

2 Responses to Comments Received

In accordance with the California Environmental Quality Act Guidelines (CEQA Guidelines) Section 15088, the City of Thousand Oaks, as the lead agency, evaluated the written comments received on the Draft Environmental Impact Report (DEIR) (State Clearinghouse No. 2023020431) for the proposed Janss Marketplace Hotel Project (project) and has prepared the following responses to the comments received (Responses to Comments). This Response to Comments section is part of the Final EIR for the project in accordance with CEQA Guidelines Section 15132.

A list of public agencies that provided comments on the Draft EIR is presented in the table below. Each comment has been assigned a letter number. Individual comments within each comment letter have been numbered so comments can be cross-referenced with responses. The text of each comment letter that was received is reprinted in this Section and followed by the corresponding response.

Comment Letter No.	Commenter	Letter Date	Page No.
A1	California Department of Transportation, Miya Edmonson, LDR/CEQA Branch Chief District 7	September 19, 2023	2-3
A2	Ventura County Air Pollution Control District, Nicole Collazo	September 25, 2023	2-7
A3	Ventura County Fire Protection District	October 5, 2023	2-13

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Comment Letter A1

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 7
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
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Making Conservation
a California Way of Life

September 19, 2023

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

RE: Janss Marketplace Hotel Project
Draft Environmental Impact Report
(DEIR)
SCH # 2023020431
Vic. VEN-Multiple
GTS # 07-VEN-2023-00553

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 site is located within the Janss Marketplace and is surrounded by commercial uses. Within the 38-acre Janss Marketplace, the proposed hotel would be located on an existing 27.16-acre parcel (project site). The proposed project includes the construction of a five-story, 216-room, 132,144 square-foot hotel. The structure would include an open-air courtyard within the center of the building composed of two levels, the first floor consisting of a patio and event area, and the second floor consisting of a pool deck. The main entrance for the hotel would be located on the western side of the building, setback from the access road. A secondary entrance for the hotel would be located on the eastern side of the building, accessed from the pedestrian walkway internal to the Janss Marketplace. The City of Thousand Oaks is the Lead Agency under the California Environmental Quality Act (CEQA).

The project site is located approximately less than a mile from the U.S. 101 and 1.2 miles from SR-23. After reviewing the Revised DEIR, Caltrans has the following comments:

According to the DEIR, no changes to parking are proposed. Parking would be provided utilizing the existing 2,642 parking spaces within the Janss Marketplace; of those spaces, it is expected that the hotel guests would predominantly park in the parking structure adjacent to Wilbur Road, which has approximately 1,396 spaces, located across from the project site. The DEIR also states that impacts to transportation would be less than significant. The following information is included for your consideration.

A1-1

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

Scott Kolwitz
September 19, 2023
Page 2 of 2

We encourage the Lead Agency to evaluate the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (ITS) applications in order to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements. 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 and refer to GTS # 07-VEN-2023-00553.

Sincerely,

Miya Edmonson

MIYA EDMONSON
LDR/CEQA Branch Chief

cc: State Clearinghouse

A1-1
Cont.

A1-2

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

Response to Comment Letter A1

California Department of Transportation
Miya Edmonson, LDR/CEQA Branch Chief District 7
September 19, 2023

A1-1 The commenter recommends Transportation Demand Management (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 Janss Marketplace Hotel Project.

A1-2 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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Comment Letter A2



Ventura County
Air Pollution
Control District

4567 Telephone Rd
Ventura, California 93003

tel 805/303-4005
fax 805/456-7797
www.vcapcd.org

Ali Reza Ghasemi, PE
Air Pollution Control Officer

**VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT**
Memorandum

TO: Scott Kolwitz, Senior Planner, City of Thousand Oaks

DATE: September 25, 2023

FROM: Nicole Collazo, Air Quality Specialist, VCAPCD Planning Division *NC*

SUBJECT: Public Comment for City of Thousand Oaks Janss Marketplace Hotel Project
Environmental Impact Report (RMA 23-004-1)

Ventura County Air Pollution Control District (APCD) staff has reviewed the draft environmental impact report (EIR) for the project referenced above, which analyzed the potential environmental impacts on developing a commercial project, consisting of a 216-room hotel within the existing Janss Marketplace outdoor mall. The project location is 225 North Moorpark Road. The Lead Agency for the project is the City of Thousand Oaks.

General Comments

APCD submits the following comments regarding the DEIR.

Item 1- The DEIR states the hotel will be providing EV parking spaces. EV station installations may be funded by public monies provided they are accessible to the public. The California Energy Commission, or CEC, has several funding opportunities, including the [CALeVIP](#) program, the Southern California Incentive Project (SCIP), and [Communities in Charge](#). The California Air Resources Board also has many resources and newly allocated grant money for EV equipment for individuals and organizations which may be found [here](#). Finally, the APCD administers an incentive program that public entities may apply for as well. More on our Incentive Programs may be found [here](#).

A2-1

Item 2- It is not clear if the needed export of 56 cu. yd. of soil during grading operations was included in the air pollution emission model. The model in Appendix C on PDF Page 353 of 446 states an average trip of 0.70 would occur from truck hauling and this would imply less than 1 one-way trip would occur resulting in <0.005 lbs./day ROC and NOx (PDF Page 314 of 446).

A2-2

Item 3- Page 3-23. It may also be required for the project to obtain APCD permits for a stationary emergency diesel generator, if proposed.

A2-3

Item 4- Exhibit 5.1-2d depicts weddings occurring in the hotel grounds. Are the trips for wedding events included in the operational air emissions for the project? If so, please include in the Long

A2-4

Term (Operational) Air Emissions subsection on Page 5.2-19 or update subsection with appropriate emission amounts, tables, references, appendix. ↑ A1-4
Cont.

Item 5- Please add APCD Rule 62.7, *Asbestos- Demolition & Renovation*, to the list of rules on Page 5.2-11. I A2-5

Item 6- Page 5.2-18. Please change the mitigation reference of AQ-1 to the correct measure of AQ-2, regarding reducing operational ROC emissions to below significance thresholds. I A2-6

Thank you for the opportunity to comment on the project's DEIR. Should you have any questions, you may contact me at nicole@vcapcd.org.

Response to Comment Letter A2

Ventura County Air Pollution Control District
Nicole Collazo
September 25, 2023

A2-1 The commenter provides several incentive programs and funding options for the electric vehicle charging stations proposed by the project. This comment is acknowledged, and no further responses are required.

A2-2 This comment states that it is not clear if the cited export of 56 cubic yards of soil during grading operations was included in the air pollution emission model.

The soil export was included in the CalEEMod modeling. As shown in Table 5.6.1 of the CalEEMod output, 56 cubic yards of soil export was modeled for the grading phase. The average of 0.7 hauling trip per day during grading was automatically calculated by CalEEMod from the input of 56 cubic yards of soil export. The inputs have been verified and no revisions to the Draft EIR are needed.

A2-3 This comment states that the project may be required to obtain VCAPCD permits for a stationary emergency diesel generator, if proposed. This comment is acknowledged, and the potential requirements of permitting on the emergency diesel generator was discussed on page 5.2-24, Operations, of the Draft EIR. No further revisions are needed.

A2-4 This comment states that weddings that would occur in the hotel grounds were depicted in the site plan, but it is not clear if the trips for wedding events were included in the operational air emissions.

The air quality modeling relies on the daily trip generation rates included in the Trip Generation Analysis prepared for the project. Based on the Trip Generation Analysis, daily trips generated by the proposed hotel use were calculated using the Hotel land use trip generation rate from the Institute of Transportation Engineers Trip Generation Manual (ITE Manual). Of the five types of lodging land uses (Hotel, All Suites Hotel, Business Hotel, Motel, and Resort Hotel) included in the ITE Manual, Hotel land use has the highest daily trip generation rate (approximately 8 trips per room per day), and the rate considers supporting facilities of the hotel, such as a full-service restaurant, cocktail lounge, meeting rooms, banquet room, and convention facilities. As such, the daily trip generation used in the air quality analysis takes into account trips generated by the potential wedding events, and therefore, the operational air quality analysis has been determined to be conservative and adequate. No revisions are needed.

In addition, a maximum capacity of 250 persons for the hotel's event area is provided in the Errata Section of the Final EIR, for the following Draft EIR pages.

Section 3.0, Project Description, Page 3-12:

The courtyard on the first floor would include an event area, with a maximum capacity of 250 persons, and patio with outdoor dining.

Section 5.2, Air Quality, Page 5.2-20:

According to the City's Trip Generation Analysis, comparing the existing retail trip generation to the project, including the internal capture credit, the project would generate 724 more net daily trips, which includes the event area with a maximum capacity of 250 persons.

Section 5.11, Noise, Page 5.11-16:

The outdoor amenity gathering area has the potential to be accessed by groups of people intermittently, with a maximum capacity of 250 persons.

Section 5.13, Transportation, Page 5.13-12:

This assumes a trip credit is applied for the existing retail building that is proposed to be demolished and includes the event area with a maximum capacity of 250 persons.

Section 5.13, Transportation, Page 5.13-15, Table 5.13-1:

New Footnote for ITE Code 310: ITE Code 310: A hotel is a place of lodging that provides sleeping accommodations and supporting facilities such as a full-service restaurant, cocktail lounge, meeting rooms, banquet room, and convention facilities. A hotel typically provides a swimming pool or another recreational facility such as a fitness room.

New Footnote for ITE Code 820: ITE Code 820: A shopping center is an integrated group of commercial establishments that is planned, developed, owned, and managed as a unit. Each study site in this land use has at least 150,000 square feet of gross leasable area (GLA). It often has more than one anchor store. A shopping center of this size typically contains more than retail merchandising facilities. Office space, a movie theater, restaurants, a post office, banks, a health club, and recreational facilities are common tenants. A shopping center of this size can be enclosed or open-air. The vehicle trips generated at a shopping center are based upon the total GLA of the center. In the case of a smaller center without an enclosed mall or peripheral buildings, the GLA is the same as the gross floor area of the building.

A2-5

The commenter requests adding *VCAPCD Rule 62.7, Asbestos – Demolition and Renovation*, to the list of rules.

This comment is acknowledged, and the following insertions are added in the Errata Section of the Final EIR, for Draft EIR page 5.2-12, prior to the subtitle “Southern California Association of Governments (SCAG)”.

Rule 62.7 – Asbestos – Demolition and Renovation: This rule requires emission control measures for demolition and renovation operations and the associated disturbance of asbestos-containing material (ACM). The project would be required to comply with this rule during the demolition phase of construction.

A2-6

The commenter requests corrections to the mitigation reference.

This comment is acknowledged, and the following edits are provided in the Errata Section of the Final EIR for Draft EIR Page 5.2-18.

Therefore, the project would be required to implement Mitigation Measure AQ-1AQ-2. To reduce daily ROG emissions, Mitigation Measure ~~AQ-1AQ-2~~ would require that the architectural coating phase of the project construction would last for at least six weeks. With the implementation of Mitigation Measure ~~AQ-1AQ-2~~, ROG emissions would be reduced to below the VCAPCD threshold; refer to Table 5.2-3. As such, the impact would be less than significant with mitigation implemented.

Total Daily Construction Emissions

CalEEMod was utilized to model construction emissions for ROG, NO_x, CO, SO_x, PM₁₀, and PM_{2.5}. As indicated in Table 5.2-3, construction emissions would not exceed VCAPCD thresholds with the implementation of Mitigation ~~Measure AQ-1~~ Measures AQ-1 through AQ-3. As such, construction emissions would be less than significant.

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Comment Letter A3



VENTURA COUNTY FIRE PROTECTION DISTRICT
FIRE PREVENTION BUREAU
165 DURLEY AVENUE
CAMARILLO, CA 93010
www.vcfd.org
Office: 805-389-9738 Fax: 805-388-4356

**FIRE PREVENTION FORM 613
PLAN CHECK CORRECTIONS**

DATE: 10/05/23

PROJECT NAME: Janss Hotel DEIR

PROJECT LOCATION: 225 N Moorpark Rd

PLANNING NUMBER: DP 2022-70079 RECORD NUMBER: FPLN22-00108

Please make the following corrections to your plans or provide the information requested. Indicate in the left-hand margin of this form, the plan sheet location of all corrections or information requested. Return this form and the marked up set of plans with your submittal. Δ # and cloud all changes on plans.

5.12-1: Fire Protection - Remove Station 44 and add Stations 35 and 36. Adjust the Safety Element response time goals to 8 minutes and 30 seconds for suburban areas and 12 minutes for rural areas.

5.12-2: Update the distance between the project site and Station 30 from 2 miles to 0.6 miles.

5.12-5: Remove the reference to the Uniform Fire Code

5.12-6: California Fire Code - Remove reference to the UFC and replace with "Portions of the IFC" and remove the paragraph referencing "Section 501.3 of the Fire Code..."

5.12-7: In addition to the State Multi-Hazard Mitigation Plan, add reference to the Local Hazard Mitigation Plan which is the Ventura County Multi-District Mitigation Plan.

5.12-8: Remove references to VCFD Ordinance 27 and Ordinance 31. Ordinance 32 is the current Ventura County Fire Code.

5.12-9: Remove reference to Municipal Code Title 4, Chapter 6, Fire Control and Prevention

5.12-14: Impact Analysis: Adjust response time goals to 8 minutes and 30 seconds for suburban areas and 12 minutes for rural areas. Adjust the 2 mile distance from the project site to 0.6 miles

5.12-5: Remove reference to the Uniform Fire Code.

A3-1
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A3-8
A3-9

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Response to Comment Letter A3

Ventura County Fire Protection District
October 5, 2023

A3-1 The commenter requested that the relevant fire stations for the project site be changed, as well as the response times.

This comment is acknowledged, and the following updates are provided in the Errata Section of the Final EIR, for Draft EIR page 5.12-1.

The VCFD consists of 33 fire stations, 7 of which are in Thousand Oaks (Stations 30, 31, 32, 33, 34, 35, 36, and 37, and 44), and has approximately 600 uniformed personnel that provide fire protection, medical services, rescue services, hazardous materials response, and other services for the City.

The Safety Element of the General Plan identifies the following target response time for the VCFD:

- Response time for arrival of the first fire engine at an emergency scene should be within five minutes to 90 percent of incidents in its jurisdiction eight minutes and thirty seconds for suburban areas, and twelve minutes for rural areas.

A3-2 The commenter requested an update to the distance between the project site and Station 30.

This comment is acknowledged, and the following update is provided in the Errata Section of the Final EIR, for Draft EIR page 5.12-2.

The project area is served by VCFD Station 30, which provides services for the central portion of the City and is approximately ~~two~~ 0.6-miles from the project site (325 West Hillcrest Drive).

A3-3 The commenter requested the removal of the reference in the Regulatory Setting Section to the Uniform Fire Code.

This comment is acknowledged, and the following update is provided in the Errata Section of the Final EIR, for Draft EIR page 5.12-5.

~~Uniform Fire Code~~

~~The Uniform Fire Code (UFC) includes specialized technical fire and life safety regulations, which apply to the construction and maintenance of buildings and land uses. Topics addressed in the UFC include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire safety requirements for new and existing buildings.~~

A3-4 The commenter requested revisions of the reference to the Uniform Fire Code in the Regulatory Setting Section.

This comment is acknowledged, and the following update is provided in the Errata Section of the Final EIR, for Draft EIR page 5.12-6.

California Fire Code

The California Fire Code contains regulations relating to construction and maintenance of buildings and the use of premises based on ~~the~~ portions of the International Fire Code (IFC). Topics addressed in the code include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist first responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and premises. The code contains specialized technical regulations related to fire and life safety.

~~Section 501.3 of the Fire Code states, “Construction documents for proposed fire apparatus access, location of fire lanes, security gates across fire apparatus access roads and construction documents and hydraulic calculations for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction.”~~

- A3-5** The commenter requested the addition of a reference to the Local Hazard Mitigation Plan, which is the Ventura County Multi-District Mitigation Plan.

This comment is acknowledged, and the following update is provided in the Errata Section of the Final EIR, for Draft EIR page 5.12-7 immediately after the heading “Regional and Local”.

Ventura County Multi-Jurisdictional Hazard Mitigation Plan

The Ventura County Multi-Jurisdictional Hazard Mitigation Plan (HMP) was updated in 2022 and documents the purpose of the HMP, how it differs from previous plans, the development process, hazards of concern in Ventura County, existing regulations, a risk assessment, and a mitigation plan.

- A3-6** The commenter requested revisions to the references to the VCFD Ordinances.

This comment is acknowledged, and the following update is provided in the Errata Section of the Final EIR, for Draft EIR page 5.12-8.

Ventura County Fire Protection District Ordinance No. 27

~~Effective January 11, 2011, Ordinance 27 of the Ventura County Fire Protection District to be known as the Ventura County Fire Code, adopted by reference the 2010 California Fire Code and portions of the 2009 International Fire Code, both of which are part of the California Building Standards Code, known as California Code of Regulations (CCR), Title 24.~~

Ventura County Fire Protection District Ordinance No. 29

Effective January 1, 2017, Ordinance 29 of the Ventura County Fire Protection District to be known as the Ventura County Fire Apparatus Access Code, establishes the minimum cumulative design and maintenance standards for emergency fire access roads within the

jurisdictional boundaries of the Ventura County Fire Protection District. These provisions permit emergency resources to respond to an incident in a safe and effective manner.

Ventura County Fire Protection District Ordinance No. 31

~~Adopted on October 15, 2019, Ordinance 31 of the Ventura County Fire Protection District to be known as the Ventura County Fire Code (VCFC), adopted by reference the 2019 California Fire Code and portions of the 2018 International Fire Code, both of which are part of the California Building Standards Code. Ordinance 30 includes select Appendices with additions, deletions, and amendments to the California Fire Code and International Fire Code.⁴⁹~~

~~⁴⁹Ventura County Fire Protection District. 2019. "Ordinance No. 31." September 2022. <http://bosagenda.countyofventura.org/sirepub/cache/2/fsuikblrb23ohfl1mmtfpvhr/99258009212022110805401.PDF>.~~

Ventura County Fire Protection District Ordinance No. 32

Effective January 1, 2023, Ordinance 32 of the Ventura County Fire Protection District to be known as the Ventura County Fire Code, establishes minimum standards for the protection of the public health, safety, and welfare reasonably necessary to provide fire protection for life and property because of local climatic, geological, or topographical conditions within the jurisdictional boundaries of the Ventura County Fire Protection District. Ordinance No. 32 adopted by reference the 2022 California Fire Code together with Appendix O, portions of the 2021 International Fire Code, and portions of the California Code of Regulations, with additions, deletions and amendments thereto, and incorporated by reference Fire District Ordinance No. 29.

New Footnote: ¹⁹Ventura County Fire Protection District, 2023. "Ordinance No. 32." October 2023. <https://s44762.pcdn.co/wp-content/uploads/2022/10/Ordinance-32.pdf>.

A3-7

The commenter requested removal of reference to Municipal Code Title 4, Chapter 6, in the Regulatory Setting Section.

This comment is acknowledged, and the following update is provided in the Errata Section of the Final EIR, for Draft EIR page 5.12-9.

Municipal Code Title 4, Chapter 6, Fire Control and Prevention

~~Municipal Code Title 4, Chapter 6, Fire Control and Prevention, adopts by reference the most recent version of the Uniform Fire Code and ratifies any applicable amendments thereto. This chapter also includes standards for enforcement, rules and regulations, authority of fire personnel to exercise powers of police officers, and compliance and penalties.~~

A3-8

The commenter requested revisions to the Impact Analysis for Impact PSR-1 to reflect the changes made in RTC A3-1 and A3-2 above.

This comment is acknowledged, and the following update is provided in the Errata Section of the Final EIR, for Draft EIR page 5.12-14.

Impact Analysis: The site is located within an urbanized area, away from the wildland urban interface, served by the VCFD, and is not within or adjacent to a very high fire hazard severity zone (VHFHSZ). The project area is serviced by VCFD Fire Station 30, located approximately ~~two miles~~ 0.6-miles from the project site. The project site is within the VCFD's five-minute ~~eight minute and thirty second suburban response time and twelve minute rural area~~ response time. ~~of the~~ The VCFD, ~~which~~ has adequate staff at Station 30 to address any project-related needs for fire safety.

A3-9 The commenter requested removal of reference to the Uniform Fire Code in the Regulatory Setting Section.

This comment is a duplicate of the comment addressed in RTC A3-3, and revisions were made in the response to the comment. No further revisions are necessary.