RESOLUTION NO. 2016-1496

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA (1) APPROVING FILE NO. 140001318 INCLUSIVE OF A REQUEST FOR A CONDITIONAL USE PERMIT, SITE PLAN REVIEW, SCENIC CORRIDOR PERMIT, DEVELOPMENT PLAN AND OAK TREE PERMIT FOR THE CONSTRUCTION OF A NEW THREE-STORY HOTEL WITH A MAXIMUM OF 67,000 SQUARE FEET OF BUILDING AREA, WHICH INCLUDES UP TO 127 ROOMS, POOL AND 151 SURFACE LEVEL PARKING SPACES, INCLUDING A PUBLIC PARKING LOT ON RONDELL STREET. THE PROPOSED PROJECT INCLUDES A DEVELOPMENT PLAN PERMIT IN ORDER TO CONSTRUCT THE PROPOSED HOTEL BUILDING AND RETAINING WALLS IN EXCESS OF 6-FEET IN HEIGHT. AN OAK TREE PERMIT IS REQUIRED TO ALLOW FOR THE ENCROACHMENT INTO THE PROTECTED ZONE OF THREE OAK TREES. THE SUBJECT SITE IS LOCATED AT 26300 RONDELL STREET (APN 2069-031-014 AND 2069-031-015), WITHIN THE COMMERCIAL RETAIL ZONING DISTRICT AND SCENIC CORRIDOR OVERLAY ZONE; AND (2) ADOPTING THE ASSOCIATED MITIGATED NEGATIVE DECLARATION.

Section 1. The City Council has considered all of the evidence submitted into the administrative record which includes, but is not limited to:

1. Agenda reports prepared by the Community Development Department;

2. Staff presentation at the public hearing held on June 22, 2016, before the City Council;

3. Staff presentation at the meeting held on June 8, 2016, before the City Council;

4. Staff presentation at the public hearing held on May 3, 2016, before the City Council;

5. Staff presentation at the public hearing held on February 24, 2016, before the City Council;

6. Staff presentation at the public hearing held on February 3 and 4, 2016, before the Planning Commission;

7. The City of Calabasas Land Use and Development Code, General Plan, and all other applicable regulations and codes;

8. The Final Initial Study and Mitigated Negative Declaration (IS/MND) for the project, dated January 2016;

9. Public comments, both written and oral, received and/or submitted at or prior to the public hearing, supporting and/or opposing the applicant's request;

10. Testimony and/or comments from the applicant and its representatives submitted to the City in both written and oral form at or prior to the public hearings;

11. All related documents received and/or submitted at or prior to the public hearings; and

12. Planning Commission Resolution No. 2015-608 recommending certification of the Final IS/MND and approval of the project (File No. 140001318) to the City Council.

Section 2. Based on the foregoing evidence, the City Council finds that:

1. The applicant submitted an application for File No. 140001318 on November 10, 2014.

2. On October 1, 2015, the application was deemed complete and the applicant was notified.

3. A Draft Initial Study /Mitigated Negative Declaration (IS/MND) was made available for public review between November 4 and December 4, 2015. The Final IS/MND was prepared, produced, and posted in January 2016 prior to public hearings by the Planning Commission.

4. On February 3 and 4, 2016, the Planning Commission reviewed the project at a public hearing voted 3-2 to adopt Resolution No. 2016-608 recommending to the City Council approval of File No. 140001318 and certifying the adequacy of the associated Mitigated Negative Declaration.

5. Notice of the January 13, 2016, City Council public hearing was mailed or delivered to property owners within 500 feet of the property as shown on the latest equalized assessment roll, at least ten (10) days prior to the hearing.

6. Notice of the February 24, 2016, City Council public hearing was mailed or delivered to the project applicant at least ten (10) days prior to the hearing.

7. Notice of the February 24, 2016, City Council public hearing was posted at Juan de Anza Bautista Park, the Calabasas Tennis and Swim Center, Gelson's market, Agoura/Calabasas Community Center and at Calabasas City Hall.

8. Notice of the City Council public hearing included the notice requirements set forth in Government Code Section 65009 (b)(2).

9. On February 24, 2016, the City Council took public comment and continued the public hearing to Mach 9, 2016.

10. On March 9, 2016, the City Council continued the public hearing to Aril 27, 2016.

11. On April 27, 2016, the City Council continued the public hearing to May 3, 2016.

12. On May 3, 2016, the City Council continued the item to June 8, 2016.

13. On June 8, 2016, the City Council continued the item to a reopened public hearing on June 22, 2016.

14. Notice of the June 22, 2016, City Council public hearing was posted at Juan de Anza Bautista Park, the Calabasas Tennis and Swim Center, Gelson's market, Agoura/Calabasas Community Center and at Calabasas City Hall.

15. Notice of the City Council public hearing included the notice requirements set forth in Government Code Section 65009 (b)(2).

16. The subject property, located at 26300 Rondell Street, is zoned Commercial Retail (CR) with an overlay zoning designation of Scenic Corridor (SC), and the subject site is located within the Las Virgenes Gateway Master Plan.

17. The land use designation for the subject property under the City's adopted General Plan is Business Retail (B-R).

18. Properties surrounding the project site are zoned HM-SC, CR-SC, PF-SC and OS-DR; and have General Plan land use designations of HM, CR, PF-I and OS-RP.

Section 3. The City Council reviewed and considered the Final Mitigated Negative Declaration and in view of all of the evidence concludes as follows:

Based upon the facts and information contained in the proposed Final Mitigated Negative Declaration, including the supplemental analysis of the reduced scale

three-story proposed project, together with all written and oral reports included for the environmental assessment for the application, the City Council finds that with the proposed mitigation measures, there is no substantial evidence that the project will have a significant effect upon the environment and adopts the Final Mitigated Negative Declaration based upon the following findings:

1. The Mitigated Negative Declaration has been prepared in compliance with the California Environmental Quality Act and the State CEQA guidelines promulgated there under; the Mitigated Negative Declaration and the Initial Study reflects the independent judgment of the City Council; further, this Council has reviewed and considered the information contained in said Mitigated Negative Declaration with regard to the application.

2. Based upon the design of proposed project and the mitigation measures incorporated, no significant adverse environmental effects will occur.

3. Pursuant to the provisions of Section 753.5(c) of Title 14 of the California Code of Regulations, the City Council finds that in considering the record as a whole, including the Initial Study and Mitigated Negative Declaration for the project, there is no evidence that the proposed project will have potential for an adverse impact upon wildlife resources or the habitat upon which wildlife depends. Furthermore, based upon substantial evidence contained in the Mitigated Negative Declaration, the staff reports and exhibits, and the information provided to the City Council during the public hearings, the City Council hereby rebuts the presumption of adverse effect as set forth in Section 753.5(c-1-d) of Title 14 of the California Code of Regulations.

Section 4. In view of all of the evidence and based on the foregoing, the City Council concludes as follows:

Section 17.62.020 of the Calabasas Municipal Code (CMC) allows the review authority to approve a **Site Plan Review Permit** provided that the following findings are made:

1. *The proposed project complies with all applicable provisions of this Development Code;*

   The proposed 127-room hotel is a conditionally permitted use in the Commercial Retail (CR) zoning district. Contingent upon approval of the Development Plan the proposed project complies with all applicable provisions of the Development Code including but not limited to setbacks, site coverage, lighting, parking and landscape requirements. In accordance with Section 17.14.020 of the CMC the proposed 127-room hotel, and retaining walls in excess of 6-feet in height, may be authorized through approval of a Development Plan. As permitted by

Section 17.28.070.G of the CMC, the project may count unrestricted parking spaces in the proposed Rondell Street public parking lot, construction of which is required by the conditions of approval, as part of the project's required parking spaces. Therefore, assuming the Development Plan Permit approval recommended below is approved, the proposed project meets this finding.

2. *The proposed project is consistent with the General Plan, any applicable specific plan, and any special design theme adopted by the city for the site and vicinity;*

The land use designation for the subject site under the City's adopted 2030 General Plan is Business Retail (B-R). In accordance with Table II-1 of the General Plan, the Business-Retail designation is intended to accommodate general shopping and commercial services and allows development up to a floor area ratio of 0.4. Furthermore, the Land Use Element of the General Plan specifically identifies that "Freeway-oriented commercial uses will continue in the southern quadrants of the Las Virgenes interchange" (p.II-5). The subject site is located within the Las Virgenes interchange quadrant and ideally located to serve travelers along the 101 freeway seeking overnight accommodations given its location adjacent to the interchange and directly adjacent to an on-ramp.

Policy II-11 states that the City should promote a mix of retail services that meet the needs of Calabasas citizens, contribute to a sound local economic base and are visually attractive and compatible with surrounding development. The proposed hotel will support the retailers in the general vicinity with an increased customer base. Additionally, there are several corporate headquarters in the nearby area, such as Cheesecake Factory, DTS, Spirent, Alcatel Lucent and Harbor Freight that would utilize a quality hotel such as the proposed project to support business operations. As a result, the proposed project is consistent with the Land Use Element of the General Plan.

The Open Space Element of the General Plan focuses on the preservation of existing open space, acquisition of new land for open space and preservation of natural hillsides and significant ridgelines. Although the proposed project does not add to the City's open space inventory, it is consistent with Policies III-7 and III-12 because the project utilizes the previously disturbed areas of the site and maintains a buffer between the development and dedicated open space by preserving the natural hillside and topography to the east. Currently, the public does not have legal access to the Anza Trail to the east of the subject site from the subject site. The proposed project complies with Policy III-8, which encourages improved public access to designated open space and recreational uses, because it will provide legal access from Las Virgenes Road to the Anza Trail as well as dedicated off-street parking, ADA access and trash receptacles for this trailhead. By improving the trailhead and securing permanent, dedicated

legal access to the trail from the subject site, ensuring legal access to both local ends of the trail, the proposed project is compliant with Policy III-8. Furthermore, by coordinating with the National Park Services on trail signage and improvements, the proposed project will result in better visibility of and access to the Anza Trail. As a result, the proposed project is in conformance with the Open Space Element of the General Plan.

The purpose of the Conservation Element of the General Plan is to protect biological resources such as wildlife habitat, water resources and air quality. Figure IV-1 shows that the project site is located within a wildlife linkage and corridor. As discussed in the IS/MND the subject site represents less than 6% of the width of the corridor and less than 1/10 of a percent of the area shown on figure IV-3 in the General Plan; nevertheless, the proposed development will include wildlife friendly fencing materials in accordance with Section 17.20.100 of the CMC, and comply with the City's dark skies ordinance (Section 17.27 of the CMC) in order to minimize potential impacts to the wildlife corridor. Furthermore, mitigation measure BIO-2 of the IS/MND requires sound amplification equipment to be shielded from open space to reduce potential effects on wildlife. By concentrating development on the previously disturbed portions of the site, and maintaining the natural hillside and vegetation to the east, the proposed project is in compliance with Policies IV-3, IV-5 and IV-6 of the General Plan. By complying with the City's Green Building Ordinance, the proposed development shall meet or exceed the equivalent of Silver rating from the United States Green Building Council LEED standards. Such requirements include construction related and operational methods (i.e. water efficient landscaping, efficient water fixtures and mechanical equipment) in order to reduce water consumption and air quality impacts of the proposed development. As a result, the proposed project complies with Policies IV-21, IV-22, IV-23, IV-24, IV-27 and IV-33 of the General Plan and the Conservation Element.

The Fiscal Management section of the General Plan identifies the need to balance retail uses that generate taxes with protection of the City's natural environment and residential communities. As discussed above, the proposed project has been designed to protect the environment because it is located on the previously disturbed portion of the site and concentrates hardscape and development near existing commercial development. Further, the existing natural hillside to the east is left undisturbed. The proposed conditions of approval and proposed mitigation measures ensure that development will not have a negative impact on the surrounding environment. The proposed hotel is consistent with Policies XII-1, XII-2 and XII-4 of the General Plan, because it will generate significant tax revenue through the City's transient occupancy tax. Based on an average room rate of $125 per night, and a 90% average occupancy rate, the anticipated revenue from a 127-room hotel is the equivalent in revenue the City collects in property taxes from nearly 1,700 median priced

single-family homes. In other words, one hotel located on a 4.3 acre lot will generate the same amount of revenue that is currently generated by approximately 20% of the City's households. Furthermore, the cost to the City to support a hotel is significantly less than supporting the infrastructure and use of municipal services from 1,700 single-family homes. Given these circumstances, the proposed project is consistent with the Financial Management section of the General Plan, as the project is expected to promote the City's fiscal position with minimal impacts and while preserving the existing natural hillside and improving public access to the Anza Trail.

The project site is located within the designated 101 Freeway Scenic Corridor and is required to comply with the City's Scenic Corridor Development Guidelines. The design guidelines, recommendations, and requirements set forth by the Scenic Corridor Development Guidelines have been incorporated into the site design to minimize the visual impact of the project to scenic vistas. These include the use of architectural colors and materials similar to the natural surrounding environment, including earth tone colors and rustic materials; and landscaping with native vegetation. Furthermore, a line-of-sight analysis and story poles demonstrate that the proposed hotel will not block views of the significant ridgelines to the east as viewed from Las Virgenes Road. The City's Architectural Review Panel found that the proposed architecture is well designed and appropriated for this portion of the Scenic Corridor.

The project site is located within the Las Virgenes Gateway Maser Plan (Master Plan). The purpose of the Master Plan is to "inspire and encourage renovation and appropriate new development opportunities" (p1:4, Master Plan). The Master Plan includes preferred land uses and development standards for specific sites, as well as design guidelines to achieve cohesive development along Las Virgenes Road. The subject site is identified as the "Rondell Property" in the Master Plan, which specifies highway-oriented commercial uses as appropriate development for the site. In fact, the Master Plan states "the allowed uses shall include hotel/motel uses" (p. 4:8, Master Plan). As a result, the proposed hotel is compatible with the allowed land uses identified in the Master Plan. Furthermore, the proposed hotel features a Monterey architectural style consistent with the design guidelines of the Master Plan. The ARP reviewed the project and concurred that the proposed design is compatible with the Master Plan and is well designed for the site. As a result, the proposed project will be compatible with other development within the Master Plan that incorporates a similar architectural style. Given these circumstances, the proposed project meets this finding.

3. *The approval of the site plan review is in compliance with the California Environmental Quality Act (CEQA);*

In compliance with CEQA and the CEQA Guidelines, an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for this project. In preparing the IS/MND, staff independently reviewed, evaluated, and exercised judgment over the project and the project's environmental impacts. The Final IS/MND identifies the areas where the project may have a potential effect on the environment. All areas listed as potentially significant have been mitigated to levels that are no longer significant, through the inclusion of mitigation measures, which the applicant must comply with under the proposed conditions of approval.

4. *The proposed structures, signs, site development, grading and/or landscaping are compatible in design, appearance and scale, with existing uses, development, signs, structures and landscaping for the surrounding area;*

   The surrounding area is developed with highway serving commercial uses to the west and south. Existing development within the immediate vicinity consists of one- to two-story commercial/retail structures, while two- to three-story office buildings up to 52 feet tall are within the general vicinity. The proposed Monterey Style architecture is compatible with the predominant architectural styles of newer development in the surrounding community and consistent with the guidelines of the Las Virgenes Gateway Master Plan. The use of articulation, such as varying roof lines and articulated wall planes, have been incorporated into the design in order to reduce the mass and scale of a three-story building. Furthermore, the Architectural Review Panel recommends that this project be approved from a design standpoint. The proposed grading is limited to the previously graded portions of the site, and will retain the natural topography to the east of the proposed development. Given these circumstances, the proposed project meets this finding.

5. *The site is adequate in size and shape to accommodate the proposed structures, yards, walls, fences, parking, landscaping, and other development features; and*

   The proposed project is required to comply with site coverage, setbacks and floor area ratio standards provided in Section 17.14.020 of the Land Use and Development Code (Code), as well as landscaping standards in Section 17.26.040 of the Code. Compliance with these standards is required for project approval and ensures that development is adequately proportional to the size of the lot. By covering less than 10 percent of the lot with the proposed building and providing more than 50% of the lot as pervious, the subject property contains ample area to accommodate the proposed development. Furthermore, approximately 1.3 acres (26%) of the site will remain undeveloped. As a result, the proposed project meets this finding, with the approval of the proposed development plan permit.

6. *The proposed project is designed to respect and integrate with the existing surrounding natural environment to the maximum extent feasible.*

   The proposed project is located on existing graded portions of the subject site, thus reducing the overall impact on the surrounding natural environment. The subject site is located in a suburban portion of Calabasas characterized by commercial and recreational uses surrounding the site. As a result, the surrounding area is mostly built out with one- to three-story buildings. The site was previously graded for the purpose of constructing a commercial building and parking. The proposed project utilizes the previously disturbed portions of the site while leaving approximately 1.3 acres (26%) of the site undeveloped and preserving the natural slope and vegetation to the east. The design allows for a significantly smaller building footprint with little or no hillside grading, and thus reduces overall impacts on the surrounding environment. The subject site is located within a designated Scenic Corridor and will be visible from Las Virgenes Road and the 101 Freeway. However, the design guidelines, recommendations, and requirements set forth by the Scenic Corridor Development Guidelines have been incorporated into the site design to minimize the visual impact of the project to the Scenic Corridor. These include: (a) the use of architectural colors and materials similar to the natural surrounding environment, including earth tone colors and rustic materials; (b) landscaping with native vegetation; and (c) architectural features to reduce the overall mass and scale of the building. The project also complies with the requirement that the building not be taller than half the height of the background ridgeline. Furthermore, a line-of-sight analysis and story poles demonstrate that the proposed hotel will not block views of the significant ridgelines as viewed from Las Virgenes Road. Therefore, the proposed project meets this finding.

Section 17.62.050(D) of the Calabasas Municipal Code (CMC) allows the review authority to approve a **Scenic Corridor Permit** provided that the following findings are made:

1. *The proposed project design complies with the scenic corridor development guidelines adopted by the council;*

   The subject site is located with the Las Virgenes Road and 101 Freeway Scenic Corridors and will be visible to the public. The design guidelines, recommendations, and requirements set forth by the Scenic Corridor Development Guidelines have been incorporated into the site design to minimize the visual impact of the project to the Scenic Corridor. These include: (a) the use of architectural colors and materials similar to the natural surrounding environment, including earth tone colors and rustic materials; (b) landscaping with native vegetation; and (c) and architectural features to reduce the overall

mass and scale of the building. Additionally, architectural features such as varying roof lines and articulated wall planes are utilized to avoid large blank facades consistent with the Scenic Corridor Development Guidelines. Therefore, the proposed project meets this finding.

2. *The proposed project incorporates design measures to ensure maximum compatibility with and enhancement of the scenic corridor;*

   The design guidelines, recommendations, and requirements set forth by the Scenic Corridor Development Guidelines have been incorporated into the site design to minimize the visual impact of the project to the Scenic Corridor. These include: (a) the use of architectural colors and materials similar to the natural surrounding environment, including earth tone colors and rustic materials; (b) landscaping with native vegetation; and (c) and architectural features to reduce the overall mass and scale of the building. Additionally, architectural features such as varying roof lines and articulated wall planes are utilized to avoid large blank facades consistent with the Scenic Corridor Development Guidelines. The proposed landscape plan, which includes a fuel modification plan in accordance with LA County Fire Department requirements, includes native landscaping designed to transition the proposed development into the natural hillside to the east and enhance the Scenic Corridor. Given these circumstances, the proposed project meets this finding.

3. *The proposed project is within a rural or semi-rural scenic corridor designated by the General Plan, and is designed to ensure the continuing preservation of the character of the surrounding area;*

   According to Section IX.C of the General Plan, the 101 Freeway and Las Virgenes Road are designated Scenic Corridors. Due to the fact that the subject site is located within a highly traveled and mostly developed commercial corridor, the proposed project is within an urban scenic corridor. The design guidelines, recommendations, and requirements set forth by the Scenic Corridor Development Guidelines have been incorporated into the site design to minimize the visual impact of the project to the Scenic Corridor. These include: (a) the use of architectural colors and materials similar to the natural surrounding environment, including earth tone colors and rustic materials; (b) landscaping with native vegetation; and (c) and architectural features to reduce the overall mass and scale of the building. Additionally, architectural features such as varying roof lines and articulated wall planes are utilized to avoid large blank facades consistent with the Scenic Corridor Development Guidelines. With more than 50% of the subject site to be landscaped or pervious, the proposed development includes adequate landscaping to enhance the Scenic Corridor, including landscaping intended to

screen the building from view. Furthermore, the ARP reviewed the landscape plan and agreed it was well designed. Given these circumstances, the proposed project meets this finding.

4. *The proposed structures, signs, site development, grading, and/or landscaping related to the proposed use are compatible in design, appearance, and scale, with existing uses, development, signs, structures, and landscaping of the surrounding area;*

   The surrounding area is characterized by commercial development inclusive of gas stations, drive-thru restaurants, office complexes and retail shopping centers. Existing development is made up of one- to three-story buildings of varying architectural styles that range in height from 15 feet to 52 feet. 50-foot tall office buildings along Mureau Road and Agoura Road are made up of glass and large blank facades that are visible from the 101 freeway. In contrast, the proposed building includes architectural features such as varying roof lines and articulated wall planes, designed to avoid large blank facades and reduce overall massing of the building. Additionally, the proposed landscaping plan includes screening elements and trees intended to reduce the visual impacts to the Scenic Corridor and minimize visibility from the freeway. Furthermore, the Monterey style architecture is consistent with the Las Virgenes Gateway Master Plan and includes earth tone colors, a dark roof and rustic veneer in compliance with the City's Scenic Corridor Development Guidelines. The proposed landscaping will enhance the site with native drought tolerant planting, and retaining walls will utilize a rustic stone veneer. As a result, the proposed development is compatible in design, appearance and scale with the surrounding area and meets this finding.

Section 17.62.060 of the Calabasas Municipal Code (CMC) allows the review authority to approve a **Conditional Use Permit** provided that the following findings are made:

1. *The proposed use is conditionally permitted within the subject zoning district and complies with all of the applicable provisions of this development code;*

   The subject site is located within the Commercial Retail (CR) zoning district, which conditionally permits hotel uses. Contingent upon approval of the Development Plan, the proposed project complies with all applicable provisions of the Development Code including but not limited to setbacks, site coverage, lighting, parking and landscape requirements. The floor area ratio of the proposed hotel will be 0.4 or less, which complies with the maximum permitted floor area ratio of 0.4 for the CR zone. In accordance with Section 17.14.020 of the CMC the proposed 127-room hotel and retaining walls in

excess of 6-feet in height may be authorized through approval of a Development Plan. Therefore, assuming the Development Plan approval recommended below is approved, the proposed project meets this finding.

2. *The proposed use is consistent with the General Plan and any applicable specific plan or master plan;*

The land use designation for the subject site under the City's adopted 2030 General Plan is Business Retail (B-R). In accordance with Table II-1 of the General Plan, the Business-Retail designation is intended to accommodate general shopping and commercial services and allows development up to a floor area ratio of 0.4. As a result, the proposed hotel use with a floor area ratio of 0.36 is consistent with the land use designation of the subject site. Furthermore, the Land Use Element of the General Plan specifically identifies that "Freeway-oriented commercial uses will continue in the southern quadrants of the Las Virgenes interchange" (p.II-5). The subject site is located within the Las Virgenes interchange quadrant and ideally located to serve travelers along the 101 freeway seeking overnight accommodations given its location adjacent to the interchange and directly adjacent to an on-ramp.

Policy II-11 states that the City should promote a mix of retail services that meet the needs of Calabasas citizens, contribute to a sound local economic base and are visually attractive and compatible with surrounding development. The proposed hotel will support the retailers in the general vicinity with an increased customer base. Additionally, there are several corporate headquarters in the nearby area, such as Cheesecake Factory, DTS, Spirent, Alcatel Lucent and Harbor Freight that would utilize a quality hotel such as the proposed project to support business operations. As a result, the proposed project is consistent with the Land Use Element of the General Plan.

The Open Space Element of the General Plan focuses on the preservation of existing open space, acquisition of new land for open space and preservation of natural hillsides and significant ridgelines. Although the proposed project does not add to the City's open space inventory, it is consistent with Policies III-7 and III-12 because the project utilizes the previously disturbed areas of the site and maintains a buffer between the development and dedicated open space by preserving the natural hillside and topography to the east. Currently, the public does not have legal access to the Anza Trail to the east of the subject site from the subject site. The proposed project complies with Policy III-8, which encourages improved public access to designated open space and recreational uses, because it will provide legal access from Las Virgenes Road to the Anza Trail as well as dedicated off-street parking, ADA access and trash receptacles for this trailhead. By improving the trailhead and securing

permanent, dedicated legal access to the trail from the subject site, ensuring legal access to both local ends of the trail, the proposed project is compliant with Policy III-8. Furthermore, by coordinating with the National Park Services on trail signage and improvements, the proposed project will result in better visibility of and access to the Anza Trail. As a result, the proposed project is in conformance with the Open Space Element of the General Plan.

The purpose of the Conservation Element of the General Plan is to protect biological resources such as wildlife habitat, water resources and air quality. Figure IV-1 shows that the project site is located within a wildlife linkage and corridor. As discussed in the IS/MND the subject site represents less than 6% of the width of the corridor and less than 1/10 of a percent of the area shown on figure IV-3 in the General Plan; nevertheless, the proposed development will include wildlife friendly fencing materials in accordance with Section 17.20.100 of the CMC, and comply with the City's dark skies ordinance (Section 17.27 of the CMC) in order to minimize potential impacts to the wildlife corridor. Furthermore, mitigation measure BIO-2 of the IS/MND requires sound amplification equipment to be shielded from open space to reduce potential effects on wildlife. By concentrating development on the previously disturbed portions of the site, and maintaining the natural hillside and vegetation to the east, the proposed project is in compliance with Policies IV-3, IV-5 and IV-6 of the General Plan. By complying with the City's Green Building Ordinance, the proposed development shall meet or exceed the equivalent of Silver rating from the United States Green Building Council LEED standards. Such requirements include construction related and operational methods (i.e. water efficient landscaping, efficient water fixtures and mechanical equipment) in order to reduce water consumption and air quality impacts of the proposed development. As a result, the proposed project complies with Policies IV-21, IV-22, IV-23, IV-24, IV-27 and IV-33 of the General Plan and the Conservation Element.

The Fiscal Management section of the General Plan identifies the need to balance retail uses that generate taxes with protection of the City's natural environment and residential communities. As discussed above, the proposed project has been designed to protect the environment because it is located on the previously disturbed portion of the site and concentrates hardscape and development near existing commercial development. Further, the existing natural hillside to the east is left undisturbed. The proposed conditions of approval and proposed mitigation measures ensure that development will not have a negative impact on the surrounding environment. The proposed hotel is consistent with Policies XII-1, XII-2 and XII-4 of the General Plan, because it will generate significant tax revenue through the City's transient occupancy tax. Based on an average room rate of $125 per night, and a 90% average occupancy rate, the anticipated revenue from a 127-room hotel is the

equivalent in revenue the City collects in property taxes from nearly 1,700 median priced single-family homes. In other words, one hotel located on a 4.3 acre lot will generate the same amount of revenue that is currently generated by approximately 20% of the City's households. Furthermore, the cost to the City to support a hotel is significantly less than supporting the infrastructure and use of municipal services from 1,700 single-family homes. Given these circumstances, the proposed project is consistent with the Financial Management section of the General Plan, as the project is expected to promote the City's fiscal position with minimal impacts and while preserving the existing natural hillside and improving public access to the Anza Trail.

The project site is located within the designated 101 Freeway Scenic Corridor and is required to comply with the City's Scenic Corridor Development Guidelines. The design guidelines, recommendations, and requirements set forth by the Scenic Corridor Development Guidelines have been incorporated into the site design to minimize the visual impact of the project to scenic vistas. These include the use of architectural colors and materials similar to the natural surrounding environment, including earth tone colors and rustic materials; and landscaping with native vegetation. Furthermore, a line-of-sight analysis and story poles demonstrate that the proposed hotel will not block views of the significant ridgelines to the east as viewed from Las Virgenes Road. The City's Architectural Review Panel found that the proposed architecture is well designed and appropriated for this portion of the Scenic Corridor.

The project site is located within the Las Virgenes Gateway Maser Plan (Master Plan). The purpose of the Master Plan is to "inspire and encourage renovation and appropriate new development opportunities" (p1:4, Master Plan). The Master Plan includes preferred land uses and development standards for specific sites, as well as design guidelines to achieve cohesive development along Las Virgenes Road. The subject site is identified as the "Rondell Property" in the Master Plan, which specifies highway-oriented commercial uses as appropriate development for the site. In fact, the Master Plan states "the allowed uses shall include hotel/motel uses" (p. 4:8, Master Plan). As a result, the proposed hotel is compatible with the allowed land uses identified in the Master Plan. Furthermore, the proposed hotel features a Monterey architectural style consistent with the design guidelines of the Master Plan. The ARP reviewed the project and concurred that the proposed design is compatible with the Master Plan and is well designed for the site. As a result, the proposed project will be compatible with other development within the Master Plan that incorporates a similar architectural style. Given these circumstances, the proposed project meets this finding.

3. *The approval of the conditional use permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA); and*

In compliance with CEQA and the CEQA Guidelines, an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for this project. In preparing the IS/MND, staff independently reviewed, evaluated, and exercised judgment over the project and the project's environmental impacts. The Final IS/MND identifies the areas where the project may have a potential effect on the environment. All areas listed as potentially significant have been mitigated to levels that are no longer significant, through the inclusion of mitigation measures, which the applicant must comply with under the proposed conditions of approval.

4. *The location and operating characteristics of the proposed use are compatible with the existing and anticipated future land uses in the vicinity.*

The subject site is located within the Las Virgenes Road and 101 Freeway interchange and intended to serve freeway users. The site is located to provide quick access to and from the 101 freeway via Las Virgenes Road, which is an arterial road designed to handle high traffic volumes. Because the site is located within the freeway interchange and directly adjacent to freeway access, collector and local roads that serve residential communities will not be utilized to access the site. Furthermore, the MND contains a traffic and circulation study that includes an analysis of cumulative traffic conditions on nearby intersections. The analysis utilizes the traffic forecast generated for the project and adds the traffic generated by other future projects which may be constructed in the study area. According to the study, cumulative traffic conditions of the proposed hotel and future projects will not exceed the City of Calabasas impact thresholds at any of the analyzed intersections. The proposed development includes dedicated parking for the adjacent transit stop as well as dedicated parking and access to the Anza Trail trailhead located east of the site. Pedestrian friendly access to the hotel from Las Virgenes Road will promote hotel users to walk to nearby retailers. As a result, the location and operating characteristics of the proposed hotel use are compatible with the existing and anticipated future land uses in the vicinity, and the proposed project meets this finding.

Section 17.62.070 of the Calabasas Municipal Code (CMC) allows the review authority to approve a Development Plan provided that the following findings are made:

1. *The proposed use is conditionally permitted within the subject zoning district and complies with all of the applicable provisions of this development code;*

The subject site is located within the Commercial Retail (CR) zoning district, which conditionally permits hotel uses. Contingent upon approval of the Development Plan, the proposed project complies with all applicable provisions of the Development Code including but not The floor area ratio of the proposed hotel will be 0.4 or less, which complies with the maximum permitted floor area ratio of 0.4 for the CR zone. In accordance with Section 17.14.020 of the CMC, the proposed 127-room hotel and retaining walls in excess of 6-feet in height, may be authorized through approval of a Development Plan. In addition and in accord with Section 17.62.070.A of the CMC, the Development Plan may authorize a three-story, 127-room hotel as proposed on the subject property.

The purpose of a Development Plan is to allow greater flexibility and creativity in order to permit land uses and development that is superior to those attainable under existing zoning district standards. Given the site constraints discussed in the staff report, the proposed three-story, 127-roomdesign requires retaining walls above 6-feet in height in order to enable a smaller building footprint than would otherwise be achievable, reducing the project's visual impacts and significantly improving its compatibility with the scenic corridor guidelines and its setting. Furthermore, the policies III-12 – III-16 of the General Plan state that grading should be limited with minimum alteration of existing landforms and maintain the natural topographic characteristics of hillsides. The proposed building achieves these policies by limiting the footprint to the existing flat portion of the site with minimal grading of the adjacent slopes. Therefore, the proposed Development Plan is justified because the flexibility in retaining wall height and floor area ratio standards results in a superior alternative than would otherwise be attainable under the existing standards. As a result, the proposed project meets this finding.

2. *The proposed use is consistent with the General Plan and any applicable specific plan or master plan;*

The land use designation for the subject site under the City's adopted 2030 General Plan is Business Retail (B-R). In accordance with Table II-1 of the General Plan, the Business-Retail designation is intended to accommodate general shopping and commercial services and allows development up to a floor area ratio of 04. As a result, the proposed 127-room hotel use with a floor area ratio of 0.4 or less is consistent with the land use designation of the subject site. Furthermore, the Land Use Element of the General Plan specifically identifies that "Freeway-oriented commercial uses will continue in the southern quadrants of the Las Virgenes interchange" (p.II-5). The subject site is located within the Las Virgenes interchange quadrant and ideally located to serve travelers along the 101 freeway seeking overnight accommodations

given its location adjacent to the interchange and directly adjacent to an on-ramp.

Policy II-11 states that the City should promote a mix of retail services that meet the needs of Calabasas citizens, contribute to a sound local economic base and are visually attractive and compatible with surrounding development. The proposed hotel will support the retailers in the general vicinity with an increased customer base. Additionally, there are several corporate headquarters in the nearby area, such as Cheesecake Factory, DTS, Spirent, Alcatel Lucent and Harbor Freight that would utilize a quality hotel such as the proposed project to support business operations. As a result, the proposed project is consistent with the Land Use Element of the General Plan.

The Open Space Element of the General Plan focuses on the preservation of existing open space, acquisition of new land for open space and preservation of natural hillsides and significant ridgelines. Although the proposed project does not add to the City's open space inventory, it is consistent with Policies III-7 and III-12 because the project utilizes the previously disturbed areas of the site and maintains a buffer between the development and dedicated open space by preserving the natural hillside and topography to the east. Currently, the public does not have legal access to the Anza Trail to the east of the subject site from the subject site. The proposed project complies with Policy III-8, which encourages improved public access to designated open space and recreational uses, because it will provide legal access from Las Virgenes Road to the Anza Trail as well as dedicated off-street parking, ADA access and trash receptacles for this trailhead. By improving the trailhead and securing permanent, dedicated legal access to the trail from the subject site, ensuring legal access to both local ends of the trail, the proposed project is compliant with Policy III-8. Furthermore, by coordinating with the National Park Services on trail signage and improvements, the proposed project will result in better visibility of and access to the Anza Trail. As a result, the proposed project is in conformance with the Open Space Element of the General Plan.

The purpose of the Conservation Element of the General Plan is to protect biological resources such as wildlife habitat, water resources and air quality. Figure IV-1 shows that the project site is located within a wildlife linkage and corridor. As discussed in the IS/MND the subject site represents less than 6% of the width of the corridor and less than 1/10 of a percent of the area shown on figure IV-3 in the General Plan; nevertheless, the proposed development will include wildlife friendly fencing materials in accordance with Section 17.20.100 of the CMC, and comply with the City's dark skies ordinance (Section 17.27 of the CMC) in order to minimize potential impacts to the wildlife corridor. Furthermore, mitigation measure BIO-2 of the IS/MND requires sound amplification equipment to be shielded from open space to

reduce potential effects on wildlife. By concentrating development on the previously disturbed portions of the site, and maintaining the natural hillside and vegetation to the east, the proposed project is in compliance with Policies IV-3, IV-5 and IV-6 of the General Plan. By complying with the City's Green Building Ordinance, the proposed development shall meet or exceed the equivalent of Silver rating from the United States Green Building Council LEED standards. Such requirements include construction related and operational methods (i.e. water efficient landscaping, efficient water fixtures and mechanical equipment) in order to reduce water consumption and air quality impacts of the proposed development. As a result, the proposed project complies with Policies IV-21, IV-22, IV-23, IV-24, IV-27 and IV-33 of the General Plan and the Conservation Element.

The Fiscal Management section of the General Plan identifies the need to balance retail uses that generate taxes with protection of the City's natural environment and residential communities. As discussed above, the proposed project has been designed to protect the environment because it is located on the previously disturbed portion of the site and concentrates hardscape and development near existing commercial development. Further, the existing natural hillside to the east is left undisturbed. The proposed conditions of approval and proposed mitigation measures ensure that development will not have a negative impact on the surrounding environment. The proposed hotel is consistent with Policies XII-1, XII-2 and XII-4 of the General Plan, because it will generate significant tax revenue through the City's transient occupancy tax. Based on an average room rate of $125 per night, and a 90% average occupancy rate, the anticipated revenue from a 127-room hotel is the equivalent in revenue the City collects in property taxes from nearly 1,700 median priced single-family homes. In other words, one hotel located on a 4.3 acre lot will generate the same amount of revenue that is currently generated by approximately 20% of the City's households. Furthermore, the cost to the City to support a hotel is significantly less than supporting the infrastructure and use of municipal services from 1,700 single-family homes. Given these circumstances, the proposed project is consistent with the Financial Management section of the General Plan, as the project is expected to promote the City's fiscal position with minimal impacts and while preserving the existing natural hillside and improving public access to the Anza Trail.

The project site is located within the designated 101 Freeway Scenic Corridor and is required to comply with the City's Scenic Corridor Development Guidelines. The design guidelines, recommendations, and requirements set forth by the Scenic Corridor Development Guidelines have been incorporated into the site design to minimize the visual impact of the project to scenic vistas. These include the use of architectural colors and materials similar to the natural surrounding environment, including earth tone colors and rustic

materials; and landscaping with native vegetation. Furthermore, a line-of-sight analysis and story poles demonstrate that the proposed hotel will not block views of the significant ridgelines to the east as viewed from Las Virgenes Road. The City's Architectural Review Panel found that the proposed architecture is well designed and appropriated for this portion of the Scenic Corridor.

The project site is located within the Las Virgenes Gateway Maser Plan (Master Plan). The purpose of the Master Plan is to "inspire and encourage renovation and appropriate new development opportunities" (p1:4, Master Plan). The Master Plan includes preferred land uses and development standards for specific sites, as well as design guidelines to achieve cohesive development along Las Virgenes Road. The subject site is identified as the "Rondell Property" in the Master Plan, which specifies highway-oriented commercial uses as appropriate development for the site. In fact, the Master Plan states "the allowed uses shall include hotel/motel uses" (p. 4:8, Master Plan). As a result, the proposed hotel is compatible with the allowed land uses identified in the Master Plan. Furthermore, the proposed hotel features a Monterey architectural style consistent with the design guidelines of the Master Plan. The ARP reviewed the project and concurred that the proposed design is compatible with the Master Plan and is well designed for the site. As a result, the proposed project will be compatible with other development within the Master Plan that incorporates a similar architectural style. Given these circumstances, the proposed project meets this finding.

3. *The approval of the development plan for the proposed use is in compliance with the California Environmental Quality Act (CEQA); and*

In compliance with CEQA and the CEQA Guidelines, an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for this project. In preparing the IS/MND, staff independently reviewed, evaluated, and exercised judgment over the project and the project's environmental impacts. The Final IS/MND identifies the areas where the project may have a potential effect on the environment. All areas listed as potentially significant have been mitigated to levels that are no longer significant, through the inclusion of mitigation measures, which the applicant must comply with under the proposed conditions of approval.

4. *The location, design, scale and operating characteristics of the proposed use are compatible with the existing and anticipated future land uses in the vicinity.*

The subject site is located within the Las Virgenes Road and 101 Freeway interchange and intended to serve freeway users. Surrounding land uses include gas stations, car washes, fast-food restaurants with drive-thru services, convenience markets, auto service/repair, a liquor store, and other commercial and office uses. The site is located to provide quick access to and from the 101 freeway via Las Virgenes Road, which is an arterial road designed to handle high traffic volumes. Because the site is located within the freeway interchange and directly adjacent to freeway access, collector and local roads that serve residential communities will not be utilized to access the site. Furthermore, the MND contains a traffic and circulation study that includes an analysis of cumulative traffic conditions on nearby intersections. The analysis utilizes the traffic forecast generated for the project and adds the traffic generated by other future projects which may be constructed in the study area. According to the study, cumulative traffic conditions of the proposed hotel and future projects will not exceed the City of Calabasas impact thresholds at any of the analyzed intersections. The proposed development includes dedicated parking for the adjacent transit stop as well as dedicated parking and access to the Anza Trail trailhead located east of the site. Pedestrian friendly access to the hotel from Las Virgenes Road will promote hotel users to walk to nearby by retailers. As a result, the location and operating characteristics of the proposed hotel use are compatible with the existing and anticipated future land uses in the vicinity, and the proposed project meets this finding.

Section 17.32.010(E) of the Calabasas Municipal Code (CMC) allows the review authority to approve an **Oak Tree Permit** provided that the following findings are made:

1. *The request to alter or encroach within the protected zone of an oak tree or scrub oak habitat is warranted to enable reasonable and conforming use of the property, which would otherwise be prevented by the presence of the oak tree or scrub oak habitat. In addition, such alterations and encroachments can be performed without significant long-term adverse impacts to the oak tree or scrub oak habitat. Reasonable use of the property shall be determined in accordance with the guidelines.*

   The proposed project involves construction of a 127-room hotel with a pool and grade level parking. The proposed building and on-site amenities are not located within the protected zone of an oak tree; however, a new drainage v-ditch and a small portion of the parking lot would encroach within the protected zone of three oak trees. These improvements are necessary for site development to provide adequate parking and required drainage of the site. Therefore the proposed encroachments are warranted to enable reasonable

and conforming use of the property. Because the encroachments are grade level improvements, branch pruning is not anticipated. The Oak Tree Report indicates that the encroachment activities involving the on-site oak trees would not result in significant long-term adverse impacts to the existing protected oak trees. This conclusion has been confirmed by the City's Arborist. To further ensure that adverse impacts to the trees are minimized, the Oak Tree Report includes recommendations, which have been included as project conditions of approval in this Resolution. Therefore, the proposed project meets this finding.

Section 5. In view of all of the evidence and based on the foregoing findings and conclusions, the City Council approves File No. 140001318 and adopts the associated Final Mitigated Negative Declaration, approving a 127-room, three-story hotel, with a maximum of 67,000 square feet of building area, on the subject property, subject to the following agreements and conditions:

I. INDEMNIFICATION AGREEMENT

The City has determined that City, its employees, agents and officials should, to the fullest extent permitted by law, be fully protected from any loss, injury, damage, claim, lawsuit, expense, attorney fees, litigation expenses, court costs or any other costs arising out of or in any way related to the issuance of this File No. 140001318, or the activities conducted pursuant to this File No. 140001318. Accordingly, to the fullest extent permitted by law, Rondell Oasis, LLC shall defend, indemnify and hold harmless City, its employees, agents and officials, from and against any liability, claims, suits, actions, arbitration proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including, but not limited to, actual attorney fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to, actually, allegedly or impliedly, in whole or in part, the issuance of this File No. 140001318, or the activities conducted pursuant to this File No. 140001318. Rondell Oasis, LLC shall pay such obligations as they are incurred by City, its employees, agents and officials, and in the event of any claim or lawsuit, shall submit a deposit in such amount as the City reasonably determines necessary to protect the City from exposure to fees, costs or liability with respect to such claim or lawsuit.

II. CONDITIONS OF APPROVAL

Community Development Department/Planning

1. This resolution approves a 127-room, three-story hotel as a proposed land use. The hotel is permitted up to 67,000 square feet of building area and a height consistent with the site plan and elevations as proposed in Attachment C of the

June 8, 2016, City Council staff report with the removal of the fourth floor. The maximum permitted building height shall be 40 feet, with screening. This resolution also permits construction of a 127-room, three-story hotel, consistent with the site plan, colors and materials, and building footprint as proposed in Attachment C of the June 8, 2016, City Council staff report, and as proposed and consistent with the rendering submitted to the City Council at its June 8, 2016 meeting (Attachment E of the June 8, 2016, City Council staff report). The proposed project shall be built in compliance with the approved 127 room, three-story hotel rendering and associated plans on file with the Planning Division. The City Council delegates to the Community Development Director the power to approve the final design of the proposed 127-room, three-story hotel, consistent with the rendering on file and these conditions. The Architectural Review Panel shall determine whether the submitted plans for the final design are consistent with the approved rendering. If the submitted plans for the final design are not consistent with the approved rendering, then the project's final design shall require review by the Planning Commission and approval by the City Council.

2. All project conditions shall be imprinted on the title sheet of the construction drawings. The approved set of plans shall be retained on-site for the review of Building Inspectors. Prior to any use of the project site, all conditions of approval shall be completed to the satisfaction of the Director of Community Development.

3. Prior to issuance of grading or building permits, plans shall be reviewed and approved by the Department of Community Development to ensure compliance with the plans approved by the City Council. The plans shall comply with the conditions contained herein, the Calabasas Municipal Code, and all City Resolutions and Ordinances.

4. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the applicant or its successors to cease any development or activity not in full compliance shall be a violation of these conditions. Any violation of the conditions of approval may result in the revocation of this approval.

5. This grant shall not be effective for any purposes until after the applicant, or its successors, and the owner of the property involved (if other than the applicant) have recorded the City Council's approval resolution with the Los Angeles County Recorder's Office, and a certified copy of the recorded document is filed with the Community Development Department.

6. This approval shall be valid for one year from the date of adoption of the resolution. The permit may be extended in accordance with Title 17 Land Use and Development Code, Article VI - Land Use and Development Permits.

7. Prior to the issuance of a grading or building permit, the applicant shall submit a complete final landscaping design and documentation package. This project meets the threshold for state-mandated water-efficient landscaping. Accordingly, the final landscape plans (inclusive of planting and hardscape plans, the planting pallet, drainage plan, and irrigation system plan(s) and specifications), shall be reviewed by Community Development Department staff for conformance with the standards and requirements specified within the 2015 California Model Water Efficient Landscape Ordinance (MWELO) prior to the issuance of a building permit. No certificate of occupancy shall be issued until such plans have been deemed compliant with the MWELO and the landscaping has been installed per such MWELO compliant plans and to the satisfaction of the Director of Community Development or his/her designee.

8. The applicant and/or property owner shall replace any landscape that is in poor condition or not in compliance with the approved landscape plan, at the direction of the Community Development Director or his or her designee.

9. The applicant shall coordinate with Caltrans to obtain all necessary permits for any landscaping within Caltrans right-of-way.

10. All ground and roof-mounted equipment is required to be fully screened from view except as prohibited by applicable law. Upon final inspection, Planning Division staff may require additional screening if warranted, through either landscaping, walls or a combination thereof.

11. Applicant and/or property owner shall provide permanent art work to fulfill the Art in Public Places requirement or pay an in lieu fee of 1% of the building valuation or the maximum fee of $150,000 as dictated in CMC Section 17.24.020(B), the artwork shall be installed or the fee paid prior to the issuance of a Certificate of Occupancy.

12. Signage shall be subject to a sign program and minor scenic corridor permit, which shall be submitted under a separate application and brought to the Planning Commission for review and consideration at a later date. All signage shall comply with the requirements of Section 17.30 of the CMC and be designed per the guidelines in Chapter 6.0 of the West Calabasas Road Master Plan. In addition to commercial signage for the hotel, the sign program shall include all signs that are required as a condition of approval in this resolution.

13. All exterior lights are subject to the provisions set forth in the Lighting Ordinance Chapter 17.27 of the Land Use and Development Code. A final photometric plan shall be submitted to and approved by Planning staff prior to issuance of building permits. All security lighting shall be on timers.

14. Bicycle and support facilities shall be provided in accordance with Section 17.28.090 of the CMC. A final bicycle layout plan shall be submitted and approved by the Planning Division prior to the issuance of building permits.

15. Prior to the issuance of a Certificate of Occupancy, the applicant shall demonstrate compliance with Chapter 17.34 of the Calabasas Municipal Code to the satisfaction of the Community Development Director. Compliance shall consist of achieving the equivalent of a "silver" rating (at a minimum) using the LEED (Leadership in Energy and Environmental Design) rating system version 2.0 developed by the United States Green Building Council for non-residential use components.

16. To demonstrate compliance with Chapter 17.34 of the Calabasas Municipal Code, the applicant shall submit two documentation packages to the Community Development Department for review in the following manner:

    a. Prior to the issuance of a building or grading permit, the applicant shall submit a documentation package to the Department of Building and Safety that documents compliance with all design-related credits that are being sought. Review and approval of the documentation package is required prior to issuance of a building and grading permit. On a case-by-case basis, the Director may defer this submittal requirement until a later date for the following reasons: 1) If the applicant can demonstrate through the submittal of a contract that the project team includes a LEED Accredited Professional, 2) if the project team can demonstrate experience with completed development of at least one LEED rated project in California, and/or 3)the project is seeking a LEED "gold" rating or higher.

    b. Prior to the issuance of a Certificate of Occupancy, the applicant shall submit a final documentation package to the Department of Building and Safety that documents compliance with all remaining undocumented LEED credits. Review and approval of the final documentation package is required prior to the issuance of a Certificate of Occupancy

17. All exterior colors and materials used for the construction of the project shall be in substantial conformance with the approved materials and colors palette.

18. Per Section 8.34.050(A) and (C) of the Municipal Code, upon no later than seventy-two (72) hours of notice from the City Community Development Department, the property owner shall remove or otherwise abate from the site any graffiti.

19. Prior to commencement of construction, all necessary grading and encroachment and building permits must be obtained from the department of Public Works and the Building and Safety Division, respectively.

20. Applicant or property owner shall pay to the City an affordable housing impact fee ($1.80/square-foot of commercial) to be placed in the Affordable Housing Trust Fund prior to issuance of building permits. Fees to be calculated based on square-footages indicated on plans submitted upon plan check.

21. The final grading plan shall include parking lot layout, aisle width and stall dimensions designed in compliance with Section 17.28 of the CMC.

22. The project must comply with the building standards in effect at the time of submittal to Building & Safety Division for plan review.

23. The project is located within a designated Very High Fire Hazard Severity Zone. The requirements of Chapter 64 of the 2002 Los Angeles County Building Code, Vol. 1, must be incorporated into all plans.

24. The applicant shall provide the construction contractor(s) and each subcontractor related to the project a copy of the final project Conditions of Approval. The applicant and the City agree that these conditions shall be enforceable through all legal and equitable remedies, including the imposition of fines against each and every person who conducts any activity on behalf of the applicant on or near the project site. The applicant, property owner, and general construction contractor are ultimately responsible for all actions or omissions of a subcontractor.

25. The applicant shall implement all required mitigation measures identified in the 2015 IS/MND for this project.

26. The applicant shall retain a qualified environmental consultant to monitor construction activities for compliance with the mitigation measures in the Final IS/MND. Within 90 days of completion of the project, the applicant shall submit documentation prepared by the consultant that verifies compliance with the mitigation measures in the IS/MND.

27. Prior to the issuance of grading permits the applicant shall submit copies of all approved permits from all other Federal, State and Local agencies with approval authority over the project. These agencies include, but are not limited to the US Army Corps of Engineers, Regional Water Quality Control Board, FEMA, the California Department of Fish and Wildlife, and Los Angeles County Public Works. If no permit is required from any of these agencies, the applicant shall submit copies of correspondence from those agencies stating that fact.

28. Violation of any of the conditions of this permit shall be cause for revocation and termination of all rights thereunder.

29. Prior to certificate of occupancy and use of the project site, all conditions of approval and mitigation measures shall be completed to the satisfaction of the Director of Community Development.

30. The hotel to be constructed, owned, and operated shall be a quality three diamond or three star rated hotel.

31. Construction Activities - Hours of construction activity shall be limited to:

    i. 7:00 a.m. to 5:00 p.m., Monday through Friday

    ii. 8:00 a.m. to 5:00 p.m., Saturday

    Stacking of construction worker vehicles, prior to 7:00 a.m. in the morning will be restricted to areas that do not adversely affect adjacent property owners. No vehicles involved in construction of this project shall block the roadway at any time. The applicant or its successors shall notify the director of Public Works of the construction employee parking locations, prior to commencement of construction.

OAK TREES

32. The applicant is permitted to encroach within the protected zone of three oak trees as shown on the approved plans on file with the Planning Division.

33. All work performed within the Oak Trees' aerial/root protected zones shall be regularly observed by the applicant's oak tree consultant.

34. The oak tree protective zone fencing (approved fencing materials are in the Oak Tree Guidelines - 5 ft. minimum height) should be installed at the limit of approved work to protect the Oak Trees and surrounding trees from any damage and remain in place until completion of construction. Should any work be required within the limit of work and the temporary fence must be opened, the applicant's oak tree consultant must direct all work at any time the fence is open.

35. The area within the plastic construction/snow type fence should not be used at any time for material or equipment storage and parking.

36. The applicant and property owner shall adhere to the specific recommendations contained within the Oak Tree Report dated March 17, 2015, and all provisions of the Oak Tree Ordinance and policies of the City of Calabasas.

37. Within ten (10) days of the completion of work, the applicant's oak tree consultant shall submit written certification to the Planning Division. The certification shall describe all work performed and shall certify that such work was performed in accordance with the above permit conditions. If any work was performed in a manner not in conformance with these conditions of approval then the applicant's oak tree consultant shall identify the instance or instances of a deviation to any of these conditions.

38. Prior to the issuance of the Final Certificate of Occupancy, the applicant shall install and maintain landscaping as specified in the landscaping plan for the purposes of screening the tennis courts and accessory building, to the satisfaction of the Community Development Director or his or her designee. If, at any time within five years from the date of approval of this resolution, the landscaping deteriorates or is destroyed in the opinion of the Community Development Director or his or her designee, then the applicant shall repair or replant the landscaping as required by the Community Development Director or his or her designee.

Trail Access

39. The applicant and/or property owner shall allow permanent public access on and through the subject site to the Anza Trail trailhead located east of the subject site.

40. The City hereby reserves five (5) dedicated parking spaces, one of which shall be a handicap accessible space, for trail users in the Rondell public parking lot. The City shall ensure that the spaces are appropriately signed to indicate that the parking spaces are for the exclusive use of trail users. The final sign design shall be coordinated with the City and National Park Service, and approved by the Community Development Director.

41. The applicant shall submit to the Director plans for a final trail access design that connects with Rondell Street. The design shall include a minimum 5-foot wide path with signs and an overhead entry feature. The final design shall be coordinated with the City and National Park Service.

42. The applicant and/or property owner shall provide a bathroom, sink and water fountain for the trail users. The bathroom may be located inside the building or in a separate structure attached to the exterior of the building. The applicant and/or property owner shall install signs directing trail users to the bathroom and water fountain.

43. The applicant and/or property owner shall provide at least one hitching post for horses.

44. The applicant and/or property owner shall provide park benches for trail users.

45. The applicant and/or property owner shall provide and permanently maintain on-site trash and recycle receptacles and dog waste pick-up sign, bags and container adjacent to the trail access.

46. The final grading plans shall include ADA compliant trail access on the subject site.

47. Prior to Building Permit issuance, the applicant shall make an offer of dedication to the Santa Monica Mountains Conservancy (SMMC) of a permanent easement for purposes of providing permanent trail access through the project site by the public as depicted on the final landscape plans and the Santa Monica Mountains Conservancy Plan for the project, dated February 4, 2016, on file with the City, and as described in Conditions 40 and 41. The legal description of said easement area shall have been provided to the Community Development Department Director for review and approval prior to the offering. The City Attorney must review and approve the form of the offer of dedication prior to the offering. If the SMMC does not accept the offer of dedication before the issuance of a Final Certificate of Occupancy, then the applicant shall make a back-up offer of dedication of an easement for the same purpose to the City of Calabasas or another public or non-profit entity acceptable to the City prior to issuance of a final certificate of occupancy. The easement must be approved by the Community Development Director and approved as to form by the City Attorney before recordation. Recordation of the easement as accepted, in favor of the SMMC, the City, or another public or non-profit entity acceptable to the City shall be accomplished prior to issuance of a certificate of occupancy.

48. Within 90 days of the issuance of a Final Certificate of Occupancy, the property owner shall install the signs and plant trees as depicted on Exhibit G of the February 24, 2016, Council Agenda Report.

Parking

49. The City shall construct a public parking lot on Rondell Street designed by the applicant and consistent with the approved plans. The Public Works Director and Community Development Director shall approve the design and specifications for the parking lot. Upon completion of the public parking lot, the applicant may rely on the spaces therein, except those reserved for trail and public transit users, as part of the required parking spaces, as permitted by Calabasas Municipal Code section 17.28.070.G, as this resolution provides a nonexclusive right for the public, including the hotel's users, to use the Rondell Street public parking lot. The City shall post signs in the public parking lot that make it clear that the Rondell Street public parking lot is open for parking by any member of the public.

The design and plan for these signs shall be approved by the Community Development Director and Public Works Director before installation.

50. The applicant and/or property owner shall participate with the City in the cost to maintain the Rondell Street public parking lot. To fulfill this obligation, the applicant shall submit a maintenance plan, specifying the planned maintenance activities, schedule, and funding sources, to the Public Works Director for review and approval. The parking lot maintenance plan must be approved before issuance of a certificate of occupancy. Once approved, the applicant must comply with the provisions of the parking lot maintenance plan. Additionally, the City and the applicant shall enter into and the City shall record an off-site shared parking agreement reflecting the applicant and/or property owner's obligations for this public parking lot, to be approved as to form by the City Attorney and as to substance by the Community Development Director and Public Works Director.

51. The City hereby reserves six (6) dedicated parking spaces in the Rondell Street public parking lot for users of the transit stop along Las Virgenes Road and five (5) dedicated parking spaces for trail users. The City shall ensure that these spaces are appropriately signed to indicate that the parking spaces are for the exclusive use of transit stop and trail users.

52. All parking areas on the Rondell Oasis private property shall be open to the public for no fee between the hours of 6:00 am and 8:00 pm daily. Signs shall be clearly posted at the entrance to the subject property and throughout the parking lot that make it clear that the parking lot is open to the public during the above mentioned hours.

Public Works Department/Engineering

STREET IMPROVEMENTS

53. Prior to any work being performed within the City right-of-way, the applicant shall obtain an encroachment permit from the Public Works Department.

54. The driveway improvements on the Rondell Street public parking lot shall be in full compliance with the City's driveway and site access policy as set forth in the City Municipal Code, and also in a manner that will allow full conformance with American's with Disabilities Act.

55. The horizontal and vertical alignment for the project access driveways shall satisfy requirements of the County of Los Angeles Fire Department and the City Engineer.

56. All pavement structural sections shall be designed by the project Geotechnical Engineer/Consultant and Engineering Geologist and submitted in conjunction with the final soils report for review and approval by the Public Works Department.

57. The applicant shall be responsible for maintenance and repairs of all proposed public street improvements until final acceptance by the City Council.

58. The improvements of the intersection of Las Virgenes Road and Rondell Street should be consistent with the Las Virgenes Road Corridor Design Plan. Actual roadway improvement widths may vary as approved by the City Engineer. The dedication of or retention of right-of-way width is required, unless specifically approved in writing by the City Engineer.

59. The applicant shall be responsible for improvements of Rondell Street up to the fire access driveway on the east side and to the beginning of the first parking stall on the west side. The overall proposed curb radius, sidewalk width and curb alignment of the roadway improvements fronting the project must be consistent with those recommended in the Las Virgenes Road Corridor Design Plan. To avoid project conflicts, the City Engineer must approve the roadway improvements design prior to the applicant receiving project design approval. Off-site road improvement plan shall be approved and permitted for construction prior to issuance of a grading permit for the on-site improvements.

60. As a result of construction of the Rondell Street public parking lot, this project may propose new right-of-way boundaries that are within the existing right-of-way. Proper legal survey documents outlining the new property boundaries will be required to be submitted to and approved by the Public Works Department prior to the issuance of a Certificate of Occupancy.

61. The applicant will need to obtain approval from Caltrans for any required improvements to the existing traffic signal at the intersection of Las Virgenes Road and US FWY 101 SB Ramps. The proposed improvements within Caltrans' right-of-way must be approved by the City Engineer and Caltrans prior to the applicant receiving project street improvement construction permit.

62. The applicant shall implement all recommended improvements/modifications per the approved project Traffic Study to the satisfaction of the City Engineer.

63. The applicant shall provide a guarantee for the installation of required street improvements in the form of labor and material and faithful performance bonds or similar security(ies). The required type of bonds/securities and amounts shall be determined by the City Engineer.

64. The project is located within the Lost Hills/Las Virgenes Road Bridge and Thoroughfare Construction Fee (B&T fee) District. Based on the B&T report data and analysis, the B&T fee is equal to $3,179 per one Equivalent Dwelling Unit (EDU). The weighting factor 0.61 was applied to determine the cost per EDU for one hotel room: $3,179 x 0.61 = $1,939/room. Project will be required to pay the B&T fee in the amount of $1,939/room x 127 rooms = $246,253.

65. Payment of B& T Fees to City will be required prior to issuance of a Certificate of Occupancy.

66. The roadway improvement striping plans are required to delineate the existing conditions for a distance of 250 feet beyond project boundaries to match the current roadway configuration or as directed by the City Engineer.

GRADING AND GEOTECHNICAL

67. The applicant shall submit a precise grading plan prepared by a Registered Civil Engineer for approval by the Public Works Department. The plans shall be prepared on Public Works standard sheets and shall address the specific grading, drainage, and geotechnical design parameters for design of the proposed residential construction. The plans should include, but not be limited to: specific elevation grades, keyways, subdrains, limits of removals, retaining walls callouts every 25 to 50 feet, and other information necessary to establish in detail the horizontal and vertical geometric design. The plans shall reference the approved geotechnical report, and reflect cut, fill, compaction and over-excavation requirements contained therein. The plans shall reflect all proposed drainage facilities, including storm drains, area drains, catch basins/inlets, swales, and other drainage devices necessary for the interception, conveyance and disposal of on-site and offsite drainage consistent with the project drainage report. The plan shall include designs for wet utility services including sanitary sewers and water lines.

68. The applicant shall submit a detailed geotechnical report prepared by a Geotechnical Engineer/Engineering Geologist. The geotechnical report must specifically address the proposed improvements including engineering calculations for all graded slopes, foundations, retaining walls, temporary excavations and other aspects as required by the proposed development. The report shall present detailed geotechnical recommendations for design and construction of the proposed project and improvements. The reports should be in accordance with the County of Los Angeles standards and to the satisfaction of the City of Calabasas Public Works Department standards and requirements.

69. All slopes shall be 2:1 (horizontal to vertical) or less, and in accordance with the approved geotechnical studies.

70. The applicant agrees to address and mitigate any and all geotechnical design engineering and construction issues not contained within these conditions, but associated with the proposed development that may arise during final design and/or construction.

71. The applicant shall eliminate all geologic hazards associated with this proposed development as identified in the Final Geotechnical Report, approved by the City's geotechnical consultant and to the satisfaction of the City Engineer.

72. All retaining and privacy walls shall be in conformance with the City's wall requirements pursuant to CMC Section 17.20.100. Any variations require Planning Division approval. The wall details and callouts including top of footings shall be included with the Grading Plans. Any walls to be built during rough grading shall be so noted on the plans and must have the approval of the City Engineer.

73. Prior to Issuance of a Grading Permit, the applicant shall submit a surety grading improvement bond with the valuation to be determined by the City staff upon submittal of the engineering cost estimate of grading and installation of the drainage devices.

74. Prior to issuance of a Grading Permit, the applicant shall submit official stamped and signed copies of the acknowledgement concerning the employment of a registered civil engineer and technical consultants (Public Works Form K).

75. Prior to commencement of work under a grading permit, the contractor shall conduct a preconstruction meeting with the City. The contractor shall be responsible for setting the meeting time, date and location and notifying City staff at least one week in advance of the meeting.

76. All excavation, grading, site utility installation (private water, sewer and storm drain), pavement construction and related site work shall be observed and approved by the Public Works Department, pursuant to construction permits issued for approved grading and improvement plans. Changed conditions that affect the Grading and Drainage Plans shall be submitted to the Public Works department in the form of a Change Order (Public Works Forms U and U-1), which shall be approved by the City Engineer prior to commencement of any grading activities that do not conform to the approved Grading and Drainage Plans. If the field conditions deviate from the approved plans without obtaining prior approval of a change order, the City Engineer may issue a Stop Work Notice.

77. Any variations from the approved grading plan must be submitted to the Public Works Department in the form of a Change Order. The engineer of record must submit a complete change order package to Public Works, including a completed

Change Order Checklist (Public Works Form U) and Change Order Request (Public Works Form U-1). The change order will be reviewed and approved by the Community Development Department (Planning Division) and the Public Works Department (Land Development Division). The City Planner shall make the determination if the changes require a review by the Planning Commission.

78. Grading operations involving the hauling of dirt shall be controlled and reasonable efforts to avoid the spillage of dirt onto Public Streets shall be enforced. The grading contractor shall maintain on site at all times a means of preventing blowing dust within the project site and onto adjacent sites. Prior to start of hauling operations, the applicant shall obtain a Haul Route permit from the Public Works Department.

79. All grading and excavation shall be observed and documented by the project Geotechnical Engineer, who shall verify that the excavation, grading, subdrainage, backfill, compaction, and related operations are executed by the site construction personnel in conformance with the provisions of the approved Geotechnical Report and Grading and Drainage Plans. Any deficiencies noted shall be brought to the attention of the grading contractor and the City Engineer. Such observations, verifications, related tests, and other pertinent documentation shall be submitted to the City Engineer.

80. Rough Grade Report. At the completion of rough grading, the project Geotechnical Engineer shall submit a comprehensive rough grade report summarizing the required observations, verifications, related tests, and other pertinent documentation to the City Engineer for review and approval.

81. Rough Grade and Building Pad Certifications. Upon completion of rough grading, the applicant shall submit Rough Grade (Public Works Form O) and Building Pad (Public Works Form Q) Certifications on the City's forms. The certifications shall be signed by the project Geotechnical Engineer and project Civil Engineer, as well as the Grading Contractor. The certification shall be accompanied by as-built survey where deemed necessary by the City Engineer to verify compliance with the limits and elevations required by the approved grading and drainage plans. The Rough Grade and Building Pad Certifications shall be reviewed in conjunction with the Rough Grade Report by the City Engineer.

82. Approval of Rough Grading. The project Rough Grade Report and Rough Grade and Building Pad Certifications shall be reviewed and approved by the City Engineer. Evidence of such approval shall be provided to the Community Development Department and the Building and Safety Division, prior to the issuance of a Building Permit. **No Building Permit shall be issued for the project without these approvals.**

83. Prior to the final inspection by Building and Safety Division (B&S), the project Civil Engineer of record shall provide As-Built or Record Drawings, prepared on mylar, reflecting the as-built field conditions, including any changes to the approved plan, to the satisfaction of the City Engineer. As-built plans shall be furnished prior to initiation of final inspection by the Public Works Department.

84. Final Grade Certification. Prior to the issuance of a Certificate of Occupancy (C of O), the applicant shall submit a Final Grade Certification (Public Works Form P). The Final Grade Certification shall be reviewed and approved by the City Engineer prior to the issuance of a C of O for the project.

85. The applicant shall be responsible for the construction and maintenance of the proposed site improvements. A maintenance covenant shall be recorded against the property to ensure that project hardscape (sidewalks, ramps, parking areas and drive aisles, striping, disabled parking areas, signage, accessible route delineators, and related improvements) and drainage system (pipes, inlets, outlets, basins, debris walls, water quality devices, and related improvements) are properly maintained. Maintenance provisions shall be submitted by the applicant and approved by the City of Calabasas Public Works Department. Said covenant shall contain provisions ensuring that proper maintenance is provided in perpetuity for the constructed improvements. Covenant shall additionally include provisions to reimburse the City for any repair or maintenance effort required of said facilities, as deemed necessary by the City due to failure of the property owner(s)/management to adhere to the provisions of said covenant. The determination of necessity shall be at the sole discretion of the City.

MAPPING AND RELATED DOCUMENTS

86. The applicant shall provide a current copy of the preliminary title report, prepared within the last 6 months, for the subject property.

87. The applicant's engineer shall plot all referenced easements on the site plans, grading plans and final map. Letters of authorization from affected utility companies shall be submitted for construction of new improvements within existing easements.

HYDROLOGY AND DRAINAGE

88. The applicant shall have a final drainage study prepared by a Registered Civil Engineer licensed to practice in the State of California. The drainage study shall be prepared in City standard report format and include sections addressing on-site and off-site drainage areas, existing and developed conditions hydrology, the

design hydraulics for the on-site drainage system, including sizing of inlets, conduits, v-ditches, down drains and other structures, and associated calculations and conclusions. The drainage study shall demonstrate project compliance with the current Los Angeles County Public Work Department's Hydrology Manual and Hydraulic Design Manual; however the minimum design flow for sizing onsite drainage devices shall be 25 year recurrence (Q_{25}). The drainage study shall also document that all building finish floor elevations will remain at least one foot above the 50-year bulked & burned storm recurrence interval (capital flood) water surface elevation, identifying overflow pathways. The drainage study shall be submitted to the Public Works Department and approved by the City Engineer prior the issuance of a grading permit.

89. All drainage devices, pipes, and structures in the approved grading plan shall be the sole responsibility of the applicant to construct and applicant shall maintain those devices, pipes and structures located on their property. Adequate access shall be established and recorded copy of any required easements from adjacent properties shall be provided to the City. A maintenance covenant shall be recorded against the property to ensure that all drainage devices, pipes and structures not located in public right-of-way are properly maintained. Provisions will be provided and approved by the City of Calabasas Public Works Department that ensure that proper maintenance is provided, and provisions to reimburse the City for any remedial work that will, at the City's sole discretion, require the City to maintain the before-mentioned devices and structures should they not be properly maintained.

90. The applicant shall provide for the proper interception, conveyance and disposal of off-site drainage contributions from adjoining properties and return drainage to its natural conditions or secure off-site drainage acceptance letters from affected property owners.

91. All drainage shall be sloped 2% away from all parts of building structures along impervious surface and 5% away along pervious surface, in conformance with California Building Code; or as per geotechnical engineer's recommendations; and conveyed through an on-site storm drain system to an approved point of disposal.

UTILITIES

92. All new utilities serving the proposed project shall be placed underground.

93. The project shall connect to an existing sewer. The applicant shall construct a 6-inch minimum sewer lateral to connect the proposed project to the existing available sewer main subject to the approval of the City Engineer.

94. The applicant shall have a Sewer Area Study prepared by a Registered Civil Engineer licensed to practice in the State of California. The sewer study shall demonstrate to the satisfaction of the City Engineer that there is available capacity for the projects sewer flows to be added to the downstream sewer collection system.

95. Sewer connection fees shall be paid to the Las Virgenes Municipal Water District (LVMWD). The applicant shall submit proof of payment of such fees to Public Works prior to issuance of a Building Permit.

96. The project shall connect to an existing water main. The applicant shall construct a water service lateral to connect the proposed project to the existing available water main.

97. Water service connection, associated meter fees and any other miscellaneous fees/assessments shall be paid to Las Virgenes Municipal Water District (LVMWD). The applicant shall submit proof of payment of such fees (i.e.: LVMWD's Financial Arrangement Letter) to Public Works prior to the issuance of a Building Permit.

PUBLIC WORKS SPECIAL CONDITIONS

98. Construction activity and traffic control shall be staged such that vehicular, pedestrian and bicycle access to adjacent properties are maintained at all times.

99. The applicant shall be responsible for re-striping of pavement and curb markings on Las Virgenes Road that are affected by construction activity near the site.

Public Works Department/Environmental Services Division

100. This project will disturb one acre or greater of land and therefore must obtain coverage under a statewide General Construction Activities Stormwater Permit (General Permit). Prior to issuance of a grading permit, the applicant must submit to the City:

    a. Proof of PRD filing confirmation with the State Water Resources Control Board under the new General Permit (Order No. 2009-0009-DWQ Permit);
    b. A statement of owner's certification that a State Stormwater Pollution Prevention Plan (SWPPP) has been prepared; and
    c. A copy of the SWPPP prepared for the project complying with all applicable requirements of the Order No. 2009-0009-DWQ.

101. This is a Planning Priority Project as defined in the City of Calabasas' National Pollutant Discharge Elimination System (NPDES) permit. As such, the construction

drawings must incorporate the following five requirements into the project design prior to the issuance of the grading permit:

a. Conserve natural areas;
b. Protect slopes and channels;
c. Provide storm drain system stenciling and signage;
d. Divert roof runoff to vegetated areas before discharge unless the diversion would result in slope instability; and
e. Direct surface flow to vegetated areas before discharge unless the diversion would result in slope instability.

102. The owner/owner's agent shall ensure the following minimum requirements are effectively implemented at the construction site:

a. Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
b. Construction-related materials, wastes, spills, or residues shall be retained at the project site to avoid discharge to streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff;
c. Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site; and
d. Erosion from slopes and channels shall be controlled by implementing an effective combination of BMPs, such as the limiting of grading scheduled during the wet season; inspecting graded areas during rain events; planting and maintenance of vegetation on slopes; and covering erosion susceptible slopes.

103. This project is a development planning priority project under the City's NPDES Municipal Stormwater Permit. An Urban Stormwater Mitigation Plan (USMP) that incorporates appropriate post-construction best management practices (BMPs) into the design of the project must be prepared and approved prior to issuance of any grading. Please refer to the Los Angeles County Standard Urban Stormwater Mitigation Plan (SUSMP) for applicable design requirements. The project-specific USMP shall describe how this project design conforms to all requirements set forth in the SUSMP and must include a fully executed and recorded "Maintenance Covenant for Parcels Subject to SUSMP Requirements" to provide for on-going maintenance of the BMPs that have been chosen.

104. All storm drain catch basins within parking lots, driveways and the project area shall be retrofitted with the full capture debris screens approved by the Los Angeles County Flood Control District.

105. Provide adequate filtration for all hillside drains to capture debris and sediment before entering the storm drain system.

106. Landscape areas should utilize a concave design to capture irrigation runoff and first ¾ inch of a two year storm event for the landscape area only; additional capacity should be included if runoff from the roof and all hardscape areas is directed to landscaped areas.

107. Direct runoff from the driveway toward permeable areas and construct portions of the driveway from porous materials.

108. The applicant and contractors shall implement all reasonable efforts to reuse and recycle 75% of construction and demolition debris, to use environmentally friendly materials, and to provide energy efficient buildings, equipment, and systems. The applicant shall provide proof of recycling quantities to obtain final clearance of occupancy.

109. Per the Calabasas Municipal Code Chapter 8.16, "no person shall collect and/or dispose of municipal solid waste or recyclable materials in the city without having first been issued a solid waste collection permit. Such permit shall be in addition to any business license or permit otherwise required by the City of Calabasas." Crown Disposal Co, Inc. is the only service provider permitted to operate in Calabasas. An Encroachment Permit is required prior to placing a refuse bin/container on the street.

110. Grading shall be prohibited from **October 1st** through **April 15th**, unless the City Engineer determines that soil conditions at the site are suitable, and adequate and effective erosion and sediment control measures will be in place during all grading operations.

111. Install trash and recycling cans in the public street on both sides of the street. Install trash and recycling cans on the loop trail. Provide dog waste pick-up signs, bag and can along the loop trail

112. Individuals responsible for SWPPP preparation, implementation, and permit compliance shall be appropriately trained. This includes those personnel responsible for developing the SWPPP called Qualified SWPPP Developer (SQD) and those personnel responsible for installation, inspection, maintenance, and repair of BMPs called the Qualified SWPPP Practitioner (QSP). They shall provide a certificate of appropriate trainings. Training sessions are offered by government agencies or professional organizations.

113. During the term of the City permit, the contractor, their employees, and subcontractors shall implement appropriate Best Management Practices (BMPs) to prevent pollution to local waterways. Sediments, construction debris, paint, trash, concrete truck wash water and other chemical waste from construction sites left on the ground and streets unprotected, or washed into storm drains,

causes pollution in local waterways via the storm drain system is against City Ordinance and State law. The BMPs implemented shall be consistent with City of Calabasas Municipal Code Chapter 8.28. Failure to implement appropriate BMPs shall result in project delays through City issued "Stop Work Notices" and/or fines levied against the owner/developer/contractor.

Las Virgenes Municipal Water District

114. Pay applicable water meter and sewer fees prior to construction.

115. Depending on Fire Department requirements, additional fire hydrant(s) may need to be installed. Additional capacity fees may be required in order to accommodate the installation of additional fire hydrant(s).

116. The applicant shall implement and maintain water conservation measures including but not limited to, fixture design and installation (use of ultra-low flush/flow toilets and shower heads), and hot water circulating systems.

117. The project landscaping plan shall incorporate drought tolerant plantings and efficient irrigation systems and techniques (see conditions above regarding compliance with MWELO.

118. The applicant shall implement maximum use of recycled water during and after construction, including landscaping and inside the hotel for sanitary purposes. The applicant shall be required to meet all of the District's conditions of service in order to be served.

119. The property owner shall provide access to the Water Districts facilities on-site and to the east of the subject site.

120. If the older 30" pipe remains in its current location under the proposed parking lot, an indemnification agreement shall be executed between the property owner and the district, indemnifying the district from any liability resulting from a pipe failure.

Los Angeles County Fire Department

121. Obtain all applicable permits and approvals from the Los Angeles County Fire Department.

122. This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone". A "Fuel Modification Plan" shall be submitted and approved prior to final map clearance.

123. The required fir flow for public fire hydrants at this location is 2,375 gallons per minute at 20 psi for a duration of 2 hours, over and above the maximum daily domestic demand. Two hydrants flowing simultaneously may be used to achieve the required fire flow.

124. Install two private on-site fire hydrants. All hydrants shall measure 6"x4"x2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site fire hydrants shall be installed a minimum of 25 feet from a structure or protected by a two (2) hour rated firewall.

125. Additional water system requirements may be required during the building permit process.

126. At the north end of the property, maintain access width of not less than 26 feet where the Fire Department access ends and the dirt road continues. The applicant shall post "Emergency Access Only" if no gate is proposed at this location. If a gate is proposed at this location, then the gate shall comply with the County of Los Angeles Fire Department Regulation #5 and be equipped with a Fire Department Approved locking device.

Section 6. In view of all the evidence and based on the foregoing findings and conclusions, the City Council hereby approves the Conditional Use Permit, Site Plan Review, Oak Tree Permit, Scenic Corridor Permit and a Development Plan associated with File No. 140001318 and adopts the associated Mitigated Negative Declaration, approving a 127-room, three-story hotel.

The City Council additionally finds that Rondell Street is no longer needed for vehicular traffic and hereby orders that Rondell Street be closed to traffic, as authorized by Vehicle Code section 21101, subdivision (a). The City Council further declares that Rondell Street shall be dedicated for use as a public parking lot, as provided further herein. As required by the conditions of this resolution, the applicant shall construct and maintain the Rondell Street public parking lot. Upon completion, the Rondell Street public parking lot shall be available for unrestricted use by the public, including but not limited to the users of the hotel, and with five parking spaces dedicated to the trail's users and six spaces dedicated to public transit riders.

The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

PASSED, APPROVED AND ADOPTED this 22nd day of June, 2016.

James R. Bozajian, Mayor

ATTEST:

Maricela Hernandez, MMC
City Clerk

APPROVED AS TO FORM:

Matthew T. Summers for
Scott H. Howard
City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF CALABASAS)

I, **MARICELA HERNANDEZ, MMC,** City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing resolution, being **Resolution No. 2016-1496** was duly adopted by the City Council of the City of Calabasas, at a regular meeting of the City Council held June 22, 2016, and that it was adopted by the following vote, to wit:

AYES: Mayor Bozajian, Mayor pro Tem Maurer, Councilmembers Shapiro and Weintraub.

NOES: None.

ABSTAIN: None.

ABSENT: Councilmember Gaines.

Maricela Hernandez, MMC
City Clerk
City of Calabasas, California