

## City Attorney's Impartial Analysis of Measure \_\_\_\_\_

Measure \_\_\_\_\_ proposes to amend the Westlake Village General Plan, the Westlake North Specific Plan and Development Agreement 89-002 to allow development of a retail center on Russell Ranch Road within Planning Area C of the Westlake North Specific Plan. This 22-acre property is located north of the Ventura (101) Freeway and east of Lindero Canyon Road.

The General Plan establishes land use and development policies for the City. Currently, the General Plan land use designation for this property is "business park." The Specific Plan establishes permitted uses, development standards and a design review process for this property and certain adjacent parcels. Currently, the Specific Plan allows this property to be developed with a maximum of 376,000 square feet of the following uses: office and accessory commercial uses; professional, medical and financial services; and restaurants (excluding free standing fast food establishments). The Development Agreement establishes development standards and confers a vested right to develop this property in accordance with those standards. Currently, the Development Agreement is set to expire on April 30, 2008.

If passed, Measure \_\_\_\_\_ generally would effect existing law as follows. The General Plan land use designation for this property would be changed to "general commercial." The Specific Plan would be amended to allow this property to be developed with a maximum of 227,500 square feet of the following uses: general commercial uses; general retail services; personal and convenience services; automobile showroom/dealer; dining establishments (excluding free standing or drive through fast food establishments); professional, business and financial services; and other uses allowed in the commercial planned development zone. The Specific Plan also would be amended to change the development standards and design review process for this property. The Development Agreement would be amended to conform to these changes and would be extended by four years.

If passed, Measure \_\_\_\_\_ generally would operate as follows. A preliminary site plan that includes a Lowe's home improvement store, an architectural design for the Lowe's store, a preliminary landscape plan, a preliminary oak tree location map, freeway-oriented signs and one off-site directional sign (five feet by seven feet in dimension, at the intersection of Lindero Canyon Road and Russell Ranch Road) would be approved as set forth in the Measure. Subsequent permits, plans and submittals for the development would have to be approved by the City if they substantially conform with the Measure's development and design standards, conditions, exhibits and terms. The Measure designates such approvals as ministerial and exempt from California Environmental Quality Act (CEQA) review. The development would have to provide at least 945 parking spaces. The Lowe's store could operate between 6:00 a.m. and 10:00 p.m. Monday through Saturday, and between 7:00 a.m. and 10:00 p.m. on Sunday. City fees existing on January 1, 2006, and a \$1,000,000 public improvement fee, would have to be paid.

A "yes" vote on Measure \_\_\_\_\_ favors the development of a retail center on this property under the terms described above. A "no" vote opposes such development.

The above statement is an impartial analysis of Measure \_\_\_\_\_. If you desire a copy of the Measure, please call the election official's office at (818) 706-1613 and a copy will be mailed at no cost to

you.

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City of Westlake Village