



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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Agenda Item VI(d)
MRCA
2/5/14

MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: March 5, 2008

SUBJECT: **Agenda Item VIII: Consideration of resolution amending resolution 00-25 authorizing an exchange of permanent easements for wildlife corridor and overflow parking purposes between APNs 2064-006-903 and 904 under MRCA ownership and 2064-006-006,007,009,016,018, and 019 under private ownership between Liberty Canyon Road and the 101 Freeway, Agoura Hills.**

Staff Recommendation: That the Governing Board adopt the attached resolution amending resolution 00-25 authorizing an exchange of permanent easements for wildlife corridor and overflow parking purposes between portions of APNs 2064-006-903 and 904 under Mountains Recreation and Conservation Authority (MRCA) ownership and portions of APNs 2064-006-006,007,009,016,018, and 019 under private ownership between Liberty Canyon Road and the 101 Freeway and expressing its intent to include easements over portions of APNs 2064-006-902 and 905 at the next meeting of the MRCA.

Background: In March of 2000 the Governing Board approved resolution number 00-25 (attached) authorizing the exchange of equal acreage of property between the MRCA's Liberty Canyon holdings and a portion of adjacent commercially-zoned property that abuts the Caltrans-owned right-of-way for the Ventura (101) Freeway. The purpose of the exchange was to secure the last needed ownership to complete a continuum of public land from the north side of the freeway in the Simi Hills to the south side in the Santa Monica Mountains. That land exchange did not occur and the property has since changed ownership. Resolution number 00-25 refers to the MRCA's APNs 2064-006-012 and 013. Those APNs are now APNs 2064-006-903 and 904. Each parcel is approximately 0.17 acres.

The weak link in the Liberty Canyon inter-mountain range wildlife corridor is the subject privately-owned section of land along the south side of the 101 Freeway between Liberty Canyon Road and a cluster of MRCA-owned properties approximately 400 feet to the west. The parking space requirements to increase the

building square footage on the adjacent commercial property spurred the prior landowner to bargain for a low impact parking area on MRCA property in exchange for a permanent dedicated wildlife corridor between the freeway and the commercial buildings. The prior landowner was adverse to providing conditions that maximized the wildlife corridor. The corridor that staff negotiated was far less than optimal. The parking area on MRCA property however was substantially smaller than the current applicant's request. Fortunately that deal never materialized and the strong environmental stewardship of the City of Agoura Hills brought along a new project applicant that is fully willing to maximize the capacity of the wildlife corridor on the private property in exchange for an overflow parking easement on MRCA property.

As shown in the attached aerial photographs, the subject portion of MRCA property has been repeatedly disturbed. It includes a boarded up house and a substantial sized asphalt parking lot. The house and parking lot are linked to Vendell Place (former US 101) via a paved driveway. Any proposal to make a portion of MRCA property a permanent parking lot for primarily private use would require no lighting, no fencing, no retaining wall, and no non-native landscaping. If approved by the Governing Board, staff will push the City of Agoura Hills to permit the applicant to install the most permeable and least obtrusive paving possible.

The key ecological question of staff is to make sure that the dimensions of the parking lot do not adversely affect wildlife corridor function. Any agreement will also require the applicant to fund or install native landscaping to the MRCA's specifications around and within the new parking area if it is built. Other than the hard parking surface, it shall not have any attributes that would negatively impact wildlife movement. As urged by staff, the current proposal channels parking lot runoff onto MRCA property in manner that maximizes the growth of native woodland species, cleans storm water, and maximizes groundwater infiltration.

The original deal with the property owner in 2000-2001 was for 24 parking spaces and a narrow wildlife corridor. The current proposal is for approximately 39 spaces (70-feet-wide) and as wide of a wildlife corridor that can be accommodated on the site and still allow additional buildings with required parking. It is staff's understanding that the neighborhood would prefer that the applicant add two small buildings rather than one large structure. The dispersal of the new buildings complicates the wildlife corridor function but those constraints can be worked around. As part of the agreement so far with the applicants, they are willing to grant the MRCA conservation easements, or acceptable recorded easements, that allow for the complete free flow of wildlife through the entire project site between and around buildings. Because the historic pattern of wildlife movement on the south side of the freeway at Liberty Canyon Road is quite scattered, this unique accommodation from the applicants is a valuable design element and mitigation measure. This type of solution is not tested, but staff's knowledge of the site affirms

its value in negotiating an agreement for an parking easement on MRCA property. The prior applicant was going to fence the entire perimeter of the site. It is worth a lot to have enforceable easements that guarantee the free flow of wildlife movement through the entire property. Ideally the City will agree to bolster the permanence of this MRCA internal-project easement network with a condition of approval that also deters future landowners from even contemplating blocking animal movement on any portion of the site.

The foundation for an easement exchange versus an exchange of fee simple ownership lies in the limitations on the MRCA property having been acquired with Proposition A funding. Any sale of the property would require a complicated reimbursement of the Los Angeles County Regional Park and Open Space District. Staff will be sure that the valuation difference between the easements exchanged does not result in a net loss of value to the MRCA. The additional easement network between and around the buildings and parking areas definitely would add value to the MRCA side of the ledger.

A schematic of the site plan is attached along with a three dimensional perspective of how the buildings would look. The reason the attached schematic does not show some of the open space area to the south as dedicated wildlife corridor is because it is part of a landscaped slope that faces away from the corridor. Staff will insist on the additional corridor width not shown as part of the dedicated 17,599 square-foot wildlife corridor with stippling. The applicant has also agreed to plant, irrigate, and contour the wildlife corridor to staff's specifications.

Perhaps one of the most frustrating aspects of proposed plan is the need to avoid a large electrical transformer located at the southwest corner of the dedicated wildlife corridor. It pinches the corridor width and prevents direct contact with MRCA property to the south. As a result an animal either must travel through the existing driveway network north of the one existing building, or on a short section of 1930s era cement pavement on Vendell Place that is owned by the City of Agoura Hills. Ultimately the wildlife corridor function is best served if the street is vacated, closed to traffic, and an approximately 50-foot-long section is planted with appropriate native vegetation. Hopefully the City will soon initiate vacation proceedings. The corridor at this junction has been fenced for over twenty years. Staff will also request a condition that the fence be lowered and made porous to wildlife movement while the project goes through further design, approval and construction.

To further enhance the wildlife corridor, staff hopes that Caltrans will also reconsider moving its right-of-way fencing further north to expand the corridor width. In addition Caltrans is slowly moving forward with the design of wildlife tunnel that would bypass the subject office building site and connect MRCA property on both side of the

freeway. The tunnel may be too long and dark for deer so the existing corridor using the office building is an essential under any future scenario.

Conclusion

A reasonably effective corridor could probably be exacted in the entitlement process without granting a parking easement. However by granting a parking easement on disturbed land with rigorous limiting conditions, the public is assured of a high quality multi-dimension wildlife corridor in a fully cooperative process with the applicant. Shy of tearing down the existing building or the applicants going with just a single large additional building, there is little else the site can contribute to wildlife corridor width or quality. The proposed overflow parking area on MRCA land would not substantively diminish the function of the wildlife corridor. If additional information shows that corridor function would be substantially diminished, the parking area will have to be modified prior providing an easement. Staff will continue to work with the applicant and the City to make sure the parking area is as compact as it can be without substantially reducing the feasibility of the proposed commercial project.

Almost certainly an adequate size parking lot will require more MRCA land than portions of APNs 2064-006-903 and 904. Each of those lots is only 50-feet-wide. That is not wide enough for two rows of parking. In which case portions of APNs 2064-006-902 and 905 will also need to be thrown into the mix. It was staff's oversight not to include those two APNs on the agenda. The proposed staff recommendation includes giving staff direction to bring the item back to consider adding those two lots at the next meeting of the Governing Board.

Additional Elements

There may be some value in the MRCA retaining limited rights to use the overflow parking area for events. Most likely though the near-one-thousand foot length of Vendell Place leading to the parking lot would provide all necessary parking for school buses or other large vehicles.

From a pure recreational perspective, particularly for equestrians, the use of the wildlife corridor between the freeway and the commercial buildings is ideal. Cyclists and pedestrians can use the existing side walk to go around the building. The use of corridor for trail purposes, particularly if dogs use it, would have a substantial adverse effect. For this reason, it is critical to put the function of the inter-mountain range wildlife corridor above all recreational needs.