

## RESOLUTION NO. 97-471

MASTER CONDITIONAL USE PERMIT

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, APPROVING MASTER CONDITIONAL USE PERMIT NO. 97-12 PERMITTING, ON THE SITE COMMONLY REFERRED TO AS THE CALABASAS PARK CENTRE, THE CONSTRUCTION OF A MIXED USE DEVELOPMENT WITH A BASE DENSITY OF 750,000 SQUARE FEET AND A MAXIMUM OF 900,000 SQUARE FEET. WITHIN THE MIXED USE DEVELOPMENT, A MAXIMUM OF 200,000 SQUARE FEET OF RETAIL COMMERCIAL WILL BE PERMITTED.**

**WHEREAS**, the applicant ("Kilroy Calabasas Associates") seeks to develop approximately sixty-seven (67) acres of land, located approximately one-quarter (1/4) mile south of the Ventura Freeway (U.S. Highway 101), that is bounded on the north by Calabasas Road, on the east and south by Park Granada and on the west by Parkway Calabasas ("Master Plan Area"); and

**WHEREAS**, the applicant has determined to abandon, concurrent with the vesting of this master conditional use permit, those development rights associated with that certain Development Agreement approved by Los Angeles County prior to the City's incorporation and recorded as Instrument No. 89-1756981 with the Los Angeles County Recorder's Office ("Prior Development Agreement"); and

**WHEREAS**, the City of Calabasas and the applicant have prepared a draft master plan for the Calabasas Park Centre project and all development within the Master Plan Area shall be subject to the provisions of the adopted master plan.

**WHEREAS**, the Calabasas Park Centre Master Plan consists of the Calabasas Park Centre Design and Development Guidelines and two Illustrative Site Plans.

**WHEREAS**, the Master Plan Area is more particularly described in the legal description, attached hereto as Exhibit "A"; and

**WHEREAS**, the Master Plan Area is zoned Commercial Planned Development (CPD) on the City Zoning Map and is designated Commercial Mixed Use (CMU) on the proposed Zoning Map currently under review and consideration by the City decision makers; and

**WHEREAS**, in connection with the Prior Development Agreement, Los Angeles County approved Tentative Tract Map No. 37824 which permitted Kilroy Calabasas Associates to subdivide 67.71 acres of the Master Plan Area into 11 commercial lots, one public utility lot, and one open space lot consisting of 15 plus acres; and

**WHEREAS**, subsequent to the approval of Tentative Tract Map No. 37824 a Vesting Parcel Map No. 23811 was approved which permitted Kilroy Calabasas Associates to further subdivide the 13 lots into 18 lots; and

**WHEREAS**, the City of Calabasas approved Master C.U.P. No. 92-15 which

permitted Kilroy Calabasas Associates to construct up to 1,095,000 square feet of office/retail uses and 200,000 square feet of retail uses in the Master Plan Area; and

**WHEREAS**, Kilroy Calabasas Associates currently seeks approval from the City of Calabasas to construct in the Master Plan Area a mixed use development with a base project density of 750,000 square feet and maximum development density of 900,000 square feet.

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

1. All public comments, both written and oral, received and/or submitted at, or prior to, the City Council public hearing by local and regional agency representatives, adjacent property owners, expert witnesses, local homeowners' associations, and adjacent neighbors supporting and/or opposing the Proposed Project.

2. The Los Angeles County Code (adopted by the City of Calabasas as interim zoning), the Calabasas Draft General Plan, the City of Calabasas Draft Development Code and all other applicable regulations and codes.

3. All staff reports prepared by or under the direction of the Director of Community Development and/or the Director of Planning and Environmental Programs.

4. Staff's presentation at the City Council public hearings as well as joint meetings held with the Planning Commission.

5. 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 City Council public hearings and joint meetings with the Planning Commission.

6. Testimony and/or comments received from the project applicant and its representatives as submitted to the City in both written and oral form at, or prior to, the City Council study sessions and public hearings.

7. All related documents and reports, including but not limited to all CEQA documents and reports, received and/or submitted at, or prior to, the public hearings.

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

1. Notice of all relevant public hearings before the City Council and joint meetings held with the Planning Commission were provided to relevant local and regional agencies, local homeowners' associations, all property owners within a 500' radius of the Master Plan Area, and notices of all public hearings before the City Council and Planning Commission were published in a local newspaper and posted in at least three public places in the City.

2. Notices of the relevant City Council public hearings included the date, time, and place of the public hearings, the identity of the hearing body, a general

explanation of the matter to be considered, a general description of the location of the Master Plan Area and of the need to exhaust administrative remedies.

3. Public hearings were held by the Planning Commission on January 9, 1997, January 16, 1997, April 3, 1997, April 24, 1997, May 1, 1997, and May 15, 1997 to receive public testimony regarding the Proposed Project.

4. The Planning Commission on August 21, 1997, adopted a resolution recommending to the City Council that it approve Master C.U.P. No. 97-12.

5. The City Council on September 17, 1997, directed staff to prepare a resolution approving Master C.U.P. No. 97-12.

6. The City Council on October 9, 1997, adopted, with amendments approved during that meeting, City Council Resolution No. 97-471 approving Master C.U.P. No. 97-12. The Council directed staff to make final revisions to the resolution consistent with their actions, in compliance with law and subject to City Attorney approval.

7. The Proposed Project consists of a mix of uses.

8. The Master Plan Area is currently zoned Commercial Planned Development (CPD) according to the Zoning Map of the Los Angeles County Code. The site is identified as Commercial Mixed Use (CMU) on the proposed Calabasas Zoning Map.

9. Section 22.28.340 et seq. of the Los Angeles County Zoning Code permits mixed use development in CPD zones.

10. Section 17.14.010 D et seq. of the Draft City of Calabasas Development Code permits mixed use development in CMU zones

11. The City's General Plan, assigns a Mixed Use (MU) land use designation to the Master Plan Area.

12. The MU land use designation in the City's General Plan permits a mix of uses.

13. The surrounding land uses in the immediate vicinity of the Master Plan Area consist of developed office, retail and residential uses.

14. The surrounding properties in the immediate vicinity of the Master Plan Area are zoned Commercial Manufacturing (C-M), Unlimited Retail Commercial (C-3DP), Neighborhood Business Zone, Single Family Residential (R-1), Heavy Agricultural (A-2) and Commercial Planned Development (CPD).

15. As defined and limited herein, Kilroy Calabasas Associates has voluntarily agreed to comply with selected conditions of the rescinded Development Agreement

approved by the City Council on June 7, 1995. The conditions are related to the dedication of the open space area, the expenditure of funds for the development of Art in Public Places, the Contribution to the City Library Fund, the incorporation of a Community Theater/Cultural Facility into the project, and Traffic and Circulation Mitigations.

16. As defined and limited herein, Kilroy Calabasas Associates has voluntarily agreed to contribute to the City's Affordable Housing Assistance Trust Fund. Similar projects in the City have agreed to contribute monies to the City's Affordable Housing Assistance Fund equal to \$.158 per square foot of building area.

17. As a condition of approval, as set forth in the Final Supplemental Environmental Impact Report (FSEIR), the Retail Center must be compatible with the surrounding character of the area and provide a transition between "Old Town" and the office/commercial development west of the Master Plan Area.

18. The FSEIR sets forth conditions of approval designed to mitigate potential problems associated with vehicular access to the Master Plan Area.

19. The FSEIR sets forth conditions of approval designed to mitigate potential problems associated with the Proposed Project's parking.

20. The FSEIR sets forth conditions of approval designed to mitigate potential problems associated with the Proposed Project's loading facilities.

21. Kilroy Calabasas Associates and any subsequent owners are required, as a condition of approval, to make arrangements with public utilities to install additional underground utilities to furnish service to the Proposed Project.

22. Development in the Master Plan Area will be further regulated by the Calabasas Park Centre Master Plan which consists of the Calabasas Park Centre Design and Development Guidelines and two Illustrative Site Plans.

23. The Calabasas Park Centre Design and Development Guidelines establish design criteria for the review of office, hotel, civic, retail, and open space uses within the Master Plan Area. They include project-wide development standards, project-specific site design guidelines, and project-specific architectural design guidelines. The guidelines also establish height restrictions and development densities for the eight geographic-based planning zones that make up the Master Plan Area.

24. The Illustrative Site Plans are conceptual and generally depict two development options for the site: a "Garden Office" Alternative and an "Urban Office" Alternative. The Garden Office Alternative is surface-parked and the Urban Office Alternative includes structured parking. The Illustrative Site Plans are attached as exhibits to this resolution.

25. All utilities for the Proposed Project have been placed underground.

26. As a condition of approval, as set forth in the FSEIR, rooftop equipment shall be screened from view.

27. The master plan will incorporate abundant landscaping throughout the Master Plan Area , especially in the retail area of the project.

28. As a condition of approval, as set forth in the FSEIR, Kilroy Calabasas Associates or successor owners within the property shall be required to provide lighting in such a manner so that it does not focus light directly onto streets and shoulders and not project light beyond the boundaries of the Master Plan Area.

29. As conditions of approval, as set forth in the FSEIR, Kilroy Calabasas Associates or successor owners within the property are required to implement several traffic mitigation measures in order to comply with the City's CMP/TDM Ordinance.

30. A Supplemental Environmental Impact Report was prepared and considered as part of the public review consistent with the CEQA Guidelines.

31. Within the City of Calabasas, there is currently no public gathering place.

32. The uses proposed in the Master Plan Area will, by nature, attract local residents to the project.

33. The Calabasas Park Centre Master Plan Area is one of the few large commercial areas in the City of Calabasas. As such it presents unique opportunities for development of a central public space with urban amenities that will not only add value to the property and may benefit the entire community.

34. The Calabasas Park Centre Master Plan Task Force and the Planning Commission recognized the opportunity for development of a public gathering place in this area and supported the developer's intention of providing a Civic Plaza in the center of the Master Plan Area.

35. Development of the Calabasas Park Centre Master Plan Area has generated substantial public interest. The review of individual projects, their implementing conditional use permits and site plan approvals, will also be of primary interest to local residents. The master conditional use permit will require full scrutiny of all proposed projects within the Master Plan Area by requiring City Council approval of all implementing conditional use permits and site plan approvals.

36. Public testimony has demonstrated that there exists in the community a general interest in the provision of a community theater.

37. Currently the City of Calabasas offices are located in a rented office building on the west side of the City. Calabasas Park Centre presents a unique opportunity for development of a centrally located civic center project.

**Section 3. In view of all of the evidence and based on the foregoing findings, the City Council concludes as follows:**

1. Notice of all relevant public meetings/hearings was given at the time and in the manner required by applicable law, rules, and regulations.
2. The proposed land uses are consistent with the City's General Plan, the Los Angeles County General Plan and the City's Draft Development Code.
3. The Proposed Project will serve the immediately adjacent area as well as function as the focus of the community.
4. The arrangement of buildings, architectural design and the type of commercial uses will be governed by the Calabasas Park Centre Design and Development Guidelines. Implementation of these standards will minimize potential adverse impacts of the proposed project on adjacent properties.
5. Vehicular access will be provided so as to prevent undue traffic congestion, noise and light pollution on adjacent streets and highways.
6. Parking will be provided so as to prevent undue traffic congestion on adjacent streets and highways.
7. Loading facilities will be located so as to prevent undue traffic congestion on adjacent streets and highways.
8. The Proposed Project will be compatible with the character of the surrounding area.
9. The Proposed Project will generally satisfy the provisions of the Art in Public Places Ordinance.
10. The Proposed Project will be consistent with the requirements of the Scenic Corridor Ordinance.
11. The Proposed Project will be consistent with the CMP/TDM Ordinance.
12. The Proposed Project will be consistent with the Master Plan Design and Development Guidelines and will not
  - (a) adversely affect the health, peace, comfort or welfare of persons residing in the surrounding area,
  - (b) be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
  - (c) jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

Provisions for on-site security will be provided at the site plan approval stage.

13. The Master Plan Area is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in the Los Angeles County Code, the Draft Calabasas Development Code, or as is otherwise required in order to integrate said uses with the uses in the surrounding area.

14. The Master Plan Area is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic the Proposed Project will likely generate.

15. The Master Plan Area is adequately served by public or private service facilities as are required.

16. The people attracted by the proposed uses in the Master Plan Area will necessitate the provision of an area to congregate.

17. The commitment of the Developer to provide for a Civic Plaza will add value to the Master Plan Area and will create a public gathering place for the residents of the City of Calabasas.

18. The need for public review will be satisfied by the requiring City Council action on all implementing conditional use permit and site plan review applications.

19. As an added amenity the developer and the City have agreed to consider within the Civic Center Design process incorporation of a community theater facility.

20. The Proposed Project will contribute to the City's Affordable Housing Assistance Trust Fund in a manner consistent with other similar projects in the City.

**Section 4. In view of all the evidence, and based on the foregoing findings and conclusions, the City Council hereby resolves as follows:**

1. Master Conditional Use Permit 97-12 is approved to permit Kilroy Calabasas Associates or successor owners within the property to construct a mixed use development. The base density for the project is 750,000 square feet. Incentives are provided which would permit development of a maximum of 900,000 square feet. All development is subject to the following conditions:

A. General Provisions

(1) **Acceptance of Conditions.** This grant shall not be effective for any purposes until Kilroy Calabasas Associates has submitted to the Community Development Department an affidavit acknowledging and accepting all the conditions of approval contained herein as set forth in Section 4 of this Resolution.

- (2) **Compliance with Conditions of MCUP.** The Master Plan Area shall be developed, maintained, and operated in full compliance with the conditions contained herein.
- (3) **Violation of MCUP.** Failure by Kilroy Calabasas Associates to cease any development or activity not in full compliance upon receiving notice from the City with the conditions contained herein shall constitute a violation of this Master C.U.P.
- (4) **Suspension of Privileges.** If any condition contained herein is violated, this Master C.U.P. shall be suspended and the privileges granted hereunder shall lapse upon thirty (30) days written notice by the Director of Planning and Environmental Programs.
- (5) **Compliance with Calabasas Park Centre Master Plan.** The Master Plan Area shall be developed, maintained and operated in full compliance with the terms and provisions of the Calabasas Park Centre Master Plan and this Master Conditional Use Permit.
- (6) **Enforcement of MCUP.** Any violation of this master conditional use permit will be subject to Section 17.80.010 Enforcement of Development Code Provisions of the City of Calabasas Draft Development Code as amended.
- (7) **Violation of City Statutes.** If any applicable statute, ordinance, and/or regulation is violated, this Master C.U.P. shall be suspended and the privileges granted hereunder shall lapse upon thirty (30) days of written notice by the Director of Planning and Environmental Programs.
- (8) **Compliance Prior to Occupancy.** Prior to occupancy of any structure within the Master Plan Area, all applicable conditions of approval shall be completed to the satisfaction of the Director of Planning and Environmental Programs.
- (9) **Modification of Permitted Uses.** Any modification of the permitted uses as contained in this resolution shall be reviewed and approved by the City Council through the Zoning Clearance Approval Process.
- (10) **Continued Validity of MCUP.** If any condition of this Master C.U.P. is declared invalid, void or unenforceable, the remaining provisions of this Master C.U.P. shall continue in full force and effect.
- (11) **Vesting Entitlements.** This Master C.U.P. shall be valid for a period of two (2) years from the date of City's final approval. Within that time period, Kilroy Calabasas Associates must



demonstrate that the Master C.U.P. has been "used" or vested, which for purposes of this Master C.U.P. shall mean issuance of a grading permit or building permit whichever comes first. The permit must represent a minimum of nine percent of the 45.34-acre developable area of the site.

- (12) **Future Processing.** All relevant information and/or plans pertaining to proposed modifications shall be submitted to the Planning and Environmental Programs Department for processing.
- (13) **Protection of the City from the Applicant's Acts of Negligence.** Kilroy Calabasas Associates or successor owners within the property hereby agree to, and shall defend, save and hold City and its elected and appointed boards, commissions, officers, agents, and employees harmless from, any and all claims, costs and liability for any damages, personal injury or death, which may arise, directly or indirectly, from Kilroy Calabasas Associates' or Kilroy Calabasas Associates' contractors', subcontractors', agents' or employees' operations under this Master C.U.P., whether such negligent operations be by Kilroy Calabasas Associates or by any of Kilroy Calabasas Associates' contractors, subcontractors, agents or employees.
- (14) **Protection of the City from Challenges to the Master CUP.** Kilroy Calabasas Associates or successor owners within the property shall defend, indemnify and hold harmless City and its agents, officers and employees against and from any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of this Master C.U.P. or the proceedings undertaken in connection with the adoption or approval of this Master C.U.P.
- (15) **New Project Master Plan Compliance.** Any project proposed within the Master Conditional Use Permit Area shall comply with the provisions of the Calabasas Park Centre Master Plan Design and Development Guidelines as defined and limited herein and shall be in general conformance with one of the two Illustrative Site Plans.
- (16) **Nature of the Illustrative Site Plans.** The Illustrative Site Plans are non-binding and are only intended to convey the general nature of two land use and development options that could ultimately be constructed on the property. A wide variety of land uses, development density, building massing, and building/site design combinations, including and in addition to those illustrated by these site plans, are permitted on the property in accordance with

the approved Master Conditional Use Permit (MCUP) and Master Plan Development and Design Guidelines. All site-specific and building specific development proposals within the Master Plan Area will be subject to formal site plan review and recommendation by the Planning Commission and approval of the City Council. The "Site Plan Approval," including all related conditions of approval, shall be binding on the development of individual projects within the Master Plan Area and shall supersede the Illustrative Site Plans.

- (17) **Permit Approval.** Individual project proposals shall, as necessary, obtain an Implementing Conditional Use Permit and Site Plan Review Approval and recommendation by the Planning Commission and approval of the City Council.
- (18) **General Plan Consistency.** All projects within the Master Conditional Use Permit Area shall be developed in a manner consistent with the City of Calabasas General Plan as determined by the Calabasas General Plan Consistency Review Program including NPDES process approval and any other applicable building and/or grading permits.
- (19) **Development Code Consistency.** All projects within the Master Conditional Use Permit Area shall be developed in a manner consistent with the City Development Code, as supplemented by the Park Centre Design and Development Guidelines.
- (20) **Applicability to Future Owners.** The provisions of the Master Conditional Use Permit shall be binding on any or all current or future constituent owners, lessors, developers, tenants, occupants, investors, lenders and users of the property. The Master Plan Conditional Use Permit conditions shall be recorded.

B. Overall Development Density

- (21) **Basic Development Intensity.** The Master Conditional Use Permit shall confer the right to construct 750,000 square feet of Mixed Use Development. These entitlements may be increased or decreased as described in the following conditions in this section.
- (22) **Incentive to Encourage the Timely Construction of the Civic Plaza.** If the applicant meets the following two milestones, the basic development entitlement of 750,000 square feet may be increased by up to 150,000 square feet at the discretion of the City Council. The additional entitlements shall be limited to office uses.

**Milestone 1.** Plaza Improvements. The Civic Plaza improvements are installed and accepted by the City for dedication prior to the

earliest date described below.

- (a) Within six months of issuance of the Certificate of Occupancy for the Theater; or
- (b) Within six months of issuance of the Certificate of Occupancy for a total of 100,000 square feet retail development; or
- (c) Within six months of issuance of the sale, transfer or lease of the total Master Plan Area.

Civic Plaza improvements shall include all landscaping and hardscape elements. At the discretion of the City Council, the Plaza Improvements may be bonded for by the developer rather than installed and constructed.

**Milestone 2. Adjacent Building.** A building permit must be issued for an office or civic building adjacent to the Civic Plaza within four years of the approval of the Master Conditional Use Permit. To support activities within the plaza, the building must be designed to accommodate ground floor retail uses or public uses in the portion of the structure directly fronting on the plaza. Ground floor retail uses may include restaurants, shops, service establishments or commercial office uses.<sup>1</sup> Although no minimum bay depth will be required, at least seventy percent of the plaza-side ground floor elevation must be able to accommodate the prescribed retail uses.

**Extension of Milestones.** In the event that the Civic Center Design Process continues for more than six months beyond the first public meeting (September 15, 1997), these time periods shall be extended automatically by one day for every day beyond the initial six months that the design process continues. The Council may, at their own discretion, further extend these time periods.

- (23) **Incentive to Encourage the Transfer of Property for Civic Use.** If the applicant meets the following two milestones, the basic development entitlement of 750,000 square feet may be increased by up to 150,000 square feet at the discretion of the City Council. The additional entitlements shall be limited to office uses.

**Milestone 1. Plaza Improvements.** The Civic Plaza improvements are installed and accepted by the City for dedication prior to the earliest date described below.

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<sup>1</sup>Commercial office uses are defined as office uses that serve the general public, such as banks, however, medical clinics shall be excluded from this definition.

- (a) Within six months of issuance of the Certificate of Occupancy for the Theater; or
- (b) Within six months of issuance of the Certificate of Occupancy for a total of 100,000 square feet retail development; or
- (c) Within six months of issuance of the sale, transfer or lease of the total Master Plan Area.

Civic Plaza improvements shall include all landscaping and hardscape elements. At the discretion of the City Council, the Plaza Improvements may be bonded for by the developer rather than installed and constructed.

**Milestone 2.** Transfer of Property for Civic Use. The property owner dedicates, transfers or sells to the City of Calabasas a parcel of land for development as a civic use. Transfer of the property shall occur within two years of the approval of the Master Conditional Use Permit for Calabasas Park Centre. In addition, the parcel shall comply with the following criteria.

- (a) the site requirements adopted by the City Council in the Civic Center Design Process;
- (b) adjacent to the Civic Plaza; and
- (c) comprising at least 25 percent of the Civic Plaza frontage<sup>2</sup>.

**Extension of Milestones.** In the event that the Civic Center Design Process continues for more than six months beyond the first public meeting (September 15, 1997), these time periods shall be extended automatically by one day for every day beyond the initial six months that the design process continues. The Council may, at their own discretion, further extend these time periods.

- (24) **Maximum Number of Average Daily Trips (ADT).** The maximum permitted buildable square footage shall be limited by the number of vehicle trips generated/attracted. Future development (excluding Civic uses) shall be limited

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<sup>2</sup>Civic Plaza frontage is defined as buildings with elevations that enclose the boundaries of the civic Plaza.

by the amount of Average Daily Traffic generated (not to exceed 15,665 ADT) calculated using land-use-based trip generation formulae set forth in the Fifth Edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual or through specific land use trip generation studies conducted by an independent Traffic Engineer retained by the City for a similar land usage at a similar location and funded by Kilroy Calabasas Associates or successor owners within the property as required by the City Traffic/Transportation Manager.

**Required ADT Projections.** All project applications during the life of the project within the Master Plan Area must include an estimate of the total number of Average Daily Trips (ADT) that are expected to be generated/attracted as a result of the proposed development. The data shall be based on the Fifth Edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. If "expected" ADT from the ITE Trip Generation Manual Data is not referenced in the ITE Trip Generation Manual Data, a specific land use trip generation study shall be conducted by an independent Traffic Engineer retained by the City for a similar land usage at a similar location and submitted to the City Traffic/Transportation Manager and the Director of Planning and Environmental Programs. The estimates shall conform to the format and methodology included in the calculations sheets attached hereto as Exhibit "D" and shall be analyzed and verified for accuracy by the City Traffic/Transportation Manager or an independent traffic engineer under the direction of the City. The cost of the analysis and verification shall be funded by Kilroy Calabasas Associates or successor owners within the property.

**ADT Milestones during Construction of the Master Plan Area.** Any project applications submitted prior to the issuance of Building Permits for projects representing a total amount of development within the Master Plan Area which is expected to generate a cumulative amount of Average Daily Traffic (ADT) Trips which will exceed the trip generation milestones set forth herein shall initiate the level of service monitoring and mitigation requirements detailed in Condition 26. If these milestones conflict with the analysis phasing milestones detailed within the Certified Final EIR, the most restrictive measure shall apply. The Trip Generation Milestones are:

First Milestone	13,000 Average Daily Trips
Second Milestone	13,500 Average Daily Trips

Third Milestone	14,000 Average Daily Trips
Fourth Milestone	14,500 Average Daily Trips
Fifth Milestone	15,000 Average Daily Trips
Sixth Milestone	15,500 Average Daily Trips

**Post-buildout ADT Analysis.** Uses proposed in existing structures shall be subject to the Zoning Clearance Approval process. As part of the Zoning Clearance Approval process, individual uses shall submit an analysis of estimated traffic generated by the use proposed. The analysis shall include an estimate of the total number of Average Daily Trips (ADT) that are expected to be generated/attracted as a result of the use proposed. This analysis shall include:

- projections of the estimated ADT for the use proposed,
- projections of the estimated ADT for the Master Plan Subarea in which the proposed use is located. The three Master Plan Subareas are: the Retail site, the Office development and the Hotel site,
- projections of the estimated the ADT the entire Master Plan Area.

Maximum ADT for individual subareas within the Master Plan Area shall be assigned at the time the implementing conditional use permit is approved for the retail and office projects and at the time the site plan approval is approved for the hotel project.

- Changes in use that exceed the ADT cap for an individual subarea within the Master Plan Area shall be subject to LOS monitoring, analysis and possible future mitigation as described in Condition 26.
- Changes in use that do not exceed the ADT cap established by the implementing conditional use permit for the Retail and Office Master Plan Subareas or the site plan approval for the Hotel Master Plan Subarea shall not be subject to further Level of Service monitoring, analysis or traffic mitigation.

- (25) **Level of Service Monitoring, Analysis and Future Mitigation.** Any project applications submitted for projects representing a total amount of development within the Master Plan Area that is expected to generate a cumulative amount of Average Daily Traffic which will exceed the trip generation

milestones set forth herein or the maximum cap on ADT of 15,665 ADT shall include an analysis of the impact of the project on Level of Service (LOS) at the six major intersections in the vicinity of the project. This LOS Impact study shall be submitted to the City Traffic/Transportation Manager for review/analysis. All Level of Service Impact studies shall be conducted utilizing the Los Angeles County ICU Method (1600 vehicles per lane with a 10% loss time) unless an alternative method is approved by the City Traffic/Transportation Manager in the future.

**LOS Analysis Methodology.** The methodology, impact threshold criteria and mitigation determination utilized as part of this analysis (including the methodology utilized to quantify background traffic impacts and related project impacts) shall be those set forth in the prior Development Agreement and the 1995 Certified Final Supplemental Environmental Impact Report.

The LOS analysis shall be prepared by an independent traffic engineer under the direction of the City Traffic and Transportation Manager. The cost of the analysis and verification shall be funded by Kilroy Calabasas Associates or successor owners within the property.

**Intersections to be Analyzed.** The six intersections to be analyzed as part of this requirement shall include:

- Parkway Calabasas at Calabasas Road;
- Park Centre at Calabasas Road;
- Park Granada at Calabasas Road;
- Park Granada at Park Sorrento;
- Park Granada at Parkway Calabasas; and
- Park Sorrento at Parkway Calabasas.

Impacts upon local residential intersections shall be mitigated via conditions related to Neighborhood Traffic Impact Monitoring and Mitigation.

**Level of Service Thresholds.** The level of service threshold required to maintain the "Minimum Traffic Levels" as set forth herein shall not exceed Level of Service C (not to exceed 0.80 ICU) during the non-peak hours and shall not exceed Level of Service D (not to exceed .85 ICU) during the AM and PM peak hours.

**Appropriate Mitigation Measures.** The mitigation measures required of the project applicant to satisfy this condition may include but not limited to:

- additional roadway and signalization improvements;
- transportation systems modifications,
- contributions to cumulative traffic improvement funds;
- changes in future land uses developed within the property;
- reductions in future allowable project density notwithstanding the 750,000 to 900,000 square foot maximum permitted building square footage set forth in the Master CUP, or
- denial of the proposed new use.

**Maximum Mitigation Costs.** Under the direction of the City Council, the City Traffic/Transportation Manager may require project elements within the Master Conditional Use Permit Area to fund and/or implement their pro-rata share of additional mitigation measures to reduce the potential impacts in order to maintain the Minimum Traffic Levels set forth in the prior Development Agreement and 1995 Final Supplemental Environmental Impact Report based on their respective peak hour trip generation and impact. The mitigation costs may be assessed at the time of site plan approval on a \$.25 per square foot and will be paid prior to the issuance of the building permits.

C. Land Uses

(26) **General.** Any uses not specifically defined by the Master Conditional Use Permit may be approved only through an amendment of the Master Conditional Use Permit.

(27) **Overnight Accommodations.** A facility offering to the general public temporary lodging within a permanent structure. Overnight accommodations may include as ancillary uses restaurants, meeting rooms, and recreational facilities.

- Permitted Uses.  
One Hotel or Bed and Breakfast facility
- Conditional Uses.  
None
- Specific Requirements.
 

(a) Development Density Range:	
Maximum Number of Rooms	150
Maximum Building Area	75,000 sf



- (b) Hotel buildings shall be designed as one contiguous structure with interior-loaded corridors.

(28) **Retail Uses.** Establishments engaged in selling goods, merchandise, or services to the general public for personal or household consumption.

- **Permitted Uses.**
  - (a) General retail stores;
  - (b) Restaurants: full service restaurants; cafes and limited menu food service; exclusively takeout restaurants; and convenience foods.
  - (c) Specifically Permitted Retail/Service Uses: art, antiques and gift sales; banks and financial institutions; business support services (copy shops); day care centers; medical clinics; personal services; transit stations; health fitness clubs; performing arts theaters; entertainment uses; studios for the arts.
- **Conditional Uses.**
  - (a) Bars and drinking places as a primary use; movie theaters; retail development over 20,000 square feet not included in a previously issued implementing conditional use permit<sup>3</sup>; grocery stores over 10,000 square feet; and liquor stores as a primary use; shall require an implementing conditional use permit.
  - (b) When there are more than three existing establishments of any one Specifically Permitted Retail/Service Use, any additional similar establishments shall require an implementing conditional use permit. For example, if there are three banks in the Master Plan Area, development of a fourth bank will require an implementing conditional use permit.
  - (c) When the total restaurants, food service and convenience food uses exceed 25 percent of the total retail/service commercial square footage, the Planning Director shall require an implementing conditional use permit.

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<sup>3</sup>This would include: a single retail development or a change of use within an approved retail project.

- (d) Any uses not specifically described may, at the Planning Director's discretion, require an implementing conditional use permit.
- **Special Requirements**
  - (a) **Development Density Range:**  
Minimum 150,000 square feet to Maximum 200,000 square feet. Any ancillary ground floor retail in the office or public buildings shall not be included in the calculation of the maximum retail area.
  - (b) **Movie Theater** shall not exceed six screens and 1,350 seats. (Number of seats includes the seats required to comply with the provisions of the American Disabilities Act/Title 24.) The theater project square footage is included in the retail development density range.
  - (c) **Drive-in and drive-through sales** are prohibited, except for sales of prescription and non-prescription drugs.
  - (d) **All retail and restaurant uses** shall be required to provide additional stalls in the women's restrooms. Additional stalls shall generally be calculated to be at least the same as the number of stalls and urinals in the men's restrooms with the specific design of the facilities to be determined during the site plan approval process.
- (29) **Office Uses.** Establishment whose primary purpose is to conduct business affairs. The relative intensity of the office use shall be evaluated during the site plan approval process. Intensity of the use shall be defined by Average Daily Trips (ADT) as described in the Fifth Edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual.
  - **Permitted Uses.**  
General Business Offices, medical, professional, real estate, financial, and other offices and similar related compatible uses including retail/service ground floor uses.
  - **Conditional Uses.**  
Second story retail/service uses.

- **Special Requirements**  
Maximum Development Density Range:  
Without Civic Plaza  
incentive 750,000 square feet  
With Civic  
Plaza incentive 900,000 square feet

(30) **Public Uses.** Any establishment operated by a nonprofit organization or government agency and used by the general public for the good of the community.

- **Permitted Uses.**  
Government offices and community facilities including, but not limited to, schools, parks, library, community center, post office, community theater, and City Hall.
- **Conditional Uses.**  
None.
- **Special Requirements**  
(a) Development Density Range: None.  
(b) Location:  
The location of the Public Facilities designation shall be determined in the Civic Center design process.

(31) **Open Space.** An area of land maintained without structures or impervious surfaces and reserved for the public enjoyment. The Open Space designation applies to the 15.33 acre parcel on the south portion of the Master Plan Area.

- **Permitted Uses.**  
To be determined by the City Council.
- **Conditional Uses.**  
None.
- **Special Requirements**  
Preparation of an erosion control and conservation plan.

E. Vesting Parcel Map

(32) **Preparation of Map.** The Vesting Parcel Map shall be prepared by a California Registered Civil Engineer or Land Surveyor in accordance with the California Subdivision Map Act.

(33) **Identification of Easements.** The Vesting Parcel Map shall identify all existing easements and other access rights as noted on Tract Map No. 37824.

- (34) **Cross-lot Access Easements.** The Vesting Parcel Map shall include a condition that requires all cross-lot access easements for ingress and egress to each parcel situated within the Master Plan Area to be recorded with the Los Angeles County Recorder's Office.
- (35) **Escrow Instructions Include a Description of Easements.** The Vesting Parcel Map shall include a condition that requires the escrow instructions for the sale of each parcel of the Master Plan Area to include a provision that requires the recordation of all respective easements with the Los Angeles County Recorder's Office.
- (36) **Recordation of Cross-Lot Drainage Agreements.** The Vesting Parcel Map shall include a condition that requires all cross-lot drainage agreements pertaining to any of the parcels situated within the Master Plan Area be recorded with the Los Angeles County Recorder's Office.
- (37) **Recordation of Shared Parking Agreements.** The Vesting Parcel Map shall include a condition that requires all parking sharing agreements pertaining to any of the parcels situated within the Master Plan Area be recorded with the Los Angeles County Recorder's Office.
- (38) **Escrow Instructions Include a Description of Cross-Lot Drainage Agreements.** The Vesting Parcel Map shall include a condition that requires the escrow instructions for the sale of each parcel of the Master Plan Area to include a provision that requires the recordation of all respective cross-lot drainage agreements with the Los Angeles County Recorder's Office.

F. Grading Permit Conditions

- (39) **Preparation of Grading Plan.** Prior to Issuance of a Grading Permit for an individual project within the Master Plan Area, Kilroy Calabastas Associates or successor owners within the property shall submit to the City a site-specific, detailed grading plan prepared by a California Registered Civil Engineer that will be subject to the review and approval of the City Engineer.
- (40) **Pad Elevations for Site Plan Approval.** Pad elevations shall be shown on the site plan prepared in conjunction with the application for site plan approval.
- (41) **Preparation of a Drainage Plan.** Prior to Issuance of a Grading Permit for an individual project within the Master Plan Area, Kilroy Calabastas Associates or successor owners within the property shall submit to the City site-specific drainage plans and the necessary permits required by and approved by the Los Angeles

County Flood Control District (LACFCD).

- (42) **Preparation of Hydraulic Calculations.** Prior to Issuance of a Grading Permit for an individual project within the Master Plan Area, Kilroy Calabasas Associates or successor owners within the property shall submit site-specific hydraulic/hydrology calculations including an NPDES plan prepared by a California Registered Civil Engineer, for review and approval by the City Engineer.
- (43) **Payment of Fees.** Prior to Issuance of the Grading Permit for an individual project within the Master Plan Area, Kilroy Calabasas Associates or successor owners within the property shall pay all site-specific customary fees provided by the Master Conditional Use Permit.
- (44) **Agreement with the City to Complete Public Improvements.** Prior to Issuance of a Grading Permit for an individual project within the Master Plan Area, Kilroy Calabasas Associates or successor owners within the property shall enter into an agreement with the City to complete all site-specific grading, storm drain, and related improvements.
- (45) **Surety for Site-Specific Improvements.** Prior to issuance of a Grading Permit for an individual project within the Master Plan Area, Kilroy Calabasas Associates or successor owners within the property shall post sufficient surety, as approved by the City Engineer, to guarantee the completion of all site-specific necessary improvements.
- (46) **Additional Grading Requirements.** The City Engineer may require that additional grading and other related improvements be incorporated in the grading plan submitted by Kilroy Calabasas Associates or successor owners within the property.
- (47) **Grading Conformance with City Ordinances.** All grading shall be in conformance with the Uniform Building Code, the Los Angeles County, the City of Calabasas Draft Development Code and applicable grading ordinances and regulations adopted by the City that are in effect at the time the grading permit is issued.

F Encroachment Permit

- (48) **Encroachment Permit.** Prior to any work being conducted within any City right-of-way, Kilroy Calabasas Associates or successor owners within the property shall obtain a Public Works Encroachment Permit.

## G. Supplemental Environmental Impact Report Conditions of Approval

- (49) **Applicability of SEIR Condition.** As determined to be applicable to specific implementing conditional use permits for individual project components, conditions of approval referenced in the Certified Final SEIR shall be imposed on each phase of future development. Applicable SEIR conditions of approval shall be referenced in implementing conditional use permit approvals.
- (50) **Amendment to the FSEIR.** The FSEIR shall be amended include the following condition. Prior to occupancy, Kilroy Calabasas Associates or successor owners within the property shall demonstrate compliance with the City Bicycle Facilities Ordinance and the Transportation Demand Management Ordinance and supply the Traffic/Transportation Department with a Transportation Demand Management Plan (Report/Study). There shall be a six month monitoring period to insure compliance with the approved TDM Plan. The City Traffic and Transportation Manager shall be responsible for interpreting and enforcing Developer implementation of these ordinances.

## H. Parking Conditions

- (51) **Compliance with City Parking Ordinance.** Parking shall be consistent with the standards set forth in the City of Calabasas Parking Ordinance.
- (52) **Shared Parking Agreements.** Shared parking agreements must be consistent with conditions set forth in the FSEIR and the Design and Development Guidelines. All proposals for shared parking shall be reviewed and approved by the City Council. In addition, if the Traffic and Transportation Manager reasonably determines that the Shared Parking conditions set forth in either document are not adequate, he/she or his/her designated representative may modify said parking conditions to cure said inadequacies, as the project is built out.
- (53) **On-Street Parking Credits.** Individual projects within the Master Plan Area may at the discretion of the City Council be granted credit for on-street parking facilities. Developers/owners of the individual projects requesting credit for on-street parking shall be responsible for the construction and maintenance of credited on-street parking spaces in a manner consistent with the requirements outlined in the Calabasas Park Centre Design and Development Guidelines.

## I. Drainage Conditions

- (54) **NPDES Compliance.** Kilroy Calabasas Associates or successor owners within the property shall comply with NPDES requirements as well as the surface drainage provisions described in the general plan. An NPDES Plan shall be prepared and reviewed by the City Council in conjunction with the site plan approval process.
- (55) **Stormwater Improvement Mitigation.** Storm water improvement mitigation for the individual projects within the Master Plan Area shall include a filtration basin or other system approved by the City Engineer to accommodate the first flush contaminants in accordance with the requirements of the City Engineer.
- (56) **Conveyance of Surface Drainage.** All surface drainage shall be conveyed via a non-erosive structure to an approved drainage site/structure. Drainage facilities shall be provided such that surface flows are intercepted and contained prior to entering the public right-of-way.
- (57) **Construction of Drainage Improvements.** Kilroy Calabasas Associates or successor owners within the property shall construct all site-specific drainage facilities including, but not limited to, brow ditches and slope bench drainage channels as deemed necessary by the City Engineer.

## J. Building Permit

- (58) **Operation and Maintenance of NPDES Requirements.** Prior to issuance of a Building Permit for an individual project within the Master Plan Area, Kilroy Calabasas Associates or successor owners within the property shall submit a site specific operation and maintenance schedule/plan for all NPDES required improvements for review and approval by the City Engineer.
- (59) **Adequate Storm Protection.** Prior to issuance of a Building Permit for an individual project within the Master Plan Area, Kilroy Calabasas Associates or successor owners within the property shall demonstrate to the satisfaction of the City Engineer that each pad within the proposed project has adequate protection from a 100-year storm and feasible access during a 10-year storm.
- (60) **Completion of Required Site Improvements.** Prior to issuance of a Building Permit for an individual project within the Master Plan Area, Kilroy Calabasas Associates or successor owners within the property shall complete or bond for the installation of the site specific grading, storm drain, and related improvements. Prior to issuance of a Certificate of Occupancy for an individual project

within the Master Plan Area, Kilroy Calabasas Associates or successor owners within the property shall complete the site specific grading, storm drain, and related improvements, and provide the City with all original record drawings as certified by Kilroy Calabasas Associates's or the successor owners within the property's Civil Engineer. Submittal of certified record drawings shall also be required prior to final inspection of said improvements.

- (61) **Submission of Photometric Plans.** Prior to the issuance of Certificate of Occupancy for an individual project within the Master Plan Area, Kilroy Calabasas Associates or successor owners within the property shall submit two (2) site-specific full sets of Photometric Plans, for Planning and Environmental Programs Department's and the Building and Safety Division's review and approval.
- (62) **Submission of Recycling Plans.** Prior to issuance of Building Permits for an individual project within the Master Plan Area, Kilroy Calabasas Associates or successor owners within the property shall submit all necessary plans and/or information as required by Ordinance No. 93-57 for review and approval by the City's Recycling Coordinator.

#### K. Landscaping

- (63) **Landscaping of Slopes.** All slopes exceeding a 2:1 ratio are required to be landscaped with ground cover, shrubs and trees per City-reviewed and -approved Conceptual Landscape Plans.
- (64) **Maintenance of Landscaped Areas.** All projects within the Master Plan Area shall be maintained consistent with approved specific landscape plans. Natural target pruning techniques must be employed.

#### L. Waste Reduction

- (65) **Compliance with Waste Reduction Ordinance.** Kilroy Calabasas Associates or successor owners within the property shall comply with the Calabasas Waste Reduction Ordinance No. 93-57.
- (66) **Provision of Recycling Facilities.** Kilroy Calabasas Associates or successor owners within the property shall provide adequate facilities for the separation of recyclables as set forth in Ordinance No. 93-57.



## M. Aesthetics

- (67) **Screening of Trash Facilities.** All trash facility screening shall be compatible with the primary building materials and colors.
- (68) **Graffiti Removal.** All graffiti shall be removed within forty-eight hours of receiving such notice by the Director of Planning and Environmental Programs.
- (69) **Minimize Visual Impact of Drainage Facilities.** All drainage facilities situated within the project shall be a permanent earth color so as to minimize visual impact.
- (70) **Review of Drainage Facilities.** The colors to be used to camouflage the drainage facilities shall be subject to the review and approval of the Director of Planning and Environmental Programs.
- (71) **Screening of Mechanical Equipment.** All ground and roof mounted equipment shall be completely screened from public view.
- (72) **Review of Screening.** If, prior to Final Occupancy, it is determined by the Director of Planning and Environmental Programs, or his or her authorized designee, that there is inadequate screening for either ground-, or roof-mounted equipment, the Director or his or her designee may require Kilroy Calabasas Associates or successor owners within the property to provide additional, landscaping, walls or a combination thereof, prior to issuance of a Certificate of Occupancy, necessary to screen such equipment from public view.
- (73) **Master Sign Program for the Office Master Plan Subarea.** Kilroy Calabasas Associates or successor owners within the property shall prepare a Master Sign Program for the office uses on the site prior to issuance of the first building permit for an office use.
- (74) **Master Sign Program for the Retail Master Plan Subarea.** Kilroy Calabasas Associates or successor owners within the property shall prepare a Master Sign Program for the retail uses on the site prior to issuance of the first building permit for a retail use.
- (75) **Compliance with the Master Plan Design and Development Guidelines.** All development shall be consistent with the Calabasas Park Centre Master Plan Design and Development Guidelines.

## N. Design Standards

- (76) **Design of Public Improvements.** All design standards applicable to

the Master Plan Area shall be in accordance with the Standard Plans for Public Works Construction, Standard Specifications for Public Works Construction (SSPWC), Caltrans plans and specifications, Los Angeles County's standard plans and specifications, and all other standards as specified by the City Engineer.

O. Developer Commitments

- (77) **Community Theater/Cultural Facility.** A small community theater/cultural facility may be incorporated into the Master Plan Area.
- (78) **Art in Public Places.** Kilroy Calabasas has agreed to either install public art valued at minimum of \$150,000 or contribute a maximum of \$150,000 to the City's Art in Public Places Fund. Individual projects within the Calabasas Park Centre shall be assigned a proportion of the total contribution by the Director of Planning and Environmental Programs at the Site Plan Approval stage. Public art is defined Section 17.24 in the Calabasas Draft Development Code.
- (79) **Affordable Housing Fee.** Prior to issuance of a building permit, Kilroy Calabasas Associates or successor owners within the property shall be required to contribute to the City's Affordable Housing Assistance Trust Fund at a rate of \$.158 per square foot of building area.
- (80) **Donation of the Open Space Area.** Prior to issuance of the first Certificate of Occupancy, Kilroy Calabasas Associates or successor owners within the property shall offer for dedication to the City at no cost the 15.33 acres of the Master Plan Area designated as Open Space on the Calabasas General Plan to be maintained as open space in perpetuity. Dedication of the property and acceptance by the City shall be further explored during the Civic Center Design process.
- (81) **Library Contribution.** Kilroy Calabasas Associates or successor owners within the property shall contribute to the City's Library Fund in an amount equal to \$1 per square foot for every "buildable" square foot developed by the applicant in excess of 500,000 square feet, prior to issuance of building permits that are subject to this requirement. Development of the Civic Component shall be exempt from this requirement. The contribution requirement may be modified as a result of the Civic Center design process.
- (82) **Civic Plaza Construction and Dedication.** Within six months of the

conclusion of the Civic Center design process, Kilroy Calabasas Associates or successor owners within the property shall provide for the Civic Plaza in one of the following ways:

- (a) Construct and dedicate to the City a Civic Plaza in the area generally referred to as Planning Zone 5 in the Calabasas Park Centre Design and Development Guidelines, or
- (b) Dedicate the land for the Civic Plaza and bond for the future construction of the plaza

Exact location and the ultimate design of the plaza shall be determined by the Civic Center Design process.

- (83) **Civic Center Land.** At the conclusion of the Civic Center design process, the applicant and the City of Calabasas agree to negotiate in "good faith" the development, transfer, sale or dedication of a portion of the Master Plan Area for Civic Center use. In order to permit negotiations to proceed relative to the Civic Center, Kilroy Calabasas Associates or successor owners within the property may not obtain a building permit for any improvements within the area comprising Parcels 8, 9 and 10 of Final Map 37824 for a period of six months from the date of final approval of the Master conditional Use Permit by the City Council, provided that site plan approvals and any other "pre-building permit" approvals may be applied for, processed and issued during this time.

#### Traffic Mitigations

- (84) **Submission of Master Driveway Plan.** Prior to issuance of the first building permit in the Master Plan Area, Kilroy Calabasas Associates or successor owners within the property shall submit for review and approval a master driveway plan, internal circulation plan and median plan of the specific project being permitted, for review and approval by the City of Calabasas Traffic and Transportation Manager. These plans shall comply with the provisions of the City of Calabasas Driveway Policy.
- (85) **Construction of Pedestrian Connection.** Prior to issuance of the first Certificate of Occupancy in the Master Plan Area, Kilroy Calabasas Associates or successor owners within the property shall construct temporary or permanent pedestrian and vehicular access at Park Centre and Park Sorrento. This intersection/roundabout shall be approved by the City Traffic and Transportation Manager and generally consistent with the attached illustrative drawings of the intersection prepared by the City of Calabasas and dated October 8, 1997.
- (86) **Neighborhood Traffic Impact Monitoring and Mitigation.** Kilroy Calabasas Associates or successor owners within the property shall contribute five cents (\$0.05) per building square foot at the time of building permit issuance to be utilized by the City of

Calabasas for Neighborhood Traffic Monitoring and installation of Calabasas Neighborhood Traffic Calming Toolbox Improvements within local residential areas in the vicinity of the Master Plan Area.

These funds shall be deposited by the City into an interest bearing account and may be used to conduct traffic data collection/monitoring studies or implement Neighborhood Traffic Calming Mitigation Measures for local residential areas in the vicinity of the Master Plan Area as determined by and under the direction of the City Traffic/Transportation Manager. The studies may be conducted during the pre-construction, initial occupancy, and occupancy stages of the project. The studies to be conducted include, but not limited to:

- Turning Movement Counts
- Average Daily Traffic Counts
- License Plate Studies
- General Field Observations

Based on the results of this data, the City Traffic/Transportation Manager shall design, prepare and implement Calabasas Neighborhood Traffic Calming Toolbox Improvements deemed appropriate to mitigate impacts. Funds deposited for this purpose and similar funds exacted from future development within the Master Plan Area shall be utilized.

- (87) **Transit Facilities.** If approved by the City Council, Kilroy Calabasas Associates or successor owners within the property shall fund the upgrade/installation of transit stops and shelters adjacent to the project site. These shelters/stops shall serve both existing Los Angeles County Metropolitan Transportation Authority (LACMTA) bus lines serving the area as well as by the City of Calabasas Transportation Program.

**Section 5.** All exhibits referenced in this Resolution are deemed incorporated by reference as though set forth at length.

KILROY CALABASAS ASSOCIATES, a  
California limited partnership

By: Kilroy Calabasas Company, its general  
partner

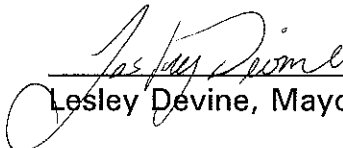
By:   
C. Hugh Greenup

Title: Senior Vice President

*(Signature must be notarized)*

**Section 6.** The City Clerk shall certify as 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 October, 1997.

  
Lesley Devine, Mayor

ATTEST:

  
Robin Parker, CMC, City Clerk

APPROVED AS TO FORM:

  
Charles Vose, City Attorney

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5907

State of CALIFORNIA

County of LOS ANGELES

On 12-15-97 before me, ROBIN PARKER, Notary Public

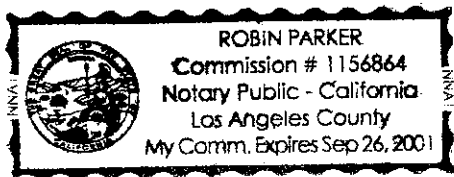
DATE

NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Hugh Greenup

NAME(S) OF SIGNER(S)

[X] personally known to me - OR - [ ] proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Robin Parker

SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- [ ] INDIVIDUAL
[X] CORPORATE OFFICER

SENIOR VICE PRESIDENT

TITLE(S)

- [ ] PARTNER(S) [ ] LIMITED
[ ] GENERAL

- [ ] ATTORNEY-IN-FACT
[ ] TRUSTEE(S)
[ ] GUARDIAN/CONSERVATOR
[ ] OTHER:

DESCRIPTION OF ATTACHED DOCUMENT

Resolution No. 97-471

TITLE OR TYPE OF DOCUMENT

36

NUMBER OF PAGES

10-22-97

DATE OF DOCUMENT

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

KILROY CALABASAS ASSOCIATES

LESLEY DEVINE

SIGNER(S) OTHER THAN NAMED ABOVE

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


I, **ROBIN PARKER**, City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing resolution, being **Resolution No. 97-471**, was duly adopted by the City Council of the City of Calabasas, at a regular meeting of the City Council held October 22, 1997, and that it was adopted by the following vote, to wit:

AYES: Mayor Devine, Mayor pro Tem Bozajian, Councilmembers Hill, Sibilila, Washburn.

NOES: None.

ABSTAIN: None.

ABSENT: None.

  
\_\_\_\_\_  
Robin Parker, CMC, City Clerk  
City of Calabasas, California

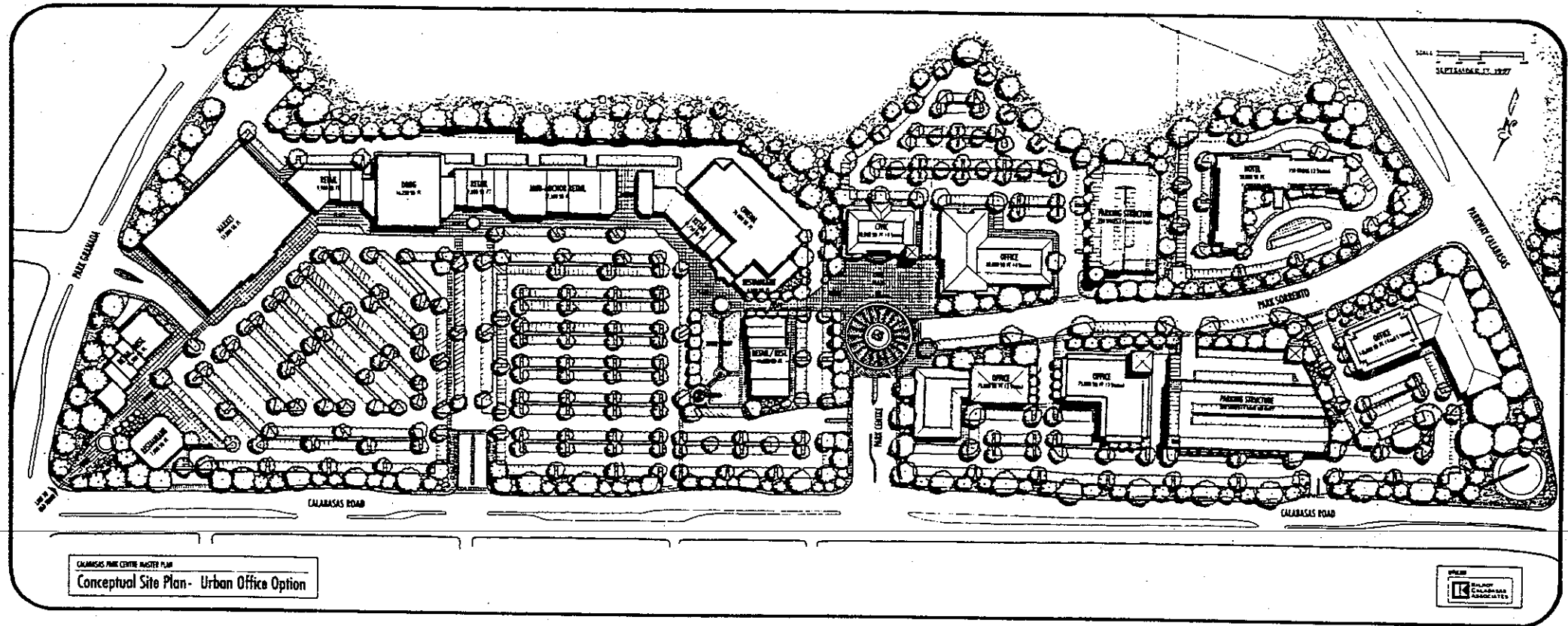
**LIST OF EXHIBITS**

<b>Exhibit A</b>	<b>Legal Description</b>
<b>Exhibit B</b>	<b>Illustrative Site Plan for Garden Office Alternative</b>
<b>Exhibit C</b>	<b>Illustrative Site Plan for Urban Office Alternative</b>
<b>Exhibit D</b>	<b>Sample Calculation of ADT Projections</b>
<b>Exhibit E</b>	<b>Illustrative Drawing Prepared by City of Calabasas Traffic and Transportation Department</b>



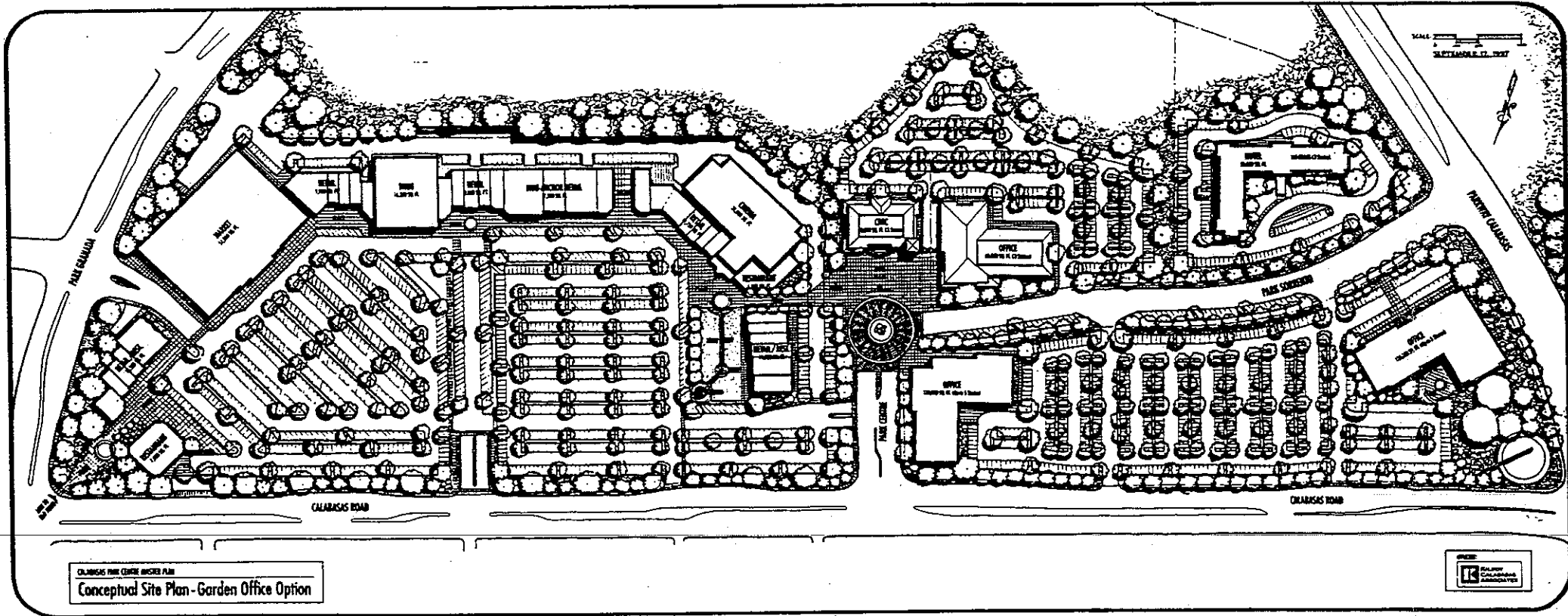
LEGAL DESCRIPTION

LOTS 1 THRU 12, OF TRACT 37824, CITY OF CALABASAS, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1192 PAGES 81 TO 86 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.



CALAMITAS PARK CENTER MASTER PLAN  
 Conceptual Site Plan - Urban Office Option





COLUMBUS PARK CENTRE ARCHITECTURAL PLAN  
 Conceptual Site Plan - Garden Office Option

