TO: Members of the Planning Commission

FROM: Maureen Tamuri, Community Development Director  
Michael Klein, Planner

FILE NO.: 170000371

SUBJECT: Consideration of a Resolution recommending that the City Council adopt an Ordinance approving a Development Agreement between the City of Calabasas and Rondell Oasis, LLC providing for the acquisition of vacant land and construction of a public parking lot and approving substitute use of that parking lot for required off-street parking and concentration of related development rights for an approved hotel. 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.

APPLICANT: Rondell Oasis, LLC

RECOMMENDATION: Adopt Resolution No. 2017-646 recommending that the City Council approve the acquisition of a portion of real property located at 26300 Rondell Street, the associated Development Agreement and Ordinance.

STAFF RECOMMENDATION:

That the Commission adopt Resolution No. 2017-646 (Exhibit A) recommending that the City Council approve the acquisition of a portion of real property located at 26300 Rondell Street, the Draft Development Agreement (Exhibit B) and Draft Ordinance (Exhibit C).

REVIEW AUTHORITY:

The Planning Commission shall make a recommendation to the City Council that the
proposed real property acquisition and Development Agreement are consistent with the City’s General Plan.

BACKGROUND:

On February 4, 2016, the Planning Commission adopted Resolution No. 2016-608 recommending to the City Council approval of a Conditional Use Permit, Site Plan Review, Scenic Corridor Permit, Development Plan, and Oak Tree Permit for the construction of a new 73,000 square-foot four-story hotel, which included 127 rooms, pool and surface level parking. The Commission also recommended that the City Council approve a Summary Street Vacation in order to merge Rondell Street with the subject site to accommodate the approved parking lot. Additionally, Rondell Oasis LLC would allow public parking during the day and designate surplus parking spaces for the adjacent transit stop and trail head.

On June 22, 2016, the City Council adopted Resolution No. 2016-1496 (Exhibit D) approving File No. 140001318 for the construction of a new three-story hotel with up to 127 rooms (“Proposed Project”), but did not approve the Planning Commission’s recommendation for a Summary Street Vacation. As a result, Condition No. 49 of Resolution No. 2016-1496 was modified to identify that the City will construct a public parking lot along Rondell Street and enter into a shared use and maintenance agreement with the hotel owner. The Council determined that the parking lot along Rondell Street will be open to the public and may be used by the hotel to satisfy employee and customer parking requirements. The parking lot will also include designated parking spaces for trail users and transit stop riders.

Subsequent to project approval and revised Council parking lot conditions, the City received a formal request from Rondell Oasis LLC offering the joint use of the parking lot portion of its property for a public parking lot. Additionally, Rondell Oasis, LLC’s request seeks the City’s commitment to design and construct all public parking related improvements on both Rondell Street and the hotel property, to be operated as a public park and ride lot and hotel parking. On January 11, 2017, the City Council directed staff to begin negotiations with Rondell Oasis, LLC in order to secure the necessary rights to construct the public parking lot.

The property owner has agreed to dedicate the real property identified in Exhibit E to the City at no cost, in exchange for a Development Agreement and Ordinance that preserves the development rights from this site for the remaining portion of the property. For example, the property owner will be able to rely on the lot size of the existing parcel for the purposes of determining the allowed floor area ratio, site coverage and pervious surface.
STAFF ANALYSIS:

A. Project History: The application for File No. 140001318 was submitted on November 10, 2014, the request included a Conditional Use Permit, Site Plan Review, Variance and Street Vacation to construct a four-story hotel with 127 rooms, pool and surface level parking. The project was reviewed by the Development Review Committee (DRC) on December 2, 2014. The Architectural Review Panel (ARP) reviewed the project on February 27, 2015, March 27, 2015, April 17, 2015 and April 24, 2015. After numerous refinements suggested by the Panel, the ARP recommended approval of the project design as presented on April 24, 2015.

The Planning Commission held noticed public hearings on February 3rd and February 4th, 2016, and adopted Resolution No. 2016-608 recommending to City Council adoption of the Final Initial Study/Mitigated Negative Declaration and approval of a Conditional Use Permit, Site Plan Review, Scenic Corridor Permit, Development Plan, Oak Tree Permit and Summary Street Vacation for the construction of a new 73,000 square-foot four-story hotel, inclusive of 127 rooms, pool and surface level parking. The proposed project included a Development Plan Permit in order to construct a 50-foot tall 4-story building and construction of retaining walls in excess of 6-feet in height.

On February 24, 2016, the City Council held a noticed public hearing for the project. At this hearing, the Council took public comment and continued the public hearing to March 9, 2016. On March 9, 2016, the City Council continued the public hearing to April 27, 2016. On April 27, 2016, the City Council continued the public hearing to May 3, 2016. On May 3, 2016, the City Council took additional public comment and closed the public hearing.

On May 27, 2016, in response to Council's comments, the applicant submitted a rendering for a three-story hotel. The rendering is based on the same site plan and building footprint as the four-story hotel; however, the fourth floor is completely removed. By utilizing the same site plan and building footprint as the four-story hotel, all applicable development standards for the CR zone were met. Furthermore, the smaller hotel meets the maximum permitted Floor Area Ratio for the subject site without the need to vacate Rondell Street. However, parking for this project cannot be met without utilization of Rondell Street via a shared parking agreement.

On June 22, 2016, the City Council adopted Resolution No. 2016-1496 approving a Conditional Use Permit, Site Plan Review, Scenic Corridor Permit, Development Plan and Oak Tree Permit to construct a three-story hotel, and adopting the Mitigated Negative Declaration associated with File No. 140001318. The City Council did not vacate Rondell Street; however, the conditions of approval require the City to construct a public parking lot along Rondell Street and enter into a shared
maintenance agreement with Rondell Oasis LLC for use of the public parking area for hotel parking.

B. Current Request: Marriott pulled out of its agreement to operate the hotel at this location because the approved three-story hotel is significantly smaller than the originally proposed four-story hotel. As a result, Rondell Oasis, LLC is currently in negotiations to secure a new hotel operator. However, in order to move forward with construction of the hotel, Rondell Oasis, LLC is seeking the City’s commitment to construct the entire parking area along Rondell Street and on the hotel property. City staff has determined that the most viable option is for Rondell Oasis, LLC to dedicate the proposed parking lot portion of the property (“Dedication Area”) to the City. The City would then construct an approximately 152 stall public parking lot (12 parking stalls would remain on the hotel property). The public parking lot would be available for use as a park and ride, serving the adjacent Metro transit stop (bus lines 161 and Commuter Express), as well as parking for the Anza trail head and approved hotel. As discussed in the Mitigated Negative Declaration and Parking Study for original project, the parking demand for the proposed hotel is significantly less than the proposed 152 stall parking lot. As a result, there will be adequate parking to serve the public and hotel.

Development Agreement: In exchange for dedicating approximately 1.28 acres of land to the City, staff recommends that the City enter into a Development Agreement with Rondell Oasis, LLC whereby the City obtains the ownership rights to the Dedication Area, in exchange for Rondell Oasis, LLC’s ability to use the public park & ride lot to satisfy its off-street parking requirements and a concentration of development rights from the Dedication Area to the Proposed Project. The net result is no change in development potential than currently exists, and the City acquires 1.28 acres at no cost in order to develop a 152 stall public parking lot.

The proposed Development Agreement provides assurances for the City and Developer that the entire project will be coordinated and completed together. This Agreement, therefore, is necessary to assure the Developer that the hotel approvals will not be (1) reduced in density, intensity or use; or (2) subjected to new rules, regulations, ordinances or official policies or delays which are not permitted by the Agreement. Similarly, the Agreement provides the City with sufficient reserved powers during the Term of the agreement to remain responsible and accountable to its residents during construction and operation of the project. The proposed Agreement also extends the expiration of the approved permits from June 22, 2017, to two years from the date the Development Agreement is executed. Finally, the Agreement clarifies that the following conditions from City Council Resolution No. 2016-1496 will become moot because these conditions relate the parking area of the approved hotel project: 9, 21, 39, 41, 46, 47, 49, 50, and 52.
C. **General Plan Consistency:** The Transit Section within the Circulation Element of the 2030 General Plan outlines the benefits and need for access to public transportation. Public transportation saves energy, reduces congestion and air pollution by reducing the number of vehicle miles traveled through the City. Furthermore, access to public transportation enhances economic equity by providing transportation options for individuals who cannot afford automobiles to get to their jobs. For these reasons, the following Policies encourage development of park and rides throughout the City:

- **VI-23** Continue to provide and improve access to environmentally friendly and convenient transit options for Calabasas residents and business

- **VI-24** Continue to encourage the use of transit through enhanced service, education, development of park-and-ride facilities, and increased public awareness about transit options.

- **VI-25** Require new developments to provide and/or fund transit facilities (such as bus shelters and park-and-ride facilities) that ensure access to transit.

In addition to the above mentioned policies, Figure VI-2 of the Circulation Element identifies Rondell Street and the subject site as one of two potential locations for a park and ride. This location is also consistent with the Las Virgenes Gateway Master Plan, which identifies this area as an appropriate location for a park and ride with freeway serving commercial uses such as a hotel. As a result, the City’s acquisition of approximately 1.28 acres of real property at 26300 Rondell Street is consistent with the General Plan and adopted Master Plan, for the purpose of building a public parking lot and park and ride.

**REQUIRED FINDINGS:**

The findings required to acquire real property are contained in the resolution attached as Exhibit A.

**ENVIRONMENTAL REVIEW:**

An Initial Study/ Mitigated Negative Declaration (IS/MND) was prepared for the hotel, inclusive of all improvements along Rondell Street. In preparing and reviewing the IS/MND, staff exercised independent judgment over the project and the project's environmental impacts. The Final IS/MND was adopted by City Council via Resolution No. 2016-1496. The Proposed Project and public park & ride lot and associated improvements along Rondell Street are in substantial conformance with the project...
analyzed in the adopted IS/MND, therefore no additional environmental review is necessary.

**ATTACHMENTS:**

Exhibit A: Planning Commission Resolution No. 2017-646  
Exhibit B: Draft Development Agreement  
Exhibit C: Draft Ordinance  
Exhibit D: Approved City Council Resolution No. 2016-1496  
Exhibit E: Survey/Legal Description of Property to be Acquired  
Exhibit F: Draft Dedication Agreement
TECHNICAL APPENDIX

Location Map:

Rondell St

Subject Site: 26300 Rondell St
### Surrounding Properties:

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<thead>
<tr>
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<th>Existing Land Use</th>
<th>Zoning</th>
<th>General Plan Designation</th>
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<td>B-R (Business-Retail)</td>
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