulative land use conflicts. Cumulative incompatibility issues associated with surrounding developments or projects are anticipated to be addressed and mitigated for on a project-by-project basis. In addition, the cumulative environmental effects associated with implementation of the Project have been addressed throughout Chapter 4 of this Draft EIR. Further, all related projects in the City would be subject to applicable zoning and land use designations and environmental review that would address potential land use conflicts. Therefore, the Project's contribution to land use and planning impacts would be less than cumulatively considerable.

## I. Noise

The cumulative context for traffic noise is the traffic volume increases on roadways in the Project vicinity as a result of implementation of the proposed Project. The Project transportation analysis considered the addition of traffic trips from cumulative projects as identified by the City.

Non-transportation noise sources (e.g., Project operation) and construction noise impacts are typically project-specific and highly localized (i.e., these do not generally affect the community noise level at distances beyond several hundred feet). Construction activities associated with proposed or future development within the area would contribute to cumulative noise levels, but in a geographically limited and temporary manner. As other development occurs in the area, noise from other uses (e.g., traffic, aircraft, and fixed noise sources) would continue to combine, albeit on a localized basis, to cause increases in overall background noise conditions within the area. As a result, such sources do not significantly contribute to cumulative noise impacts at distant locations and are not evaluated on a cumulative level.

The analysis of off-site Project-related traffic noise levels included an evaluation of traffic volumes and resulting roadway traffic noise levels from cumulative projects. Table 4.9-6 (in Section 4.9, Noise, of the Draft EIR) shows that the maximum noise level increase for the Cumulative versus Cumulative plus Project scenario would be less than 1 dBA. Implementation of Mitigation Measures NOI-1 through NOI-3 would reduce these project impacts to a less than significant level. Therefore, the project's contribution to traffic noise impacts would be less than cumulatively considerable.

## J. Public Services and Recreation

A significant adverse cumulative impact related to public services or recreation facilities could occur if the service demands of the Project were to combine with those of related projects, triggering a need for new or physically altered public service facilities or recreation facilities, the development of which could cause significant

environmental impacts. A significant adverse cumulative impact could also occur if the Project were to make a considerable contribution to a previously existing deficit in the City's public services.

The cumulative study area used to assess potential cumulative public services and recreation impacts includes the City, Ventura County Fire Department (VCFD) and Ventura County Sheriff's Department (VCSD) service areas, and the Conejo Valley Unified School District (CVUSD) service area. Cumulative impacts to public services, including fire and police protection, parks and recreation facilities, schools, and other public facilities, would result if projects collectively increase demand on services or facilities such that additional services or facilities must be constructed or provided. Cumulative projects would likely result in an incremental increase in the demand for fire protection, police protection, parks and recreation facilities, schools (for cumulative projects that have a residential component), and other public services.

## Fire Protection

Cumulative growth within the County could result in a need for additional fire protection services to serve new development. Cumulative projects proposed, such as commercial, residential, or industrial projects, would require fire protection services from fire agencies within the region. There are five fire stations that provide both fire and emergency medical services to the City. As explained and substantiated in Section 4.10.4, Impacts Analysis, the Project alone would not be anticipated to have a significant effect on fire protection services (meaning that the Project in-and-of-itself would not cause the need for new or physically altered government facilities in order to maintain acceptable levels of service). Additionally, it is expected that related projects would incorporate similar design elements and operational practices consistent with the California Fire Code into their building design, such as sprinklers and fire alarms, and adequate emergency access, which would reduce each project's incremental effect on fire services by preventing emergencies and facilitating expedient access and response. As a result, the Project's contribution to cumulative impacts on fire services would be less than cumulatively considerable.

## Police Protection

The increase in demand for law enforcement services from implementation of cumulative projects could have the potential to result in the need to construct or expand existing police facilities, which would have the potential to create an adverse impact on the environment. The VCSD would serve the Project and cumulative projects identified within the City (see Table 6-2 and Table 6-3 of the Draft EIR). Although the majority of cumulative projects would require discretionary actions and would be required to demonstrate compliance with CEQA prior to project approval, they would incrementally increase the need for law enforcement services, which would have the potential to result in a significant cumulative impact.

The Project and cumulative projects would be required to pay applicable development impact fees to the City prior to the issuance of building permits. These fees would help offset incremental impacts to resources and facilities by helping to fund capital projects, as needed. When staff and facilities are expanded to serve future development in the Project area and surrounding cities, any physical expansion or alteration of facilities would be subject to environmental review. Therefore, although cumulative impacts related to VCSD facilities may occur, the Project's contribution to any such impacts would be less than cumulatively considerable.

## Schools

The increase in student population as a result of the Project and cumulative residential projects could require the construction or expansion of school facilities. However, as discussed in Section 4.10.4 of the Draft EIR, under State law, development projects are required to pay established school impact fees in accordance with SB 50 at the time of building permit issuance, in addition to the fees collected by CVUSD. As discussed in Section 4.10.2 of this Draft EIR, development impact fees collected in accordance with SB 50 are deemed “to provide full and complete school facilities mitigation.” Therefore, the increase in demand for school facilities and services due to cumulative development would be adequately mitigated to a less-than-significant level by the payment of school impact fees. As such, the Project’s contribution to cumulative impacts to schools would be less than cumulatively considerable.

## Parks and Recreation

Buildout of the Project, along with cumulative projects, could increase use of existing local and regional parks and recreation facilities, and could result in the accelerated deterioration of recreational facilities. However, the deterioration that would occur to local parks and recreational facilities from regional population growth may be offset with funding from new development, such as in-lieu fees for parks or donation of parkland. Cumulative projects would be required to demonstrate compliance with CEQA and/or the National Environmental Policy Act prior to project approval, and existing federal, state, and local regulations related to parks and recreational facilities would mitigate potential adverse impacts to the environment that may result from the expansion of such facilities. It is assumed that the residential cumulative projects would include on-site private open space, as required by the Municipal Code, and at least some on-site recreation facilities, such as common open space. Therefore, the increase in population as a result of cumulative development would not result in a significant impact to parks and recreation facilities. As such, the Project’s contribution to cumulative impacts to parks and recreational facilities would be less than cumulatively considerable.

## Other Public Facilities

Future development would generate new tax revenue that would act as funding sources for other public facilities, such as libraries. Cumulative projects, including the Project, would be subject to applicable development fees. Required payment of applicable development fees ensures that impacts on the County library system remain less than significant. As such, the Project’s contribution to cumulative impacts to other public facilities, such as libraries, would be less than cumulatively considerable.

## K. Transportation

### Circulation System

As described under the discussion for Threshold (a) and Section 4.8, Land Use and Planning, of the Draft EIR, the proposed Project is consistent with the 2020–2045 RTP/SCS (Connect SoCal), the City’s General Plan, the City’s ATP, City Council Resolution No. 2019-011, and would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities under cumulative conditions. Project development would increase transit accessibility of jobs and services within the project site’s vicinity, which has a mix of residential, office and commercial development uses, thereby reducing travel demands for people and the resulting VMT. The proposed Project would not alter the existing roadway network nor hinder the City’s ability to emphasize a diversity of transportation modes or choices, now or in combination with other cumulative projects. The Project would not

include site improvements that would extend into the public right-of-way or interfere with existing public transit, bicycle, or pedestrian facilities, or impede the construction of new or the expansion of such existing facilities in the future. Finally, the Los Robles Medical Center Traffic and Parking Study (Appendix H-1 of the EIR) indicates that the medical office would maintain LOS C operation for roadways and intersections under the cumulative plus project conditions, and therefore would meet the City of Thousand Oaks General Plan LOS policy. Therefore, cumulative impacts related to a program, plan, ordinance, or policy related to addressing the circulation system would be less than significant.

## Vehicle Miles Traveled

The Project would have a less than significant impact on vehicle miles traveled (VMT), because the Project's VMT of 20.65 VMT per employee does not exceed the Citywide average VMT per employee. The Project would have a less than significant impact on VMT, because the Project's residential VMT of 12.69 per resident does not exceed the Citywide average VMT per resident. Per OPR guidelines, "...A project that falls below an efficiency-based threshold that is aligned with long-term environmental goals and relevant plans would have no cumulative impact distinct from the project impact. Accordingly, a finding of a less-than-significant project impact would imply a less than significant cumulative impact, and vice versa..." As such, the Project would not exceed the City's threshold for VMT and the Project's contribution to cumulative VMT would not be cumulatively considerable. Thus, the proposed Project would result in less-than-significant cumulative transportation impacts.

## Hazards

Impacts related to hazardous design features would be identical to the impacts described in the Project-specific impacts section. All proposed project design features would occur entirely on-site. The Project would be subject to the City's standard design guidelines to regulate the design of the Project through the General Plan and Zoning Ordinance to ensure compatible use. Additionally, there would be no changes to the off-site circulation on City roads and therefore no potential to cumulatively impact any off-site circulation. Likewise cumulative projects would be subject to the same City standards. Therefore, cumulative impacts associated with hazardous design features or incompatible land uses would be less than significant.

## Emergency Access

Impacts related to inadequate emergency access would be identical to the impacts described in the Project-specific impacts section. Because the Project and other cumulative projects would comply with all applicable local requirements related to emergency vehicle access and circulation, the Project would not result in inadequate emergency access. Therefore, cumulative impacts associated with inadequate emergency access would be less than significant.

## L. Utilities and Service Systems

### Water Supply

Development of the Project would increase land-use intensities in the area, resulting in increased water usage. The Project would be served by California American Water-Ventura County District (California American Water). As such, development of the Project would increase the amount of water used in the Hesperia Water District's service area. California American Water's 2020 Urban Water Management Plan (UWMP) estimates the annual water demand for

2025 is projected to be 16,662 acre-feet per year. This equates to approximately 5.43 billion gallons a year of water or 14.87 million gallons a day (mgd). California American Water UWMP states that Ventura County District and other water agencies in Southern California have planned provisions for regional water for the growing population, including drought scenarios for its service area. This plan includes a new water demand forecast prepared for the major categories of demand and uses regional population, demographic projections, the dry climate, historical water use to develop these forecasts. As such, the Project would not be expected to result in increased water usage that would cause the need for new entitlements, resources, and/or treatment facilities that are not already being planned to accommodate regional growth forecasts.

Lastly, compliance with the CALGreen Building Code would be required for new development; CALGreen Building Code standards require a mandatory reduction in outdoor water use, in accordance with the California Department of Water Resources (CDWR) Model Water Efficient Landscape Ordinance. This requirement would ensure that the Project and cumulative development do not result in wasteful or inefficient use of limited water resources. As such, the Project's contribution to cumulative impacts related to water supply would be less than cumulatively considerable.

## Wastewater

The Cancer Center would connect to the existing sanitary sewer lines within Rolling Oaks Drive and Los Padres Drive and would connect to an existing manhole at the intersection of Rolling Oaks Drive and Los Padres Drive. The project proposes construction of a new 8-inch sewer line that would connect to the proposed building at two different locations. As described and analyzed above and within this section the project's wastewater impacts, when considered in a cumulative context, would be less than significant. Similar to the project, cumulative projects would be required to implement standard best management practices, as part of an NPDES-mandated stormwater pollution prevention plan, which would reduce potential water quality impacts to less-than-significant levels. Therefore, the project combined with related cumulative projects would result in a less than significant impact related to the expansion of the existing wastewater infrastructure required to accommodate the increased wastewater flows.

The City sewer system and HCTP would provide wastewater services and treatment and no deficiencies in local infrastructure are identified. In addition, the Project as well as cumulative development would be required to receive a City encroachment (right-of-way) and/or wastewater permit that includes payment of permit fees and a Department of Public Works approved service-lateral plan and profile construction drawing, compliant with Building and Plumbing Code requirements, for all sewer lateral attachments. No significant issues or impacts are anticipated with regard to provision of sewerage infrastructure for the Project and no local infrastructure issues exist that would be exacerbated with the Project. The Project's new wastewater generation would represent a negligible portion of the HCTP's annualized daily capacity, with adequate unused excess treatment capacity. As such the Project's contribution would not be cumulatively considerable.

## Solid Waste

Development of the Project, in combination with related past, present, and reasonably foreseeable projects, would increase land-use intensities in the area, resulting in increased solid waste generation in the service area for the Calabasas Landfill or the Toland Road Landfill, Oxnard Materials Recovery Facility, and American Organics. However, the proposed Project and other related projects have been or would be implemented within an urban infill and/or redevelopment project area. As such, solid waste is already being generated or being accounted for at the Project site and the related project sites. Further, AB 939, or the Integrated Waste Management Act of 1989,

mandates that cities divert from landfills 50% of the total solid waste generated to recycling facilities. In order to maintain State requirements of diverting 50% of solid waste and to offset impacts associated with solid waste, the proposed Project, and all related projects, when considered in a cumulative context, would be required to implement waste reduction, diversion, and recycling during both demolition, construction, and operation.

Through compliance with City and state solid waste diversion requirements, along with the recycling collection process that would be part of the proposed Project design, the Project's contribution would be less than cumulatively considerable.

## Electric Power, Natural Gas, and Telecommunication

Development of the Project would add to demands for energy and would increase requirements for telecommunication technology infrastructure. As part of the Project, natural gas and telecommunication lines would be extended onsite, resulting in localized less-than-significant impacts. Given the nature of telecommunication and gas lines (which are not typically subject to the constraints of existing facilities), once telecommunication lines are extended to the Project site, no additional telecommunication or gas line construction is anticipated to be required. Additionally, cumulative development would be subject to review on a case-by-case basis. Should the applicable service provider determine that upgrades or extensions of infrastructure be required, any such upgrades would be included within each project's environmental review. As a result, the Project's contribution to cumulative impacts associated with upgrades of electric, natural gas, and telecommunication facilities would be less than cumulatively considerable.

## M. Wildfire

The cumulative context considered for Project wildfire impacts is Ventura County, and more specifically, the Calleguas Creek Watershed. As discussed in Section 4.13.2 of the Draft EIR, CAL FIRE has mapped areas of fire hazards in the state based on fuels, terrain, weather, and other relevant factors. As described in Section 4.13 of the Draft EIR, the Project is located in a Very High FHSZ. The Project would not lead to a large increase in population. However, an increase in activities and potential ignition sources in the area would increase, which may increase the potential of a wildfire and increase the number of people and structures exposed to risk of loss, injury, or death from wildfires. Individual projects located within Ventura County are required to comply with applicable County fire and building codes, which have been increasingly strengthened as a result of severe wildfires that have occurred in the last two decades. The fire and building codes include fire prevention and protection features that reduce the likelihood of a fire igniting in a specific project and spreading to off-site vegetated areas. These codes also protect projects from wildfires that may occur in the area through implementation of brush management and fuel management zones, ensuring adequate water supply, preparation of fire protection plans, and other measures.

Suggestions that placing new projects in the County's wildland-urban interface would increase the risk of fire ignition are not consistent with available research. According to available research studying patterns between development and wildfire ignitions, researchers found that in San Diego County (which is similar to the Ventura County fire environment), equipment-caused fires were by far the most numerous, and these also accounted for most of the area burned; power-line fires were a close second. Ignitions classified as equipment-caused frequently resulted from exhaust or sparks from power saws or other equipment with gas or electrical motors, such as lawn mowers, trimmers, or tractors (Syphard and Keeley 2015).

Data indicate that lower-density sparse development poses greater ignition risk. In the Southern California study, ignitions were more likely to occur close to roads and structures, and at intermediate structure densities (Syphard

and Keeley 2015). This is likely because lower-density development creates a wildland–urban intermix rather than an interface which occurs when development follows a clustered pattern. The intermix places development among unmaintained fuels, whereas clustered development, such as the Project, converts all fuels within the footprint and provides a wide, managed fuel modification zone separating homes from unmaintained fuel. Syphard and Keeley (2015) determined that “[t]he WUI [wildland–urban interface], where development is low to intermediate, is an apparent influence in most ignition maps.”

The Project upon buildout will represent a wildland urban interface with a defined boundary between the converted landscape and adjacent natural vegetation. In addition, electrical transmission lines would be undergrounded at the Cancer Center Site, mitigating the risk from electrical transmission line vegetation ignitions. Further, the landscapes would be managed and maintained to remove exotic fuels that may become established over time. The Fire Protection Plan plant palette restrictions and irrigation requirements (MM-WF-2), combined with HOA maintenance, would minimize the establishment and expansion of exotic plants, including grasses. Based on research of the relevant literature and extensive conversations with active and retired fire operations and prevention officers, there is no substantial evidence that new development built to the requirements of Ventura County’s Fire and Building Codes increase the risk of wildfire ignition.

Where applicable, other projects would be required to comply with the County’s vegetation clearance requirements, as outlined in the County Municipal Code. The Ventura County Fire and Building Codes, along with project-specific needs assessments and fire prevention plan requirements, ensure that every project approved for construction includes adequate emergency access. Roads for all proposed projects are required to meet minimum widths, have all-weather surface, and be capable of supporting the imposed loads of responding emergency apparatus. The Project and all other future development projects in the service area would be subject to discretionary review by the VCFD and would be required to comply with the County Fire Code and other relevant County Code requirements and other applicable local codes and regulations related to fire safety, building construction, access, fire flow, and fuel modification. Implementation of Mitigation Measures WF-1 through WF-3 would reduce these project impacts to a less than significant level. Because all projects are required to comply with these requirements, the Project’s contribution to cumulative impacts related to increased wildfire hazards and emergency response and access would be less than cumulatively considerable.

## SECTION VI. FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

The CEQA Guidelines requires that an EIR address any significant irreversible changes that would be caused by implementation of a project. According to CEQA Guidelines Section 15126.2(c), such a change would involve one or more of the scenarios discussed below.

### Change in Land Use that Commits Future Generations to Similar Uses

#### Cancer Center Site

According to the City’s General Plan and the Zoning Map, the land use and zoning designations for the Cancer Center site are Neighborhood Very Low and Rural-Exclusive (R-E-1AC) (City of Thousand Oaks 2023; City of Thousand Oaks 2022). As discussed in Chapter 3, Project Description, the Project would involve a General Plan

Amendment and Zone Change to modify the Cancer Center site's General Plan Land Use designation from Neighborhood Very Low to Commercial Neighborhood, and a Zone Change to modify the Cancer Center site's zoning designation from Rural-Exclusive (R-E-1AC) to Commercial Office (C-O). These changes would facilitate the development of a use that would not be permitted under current land use plans, this change does not represent a drastic change in the overall intended uses of the area, given that there are various medical office uses nearby the Cancer Center site.

## Janss Road Site

The Project would involve a General Plan Amendment to modify the Janss Road site's General Plan Land Use designation from Institutional to Neighborhood Low 1, and a Zone Change to modify the site's zoning designation from Public, Quasi-public and Institutional Lands and Facilities (PL) to Residential Planned Development, maximum 4.5 dwelling units per acre (RPD-4.5U). These changes would facilitate the development of a use that would not be permitted under current land use plans, this change does not represent a drastic change in the overall intended uses of the area, given that there are residential uses to the south of the site.

## Irreversible Damage from Environmental Accidents

Potential environmental accidents of concern include those events that would adversely affect the environment or public due to the type of quantity of materials released and the receptors exposed to that release. Construction activities associated with the Project would involve some risk of environmental accidents. However, these activities would be conducted in accordance with all applicable federal, state, and local regulations, and would follow professional industry standards for safety. Once operational, any materials associated with environmental accidents would comply with applicable federal, state, and local regulations. Use of any such materials would not adversely affect the environment or public due to the type or quantity of materials released and the receptors exposed to that release.

## Large Commitment of Nonrenewable Resources

Commitment of nonrenewable resources includes issues related to increased energy consumption, loss of agricultural lands, and lost access to mining reserves. There would be an irretrievable commitment of labor, capital, and materials used during the construction and operation of the Project. Nonrenewable resources would primarily be committed in the form of fossil fuels such as fuel, oil, natural gas, and gasoline used by equipment associated with construction of the Project. Consumption of other nonrenewable or slowly renewable resources would also occur. These resources would include lumber and other forest products, sand and gravel, asphalt, and metals such as steel, copper, and lead.

To ensure that energy implications are considered in project decisions, CEQA requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy (California Public Resources Code Section 21100[b][3]). Energy conservation implies that a project's cost-effectiveness be reviewed not only in dollars, but also in terms of energy requirements. For many projects, cost-effectiveness may be determined more by energy efficiency than by initial dollar costs. A lead agency may consider the extent to which an energy source serving a project has already undergone environmental review that adequately analyzed and mitigated the effects of energy production.

Consistent with California Public Resources Code Section 211009(b)(3), CEQA Guidelines Appendix G, and a ruling set forth by the court in California Clean Energy Committee v. City of Woodland, potentially significant energy implications of a project must be considered in an EIR to the extent relevant and applicable to that project. Accordingly, based on the energy consumption thresholds set forth in both Appendix F and Appendix G of the CEQA Guidelines, the Project's estimated energy demands (both short-term construction and long-term operational demands) were evaluated (see Section 4.5, Energy, of this EIR). The overall purpose of the energy analysis was to evaluate whether the Project would result in the wasteful, inefficient, or unnecessary consumption of energy.

As further assessed in the energy analysis, for new development, such as that proposed by the Project, compliance with California Title 24 energy efficiency requirements is considered demonstrable evidence of efficient use of energy. The Project would provide for and promote energy efficiencies beyond those required under other applicable federal and state standards and regulations, and in doing so would meet or exceed all Title 24 standards. On this basis, the Project would not result in the inefficient, wasteful, or unnecessary consumption of energy.

## SECTION VII. GROWTH-INDUCING IMPACTS

As stated in Section 15126.2(e) of the California Environmental Quality Act (CEQA) Guidelines, an environmental impact report (EIR) is required to include a discussion of a project's growth-inducing effects. The CEQA Guidelines generally describe such effects as follows: (1) economic growth, population growth, or additional housing in the surrounding environment; (2) removal of obstacles to population growth (e.g., a major expansion of a wastewater treatment facility that allows for more construction in the service area); (3) increases in population that tax existing services requiring construction of new facilities that could cause significant environmental effects; and (4) characteristics of a project that would encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

### Cancer Center Site

The Cancer Center development would require a temporary construction workforce and a permanent operational workforce, both of which could potentially induce population growth in the Project area. The temporary workforce would be needed to construct the medical office building and associated improvements. The number of construction workers needed during any given period would largely depend on the specific stage of construction but would likely range from a dozen to several dozen workers on a daily basis.

The Cancer Center development would include approximately 58,000 square feet of medical office space, and the estimated number of employees required for operation would be approximately 40 persons.

According to the Southern California Association of Governments (SCAG) Demographics and Growth Forecast, the population growth of the City from 2016 to 2045 is projected to be approximately 15,200 residents, and the employment growth of the City is projected to be 9,900 employees (SCAG 2020). As such, the Project-related increase of approximately 40 employees would represent a nominal percentage of the City's projected future population and employment upon SCAG estimates.

In addition, data provided by the California Employment Development Department in March 2023 found that the unemployment rate for Ventura County is at 4%, which is slightly below the state average (4.4%) (EDD 2023). As such, the Cancer Center's temporary and permanent employment requirements could likely be met by the City's existing labor force without people needing to relocate into the Project region, and the Cancer Center development

would not stimulate population growth or a population concentration above what is assumed in local and regional land use plans.

Projects that physically remove obstacles to growth, or projects that indirectly induce growth, are those that may provide a catalyst for future unrelated development in the area. The Cancer Center development would involve installation of new stormwater drainage infrastructure in the Cancer Center site vicinity. The purpose of this new infrastructure is solely to serve the needs of the Cancer Center development, and not to provide capacity for future projects or growth. In addition, since the surrounding Cancer Center site area is already served by existing wet and dry utilities, the Cancer Center would not expand sanitary sewer or stormwater drainage infrastructure into areas not previously served by such utilities.

Further, given that the surrounding Cancer Center area is already served by existing wet and dry utilities, it is unlikely that the Cancer Center would tax existing community service facilities or require construction or expansion of new regional-scale facilities with capacity to serve more than just the Cancer Center. The Cancer Center would not be constructing new roadways; thus, the Cancer Center would not result in indirect population growth by providing vehicular access to an area presently lacking such access.

Based on the proximity of the Cancer Center site to existing facilities, the average response times in the Cancer Center area, the ability for nearby cities to respond to emergency calls, and the fact that the Cancer Center site is already located within the Ventura County Fire Department and Ventura County Sheriff's Department service areas, the Cancer Center would be adequately served by public services without the construction of new, or the expansion of existing, facilities. Although the Cancer Center could potentially result in an incremental increase in calls for service to the Cancer Center site compared to existing conditions, this increase is expected to be nominal (as opposed to new residential or uses, which do result in greater increase in calls for service) and would not result in the need for new or expanded fire or police facilities. Lastly, since the Cancer Center would not directly or indirectly induce unplanned population growth in the City, it is not anticipated that many people would relocate to the City as a result of the Cancer Center, and an increase in school-age children requiring public education is not expected to occur as a result. Thus, the need for new or expanded school facilities is not required.

In conclusion, the Cancer Center could cause population growth through new job opportunities. However, this growth falls well within City and regional growth projections for population and housing. The Cancer Center would not remove obstacles to population growth and would not cause an increase in population such that new community facilities or infrastructure would be required outside of the Cancer Center site. Lastly, the Cancer Center is not expected to encourage or facilitate other activities that could significantly affect the environment, as explained above. For these reasons, the Cancer Center is not considered to be significantly growth inducing.

## Janss Road Site

Future development of the Janss Road site would require a temporary construction workforce and a permanent operational workforce, both of which could potentially induce population growth in the Project area. The temporary workforce would be needed to construct the nine residential units. The number of construction workers needed during any given period would largely depend on the specific stage of construction but would likely range from a dozen to several dozen workers on a daily basis.

According to the Southern California Association of Governments (SCAG) Demographics and Growth Forecast, the population growth of the City from 2016 to 2045 is projected to be approximately 15,200 residents, and the employment growth of the City is projected to be 9,900 employees (SCAG 2020). As such, the future Janss Road

site related increase of approximately 25 residents would represent a nominal percentage of the City's projected future population and employment upon SCAG estimates.

In addition, data provided by the California Employment Development Department in March 2023 found that the unemployment rate for Ventura County is at 4%, which is slightly below the state average (4.4%) (EDD 2023). As such, the Project's temporary employment requirements could likely be met by the City's existing labor force without people needing to relocate into the Project region, and future development of the Janss Road site would not stimulate population growth or a population concentration above what is assumed in local and regional land use plans.

Projects that physically remove obstacles to growth, or projects that indirectly induce growth, are those that may provide a catalyst for future unrelated development in the area. The Janss Road site would not involve installation of new infrastructure at this time. In addition, since the surrounding Project area is already served by existing wet and dry utilities, future development of the Janss Road site would not expand sanitary sewer or stormwater drainage infrastructure into areas not previously served by such utilities.

Further, given that the surrounding Project area is already served by existing wet and dry utilities, it is unlikely that future development of the Janss Road site would tax existing community service facilities or require construction or expansion of new regional-scale facilities with capacity to serve more than just the site. Future development of the Janss Road site would likely not be constructing new roadways; thus, the Project would not result in indirect population growth by providing vehicular access to an area presently lacking such access.

Based on the proximity of the Janss Road site to existing facilities, the average response times in the Project area, the ability for nearby cities to respond to emergency calls, and the fact that the Janss Road site is already located within the Ventura County Fire Department and Ventura County Sheriff's Department service areas, the future development would be adequately served by public services without the construction of new, or the expansion of existing, facilities. Although the future development could potentially result in an incremental increase in calls for service to the Janss Road site compared to existing conditions, this increase is expected to be nominal (as opposed to new residential or uses, which do result in greater increase in calls for service) and would not result in the need for new or expanded fire or police facilities. Lastly, since the future development would not directly or indirectly induce unplanned population growth in the City, it is not anticipated that many people would relocate to the City as a result of the developed Janss Road site, and an increase in school-age children requiring public education is not expected to occur as a result. Thus, the need for new or expanded school facilities is not required.

In conclusion, the future development of the Janss Road site could cause population growth through new housing opportunities. However, this growth falls well within City and regional growth projections for population and housing. The future development would not remove obstacles to population growth and would not cause an increase in population such that new community facilities or infrastructure would be required outside of the Janss Road site. Lastly, the future development is not expected to encourage or facilitate other activities that could significantly affect the environment, as explained above. For these reasons, the future development at the Janss Road site is not considered to be significantly growth inducing.

## SECTION VIII. ALTERNATIVES

### A. Background

The Draft EIR analyzed four alternatives (1A, 1B, 2, and 3) to the proposed Project and evaluated these alternatives for their ability to avoid or reduce the proposed Project's significant environmental effects while also meeting the majority of the proposed Project's objectives. The City finds that it has considered and rejected as infeasible the alternatives identified in the EIR and described below. This section sets forth the potential alternatives to the proposed Project analyzed in the EIR and evaluates them in light of the proposed Project objectives, as required by CEQA.

Where significant impacts are identified, section 15126.6 of the State CEQA Guidelines requires EIRs to consider and discuss alternatives to the proposed actions. Subsection (a) states:

(a) An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Subsection 15126.6(b) states the purpose of the alternatives analysis:

(b) Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

In subsection 15126.6(c), the State CEQA Guidelines describe the selection process for a range of reasonable alternatives:

(c) The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the Project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

The range of alternatives required to be considered is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The EIR shall include sufficient information

about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. Alternatives are limited to ones that would avoid or substantially lessen any of the significant effects of the proposed project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project.

## B. Project Objectives

Consistent with the Project's purpose and need, and to comply with recent State housing law, the primary objectives sought are as follows:

- **Objective 1:** Provide a state-of-the-art cancer center that consolidates various cancer services, cancer medical equipment, and patient service-related functions within a single comprehensive cancer treatment facility located adjacent to the existing Thousand Oaks Surgical Hospital (TOSH) to allow for improved patient convenience, efficiency, and quality of care.
- **Objective 2:** Redevelop an underutilized site with a modern and attractive cancer center building that is adjacent to other medical offices, surgical hospital, and near a key transportation corridor, thereby reducing trips and providing convenience for patients.
- **Objective 3:** Maximize employment opportunities by entitling a cancer center that is responsive to market needs and which will add high quality jobs to the Site.
- **Objective 4:** Ensure the building design and massing are sensitively developed relative to the surrounding built environment and compatible with existing hillside conditions, including limiting the amount of grading and dirt export to the greatest extent possible, while still meeting the critical need to consolidate multiple patient services into a single facility.
- **Objective 5:** Ensure no net loss of residential zoning capacity from approval of the scope of work at the Cancer Center site by providing residential zoning capacity at another location in the City.

## C. Alternatives Considered But Rejected From Further Analysis

Section 15126.6(c) of the State CEQA Guidelines specifies that an EIR should (1) identify alternatives that were considered by the lead agency but were eliminated from detailed consideration because they were determined to be infeasible during the scoping process; and (2) briefly explain the reasons underlying the lead agency's determination. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives; (ii) infeasibility; and/or (iii) inability to avoid significant environmental impacts.

The following alternatives were considered but rejected as part of the environmental analysis for the proposed project (Draft EIR, pg. 7-5):

- The Applicant (HCA/Los Robles Hospital) owns a 4.74-acre parcel located at 150 Via Merida, Assessor's Parcel Number (APN) 687-0-012-105. Currently, the site is zoned Public, Quasi-public and Institutional Lands and Facilities (PL) and serves as the hospital's rehabilitation campus with a 54,578 SF building. However, due to inadequate space to add a comprehensive cancer center to this site, it has been rejected as a feasible alternative.
- The Applicant also considered a reduced single-story 31,412 gross SF building on the Cancer Center or Janss Road site. This alternative would remove the approximately 27,000 gross SF second floor and

associated services. The alternative was rejected because it would not fulfill the purpose and need of the Project or meet the core objectives of the Project.

**Finding:** The City Council rejects these alternatives, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternatives fail to meet most of the basic Project objectives. Therefore, these alternatives are eliminated from further consideration.

## D. Evaluation of Alternatives Selected for Analysis

The alternatives selected for further detailed review within the EIR focus on alternatives that could the proposed Project's significant environmental impacts, while still meeting most of the basic Project objectives. Those alternatives include:

- Alternative 1A: No Project/No Development Alternative
- Alternative 1B: Zoning-Compliant Alternative
- Alternative 2: Comprehensive Cancer Center at Janss Road Site Alternative
- Alternative 3: Single-Story Comprehensive Cancer Center at Cancer Center Site Alternative

### 1. Alternative 1A: No Project Alternative

**Description:** Alternative 1A assumes the Project would not proceed, no new permanent development or land uses would be introduced within the Cancer Center and Janss Road sites, and the existing environment would remain in its current state. The Cancer Center site would remain unchanged and development activities related to construction and operation of the site and associated on- and off-site improvements would not occur. The Janss Road site would remain unchanged and would continue to be used as a surface parking lot for employees at the existing surgical center and supporting hospital service buildings located north and east of the Janss Road site. (Draft EIR Section 7.4.1.1)

**Impacts:** Draft EIR, Section 7.4.1.1

- **Aesthetics** – Since development activities associated with the Project would not occur under Alternative 1A, there would be no impacts related to aesthetics. Therefore, impacts would be less than the proposed Project.
- **Air Quality** – Since development activities associated with the Project would not occur under Alternative 1A, there would be no impacts related to aesthetics. Therefore, impacts would be less than the proposed Project.
- **Biological Resources** – Since development activities associated with the Project would not occur under Alternative 1A, there would be no potentially significant impacts related to biological resources. Therefore, impacts would be less than the proposed project.
- **Cultural, Tribal Cultural, and Paleontological Resources** – Since development activities associated with the Project would not occur under Alternative 1A, there would be no ground disturbance that could potentially affect cultural, tribal cultural, or paleontological resources present, or potentially present, on the Cancer Center and/or Janss Road sites. As such, the less than significant impacts with mitigation incorporated that would potentially occur related to these resources under the development of the proposed Project would not occur under Alternative 1A. Therefore, impacts would be less than the proposed Project.
- **Energy** – Since development activities associated with the Project would not occur under Alternative 1A, there would be no impacts related to energy. Therefore, impacts would be less than the proposed Project.

- Greenhouse Gas Emissions – Since development activities associated with the Project would not occur under Alternative 1A, there would be no impacts related to greenhouse gas emissions. Therefore, impacts would be less than the proposed Project.
- Hazards and Hazardous Materials – Since development activities associated with the Project would not occur under Alternative 1A, there would be no potentially significant impacts related to hazards and hazardous materials. Therefore, impacts would be less than the proposed Project.
- Land Use and Planning – Under Alternative 1A, the Project would not proceed, no new permanent development or land uses would be introduced within the Cancer Center and Janss Road sites, and the existing environment would remain in its current state. As such, there would be no impacts related to land use and planning. Therefore, impacts would be less than the proposed Project.
- Noise – With no development under Alternative 1A, the potential for short-term construction- related noise emission from onsite project construction equipment or onsite operational noise associated with residential HVAC equipment associated with future development of the Janss Road Component would not occur. Under Alternative 1A, there would be no new development; therefore, there would be no noise-related impacts. Therefore, impacts would be less than the proposed Project.
- Transportation - Since development activities associated with the Project would not occur under Alternative 1A, there would be no impacts related to transportation. Therefore, impacts would be less than the proposed Project.
- Utilities and Service Systems – Since development activities associated with the Project would not occur under Alternative 1A, there would be no impacts related to utilities and service systems. Therefore, impacts would be less than the proposed Project.
- Wildfire – With no development under Alternative 1A, the potential for an increased potential for wildfire risks would not occur. Under Alternative 1A, there would be no new development; therefore, there would be no wildfire-related impacts. Therefore, impacts would be less than the proposed Project.

**Attainment of Project Objectives:** The No Project/No Development Alternative (Alternative 1A) would not meet any of the project objectives as it would not develop a comprehensive cancer center, redevelop an underutilized site, or maximize employment opportunities.

**Finding:** The City Council rejects Alternative 1A: No Project/No Development Alternative, on the following grounds: (1) the alternative fails to meet any of the basic project objectives.

## 2. Alternative 1B: No-Project/Zoning-Compliant Alternative

**Description:** Under Alternative 1B, the Cancer Center site would eventually be developed consistent with its current land use designation of Neighborhood Very Low and current zoning designation of Rural-Exclusive. Permitted uses for the Cancer Center site would include up to 9 single-family residential units or community care uses. This alternative assumes that eventual development of the Cancer Center site would result in a similar development footprint to the proposed Project.

**Impacts:** Draft EIR, Section 7.4.1.2

- Biological Resources – Alternative 1B would result in eventual ground-disturbance and development of the project site that could result in potentially significant direct and/or indirect impacts to protected trees, species identified as a candidate, sensitive, or special-status species; and sensitive natural communities.

Like the Project, MM-BIO-1 through MM-BIO-13 could be implemented under Alternative 1B to reduce biological impacts to less than significant. Relative to the Project, biological impacts at the Cancer Center site would be similar under Alternative 1B but no impacts at the Janss Road site would occur; therefore, potential biological impacts would be of lesser magnitude overall under Alternative 1B but still similar relative to the Cancer Center site.

- Cultural, Tribal Cultural, and Paleontological Resources – Alternative 1B would result in ground disturbing activities that could result in a potentially significant impact related to discovery of paleontological resources, buried archaeological resources, previously unknown or undiscovered human remains, including those interred outside of a dedicated cemetery, and/or tribal cultural resources. However, MM-CUL-1 through MM-CUL-4 could be implemented under Alternative 1B to reduce the potential impacts to less than significant. Potential impacts to paleontological and archaeological resources, undiscovered human remains, and tribal cultural resources at the Cancer Center site would be similar under Alternative 1B but no impacts at the Janss Road site would occur; therefore, potential cultural, tribal cultural, and paleontological impacts would be of lesser magnitude overall under Alternative 1B but still similar relative to the Cancer Center site.
- Hazards and Hazardous Materials – Eventual development of the Cancer Center site would introduce new potential sources of ignition to the site and project area. In addition, any residential development on the site would add habitable structures and people in a VHFHSZ. However, implementation of MM-WF-1 through MM-WF-3 could be implemented to reduce wildfire-associated risks. Relative to the Project, potential impacts related to wildfire risks at the Cancer Center site would be of similar under Alternative 1B but no impacts at the Janss Road site would occur; therefore, potential impacts related to wildfire risk would be of lesser magnitude overall under Alternative 1B but still similar relative to the Cancer Center site.
- Noise – Alternative 1B would result in construction on the Cancer Center site that could result in potentially significant impacts related to short-term construction-related noise. However, implementation of MM-NOI-1 could be implemented to reduce construction noise levels to less than significant. Relative to the Project, potential impacts related to construction-related noise at the Cancer Center site would similar under Alternative 1B but no noise impacts at the Janss Road site would occur; therefore, potential impacts related to noise would be of lesser magnitude overall under Alternative 1B but still similar relative to the Cancer Center site.
- Wildfire – Development of the Cancer Center site under Alternative 1B would have a potentially significant impact to exacerbate wildfire risks, due to slope, prevailing winds, and other factors, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. With the implementation of mitigation (MM-WF-1 through MM-WF-3), however, this potential impact would be reduced to a level of less than significant. Relative to the Project, potential impacts related to wildfire risk at the Cancer Center site would be similar under Alternative 1B but no new development or associated wildfire risk at the Janss Road site would occur; therefore, potential impacts related to wildfire would be of lesser magnitude overall under Alternative 1B but still similar relative to the Cancer Center site.

**Attainment of Project Objectives:** Alternative 1B would not meet Objectives 1 and 2 because development of a cancer center would not occur. This alternative would partially meet Objectives 3 and 4 as it would create employment opportunities associated with construction of future development at the Cancer Center site and would likely result in building design and massing compatible with existing hillside conditions. Alternative 1B would meet Objective 5 in its entirety as it would not result in no net loss of residential zoning capacity. As such, Alternative 1B would not meet Objective 1, 2, and 5 and would fall short of meeting Objectives 3 and 4 in its entirety.

**Finding:** The City Council rejects Alternative 1B: No Project Alternative/Zoning-Compliant Alternative, on the following grounds: (1) the alternative fails to meet all of the basic project objectives.

### 3. Alternative 2: Comprehensive Cancer Center at Janss Road Site Alternative

**Description:** Under Alternative 2, a Cancer Center would be constructed at the Janss Road site, a 2.15-acre site located at 355 West Janss Road (APN 522-0-270-135). The Janss Road site's existing General Plan Land Use designation and zoning allows for medical facilities; therefore, implementation of Alternative 2 would not result in the need for a General Plan Amendment or Zone Change. Under Alternative 2, the square footage of the Cancer Center building would be similar to the proposed Project. However, the building would require a different configuration and subterranean parking due to the size of the Janss Road site. Under Alternative 2, the building would be three-stories with an estimated maximum above-ground height of 55-feet and 19,300 SF per floor. The building height would require approval from the Planning Commission as it would exceed the maximum 35-foot height limit of the current zoning. To accommodate for parking, internal driveways, and landscaping requirements, a two-level subterranean parking facility would be provided. Additionally, any existing parking that would be displaced by development on the Janss Road site would need to be analyzed for consistency with the City's regulations in place when a development application is submitted to determine if the parking would need to be replaced either onsite or offsite. It is anticipated the subterranean parking facility would require export of soil. In addition, it is assumed most of the trees located along the Project boundary would be removed to accommodate the development space needed.

**Impacts:** Draft EIR, Section 7.4.2.

- **Biological Resources** – Like the Project, Alternative 2 would result in development of the Janss Road site, which would result in potentially significant direct and/or indirect impacts to protected trees, species identified as a candidate, sensitive, or special-status species; and sensitive natural communities. However, MM-BIO-1 through MM-BIO-13 could be implemented under Alternative 2 to reduce biological impacts to less than significant. Relative to the Project, impacts to protected trees at the Janss Road site would be greater because most of the trees located along the project boundary would be removed to accommodate the development space needed to accommodate the Cancer Center. However, relative to the Project, no impacts to biological resources would occur at the Cancer Center site with implementation of this alternative. Therefore, potential impacts to biological resources would be lesser in magnitude under Alternative 2 overall.
- **Cultural, Tribal Cultural, and Paleontological Resources** – Relative to the project, no impacts to cultural and tribal cultural resources would occur at the Cancer Center site with implementation of Alternative 2. Like the Project, Alternative 2 would result in ground disturbing activities at the Janss Road site that could result in a potentially significant impact related to discovery of paleontological or buried archaeological resources, previously unknown or undiscovered human remains, including those interred outside of a dedicated cemetery, and/or tribal cultural resources. However, MM-CUL-1 through MM-CUL-4 could be implemented under Alternative 2 to reduce the potential impacts to less than significant. Relative to the Project, potential impacts to paleontological and archaeological resources, undiscovered human remains, and tribal cultural resources at the Janss Road site would be of a greater magnitude under Alternative 2 because of deeper and more intensive ground disturbance that would occur during construction of the subterranean parking facility. Therefore, potential impacts related to discovery of buried paleontological and archaeological resources, previously unknown or undiscovered human remains, including those interred outside of a dedicated cemetery, and/or tribal cultural resources would be greater in magnitude under Alternative 2 overall.

- Hazards and Hazardous Materials – Like the Project, development of the Janss Road site would introduce new potential sources of ignition onsite and in the project area and a Phase I ESA would be necessary prior to development to confirm there are no recognized environmental conditions at the Janss Road site. However, Alternative 2 would not result in future residential development that could add habitable structures and people within a VHFHSZ. MM-HAZ-1 could be implemented to confirm there are no recognized environmental conditions at the Janss Road site and MM-WF-1 and MM-WF-2 could be implemented to reduce risk of loss, injury, or death involving wildland fires to a less than significant level. However, relative to the Project, there would be no new development the Cancer Center site that could introduce new potential sources of wildfire risk with implementation of this alternative. Therefore, potential impacts related to increased risk of loss, injury, or death involving wildland fires would be lesser in magnitude under Alternative 2 overall.
- Noise – Like the Project, development of the Janss Road site could result in potentially significant impacts related to short-term construction-related noise under Alternative 2. However, relative to the Project, no impacts related to construction noise at the Cancer Center site or potential operational-associated HVAC noise associated with new residential units would occur with implementation of Alternative 2. MM-NOI-1 and MM-NOI-2 could be implemented to reduce construction-related noise impacts at the Janss Road site under Alternative 2. However, compared to the Project, it is likely that periods of construction-related noise impacts associated with excavation activities during subterranean parking construction could be of greater magnitude and potentially significant. Therefore, relative to the Project, potential impacts related to construction-related noise would be greater in magnitude under Alternative 2 overall.
- Wildfire – Development of the Janss Road site and Cancer Center site and its associated infrastructure could introduce a potentially significant impact related to exacerbation of wildfire risk, due to slope, prevailing winds, and other factors. and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. With the implementation of mitigation (MM-WF-1 through MM-WF-3), however, potential wildfire impacts would be reduced to a level of less than significant. Relative to the Project, there would be no new development or changes to the Cancer Center site that could introduce new potential sources of wildfire risk with implementation of this alternative. Therefore, potential impacts related to increased risk of loss, injury, or death involving wildland fires would be lesser in magnitude under Alternative 2 overall.

**Attainment of Project Objectives:** Alternative 2 would partially meet Objective 1 because it would result in development of a state-of-the-art comprehensive cancer center but would not be located adjacent to the existing TOSH. Alternative 2 would not entirely meet Objective 2, because although the cancer center would be located near other medical offices, it would not be located adjacent to the existing TOSH or near a key transportation corridor. Alternative 2 would meet Objective 3 by maximizing employment opportunities associated with the cancer center that are responsive to market needs and would add high quality jobs to the site. Alternative 2 would not meet Objective 4 in its entirety because the amount of grading and dirt exported would be higher to construct a subterranean parking lot compared to using a surface parking lot. Alternative 2 would meet Objective 5 because no net loss of residential zoning capacity would occur. As such, Alternative 2 would meet most of the Objectives of the Project but would fall short of meeting Objectives 1, 2, and 4 in its entirety.

**Finding:** The City Council rejects Alternative 2: Comprehensive Cancer Center at Janss Road Site Alternative: (1) the alternative fails to meet all of the basic project objectives.

## 4. Alternative 3: Single-Story Comprehensive Cancer Center at Cancer Center Site Alternative

**Description:** Under Alternative 3, both the Janss Road site and the Cancer Center site would be subject to the same General Plan Amendments and Zone Changes as the proposed Project. The medical building would be built on the Cancer Center site and would result in a similar development footprint and would be similar in total area of building proposed to accommodate comprehensive cancer center services. However, the medical building under Alternative 3 would be a single-story building with a footprint of approximately 58,000 SF; a building footprint increase of approximately 29,000 gross SF compared to the proposed Project. The single-story medical building would have a maximum height of 27 feet, a 15-foot decrease in maximum building height compared to the Project. To accommodate the increased building footprint while allowing for required internal driveways, landscaping, and onsite parking within the Cancer Center site, this alternative would include 233 parking spaces in a level and a half subterranean parking facility with a maximum depth of 18 feet below ground and would require export of up to approximately of soil.

### **Impacts:** Draft EIR, Section 7.4.3

- **Aesthetics** - A single-story medical facility, as described under Alternative 3, would reduce the visual presence of the medical facility compared to the proposed Project. Therefore, impacts would be less than the proposed Project.
- **Air Quality** – Relative to the Project, development of the Janss Road site under Alternative 3 would result in a similar magnitude of impacts related to air quality impacts and development of the Cancer Center site under Alternative 3 would result in a building of similar square footage to the proposed Project, resulting in similar air quality impacts. However, the Cancer Center development under Alternative 3 would also add construction of a subterranean parking facility that would require export of up to approximately 29,500 cubic yards of soil, resulting in increased construction equipment operation, either in duration, quantity, and/or truck trips at the Cancer Center site. Therefore, relative to the Project, potential construction-related impacts related to air quality would be greater in magnitude under Alternative 3 overall.
- **Biological Resources** – Alternative 3 would result in development of the Cancer Center and Janss Road sites, which would result in potentially significant direct and/or indirect impacts to protected trees, species identified as a candidate, sensitive, or special-status species; and sensitive natural communities. Like the Project, MM-BIO-1 through MM-BIO-13 could be implemented under Alternative 3 to reduce biological impacts to less than significant. Relative to the Project, impacts would be similar in magnitude under Alternative 3 because the development footprint at each site would be similar to the proposed Project.
- **Cultural, Tribal Cultural, and Paleontological Resources** – Like the Project, Alternative 3 would result in ground disturbing activities at the Cancer Center and Janss Road sites that could result in a potentially significant impact related to discovery of buried paleontological and archaeological resources, previously unknown or undiscovered human remains, including those interred outside of a dedicated cemetery, and/or tribal cultural resources. MM-CUL-1 through MM-CUL-4 could be implemented under Alternative 3 to reduce the potential impacts to less than significant. Relative to the Project, potential impacts to paleontological and archaeological resources, undiscovered human remains, and tribal cultural resources would be of a greater magnitude under Alternative 3 because of deeper and more intensive ground disturbance that would occur at the Cancer Center site to construct the subterranean parking facility.
- **Energy** – Relative to the Project, development of the Janss Road site under Alternative 3 would result in a similar magnitude of impacts related to energy impacts and development of the Cancer Center site under

Alternative 3 would result in a building of similar square footage to the proposed Project, resulting in similar energy impacts. However, the Cancer Center development under Alternative 3 would also add construction of a subterranean parking facility that would require export of up to approximately 29,500 cubic yards of soil, resulting in increased construction equipment operation, either in duration, quantity, and/or truck trips at the Cancer Center site. Therefore, relative to the Project, potential construction-related impacts related to energy would be greater in magnitude under Alternative 3 overall.

- Groundwater – Compared to the Project, development of the Cancer Center site under Alternative 3 could potentially result in groundwater-related impacts associated with grading to a maximum depth of 18 feet for construction of the subterranean parking facility. As indicated in the Geotechnical Site Evaluation Report conducted for the Cancer Center site (see Appendix E of the Draft EIR), groundwater was not encountered during the subsurface exploration program to the maximum depth drilled of 14 feet below the ground surface and the Seismic Hazard Zone Report for the Thousand Oaks 7.5-minute Quadrangle, Ventura County, California does not indicate a high groundwater level in this area (Appendix E of the Draft EIR). However, because it is unknown where groundwater levels fall within the site, it is unknown whether the potential to encounter groundwater could occur at the excavation depth of 18 feet proposed under Alternative 3. Therefore, it is assumed that the potential for groundwater-related impacts at the Cancer Center site under Alternative 3 could be greater in magnitude compared to the Project.
- Hazards and Hazardous Materials – Like the Project, Alternative 3 would result in development of the Cancer Center and Janss Road sites, which would introduce new potential sources of ignition onsite and in the project area. In addition, any future residential development on the Janss Road site would add habitable structures and people in a VHFHSZ. And to confirm no recognized environmental conditions at the Janss Road site, a Phase I ESA would be necessary prior to development. However, implementation of MM-HAZ-1 and MM-WF-1 through MM-WF-3 could be implemented to confirm there are no recognized environmental conditions on the Janss Road site (MM-HAZ-1) and to reduce risk of loss, injury, or death involving wildland fires (MM-WF-1 through MM-WF-3) to a less than significant level. Relative to the Project, potential impacts related to unknown recognized environmental conditions at the Janss Road site or risk of loss, injury, or death involving wildland fires at both sites would be of similar magnitude under Alternative 3 because the development footprint and type of developments at each site would be similar to the proposed Project.
- Noise – Like the Project, construction at the Cancer Center and Janss Road site could result in potentially significant impacts related to short-term construction-related noise under Alternative 3. Similar to the Project, HVAC noise associated with future development of residential units at the Janss Road site under this alternative could potentially exceed the City’s Noise Element’s compatibility guidelines for residential uses at nearby existing residential uses. MM-NOI-1 through MM-NOI-3 could be implemented Alternative 3 to reduce potential noise-related impacts. However, compared to the Project, it is likely that periods of construction-related noise impacts associated with excavation activities during subterranean parking construction at the Cancer Center site could be of greater magnitude and potentially significant. Therefore, relative to the Project, potential impacts related to construction-related noise would be greater in magnitude under Alternative 3 overall.
- Wildfire – Like the Project, Alternative 3 would result in new development on the Cancer Center and Janss Road sites that could result in in potentially significant impact related to exacerbation of wildfire risk, due to slope, prevailing winds, and other factors. MM-WF-1 through MM-WF-3 could be implemented under Alternative 3 to reduce the potential impact to less than significant. With implementation of mitigation (MM-WF-1 through MM-WF-3), however, the potential for significant wildfire-related impacts would be reduced to a level of less than significant. Relative to the Project, potential impacts related to wildfire risk at the Cancer Center site and Janss Road site would be of similar magnitude under Alternative 3 because similar developments on the sites would occur.

**Attainment of Project Objectives:** Alternative 3 would meet Objectives 1, 2, 3, and 5, as it would develop a cancer center adjacent to the TOSH and near other medical buildings, create employment opportunities, and would ensure no net loss of residential zoning capacity. Alternative 3 would not meet Objective 4 because the amount of grading and dirt exported would be higher to construct a subterranean parking lot compared to using a surface parking lot. As such, Alternative 3 would meet most of the project objectives, but would fall short of meeting Objective 4.

**Finding:** The City Council rejects Alternative 3: Single-Story Comprehensive Cancer Center at Cancer Center Site Alternative, on the following grounds: (1) the alternative fails to meet all of the basic project objectives.

## E. Environmentally Superior Alternative

Section 15126.6(e)(2) of the State CEQA Guidelines indicates that an analysis of alternatives to a proposed project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR. Based on the alternatives analysis contained within the Draft EIR, Alternative 1A (No Development/No Project Alternative) would be the environmentally superior alternative because all of the significant impacts of the Project would be avoided and no environmental impacts would occur. However, Alternative 1A would not meet any of the Project's Objectives.

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