AGENDA
EL SEGUNDO CITY COUNCIL
COUNCIL CHAMBERS - 350 Main Street

The City Council, with certain statutory exceptions, can only take action upon properly posted and listed agenda items. Any writings or documents given to a majority of the City Council regarding any matter on this agenda that the City received after issuing the agenda packet are available for public inspection in the City Clerk's office during normal business hours. Such Documents may also be posted on the City's website at www.elsegundo.org and additional copies will be available at the City Council meeting.

Unless otherwise noted in the Agenda, the Public can only comment on City-related business that is within the jurisdiction of the City Council and/or items listed on the Agenda during the Public Communications portions of the Meeting. Additionally, the Public can comment on any Public Hearing item on the Agenda during the Public Hearing portion of such item. The time limit for comments is five (5) minutes per person.

Before speaking to the City Council, please come to the podium and state: Your name and residence and the organization you represent, if desired. Please respect the time limits.

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In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Clerk, 524-2305. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, SEPTEMBER 3, 2013 – 5:00 PM

5:00 P.M. SESSION

CALL TO ORDER

ROLL CALL

PUBLIC COMMUNICATION – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) Individuals who have received value of $50 or more to communicate to the City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. Failure to do so shall be a misdemeanor and punishable by a fine of $250.
SPECIAL ORDER OF BUSINESS:

CLOSED SESSION:
The City Council may move into a closed session pursuant to applicable law, including the Brown Act (Government Code Section §54954, et seq.) for the purposes of conferring with the City’s Real Property Negotiator; and/or conferring with the City Attorney on potential and/or existing litigation; and/or discussing matters covered under Government Code Section §54957 (Personnel); and/or conferring with the City’s Labor Negotiators; as follows:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov’t Code §54956.9(d) (3) –4- matters

1. City of El Segundo vs. City of Los Angeles, et.al. LASC Case No. BS094279
2. City of Los Angeles vs. Pacific Bell Telephone Company, et al., LASC Case No. BC414272
3. Garton vs. City of El Segundo, LASC Case No. YC066586
4. Gluck vs. City of El Segundo, LASC Case No. C068662

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(d) (2) and (3): -0- matter.

Initiation of litigation pursuant to Government Code §54956.9(c): -0- matter.

DISCUSSION OF PERSONNEL MATTERS (Gov’t Code §54957): -0- matter

APPOINTMENT OF PUBLIC EMPLOYEE (Gov’t. Code § 54957) –0- matter

CONFERENCE WITH CITY’S LABOR NEGOTIATOR (Gov’t Code §54957.6): -0- matters

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov’t Code §54956.8): -1- matter

1. Lease of City Owned Property (Price and Terms)
   Real Property: City owned Golf Course (“The Lakes”) located at Sepulveda Boulevard (Assessor Parcel Number: 4138-014-913).
   City’s Negotiator: Greg Carpenter, City Manager
   Potential Lessee/Negotiating Party: Centercal Properties, Inc.
AGENDA

EL SEGUNDO CITY COUNCIL
COUNCIL CHAMBERS - 350 Main Street

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REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, SEPTEMBER 3, 2013 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Scott Lambert, Associate Minister, Hilltop Community Church

PLEDGE OF ALLEGIANCE – Council Member Atkinson
PRESENTATIONS

a) Presentation – 13 Year Old Babe Ruth All Stars World Series Champions

ROLL CALL

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CITY COUNCIL COMMENTS – (Related to Public Communications)

A. PROCEDURAL MOTIONS

Consideration of a motion to read all ordinances and resolutions on the Agenda by title only.
Recommendation – Approval.

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

1. Consideration and possible action to open public hearing regarding the presentation of the Fiscal Year 2013-2014 Preliminary Budget, including discussion and possible direction regarding all city revenues and expenditures.
(Fiscal Impact: Total Revenues of $112,011,000; Total Expenditures of $134,179,500, Prior Year Designations of $22,168,500; General Fund Revenues of $56,743,600, Expenditures of $59,642,600, Prior Year Designations of $2,899,000)
Recommendation – 1) Open Public Hearing; 2) Staff presentation of the 2013-2014 Preliminary Budget and Council direction to staff regarding all City revenues and expenditures (includes potential discussion and direction relating to all City Department revenues and expenditures); 3) Continue the Public Hearing t September 17, 2013; 4) Schedule the budget adoption for the September 17, 2013 meeting; 5) Alternatively, discuss and take other possible action related to this item.
2. Consideration and possible action to open a public hearing and receive testimony to: 1) consider approving Environmental Assessment (EA) No. 993 for a proposed Addendum to the previously Certified Final Environmental Impact Report ("EIR") and adopt a Statement of Overriding Considerations for the Plaza El Segundo Development project at 850 North Sepulveda Boulevard located generally near the northeast corner of Sepulveda and Rosecrans Boulevards ("Project"); 2) consider approving an amendment to the existing Development Agreement (DA No. 12-03) for the Project to increase the size of the project area and total building square footage, and to modify the allowed uses and development standards relating to signs; 3) consider approving an amendment to the existing Commercial Center (C-4) Zone development standards (ZTA 12-04) to modify the permitted uses and sign standards that would be consistent with the proposed Amendment to the Development Agreement; 4) consider approving an Adjustment (ADJ No. 13-03) to deviate from the development standards for curb cuts, driveways and loading; 5) consider approving a Variance (VAR No. 13-01) to deviate from the standards for retaining walls and fill height; 6) consider approving an Administrative Use Permit (AUP No. 13-04) to allow the sale of beer, wine, and distilled spirits at restaurants and kiosks totaling 28,764 square feet; and 7) consider approving modifications to the existing project conditions of approval. The proposed Addendum, Development Agreement Amendment, and the Zone Text Amendment would allow an increase in the Project development area by 4,988 acres and an increase in the maximum developable floor area by 49,613 square feet from 448,829 to 498,442 square feet. The Project if amended would still be required to stay within the total traffic trip generation cap that was imposed on the original Project. Applicant: Street Retail Inc.
(Fiscal Impact: None)

Recommendation – 1) Open the Public Hearing; 2) Discussion; 3) Adopt a Resolution approving an Addendum to an Environmental Impact Report (Environmental Assessment No. 993), including implementing the Mitigation Monitoring and Reporting Program (MMRP) and adoption of a Statement of Overriding Considerations. The Resolution would also approve ADJ No. 13-03; VAR No. 13-01; AUP No. 13-04; and adopt conditions of approval; 4) Introduce, and waive first reading, of an Ordinance for Zone Text Amendment No. 12-04 and Development Agreement No. 12-03; 5) Schedule second reading and adoption of Ordinance on September 17, 2013; 6) Alternatively, discuss and take other possible action related to this item.

C. UNFINISHED BUSINESS

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

E. CONSENT AGENDA
All items listed are to be adopted by one motion without discussion and passed unanimously. If a call for discussion of an item is made, the item(s) will be considered individually under the next heading of business.

3. Warrant Numbers 2593959-2594192 on Register No. 22 in the total amount of $525,689.75 and Wire Transfers from 8/01/2013 through 8/15/2013 in the total amount of $4,072,078.17.

Recommendation – Approve Warrant Demand Registers and authorize staff to release. Ratify Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.


Recommendation – Approval.

5. Consideration and possible action to approve Vesting Final Map No. 71820, a subdivision of 1710 E. Mariposa Avenue for condominium purposes.

(Fiscal Impact: None)

Recommendation – 1) Approve and accept Vesting Final Map No. 71820; 2) Authorize the appropriate City Official(s) to sign and record said Map; 3) Alternatively, discuss and take other possible action related to this item.

6. Consideration and possible action authorizing the City Manager to execute a Design Services Contract with KOA Corporation, in a form approved by the City Attorney, to develop concept designs for parking improvements along Richmond St. and Standard St., between El Segundo Blvd. and Holly St.

(Fiscal Impact: $60,000.00)

Recommendation – 1) Authorize the City Manager to execute a Design Services Contract for $60,000 with KOA Corporation, in a form approved by the City Attorney, to develop concept designs for parking improvements on Richmond St. and Standard St., between El Segundo Blvd. and Holly St.; 2) Alternatively, discuss and take other possible action related to this item.

F. NEW BUSINESS

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY
I. REPORTS – CITY CLERK

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

  Council Member Fellhauer –

  Council Member Atkinson –

  Council Member Fuentes –

  Mayor Pro Tem Jacobson –

  Mayor Fisher –

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MEMORIALS –

CLOSED SESSION

The City Council may move into a closed session pursuant to applicable law, including the Brown Act (Government Code Section §54960, et seq.) for the purposes of conferring with the City’s Real Property Negotiator; and/or conferring with the City Attorney on potential and/or existing litigation; and/or discussing matters covered under Government Code Section §54957 (Personnel); and/or conferring with the City’s Labor Negotiators.

REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)

ADJOURNMENT
PRESENTATION
13 YEAR OLD BABE RUTH ALL STARS
WORLD SERIES CHAMPIONS
AGENDA DESCRIPTION:
Consideration and possible action to open public hearing regarding the presentation of the Fiscal Year 2013-2014 Preliminary Budget, including discussion and possible direction regarding all city revenues and expenditures. (Fiscal Impact: Total Revenues of $112,011,000; Total Expenditures of $134,179,500, Prior Year Designations of $22,168,500; General Fund Revenues of $56,743,600, Expenditures of $59,642,600, Prior Year Designations of $2,899,000)

RECOMMENDED COUNCIL ACTION:
(1) Open Public Hearing
(2) Staff presentation of the 2013-2014 Preliminary Budget and Council direction to staff regarding all City revenues and expenditures (includes potential discussion and direction relating to all City Department revenues and expenditures)
(3) Continue the Public Hearing to September 17, 2013;
(4) Schedule the budget adoption for the September 17, 2013 meeting;
(5) Alternatively discuss and take other action related to this item

ATTACHED SUPPORTING DOCUMENTS:
1. Exhibit A Fiscal Year 2013-2014 Change List of Budget Revisions in all Funds

FISCAL IMPACT: Total Revenues of $112,011,000; Total Expenditures of $134,179,500
General Fund Revenues of $56,743,600, Expenditures of $59,642,600 and Prior Year Designations of $2,899,000

Amount Budgeted: $134,179,500
Additional Appropriation:
Account Number(s):

ORIGINATED BY: Angelina Garcia, Fiscal Services Manager
REVIEWED BY: Deborah Cullen, Director of Finance
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

FY 2013-2014 Budget

The City started the budget process by holding a Strategic Planning Session on April 30th, 2013. During this session, staff presented assumptions and estimates that would be used to develop the FY 2013-2014 Operating Budget, and identified additional critical items for funding
consideration. Based on discussing from this planning session, an additional Strategic Planning Session was held on June 27th, 2013. At this meeting, Council addressed the list of critical needs and gave staff direction. On August 6, 2013, staff presented the FY 2013-2014 Preliminary General Fund budget for revenues and expenditures, along with the assumptions used to prepare the budget.

**Summary of Assumptions used to prepare FY 2013-2014 General Fund Budget:**

**General Fund Revenues**
Generally revenues are still being impacted by the business sector. The City receives 69% of its General Fund tax revenues from this business sector which is predicted to have very little growth in the next fiscal year. The remaining 31% of revenues is received from consumers (29%) and residents, through property tax (2%). Overall, the General Fund’s core tax revenues are estimated to grow 2.58% or $929,000 compared to FY 12-13 yearend estimates.

Below is a summary of the revenue assumptions as compared to yearend estimates:

- Business License Tax – $266,500 net increase over yearend estimates; 3.5% Growth due to annual CPI change and anticipated reduction of sales and use tax credits which result in a higher Business License Tax;
- Property Tax – $407,500 or 6.6% increase over yearend estimates;
- Transient Occupancy Tax (TOT) – Current projection is flat based on uncertainty with one of the City’s largest hotels and the impact of increased long term stay exemptions;
- Sales Tax – $700,000 or 10.3% increase from 2013 estimated yearend; this increase is primarily due to the resolution of a large misallocation to the City;
- Charges for Services – ($145,000) or 3.3% decrease from yearend estimates based on a forecasted reduction of planning and building safety fees;
- Interest on Investments – ($30,000) or 14.3% decrease from yearend estimates primarily due to low Federal Reserve Rate;
- Utility Users’ Tax – $256,000 or 3.5% increase from yearend estimates. This revenue category is still being impacted from the fluctuation of the price of natural gas;
- Tax Resolution Agreement – Based on an executed agreement with Chevron USA, the City is estimating a resolution payment of $5,906,900 in FY 13-14;
- All other revenues remain flat or have very little growth compared to yearend estimates;
Below is a summary of General Fund Revenues for FY 2013-2014, as revised to include a slight change in estimates to Business License Tax and Property Tax:

**Table 1 – Fiscal Year 2013-2014 General Fund Revenues:**

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Business License</td>
<td>$10,306,800</td>
<td>10,028,000</td>
<td>10,380,000</td>
<td>(85,500)</td>
<td>10,294,500</td>
</tr>
<tr>
<td>Sales &amp; Use Tax</td>
<td>6,620,000</td>
<td>6,800,000</td>
<td>7,500,000</td>
<td>–</td>
<td>7,500,000</td>
</tr>
<tr>
<td>Sales Tax in Lieu</td>
<td>1,948,900</td>
<td>2,652,000</td>
<td>2,226,500</td>
<td>–</td>
<td>2,226,500</td>
</tr>
<tr>
<td>Property Tax</td>
<td>6,000,000</td>
<td>6,130,000</td>
<td>6,094,500</td>
<td>443,000</td>
<td>6,537,500</td>
</tr>
<tr>
<td>Tax Resolution Agreement</td>
<td>–</td>
<td>5,682,000</td>
<td>5,906,900</td>
<td>–</td>
<td>5,906,900</td>
</tr>
<tr>
<td>Transient Occupancy (TOT)</td>
<td>5,100,000</td>
<td>5,100,000</td>
<td>5,125,000</td>
<td>–</td>
<td>5,125,000</td>
</tr>
<tr>
<td>Charges for Services</td>
<td>4,169,300</td>
<td>4,360,700</td>
<td>4,215,900</td>
<td>–</td>
<td>4,215,900</td>
</tr>
<tr>
<td>Electric Utility Tax</td>
<td>3,200,000</td>
<td>3,200,000</td>
<td>3,225,000</td>
<td>–</td>
<td>3,225,000</td>
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<tr>
<td>Franchise Tax</td>
<td>2,400,000</td>
<td>2,340,000</td>
<td>2,455,000</td>
<td>–</td>
<td>2,455,000</td>
</tr>
<tr>
<td>Gas Utility Tax</td>
<td>750,000</td>
<td>1,600,000</td>
<td>1,800,000</td>
<td>–</td>
<td>1,800,000</td>
</tr>
<tr>
<td>License &amp; Permits</td>
<td>1,446,200</td>
<td>1,554,500</td>
<td>1,477,500</td>
<td>–</td>
<td>1,477,500</td>
</tr>
<tr>
<td>Cogenerated Electric</td>
<td>1,350,000</td>
<td>1,334,000</td>
<td>1,350,000</td>
<td>–</td>
<td>1,350,000</td>
</tr>
<tr>
<td>Other Revenues</td>
<td>4,081,100</td>
<td>3,977,846</td>
<td>3,989,800</td>
<td>–</td>
<td>3,989,800</td>
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<tr>
<td>Interest on Investments</td>
<td>240,000</td>
<td>210,000</td>
<td>240,000</td>
<td>–</td>
<td>240,000</td>
</tr>
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Total General Fund Revenues, Net of Transfers:

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<tbody>
<tr>
<td>47,612,300</td>
<td>54,969,046</td>
<td>55,986,100</td>
<td>357,500</td>
<td>56,343,600</td>
</tr>
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Transfers In:

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<tbody>
<tr>
<td>4,580,000</td>
<td>4,535,000</td>
<td>400,000</td>
<td>–</td>
<td>400,000</td>
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</tbody>
</table>

Total General Fund Revenues:

<table>
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<tr>
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</thead>
<tbody>
<tr>
<td>$52,192,300</td>
<td>59,504,046</td>
<td>56,386,100</td>
<td>357,500</td>
<td>56,743,600</td>
</tr>
</tbody>
</table>

Included in the FY 2012-2013 General Fund Revenues is $4,180,000 in one-time transfers. This was done in order to balance the budget and in anticipation of resolution of the Chevron Tax Resolution Agreement.

In FY 2013-2014, the budget will be balanced by using $2,899,000 of General Fund Unreserved, Undesignated Fund Balance. Based on current estimates, this will still leave the General Fund with the required 17% reserves.

**General Fund Expenditures**

General Fund expenditure assumptions are as follows, as compared to the prior year adopted budget:

- Salaries – increase of $585,550 due to:
  - COLA Increase - $435,550
  - Step increases and longevity/educational incentive premiums - $150,000
• California Public Employees’ Retirement System (CalPERS) Rate Increases – $840,000 increase in the discount rate, going from 7.75% return to 7.5%. This impacts both rates, safety and nonsafety:
  - Safety Rate Increase: $427,300
  - Misc Group Rate Increase: $412,700

• Other Post-Employment Benefits (OPEB)
  - Increase due to updated valuation - $239,000 (Using two-year smoothing).
  - Full recognition of 100% of Retiree Health Benefit Costs. In the prior year, the amount budgeted was $1,000,000 lower than the FY 2013-2014 Preliminary Budget due to a drawdown of that amount from the City’s OPEB Trust. The $1 million was to be withdrawn from the Trust and transferred over to the City’s General Fund as reimbursement of retiree health benefit costs.

• Health Benefits – no increases

• Workers’ Compensation – Increase in the insurance premium and a rising cost of currently open claims - $546,000

• Reinstatement of 401(a) Match - $214,500 required to be paid out in December of 2013. This is for one labor group and consistent with the terms of their MOU.

• Increase in Vacation/Sick Leave Payouts - $375,000; it is anticipated that more employees will participate in the 3-year buy back option which reduces the City’s leave liability by allowing them to cash out before retirement.

• Non-Personnel Costs:
  - Deferred Costs (underfunded or not funded in the last two fiscal years):
    • Equipment Replacement Cost – Funded at 100% - $1,420,400. This expenditure has been deferred or underfunded in the last three budget years.
    • Restoration of previous expenditure reductions - $284,100
    • General Liability – $262,200 - Increase in estimated claims expense for the next year due to an increased number of outstanding claims. None of the claims to be paid out in FY 2013-2014 are expected to exceed the Self-Insured Retention (SIR).
    • Emergency Preparedness - $80,000
  - New funding for imposed mandates:
    • Storm Drain Mandates - $300,000
  - Contractual Services – Increase of $150,000;
    • Resources needed for labor negotiations
    • Increase in tree maintenance contract

• Transfers to other funds - increase of $207,600
  - Increase in Transfer to Facilities Maintenance - $175,000
- Increase in Transfers to Community Development Block Grant Fund – $32,600; During the current fiscal year, the funding agency changed its regulations and eliminated the ability of agencies to exchange CDBG restricted funds for unrestricted General Fund monies. Due to this, the funds awarded to the City’s CDBG Fund can no longer be transferred to the General Fund.

- ESUSD Funding –
  - $250,000 Cash Contribution
  - $ 80,000 Crossing Guard Services
  - $825,215 in In-Kind Services
  - In total, the City contributes an estimated $1,155,215 to ESUSD annually.

Staff Priorities

During the Strategic Planning Sessions in April and June, staff also addressed critical needs identified for Council consideration. These items have been added to the FY 2013-2014 Budget.

**Table 2 – Fiscal Year 2013-2014 Critical Needs:**

<table>
<thead>
<tr>
<th>Community Service Challenges</th>
<th>FY 2013-2014</th>
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<tbody>
<tr>
<td>Information Technology Additional Resources</td>
<td>$55,000</td>
</tr>
<tr>
<td>Library - Open Fridays 1-5pm</td>
<td>37,000</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Infrastructure Challenges</th>
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<tbody>
<tr>
<td>Tree Maintenance</td>
<td>50,000</td>
</tr>
<tr>
<td>Building Repairs: Library, Parks, City Hall, Fire Station</td>
<td>225,000</td>
</tr>
</tbody>
</table>

| Challenges in Financial Stability                               |              |
| Resources Needed for Labor Negotiations                        | 100,000      |

| Quality Workforce Challenges                                   |              |
| Citywide Reorganization, Succession Planning & Training        | 97,200       |

$564,200

Quality Workforce Challenges – Citywide Reorganization, Succession Planning & Training

The following Personnel Additions and Reclassifications were presented to City Council during the Strategic Planning Session. The net cost of these actions is $97,200. These positions/reclassifications have been identified by the City Manager as either critical positions that need to be filled or employees working out of class due to significant workload changes resulting from staffing reductions.
• Police Department
  - Eliminate Senior Administrative Analyst position
  - Add two Full-Time Administrative Specialist Positions
  - Eliminate Part-Time Office Specialist Position
    • Fiscal Impact – $17,200 Savings

• Recreation and Parks Department
  - Reclassify one Administrative Analyst position to Senior Administrative Analyst.
    • Fiscal Impact – $13,300 in Savings from rehiring Supervisory positions at Step A

• Human Resources Department
  - Reclassify Human Resources Manager to Human Resources Director
    • Fiscal Impact – $14,650

• Finance Department
  - Reclassify Senior Accountant position to Accounting Supervisor
  - Reclassify Management Analyst to Senior Management Analyst
  - Convert Part-Time Accounts Specialist to Full-Time Accounts Specialist
  - Eliminate vacant Senior Administrative Specialist Position
  - Add Payroll Accountant
    • Fiscal Impact – $13,300

• Public Works Department
  - Add Building Inspector II (Shared with Planning & Building Safety)
  - Reclassify Associate Engineer to Senior Civil Engineering Associate.
  - Reclassify Equipment Mechanic II to Fire Mechanic
    • Fiscal Impact – $90,050

• City Treasurer
  - Reclassify Accounts Specialist II to Deputy City Treasurer I
    • Fiscal Impact $9,700
Table 3 – Fiscal Year 2013-2014 General Fund Expenditures:

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<tbody>
<tr>
<td>Elected Officials</td>
<td>$818,400</td>
<td>818,369</td>
<td>985,820</td>
<td></td>
<td>985,820</td>
</tr>
<tr>
<td>Administrative Support</td>
<td>3,784,750</td>
<td>3,766,223</td>
<td>4,326,598</td>
<td>86,700</td>
<td>4,413,298</td>
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<tr>
<td>Police</td>
<td>15,510,600</td>
<td>15,566,850</td>
<td>17,197,064</td>
<td>3,000</td>
<td>17,200,064</td>
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<td>Fire</td>
<td>12,917,700</td>
<td>13,100,650</td>
<td>14,724,417</td>
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<td>Communications Center</td>
<td>1,389,500</td>
<td>1,389,500</td>
<td>1,389,500</td>
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<td>Planning/Building Safety</td>
<td>2,379,800</td>
<td>2,379,823</td>
<td>2,894,107</td>
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<td>Public Works</td>
<td>5,422,200</td>
<td>5,422,235</td>
<td>5,935,127</td>
<td>13,700</td>
<td>5,948,827</td>
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<tr>
<td>Recreation and Parks</td>
<td>4,819,500</td>
<td>4,819,479</td>
<td>5,146,494</td>
<td>1,000</td>
<td>5,147,494</td>
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<tr>
<td>Library</td>
<td>2,210,600</td>
<td>2,210,621</td>
<td>2,390,007</td>
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<tr>
<td>Nondepartment</td>
<td>2,800,200</td>
<td>3,887,479</td>
<td>4,591,145</td>
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<td>4,591,145</td>
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<tr>
<td>Transfers to Other Funds</td>
<td>138,850</td>
<td>517,200</td>
<td>346,400</td>
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<td>346,400</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>52,192,100</td>
<td>53,878,429</td>
</tr>
<tr>
<td>Savings from groups eliminated from COLA (estimated in the Preliminary Budget at 2.6%):</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(257,822)</td>
</tr>
<tr>
<td>Adjustment for Decrease in COLA estimate (from 2.6% to 2%) :</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(130,670)</td>
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<tr>
<td>Total General Fund Expenditures</td>
<td>$52,192,100</td>
<td>53,878,429</td>
<td>59,926,679</td>
<td></td>
<td>59,642,587</td>
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</tbody>
</table>
Table 4 – Fiscal Year 2013-2014 General Fund Expenditures by Category:

<table>
<thead>
<tr>
<th>Summary of Expenditures by Category</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$27,978,833</td>
</tr>
<tr>
<td>Benefits</td>
<td>$18,497,524</td>
</tr>
<tr>
<td>Nonpersonnel</td>
<td>$12,819,830</td>
</tr>
<tr>
<td>Transfers Out</td>
<td>346,400</td>
</tr>
<tr>
<td>$</td>
<td>59,642,587</td>
</tr>
</tbody>
</table>
The summary of changes includes a decrease to the estimated Cost of Living Adjustment (COLA) of approximately $388,500. As stated earlier in this report, the FY 2013-2014 Preliminary Budget was prepared with an estimated COLA of 2.6%, and was budgeted for all employees. Since then, new estimates have come in and we have now lowered the COLA to 2%. Staff also made a budget adjustment to remove the value of the COLA increase for Supervisory/Professional Group, Management/Confidential Employees, and Executives. The total decrease is approximately $388,500, as shown below:

Table 5 – COLA Reductions by Group:

| Salary Adjustment for Groups not receiving COLA (estimated in the Preliminary Budget at 2.6%): | (257,822) |
| Adjustment for Decrease in CPI (from 2.6% to 2%) for the following groups: | |
| Police Officers’ Association | (41,810) |
| Police Management Association | (12,000) |
| Fire Association | (36,770) |
| Police Support Services Employee Association | (4,700) |
| City Employees’ Association | (35,390) |
| **Total COLA Reduction:** | **$(388,492)** |

**Other Funds**

**Internal Service Funds**

The budgets in the Internal Service Funds, which include Equipment Replacement, General Liability, and Workers’ Compensation, are all in balance. These funds are used to accumulate and allocate costs internally among the City’s various functions.

The Equipment Replacement Fund will charge 100% of the annual equipment replacement charge to all funds.

The General Liability and Workers’ Compensation Funds have been funded at the actuarially determined expected rate.

Below is an illustration of our three Internal Service Fund budgets for FY 2013-2014.
Enterprise Funds

The budgets in the Water and Sewer are in balance. The Golf Course Fund is reporting a deficit of around $159,700. This deficit includes a loan repayment to the General Fund of $200,000.

Collectively, these are all separate funds where the City charges a fee to customers to cover all or most of the costs of services it provides.

Chart 3 – Enterprise Funds Budget – Fiscal Year 2013-2014
Capital Improvement Projects

The CIPAC was not convened for lack of funding. No projects supported by General Fund Revenues are budgeted.

All Other Funds

The budgets of all other funds are in balance.

Summary

General Fund – Overall, General Fund Revenues are growing at a rate of 2.15% compared to the 2012/2013 yearend estimate. The City is still being impacted by a sluggish economy and overall reduction in revenues coming from the business base, which will keep revenues well below the levels needed to keep up with projected growths in expenditures. Expenditures have been forecasted to grow at an average rate of approximately 6% over the next three years. The FY 13/14 revenue and expenditure gap is being covered by the receipt of the first 2 tax resolution payments made by Chevron.

The next step in the FY 2013/2014 budget process is the second public hearing and final budget adoption on September 17, 2013. As part of the final budget adoption, staff will prepare a reconciliation of changes from the preliminary to the final adopted budget. Staff will continue to monitor revenues and expenditures and report quarterly to City Council and the public.

Revisions from the Preliminary Budget are attached to this report and have been included in the final budget to be adopted.
CITY OF EL SEGUNDO
EXHIBIT A CHANGE LIST OF EXPENDITURE BUDGET REVISIONS - APPROPRIATIONS ALL FUNDS
FISCAL YEAR 2013-2014 ADOPTED BUDGET

<table>
<thead>
<tr>
<th>Div</th>
<th>Account</th>
<th>Inc (Dec)</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>General Fund</td>
<td>Preliminary Budget Appropriations inclusive of Transfers Out</td>
<td>$</td>
</tr>
<tr>
<td></td>
<td>ADJUSTMENTS:</td>
<td>COLA Adjustment</td>
<td>(388,500)</td>
</tr>
<tr>
<td></td>
<td>Finance</td>
<td>Adj Business Services Manager Allocation - S &amp; B</td>
<td>2501</td>
</tr>
<tr>
<td></td>
<td>Police Department</td>
<td>Increase in CalPERS contribution for hrb employee</td>
<td>31xx</td>
</tr>
<tr>
<td></td>
<td>Public Works Department</td>
<td>Increase in Custodial Costs - Maintenance of Lifeguard Station</td>
<td>2601</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Software Maintenance Costs for Tablets</td>
<td>4202</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Software Maintenance Costs for Tablets</td>
<td>4801</td>
</tr>
<tr>
<td></td>
<td>Recreation &amp; Parks Department</td>
<td>Adjust Operating Supplies</td>
<td>5101</td>
</tr>
<tr>
<td></td>
<td>Total General Fund inclusive of Transfers Out</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other Funds</td>
<td>Preliminary Budget Appropriations inclusive of Transfers Out</td>
<td></td>
</tr>
<tr>
<td></td>
<td>ADJUSTMENTS:</td>
<td>Water (501) Fund</td>
<td>Adjust Business Services Manager Allocation - S &amp; B</td>
</tr>
<tr>
<td></td>
<td>Total Revised City Appropriations - Other Funds inclusive of Transfers Out</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total Revised City Appropriations - All Funds inclusive of Transfers Out</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
CITY OF EL SEGUNDO
EXHIBIT A CHANGE LIST OF REVENUE BUDGET REVISIONS - ALL FUNDS
FISCAL YEAR 2013-2014 ADOPTED BUDGET

FISCAL YEAR 2013-2014 BUDGET

<table>
<thead>
<tr>
<th>General Fund</th>
<th>Account</th>
<th>Inc (Dec)</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preliminary Estimated Revenues inclusive of Transfers In</td>
<td></td>
<td></td>
<td>$56,386,100</td>
</tr>
</tbody>
</table>

**ADJUSTMENTS:**

- Increase to Current Year Secured Estimate 3101 $409,000
- Increase to Current Year Unsecured Estimate 3102 $34,000
- Decrease to Business License Fee Estimate 3301 $(102,000)
- Increase to Business License Fee Estimate 3302 $5,000
- Decrease to Business License Fee Estimate 3303 $(6,500)
- Increase to Business License Fee Estimate 3304 $40,000
- Decrease to Business License Fee Estimate 3305 $(7,000)
- Decrease to Business License Fee Estimate 3306 $(7,000)
- Decrease to Business License Fee Estimate 3307 $(8,000)

**Transfers In:**

- Economic Uncertainty Fund 9001
- Capital Improvements Fund 9001

Total General Fund Estimated Revenues inclusive of Transfers In $357,500 $56,743,600

**Other Funds**

Preliminary Estimated Revenues inclusive of Transfers In $55,201,700

**State Gas Tax Fund (106):**

- Adjust Interest Income Estimate 3601
- Adjust to Reconcile to Revised State Estimate for FY 2013-2014 3707 55,500
- Adjust to Reconcile to Revised State Estimate for FY 2013-2014 3712 5,100
- Adjust to Reconcile to Revised State Estimate for FY 2013-2014 3714 2,300
- Adjust to Reconcile to Revised State Estimate for FY 2013-2014 3716 2,800

Total Other Funds Estimated Revenues inclusive of Transfers In $65,700 $55,267,400

Total Revised Estimated Revenues Inclusive of Transfers In $423,200 $112,011,000

Prior Year Designation Fund Reserves $22,168,500

Total Revised Estimated Revenues Inclusive of Transfers In $134,179,500
EL SEGUNDO CITY COUNCIL

AGENDA STATEMENT: Special Order of Business-Public Hearing

AGENDA DESCRIPTION:
Consideration and possible action to open a public hearing and receive testimony to: 1) consider approving Environmental Assessment (EA) No. 993 for a proposed Addendum to the previously Certified Final Environmental Impact Report (“EIR”) and adopt a Statement of Overriding Considerations for the Plaza El Segundo Development project at 850 North Sepulveda Boulevard located generally near the northeast corner of Sepulveda and Rosecrans Boulevards (“Project”); 2) consider approving an amendment to the existing Development Agreement (DA No. 12-03) for the Project to increase the size of the project area and total building square footage, and to modify the allowed uses and development standards relating to signs; 3) consider approving an amendment to the existing Commercial Center (C-4) Zone development standards (ZTA 12-04) to modify the permitted uses and sign standards that would be consistent with the proposed Amendment to the Development Agreement; 4) consider approving an Adjustment (ADJ No. 13-03) to deviate from the development standards for curb cuts, driveways and loading; 5) consider approving a Variance (VAR No. 13-01) to deviate from the standards for retaining walls and fill height; 6) consider approving an Administrative Use Permit (AUP No. 13-04) to allow the sale of beer, wine, and distilled spirits at restaurants and kiosks totaling 28,764 square feet; and 7) consider approving modifications to the existing project conditions of approval. The proposed Addendum, Development Agreement Amendment, and the Zone Text Amendment would allow an increase in the Project development area by 4,988 acres and an increase in the maximum developable floor area by 49,613 square feet from 448,829 to 498,442 square feet. The Project if amended would still be required to stay within the total traffic trip generation cap that was imposed on the original Project. Applicant: Street Retail Inc. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

1. Open the Public Hearing;
2. Discussion;
3. Adopt a Resolution approving an Addendum to an Environmental Impact Report (Environmental Assessment No. 993), including implementing the Mitigation Monitoring and Reporting Program (MMRP) and adoption of a Statement of Overriding Considerations. The Resolution would also approve ADJ No. 13-03; VAR No. 13-01; AUP No. 13-04; and adopt conditions of approval;
4. Introduce, and waive first reading, of an Ordinance for Zone Text Amendment No. 12-04 and Development Agreement No. 12-03;
5. Schedule second reading and adoption of Ordinance on September 17, 2013; and/or
6. Alternatively, discuss and take other possible related action to this item.

ATTACHED SUPPORTING DOCUMENTS:

2. Draft Resolution including:
   a) Addendum
   b) Mitigation Monitoring and Reporting Program (MMRP)
   c) Findings of Fact and Statement of Overriding Consideration
   d) Conditions of Approval
3. Draft Ordinance including:
   a) Draft Fifth Amendment to the Development Agreement with attachments
   b) Conditions of Approval including Mitigation Measures (MMRP)
4. Letter from Federal Realty, dated August 26, 2013
5. Project Plans.

FISCAL IMPACT:

Amount Budgeted: N/A
Additional Appropriation: N/A
Account Number(s): N/A

ORIGINATED BY: Kimberly Christensen, AICP, Planning Manager
REVIEWED BY: Sam Lee, Director of Planning and Building Safety
APPROVED BY: Greg Carpenter, City Manager

PLANNING COMMISSION:

On August 15, 2013, the Planning Commission held a public hearing on the proposed amendment to the Plaza El Segundo project. The attached August 15, 2013 Planning Commission staff report includes Project Background, Project Description, Analysis, General Plan, Zoning and Environmental Review consistency discussions.

The Planning Commission received public testimony from the applicant and the general public at the hearing. A representative of the West Basin Municipal Water District testified that the Water District would like to ensure that its easement rights on the property were adequately protected. After receiving testimony and documentary information, the Commission adopted Resolution No. 2736, recommending City Council approve Environmental Assessment No. 993 and readopt the Statement of Overriding Considerations as required by CEQA, and approve Zone Text Amendment No. 12-04, Adjustment No. 13-03, Variance No. 13-01, Administrative Use Permit No. 13-04, modify the original conditions of approval for the Plaza El Segundo Development Project and Development Agreement No. 12-03 (Fifth Amendment to Development Agreement No. 03-01) with conditions.

RECOMMENDATION:

Staff recommends that the Council adopt the draft Resolution approving Environmental Assessment No. 993 with a re-adoption of the Statement of Overriding Considerations, Adjustment No. 13-03, Variance No. 13-01, Administrative Use Permit No. 13-04 and modifications to the original conditions of approval; and introduce, and waive first reading, of a draft Ordinance to adopt Development Agreement No. 12-03 (Fifth Amendment to Development Agreement No. 03-01) and Zone Text Amendment No. 12-04.
CITY OF EL SEGUNDO

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: August 15, 2013


APPLICANT: Street Retail, Inc. – Jan Sweetnam

PROPERTY OWNER: Street Retail, Inc. – Jan Sweetnam

REQUEST: Amendment to Development of the Plaza El Segundo Shopping Center that includes:
1) An Environmental Assessment (Addendum to the Certified EIR) for the expansion of the Plaza El Segundo Development project area by 4.988 acres and the construction of 119,613 gross square feet of shopping center uses in four separate buildings, increasing the total size of the project from 448,829 square feet (previously approved) to 498,442 square feet;
2) A Development Agreement Amendment to increase the original project area and building sizes and to modify the allowed uses and development standards;
3) A Zone Text Amendment to modify the permitted uses and sign standards in the Commercial Center (C-4) Zone;
4) An Adjustment to deviate from the standards for curb cuts, driveways, and loading;
5) A Variance to deviate from the standards for retaining walls;
6) An Administrative Use Permit to allow the sale of beer, wine, and distilled spirits at six restaurants and five kiosks; and
7) Modifications to the conditions of approval for the original project.

PROPERTY INVOLVED: 850 South Sepulveda Boulevard (northeast corner of Sepulveda Boulevard and Rosecrans Avenue)
I. Introduction

In 2005, the City Council approved the Plaza El Segundo development project. That project was later amended in 2008. Phase 1A is constructed and operational.

Street Retail, Inc. now filed several applications to amend the existing project approvals. These include requests for a development agreement amendment; a zone text amendment to modify the C-4 Zone development standards; and revisions to the site plan for the remaining portion of the Plaza El Segundo Development that has not yet been constructed. The Developer is seeking to add 49,613 square feet of additional development to the 2008 revised project. The new proposal for the remaining undeveloped portion of the Plaza El Segundo Development site would encompass 13.05 acres on the northeast corner of Sepulveda Boulevard and Rosecrans Avenue and the new shopping center would be named "The Point." The project would still be required to stay within the total traffic trip generation cap that was imposed on the original project. The purpose of the proposed zone text amendment relating to permitted uses and signs is to make the zoning text in the C-4 Zone consistent with applicable law and the development agreement. All of the applications will be discussed in detail below.

The City prepared an Addendum to the Final Environmental Impact Report (FEIR) certified by the City of El Segundo on March 1, 2005 (Resolution No. 4415). The Addendum evaluates potential environmental effects which may be associated with the proposed changes to the previously-approved Development. The FEIR was a Program/Project FEIR that analyzed the environmental effects (1) of a proposed General Plan Amendment, Zone Change and a Zone Text Amendment that would effectuate a land use re-designation and rezoning of approximately 85.8 acres of an 110-acre area located at the northeast corner of the intersection of Sepulveda Boulevard and Rosecrans Avenue ("Sepulveda/Rosecrans Site Rezoning") that would accommodate up to 850,000 square feet of commercial development in the Commercial Center (C-4) Zone; and (2) the proposed Plaza El Segundo Development.

The FEIR is a detailed informational document that analyzes a proposed project’s potentially significant environmental effects. The FEIR also identifies ways to reduce environmental effects and reasonable alternatives to avoid or minimize significant environmental effects. The draft addendum was prepared under the authority of 14 Cal. Code Regs, § 15164(a) (CEQA Guidelines) which allows a lead agency to prepare an addendum to a previously certified EIR if some changes or additions to the previously certified EIR are necessary, but none of the conditions described in CEQA Guidelines § 15162 requiring of a supplemental or subsequent EIR are present.

II. Recommendation

Planning staff recommends that the Planning Commission conduct a public hearing; consider the documentary and testimonial evidence including this report; and then adopt Resolution No. 2736 (Exhibit 1) recommending that the City Council approve Environmental Assessment (EA) No. EA-993, Development Agreement (DA) No. 12-03, Zone Text Amendment (ZTA) No. 12-04, Adjustment (ADJ) No. 13-03, Variance (VAR) No. 13-01, Administrative Use Permit (AUP) No. 13-04, and adopt of an
Addendum to the previously Certified Final Environmental Impact Report (FEIR), with conditions.

III. Project Description

The following applications are proposed:

1) **Environmental Assessment (EA) No. EA-993** - An Addendum to the certified Final Environmental Impact Report is proposed for this project pursuant to the requirements of the California Environmental Quality Act (CEQA).

2) **Development Agreement Amendment (DA) No. 12-03** - A 5th Amendment to Development Agreement No. DA 03-01 to increase the Original Project area by 4,988 acres and to expand development of the Original Project from 448,829 to 498,442 square feet. The Development Agreement Amendment also includes: a) a modification to Section 4.1.3 of the development agreement to allow fast food restaurants within 90 feet of Sepulveda Boulevard and Rosecrans Avenue; and b) an amendment to remove the size limitations for retailers in the Smaller Tenant Standards specified in Development Agreement Section 4.2.2. “Limitations on Minimum Square Footage of Buildings and Space” for the Phase 1B portion of the project. Other modifications to the Development Agreement are proposed to reconcile changes in the property involved, the property ownership, the project description, and the other requested discretionary actions.

3) **Zone Text Amendment (ZTA) No. 12-04** - An amendment to El Segundo Municipal Code (ESMC) §§ 15-5G-2 (Permitted Uses) and 15-5G-9 (Signs) as follows:

   A. **§ 15-5G-2 - Permitted Uses**

   1) Increase the permitted size of general office uses in the Commercial Center (C-4) Zone (ESMC § 15-5G-2(B)) from 5,000 to 28,735 gross square feet (including the existing general office area in Phase 1A); and

   2) Incorporate the following uses which are already allowed in the Development Agreement into the ESMC:

      a. Automobile sales (indoor only) along with sales of automobile accessories and automobile parts not to exceed a total of 5,000 square feet and prohibiting automobile repair and maintenance uses.

      b. Banks, savings and loans and/or credit unions, not to exceed a total of 10,000 square feet.

      c. Day spas not to exceed a total of 10,000 square feet.

      d. Dance and music instruction studios not to exceed a total of 6,000 square feet.

      e. Farmer’s Market.

      f. Health clubs and fitness centers (indoor only) not to exceed a total of 10,000 square feet.

      g. Motorcycle and motor scooter sales (indoor only) along with sales of accessories and parts as an ancillary use and prohibiting outdoor display and storage and onsite repair and maintenance; and
B. § 15-5G-9 - Signs
1) Increase permitted height of 2 ground(monument) signs on Sepulveda Boulevard south of the Union Pacific Railroad from 20 feet to 25 feet;
2) Allow one roof sign up to 450 square feet in the Phase 1B area in addition to the 15% signage allowed for store front signage;
3) Incorporate the following sign provisions from the Development Agreement into the ESMC:
   a) Maximum of 3 ground(monument) signs not to exceed 35 feet on Sepulveda, north of the Union Pacific Railroad;
   b) Maximum of 2 ground(monument) signs (not including wayfinding signs), not to exceed 25 feet on Park Place;
   c) Maximum of 2 ground(monument) signs (not including wayfinding signs), not to exceed 25 feet on Allied Way;
   d) Maximum of 2 ground(monument) signs not to exceed 20 feet on Rosecrans Avenue;
   e) Prohibition on pole signs on Rosecrans Avenue;
4) Adjustment (ADJ) No. 13-03 - an Adjustment to allow:
   a) a curb cut of 65’-7” and a driveway width of 33’-5” on Sepulveda Boulevard and a curb cut of 76’-7” and a driveway width of 62’-11” on Rosecrans Avenue where a maximum of 30 feet is permitted (ESMC § 15-15-5(O)(1));
   b) a curb cut that is located a distance of zero feet from the eastern property line where a minimum of five feet is required (ESMC § 15-15-5(O)(2)); and
   c) shared use of one large truck and 6 small truck loading spaces for public/employee parking after 10:00 a.m. (ESMC § 15-5-7(A)(1));
5) Variance (VAR) No. 13-01 - a Variance to allow construction of a retaining wall exceeding 6 feet to a maximum height of 12 feet, with a 42’ cable fence on top and to allow fill in excess of 6 feet to a maximum height of 12 feet (ESMC § 15-2-4(B)(3));
6) Administrative Use Permit (AUP) No. 13-04 - a Master Administrative Use Permit to allow the sale of beer, wine, and distilled spirits at six (6) eating and drinking establishments and five (5) kiosks totaling approximately 28,764 square feet;
7) Modifications to Conditions of Approval - modifications to the Original Project conditions of approval to:
   a) Allow two 25-foot tall monument signs on Sepulveda Boulevard south of the Union Pacific Railroad where two 20-foot tall monument signs are allowed currently;
   b) Indicate that a private water meter system may be used to individually meter each unit;
   c) Provide a maximum of 240 square feet of office space provided for use by the El Segundo Police Department as a satellite office space; and
   d) Make other necessary modifications to the conditions of approval to reconcile changes in the property involved, the property ownership, the project description, the requested Development Agreement modifications, and other requested discretionary actions.
All the applications require review and recommendations by the Planning Commission. The City Council will take final action on all of the applications.

IV. **Background**

The Plaza El Segundo Development was developed on the portion of the site north of the Union Pacific Railroad ("UPRR") tracks and south of Hughes Way. Total development constructed is 378,829 square feet, which is 46,171 square feet less than the 425,000 square feet of allowable development analyzed in the FEIR. Additionally, the conditions of approval allowed for a daily maximum allowable trip count of 16,645 and the development currently constructed generates a total of 12,694 daily trips, which are 3,951 trips less than the maximum.

In 2008, the City Council approved a modification to the portion of the approved development located south of the UPPR tracks at the northeast corner of Sepulveda Boulevard and Rosecrans Avenue. The project modification increased the site area (south of the UPPR tracks) by 3.4 acres to a total of 8.1 acres and increased the allowable buildable square footage in the Plaza El Segundo Development by 23,829 square feet to a total of 448,829 square feet. The approved modification to the Development allowed approximately 70,000 square feet to be built in addition to the existing development (378,829 square feet). The 2008 modification to the approved Plaza El Segundo Development is referred to as Plaza El Segundo Development Phase 1B (Phase 1B) and the existing portion of the development is called Phase 1A. The two portions combined constitute Phase 1 of the Original Project. Phase 1B of the Plaza El Segundo Development was never constructed.

The applicant, Street Retail, Inc. is proposing a further modification to the portion of the Plaza El Segundo Development south of the UPPR tracks (Phase 1B). The proposed modification of Phase 1B, consists of an expansion to the Phase 1B site area, building floor area, and modifications to the previous entitlements and conditions of approval. The following analysis contains a description of the proposed Phase 1B site and project modifications.

V. **Analysis**

**SITE DESCRIPTION AND SURROUNDING LAND USES**

Phase 1B of the Plaza El Segundo Development is located at the northeast corner of Rosecrans Avenue and Sepulveda Boulevard. It is separated from Phase 1A (to the north) by the Union Pacific Railroad (UPRR) tracks. The site consists of 8.062 acres of undeveloped land. The proposed project (The Point) would expand the site eastward to the intersection of Rosecrans Avenue and Village Drive and add 4.988 acres to the site area. The site area proposed for The Point is 13.05 acres. The total site area including The Point (Phase 1B) and Phase 1A is approximately 51.7 acres.

The surrounding properties are a mix of light industrial, heavy industrial, office, retail, and entertainment uses. On the north side of the project site are light industrial buildings for self-storage, freight forwarding, and aerospace uses and the first phase of the Plaza El Segundo development project. A reclaimed water treatment plant and
municipal golf course are also located to the north of the project. East of the project site are light industrial buildings and uses along Douglas Street as well as office, entertainment and restaurant uses in the Continental Park development along Rosecrans Avenue. South of the project site on the south Side of Rosecrans Avenue in the City of Manhattan Beach is the Manhattan Village shopping center, which consists of retail, restaurants, banks, and a movie theater. West of the project site on the west side of Sepulveda Boulevard is the Chevron Oil Refinery.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>North: Plaza El Segundo Phase 1, self-storage, warehouse, light industrial</td>
<td>C-4 and M-1</td>
</tr>
<tr>
<td>South: retail, office</td>
<td>Manhattan Beach</td>
</tr>
<tr>
<td>East: office, entertainment, light industrial</td>
<td>MU-N, M-1</td>
</tr>
<tr>
<td>West: oil refinery</td>
<td>M-2</td>
</tr>
</tbody>
</table>

**PROJECT PHYSICAL DESCRIPTION**

The proposed project includes construction of three single-story buildings and one two-story building surrounding an outdoor public plaza, and a maximum of five single-story kiosk buildings located within the public plaza. The proposed buildings would be located in the western portion of the site and would total 119,613 gross square feet (109,575 net square feet). The balance of the site would be developed with parking and landscaping surrounding the proposed buildings and extending to the east boundary of the site. The addition of 119,613 square feet to the existing 378,829 square-foot Plaza El Segundo shopping center (Phase 1A) would increase the total development in Phase 1 of the Original Project to 498,442 square feet, 49,613 square feet above what was approved for the Phase 1B modification in 2008. The applicant plans to name the revised Phase 1B project as “The Point.”

A variety of uses including retail, restaurants, and office uses are currently proposed as part of the currently proposed Phase 1B development. The following table indicates the proposed gross floor area for each use type.

<table>
<thead>
<tr>
<th>Use type</th>
<th>Gross Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail</td>
<td>63,379</td>
</tr>
<tr>
<td>Restaurant – Fast Food*</td>
<td>5,549</td>
</tr>
<tr>
<td>Restaurant – Full Service*</td>
<td>21,115</td>
</tr>
<tr>
<td>Office**</td>
<td>27,470</td>
</tr>
<tr>
<td>Retail Kiosks</td>
<td>2,100</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>119,613</strong></td>
</tr>
</tbody>
</table>

* In addition to the proposed restaurant floor area, the project includes 1,400 square feet of outdoor dining area is proposed for the fast-food restaurants and 4,512 square feet of outdoor dining area for the full service restaurants.

** The proposed office uses include 240 square feet to be used as a substation for the El Segundo Police Department.
Density

The Commercial Center "C-4" Zone permits a Floor Area Ratio (FAR) of 0.275:1. FAR is calculated using net floor area as defined in ESMC § 15-1-6. The subject site consists of a single, 13.05-acre parcel and The Plaza El Segundo Development Phase 1B net floor area is 109,575 square feet. Therefore, the proposed FAR for the development is 0.193:1. The following table provides a breakdown of the net square footage of the proposed buildings:

<table>
<thead>
<tr>
<th>Building</th>
<th>Net Floor Area</th>
<th>FAR</th>
<th>No. of Stories</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>15,474</td>
<td>N/A</td>
<td>1</td>
</tr>
<tr>
<td>B</td>
<td>16,893</td>
<td>N/A</td>
<td>1</td>
</tr>
<tr>
<td>C</td>
<td>27,469</td>
<td>N/A</td>
<td>1</td>
</tr>
<tr>
<td>D</td>
<td>47,639</td>
<td>N/A</td>
<td>2</td>
</tr>
<tr>
<td>Outdoor Kiosks</td>
<td>2,100</td>
<td>N/A</td>
<td>1</td>
</tr>
<tr>
<td>TOTAL</td>
<td>109,575</td>
<td>0.193</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Circulation

Ingress and egress to the 13.05-acre site would be provided by two driveways. The first driveway would be located on Sepulveda Boulevard approximately 630 feet north of the intersection of Sepulveda Boulevard and Rosecrans Avenue just south of the UPRR and the BNSF railroad tracks. An approximately 230-foot deceleration lane will be provided for the Sepulveda Boulevard driveway. The first driveway would provide right-in and right-out access only to and from the site. The second driveway will be a new fully signalized intersection located on Rosecrans Avenue. It will be aligned with the existing Village Drive signal on the south side of Rosecrans Avenue and the entrance to the Manhattan Village development across the street in Manhattan Beach. The second driveway would be approximately 700 feet east of the intersection of Sepulveda Boulevard and Rosecrans Avenue and would have an approximately 130-foot deceleration lane. The second driveway would consist of two entry lanes and three exit lanes providing full access to and from the site.

Additional improvements proposed along Rosecrans Avenue include: a) the closure of the existing left turn lane along Rosecrans Avenue located approximately 400 feet east of Sepulveda Boulevard that allows left turn movements into the Phase 1B property and the Fry’s parking lot in the Manhattan Village mall; b) construction of two left turn lanes from eastbound Rosecrans Avenue to northbound Village Drive (Project driveway); c) addition of the fourth leg of the signal at Village Drive/Rosecrans; and d) the extension of the westbound left turn lanes at Rosecrans Avenue and Sepulveda Boulevard adding a minimum of an additional 130 feet of vehicle stacking capacity.

As mentioned in the Project Description (Page No. 3), the applicant has requested approval of an adjustment to allow: a) a curb cut width of 65'-7" and a driveway width of 33'-5" on Sepulveda Boulevard; and b) a curb cut width of 78'-7" and a driveway width of 62'-11" on Rosecrans Avenue where a maximum curb-cut and driveway width of 30 feet is permitted. Planning Staff believes that an adjustment for the proposed
curb-cut and driveway widths is justified due to the type, size, location, and anticipated traffic volumes to and from the shopping center. A detailed discussion of the adjustment application findings is included in the attached draft resolution (Exhibit 1).

**Phasing**

The Point development is proposed to be constructed in one phase. Construction is expected to commence in Fall 2013 and to be completed in 2014.

**Utilities**

In order to accommodate the development that would be permitted on the Plaza El Segundo Project Site Phase 1B, several infrastructure improvements will be required. These infrastructure improvements include drainage facilities, water, sewer and reclaimed water. Proposed development would connect into the existing water, sewer, and reclaimed water lines on Rosecrans Avenue, Sepulveda Boulevard and to the utility infrastructure constructed in the Plaza El Segundo development north of the UPRR and BNSF railroad tracks consistent with the analysis in the FEIR. Greater detail is provided in the attached Addendum to the FEIR (Exhibit 4).

**Parking and Loading**

Parking is proposed to be located in surface parking lots that will surround the proposed shopping center buildings and extend to the east boundary of the site. Based on the proposed mix of uses and size of the buildings, 576 parking spaces are required. The applicant proposes to provide 645 parking spaces, which exceeds the City's parking requirements.

Based on the proposed mix of uses and size of the buildings for each of the proposed buildings, six small and one large truck loading spaces are required. The applicant proposes six small and one large truck loading spaces, which meets the City’s loading requirements. The proposed loading spaces are distributed along the drive aisle surrounding and adjacent to the proposed buildings.

As mentioned in the Project Description (Page No. 3) above, the applicant has requested approval of an adjustment to allow the use of the loading spaces as parking spaces during non-delivery hours. The applicant proposes to limit delivery hours between 6:00 a.m. and 10:00 a.m. and to post signs prohibiting parking in these spaces by employees and/or customers during the delivery hours. This will increase the effective number of parking spaces onsite to 683. The additional 38 parking spaces will provide more convenient parking customers and employees immediately adjacent to the buildings onsite. Staff believes that the request for an adjustment is justified, because the delivery hours will not conflict with the hours of operation of the uses onsite. The only businesses that will operate before 10:00 a.m. are the office uses (27,470 gross square feet) and some of the restaurant uses that may be open for breakfast (up to a maximum of 12,000 gross square feet). A detailed discussion of the adjustment application findings of approval is included in the attached draft resolution (Exhibit 1).
Walls and Fences/Variance for Retaining Walls

The conditions of approval for the Project as approved in 2005, require the applicant to construct a combination of a six-foot tall wall and metal fence along the property lines adjacent to the Union Pacific Railroad (UPRR) right-of-way. The conditions of approval also require that walls and fences use appropriate screening such as vines, hedges, and/or trees subject to the review of the Planning and Building Safety (PBS) Director.

In addition, the project includes the use of retaining walls. The site has significant changes in grade that necessitate the use of retaining walls to retain the steep slope at the northeast corner of Rosecrans Avenue and Sepulveda Boulevard; to create a relatively flat and level area needed for the buildings, the outdoor public plaza and the parking lot areas. Additionally, parking lot areas must be designed to not exceed a maximum slope of five (5) percent. The corner of the site at Rosecrans Avenue and Sepulveda Boulevard is approximately 45 feet higher than the northeast corner of the site and it is approximately 35 feet higher than the northern property line. One retaining wall is proposed at the southwest corner of the site adjacent to the intersection of Rosecrans Avenue and Sepulveda Boulevard. The grade in this portion of the site slopes down away from the corner and into the site. The proposed retaining wall at this location will retain a cut slope to create a level portion of the site near proposed buildings B and C and the drive aisle adjacent to those buildings. The maximum height of this retaining wall is 15.33 feet. Two more retaining walls containing fill are proposed along the UPRR right-of-way. Due to the topography of the site, the grade adjacent to the UPRR tracks that are located along the northern perimeter of the site are lower than the rest of the site. Consequently, construction on the site will require retaining walls at those locations with a maximum height of 12 feet containing up to a maximum of 12 feet of fill. According to El Segundo Municipal Code (ESMC) § 15-2-4, the maximum permitted height of a retaining wall containing fill outside a required setback is six feet. As a result, the applicant has submitted a variance application to allow these two proposed walls to exceed the requirements of the ESMC. Planning Staff believes that the request for a variance is justified due to the site topography. A detailed discussion of the variance application findings of approval is included in the attached draft resolution (Exhibit 1).

Development Agreement Amendment

The proposed development agreement revisions are listed in Section III – Project Description above. Staff believes that the proposed amendments to: a) the project area and building floor area; b) the standards for fast food restaurants and restaurants with drive-through windows; c) the size limitations for small retail tenants; and d) additional amendments are justified. A detailed discussion of the findings of approval is included in the attached draft resolution (Exhibit 1).

Zone Text Amendment

The proposed Zone Text Amendment is necessary to amend the Commercial Center (C-4) development standards relating to permitted uses and signs. El Segundo Municipal Code (ESMC) Section 15-5G-2 (Permitted Uses) would be amended to:
1) Increase the permitted size of general office uses in the Commercial Center (C-4) Zone (ESMC § 15-5G-2(B)) from 5,000 to 28,735 gross square feet (including the existing general office area in Phase 1A); and

2) Incorporate the following uses which are already allowed in the Development Agreement into the ESMC:
   a. Automobile sales (indoor only) along with sales of automobile accessories and automobile parts not to exceed a total of 5,000 square feet and prohibiting automobile repair and maintenance uses.
   b. Banks, savings and loans and/or credit unions, not to exceed a total of 10,000 square feet.
   c. Day spas not to exceed a total of 10,000 square feet.
   d. Dance and music instruction studios not to exceed a total of 6,000 square feet.
   e. Farmer’s Market.
   f. Health clubs and fitness centers (indoor only) not to exceed a total of 10,000 square feet.
   g. Motorcycle and motor scooter sales (indoor only) along with sales of accessories and parts as an ancillary use and prohibiting outdoor display and storage and onsite repair and maintenance.

The purpose of incorporating the uses already allowed in the Development Agreement so that the C-4 Zone is consistent with the Development Agreement and applicable law.

ESMC§ 15-5G-9 “Signs” would be amended to:
1) Increase permitted height of 2 ground/monument signs on Sepulveda Boulevard south of the Union Pacific Railroad from 20 feet to 25 feet;
2) Allow one roof sign up to 450 square feet in the Phase 1B area in addition to the 15% signage allowed for store front signage;
3) Incorporate the following sign provisions from the Development Agreement into the ESMC:
   a) Maximum of 3 ground/monument signs not to exceed 35 feet on Sepulveda, north of the Union Pacific Railroad
   b) Maximum of 2 ground/monument signs (not including wayfinding signs), not to exceed 25 feet on Park Place
   c) Maximum of 2 ground/monument signs (not including wayfinding signs), not to exceed 25 feet on Allied Way
   d) Maximum of 2 ground/monument signs not to exceed 20 feet on Rosecrans Avenue
   e) Prohibition on pole signs on Rosecrans Avenue

Planning Staff believes that the proposed changes to the permitted uses and signs standards in the Commercial Center (C-4) Zone are justified and provide consistency between the Development Agreement and C-4 Zone development standards. A detailed discussion of the findings of approval is included in the attached draft resolution (Exhibit 1).
The proposed Adjustment would allow:

a) a curb cut width of 65'-7" and a driveway width of 33'-5" on Sepulveda Boulevard and a curb cut width of 76'-7" and a driveway width of 62'-11" on Rosecrans Avenue where a maximum of 30 feet is permitted (ESMC § 15-15-5(O)(1));

b) a curb cut that is located a distance of zero feet from the eastern property line where a minimum of five feet is required (ESMC § 15-15-5(O)(2)); and

c) shared use of one large truck loading space and 6 small truck loading spaces for public/employee parking after 10:00 a.m. (ESMC § 15-5-7(A)(1)).

Planning Staff believes that the request for an adjustment for curb cut width and driveway width is justified due to the traffic volumes that the site must accommodate and that the driveway on Rosecrans Avenue functions similar to a street intersection. Planning Staff believes that the request for an adjustment for the curb cut location on Rosecrans is necessary because of where the existing location of Village Drive is in proximity to the eastern property line and the site access must occur at Village Drive. Planning Staff believes that the request for an adjustment for the shared use of one large truck loading space and 6 small truck loading spaces with public/employee parking after 10:00 a.m. is justified since loading activities will only occur before 10:00 a.m. and the spaces will be unused for the hours that the shopping center is in operation after 10:00 a.m. each day. The 7 truck loading spaces are designed so they can provide 38 additional parking spaces when not in use for loading purposes. A detailed discussion of the adjustment application findings of approval is included in the attached draft resolution (Exhibit 1).

Administrative Use Permit

The proposed project includes six restaurants (fast-food and full-service) totaling 26,664 gross square feet and five kiosks totaling 2,100 gross square feet in the public plaza that may also serve food and drinks. The project also includes 5,912 square feet of outdoor dining areas in conjunction with the restaurants and kiosks. The restaurants and kiosks (including the outdoor dining areas) will generally be open from 10:00 a.m. to midnight from Sunday through Thursday and 10:00 a.m. to 2 a.m. on Friday through Saturday. Some of the restaurants (up to a maximum of 12,000 gross square feet) may open for breakfast. Those restaurants will open at 6:00 a.m. daily. The applicant has requested an Administrative Use Permit (AUP) to allow the onsite sale and consumption of beer, wine, and distilled spirits at the proposed restaurants. This request is different from previous requests processed by the City in that it involves multiple businesses up to a designated maximum floor area (26,664 gross square feet for restaurants, and 2,100 square feet for kiosks, and up to 5,912 square feet for outdoor dining). The restaurants, kiosks, and outdoor dining areas would be subject to the same conditions of approval applicable to other restaurants in the City with onsite sale and consumption of alcohol and are included in the draft resolution of approval (Exhibit 1). In addition, each individual business operator will have to obtain a License from and be subject to the regulations of the State Department of Alcoholic Beverage Control (ABC). The purpose of the “Master” AUP request is to expedite the City approval process and facilitate the applicant’s marketing efforts to secure potential tenants. Staff would review individual restaurants for conformance with the conditions of approval and the square footage limits set forth in the “Master” AUP. Planning Staff
believes that request for a “Master” AUP is justified. A detailed discussion of the findings of approval is included in the attached draft resolution (Exhibit 1).

Modifications to Project Conditions

Modifications to the Original Project conditions of approval are proposed to:

a) allow two 25-foot tall monument signs on Sepulveda Boulevard south of the Union Pacific Railroad where two 20-foot tall monument signs are currently allowed;

e) allow a private water meter system may be used to individually meter each unit;

f) provide a maximum of 240 square feet of office space provided for use by the El Segundo Police Department as a satellite office space at no cost to the City of El Segundo; and

g) make other necessary modifications to conditions of approval to reconcile changes in the property involved (including size of parcels), the property ownership, the project description, the requested Development Agreement modifications, and other requested discretionary actions.

VI. General Plan Consistency

The El Segundo General Plan land use designation for the proposed Project Site is Commercial Center. This designation seeks a range of commercial uses in an integrated shopping center design, which promotes employment and diversity. The proposed project and its consistency with relevant Element Goals, Objectives and Policies of the City of El Segundo General Plan are discussed in the attached draft resolution (Exhibit 1).

VII. Zoning Consistency

The following table compares the proposed site development standards to the C-4 Zone. The comparison below is for the proposed project.

<table>
<thead>
<tr>
<th>REQUIREMENTS</th>
<th>PROPOSED C-4 ZONE STANDARDS</th>
<th>PROJECT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Area</td>
<td>0.275 FAR (ESMC § 15-5G-6(F))</td>
<td>0.193 FAR</td>
</tr>
<tr>
<td>Lot Area</td>
<td>10,000 s.f. min. (ESMC § 15-5G-6(B))</td>
<td>568,458 s.f. (13.05 acres)</td>
</tr>
<tr>
<td>Street Frontage</td>
<td>100' min. (ESMC § 15-5G-6(E))</td>
<td>745' min. (Sepulveda Blvd.) 1,080' min. (Rosecrans Avenue)</td>
</tr>
<tr>
<td>Building Height</td>
<td>65' max. (ESMC § 15-5G-6(C))</td>
<td>64.5' max.</td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>25' min. (ESMC § 15-5G-6(D))</td>
<td>96' min. (Rosecrans Avenue)</td>
</tr>
<tr>
<td>Side (Interior)</td>
<td>0' min.</td>
<td>80' min.</td>
</tr>
<tr>
<td>REQUIREMENTS</td>
<td>PROPOSED C-4 ZONE STANDARDS</td>
<td>PROJECT</td>
</tr>
<tr>
<td>--------------</td>
<td>-----------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>(Street Side)</td>
<td>25' min. (ESMC § 15-5G-6(D))</td>
<td>93' min. (Sepulveda Blvd.)</td>
</tr>
<tr>
<td>Rear (Interior)</td>
<td>10' min. (ESMC § 15-5G-6(D))</td>
<td>780' min.</td>
</tr>
<tr>
<td><strong>Landscaping</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Vehicular Use Area (VUA)</td>
<td>5% of VUA (ESMC § 15-2-14(B))</td>
<td>23% min.</td>
</tr>
<tr>
<td>b) Building Perimeter</td>
<td>5' min. (ESMC § 15-2-14(B))</td>
<td>5' min.</td>
</tr>
<tr>
<td>c) Property Perimeter</td>
<td>Fully Landscaped (ESMC § 15-2-14(B))</td>
<td>Fully Landscaped</td>
</tr>
<tr>
<td><strong>Parking Spaces</strong></td>
<td>576 spaces (ESMC § 15-15-6(A))</td>
<td>645 spaces</td>
</tr>
<tr>
<td><strong>Loading Spaces</strong></td>
<td>6 small truck and 1 large truck (ESMC § 15-15-7(C))</td>
<td>6 small truck and 1 large truck with restricted loading/delivery hours</td>
</tr>
<tr>
<td><strong>Fencing</strong></td>
<td>6' max. height for retaining walls containing fill and 6' max. height for walls on top of retaining walls (ESMC § 15-2-4(B))</td>
<td>12' max. height for retaining wall with 42&quot; open work fence on top</td>
</tr>
</tbody>
</table>

* The applicant has requested an adjustment to allow restricted loading/delivery hours from 6:00 a.m. to 10:00 a.m.
** The applicant has requested a variance to allow retaining walls containing fill to up to 12 feet in height with an additional 42-inch open work fence on top.

Although minor changes may be made to the final building locations and configurations on the proposed site plan, conformance with all of the development standards will be required prior to the issuance of each building permit.

As discussed in the Development Agreement subsection above, the approved Development Agreement and its proposed amendment will also provide additional land use controls on the mix of tenant and building sizes and the number and location of various types of restaurants. These additional requirements are consistent with the C-4 zoning regulations.

**VIII. Environmental Review/The Certified EIR and Addendum**

On March 1, 2005, the City Council certified the Final Environmental Impact Report and adopted a Mitigation Monitoring Reporting Program. The City Council conducted
a separately noticed public hearing on the project after the completion of the response to comments and completion of the FEIR.

Structure of Certified Program/Project EIR

The FEIR was structured as a Program EIR and a Project EIR in one document. The Sepulveda/Rosecrans Site Rezoning is analyzed at a “program level,” in accordance with the requirements of CEQA. Since there are number of factors that could not be studied in sufficient detail to conduct a “project level” review of the entire proposed 850,000 square foot project, the Program EIR included a review of the issues that could be fully addressed, and establishes a mechanism (called “Subsequent Environmental Documentation”) for determining what additional information will have to be provided and studied in order for a “project level” review to be conducted.

All of the environmental conditions associated with development on the Plaza El Segundo project could be analyzed. Therefore, a “project level” review was prepared for that portion of the Sepulveda/Rosecrans Site Rezoning.

The FEIR also included an analysis of alternatives to the proposed Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo Development projects. The alternatives include a No Project Alternative, a Reduced Traffic Generation Commercial Alternative, and an Alternative Land Use (Industrial) Alternative. For the Sepulveda/Rosecrans Site Rezoning, an additional Rezoning of the Plaza El Segundo Development Site Only Alternative is also included in the Draft EIR. The City Council adopted the Reduced Traffic Generation Alternative. The Reduced Traffic Generation Alternative placed a trip cap on the project. The trip cap limits the number of project generated vehicle trips and ensures that no matter the mix of commercial, restaurant and other uses permitted in the C-4 Zone that are ultimately developed on the project site, the traffic impacts would not exceed the levels evaluated in the EIR. The City Council adopted a Statement of Overriding Considerations on March 1, 2005 for the Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo Development Reduced Traffic Generation Alternative.

Addendum to the FEIR

The addendum to the FEIR for the proposed 2013 revised project analyzed the proposed amendment to the Plaza El Segundo Development project that would add an additional 4,988 acres to the project and increase the size of the original 425,000 square-foot development by 73,442 square feet (or 49,613 square feet to what was studied in the 2008 Addendum to the FEIR and approved by the City) for a total of 498,442. The previously approved size for the Plaza El Segundo Development Phase 1B studied in the Addendum to the FEIR for the 2008 Revised Project was 448,829. The addendum determined that there would be no new, or substantially more severe, significant impacts than the impacts originally identified in the FEIR. However, the previously adopted Statement of Overriding Considerations must be readopted by the City Council stating the specific reasons why the project’s benefits outweigh its significant environmental impacts. Planning staff recommends that the Planning Commission find that the overriding benefits of the project outweigh the environmental impacts and recommend to the City Council readopt the Statement of Overriding
Considerations as required by CEQA. A complete environmental analysis is provided in the attached Addendum to the EIR (Exhibit 4). The adopted Mitigation Monitoring and Reporting Program is attached (Exhibit 1B).

Public Comments

No comments have been received from the public or other agencies regarding the Addendum to the FEIR, the Development Agreement amendment, the Zone Text Amendment, the Adjustment, the Variance, the Administrative Use Permit or the proposed modifications to the conditions of approval as of the issuance of this staff report.

IX. Application Findings

In order to approve the project, the City Council must take certain actions related to the proposed project. The Planning Commission’s responsibility is to make recommendations to the City Council related to the CEQA, Zone Text Amendment, Development Agreement, Adjustment, Variance, and Administrative Use Permit applications. The required findings for each application are included in the attached draft resolution (Exhibit 1).

X. Conclusion

Staff recommends that the Planning Commission recommend that the City Council approve the proposed project, subject to the conditions contained in Draft Resolution No. 2736.

XI. Exhibits

1. Draft Planning Commission Resolution No. 2736 and Attachments (Exhibit A: Addendum to the FEIR (under separate cover); Exhibit B: Ordinance Including Development Agreement and Attachments; Exhibit C: Conditions of Approval)
2. Conditions of Approval Adopted in 2005
3. Mitigation Measures (MMRP)
4. Plans

Prepared by: Paul Samaras, Principal Planner & Kimberly Christensen, Planning Manager

Kimberly Christensen, AICP, Planning Manager
Planning and Building Safety Department

Sam Lee, Director
Planning and Building Safety Department

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RESOLUTION NO. 2736

A RESOLUTION RECOMMENDING APPROVAL OF AN ADDENDUM TO A FINAL ENVIRONMENTAL IMPACT REPORT FOR ENVIRONMENTAL ASSESSMENT NO. EA-993; DEVELOPMENT AGREEMENT AMENDMENT NO. DA 12-03; ZONE TEXT AMENDMENT NO. 12-04; ADJUSTMENT NO. ADJ 13-03; VARIANCE NO. VAR 13-01; ADMINISTRATIVE USE PERMIT NO. AUP 13-04; AND MODIFICATIONS TO CONDITIONS OF APPROVAL FOR THE PLAZA EL SEGUNDO DEVELOPMENT PROJECT (REDUCED TRAFFIC GENERATION ALTERNATIVE).

The Planning Commission of the City of El Segundo does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

A. On March 15, 2005, the City Council approved a development known as Plaza El Segundo. Approvals for that development were subsequently amended to allow for different types of uses including, among others, Health Clubs and Fitness Center (2007); Health/Skin Care and automobile sale uses (2008); fast food restaurants, banks, dance/music studios (2009); and medical and dental offices (2010);

B. On August 23, 2012, Street Retail, Inc. filed applications for an Environmental Assessment (EA-993), a Zone Text Amendment (ZTA 12-04), and a Development Agreement (DA 12-03), to add 4,988 acres to the approximately 8.1-acre property at the northeast corner of Sepulveda Boulevard and Rosecrans Avenue (Phase 1B Project Site); to increase the size of the previously approved shopping center by 49,613 square feet; a Zone Text Amendment to add permitted uses and signs to the Commercial Center (C-4) Zone that are permitted in the approved Development Agreement; a Zone Text Amendment to increase the permitted size of general office uses in the Commercial Center (C-4) Zone (ESMC § 15-5G-2(B)) from 5,000 to 28,735 gross square feet (including the existing general office area in Phase 1A); a modification to Development Agreement § 4.1.3 to allow fast food restaurants within 90 feet of Sepulveda Boulevard and Rosecrans Avenue; a modification to Development Agreement § 4.2.2 to remove the size limitations for retailers in the "Smaller Tenant Standards" for the Phase 1B Project;

C. On June 20, 2013, Street Retail, Inc. amended its applications and filed additional applications requesting: an Adjustment (ADJ 13-03) to allow: a) a curb cut width of 65'-7" and a driveway width of 33'-5" on Sepulveda Boulevard and a curb cut width of 76'-7" and a driveway width of 62'-11" on Rosecrans Avenue where a maximum of 30 feet in width is permitted (ESMC § 15-15-5(O)(1)); b) a curb cut that is located a distance of zero
feet from the eastern property line where a minimum of five feet is required (ESMC § 15-15-5(O)(2)); and c) shared use of one large truck and 6 small truck loading spaces for public/employee parking after 10:00 a.m. (ESMC § 15-5-7(A)(1)); 2) a Variance (VAR 13-01) to allow construction of a retaining wall in excess of 6 feet to a maximum height of 12 feet, with a 42' cable fence on top and to allow fill in excess of 6 feet to a maximum height of 12 feet (ESMC § 15-2-4(B)(3)); 3) an Administrative Use Permit (AUP 13-04) to allow a Master Administrative Use Permit to allow the sale of beer, wine and alcohol at 6 eating establishments and 5 kiosks for a total of 28,764 square feet of indoor floor area and a total of 5,912 square feet of outdoor dining area for a maximum total of 34,676 square feet of dining area. (ESMC § 15-5G-4); and 4) modification to conditions of approval. If these matters are approved, the applicant proposes to develop a 119,613 square foot shopping center, known as The Point;

D. The applications from Street Retail, Inc. (collectively, the “project”) were reviewed by the City’s Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the El Segundo Municipal Code (“ESMC”);

E. In addition, the City reviewed the project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., “CEQA”), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, et seq., the “CEQA Guidelines”), and the City’s Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993);

F. The Planning and Building Safety Department completed its review and scheduled a public hearing regarding the project before the Planning Commission for August 15, 2013;

G. On August 15, 2013, the Commission opened a public hearing to receive public testimony and other evidence regarding the applications including, without limitation, information provided to the Commission by City Staff, public testimony, and representatives of Street Retail, Inc.;

H. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its August 15, 2013 public hearing including, without limitation, the staff report submitted by the Planning and Building Safety Department.

SECTION 2: Factual Findings. The Commission finds that the following facts exist:

A. The project is proposed on an approximately 13.05-acre site located in the southern portion of the City of El Segundo. The project site is comprised of
1 parcel. The entire subject property is roughly bounded by the Union Pacific Railroad to the north, Air Products property to the east, Rosecrans Avenue to the south, and Sepulveda Boulevard to the west.

B. The majority of the site was historically devoted to industrial chemical manufacturing facilities. Honeywell International, Inc. and General Chemical had operational facilities on the site until 2003. At that time the facilities were closed and demolished for resale and reuse. Remediation activities for on-site soil contamination are underway on the Honeywell International and General Chemical properties.

C. The 13.05-acre project site ("Plaza El Segundo Project Site Phase 1B") has a Commercial Center land use designation and the zoning designation is the Commercial Center (C-4) Zone. The FAR for the Commercial Center land use designation is 0.275:1 and would permit up to 156,326 square feet of commercial shopping center development. The proposed project includes approximately 119,613 square feet of commercial shopping center development.

D. The proposed Plaza El Segundo Project Site Phase 1B would be constructed on approximately 13.05 gross acres within the Sepulveda/Rosecrans Site Rezoning and would implement proposed new C-4 zoning on that portion of the site. The proposed Plaza El Segundo Project Site Phase 1B would be located south of the Union Pacific Railroad tracks at the northeast corner of Sepulveda Boulevard and Rosecrans Avenue.

E. The proposed Plaza El Segundo Project Site Phase 1B is a shopping center of approximately 119,613 square feet. It would include the addition of 49,613 square feet to the Plaza El Segundo project for a total of 498,442 square feet. The Plaza El Segundo Project Site Phase 1B shopping center would contain retail and other commercial uses which could include specialty retail, home furnishings, electronics, a spa, health and/or skin care uses, apparel and accessories, sales of automobiles and automobile accessories and parts, offices, and a variety of sit-down restaurants, and limited fast food restaurants excluding drive through restaurants.

F. The proposed shopping center would consist of several one- and two-story buildings with a maximum height of 65 feet. All development within the proposed Plaza El Segundo would conform to C-4 development standards excepting the development standards specified in the variance and adjustment requests.

G. The proposed FAR for this development is 0.193:1 based on 119,613 gross square feet of development on 13.05 net acres.
H. The proposed C-4 Zone would provide for the transfer of density rights within the development area to insure that the overall density of the site is consistent with the C-4 Zoning. Any donor parcels for FAR purposes will have covenants recorded stating the maximum FAR permitted on the parcel.

I. Primary ingress and egress to the proposed addition to the Plaza El Segundo development would be provided from Sepulveda Boulevard via a driveway approximately 660 feet north of the intersection of Sepulveda Boulevard and Rosecrans Avenue and via a signalized driveway at Village Drive approximately 900 feet east of the intersection of Sepulveda Boulevard and Rosecrans Avenue. An approximately 150 to 200-foot deceleration lane will be provided for the Sepulveda Boulevard driveway. An approximately 130-foot deceleration lane will be provided for the Rosecrans Avenue driveway.

J. An underground stormwater system would be constructed within the proposed 13.05-acre site to detain storm water runoff that would connect to the on-site detention basin in the northeast corner of the site. The proposed Plaza El Segundo Project Site Phase 1B would connect into the existing water and sewer lines.

K. Parking for the proposed 13.05 acre portion of the Plaza El Segundo development is proposed to be located in surface parking lots that will surround the proposed shopping center buildings. Based on a total of 63,379 square feet of commercial/retail space, 32,576 net square feet of restaurant floor area, and 27,740 square feet of offices, 576 parking spaces are required. The developer proposes to provide 645 parking spaces, which exceeds the City's parking requirements.

L. An amendment to the previously approved Development Agreement for the Plaza El Segundo Project Site Phase 1B includes modifications to the project site boundary and an addition of 4.988 acres, an increase in the allowable building square footage by 49,613 square feet; a modification to Development Agreement § 4.1.3 to allow fast food restaurants within 90 feet of Sepulveda Boulevard and Rosecrans Avenue; a modification to Development Agreement § 4.2.2 to remove the size limitations for retailers in the “Smaller Tenant Standards” for the Phase 1B Project.

SECTION 3: Environmental Assessment. The Planning Commission makes the following environmental findings:

A. The City Council certified a Final EIR (FEIR) on March 1, 2005 for the Plaza El Segundo project.
B. The City reviewed the project and prepared an Addendum to the FEIR pursuant to CEQA Guidelines § 15090. A true and correct copy of the Addendum is attached as Exhibit "A," and incorporated by reference. None of the conditions in CEQA Guidelines § 15162 requiring a subsequent or supplemental EIR are present. No new significant effects will result from the revised project. No significant effects previously examined will be substantially more severe than shown in the FEIR in accordance with CEQA Guidelines § 15164(a).

C. The Addendum was not circulated for public review, but will be included in or attached to the FEIR in accordance with CEQA Guidelines § 15164(c).

D. In accordance with CEQA Guidelines § 15164(e), the Addendum includes an explanation of the decision not to prepare a subsequent EIR pursuant to CEQA Guidelines § 15162 and the explanation is supported by substantial evidence.

E. In accordance with CEQA Guidelines §§ 15090 and 15164(d) the Addendum reflects the City's independent judgment and analysis and was considered with the FEIR before the Planning Commission considered the project. The Addendum is an accurate and complete statement of the environmental impacts of the project. The Addendum to the FEIR was prepared under the direction of the City of El Segundo Planning and Building Safety Department and reflected the independent judgment and analysis of the environmental impacts of the project.

F. In accordance with § 15091 of the CEQA Guidelines, the record on which the Planning Commission's findings are based is located at the Planning and Building Safety Department, City of El Segundo, 350 Main Street, El Segundo, California 90245. The custodian of records is the Director of Planning and Building Safety.

G. The Planning Commission finds that all mitigation measures now incorporated into the project are desirable and feasible. The Planning Commission recommends that the City Council certify the Addendum.

H. Because of the facts identified in this Resolution, the Addendum shows that a Statement of Overriding Considerations will be required in order for the project to be approved.

SECTION 4: General Plan. The proposed project conforms with the General Plan as follows:

A. The General Plan contains a number of relevant Goals, Objectives, and Policies in the Economic Development Element. The goal of Objective ED1-1 is building "support and cooperation among the City of El Segundo
and its businesses and residential communities for the mutual benefits derived from the maintenance and expansion of El Segundo's economic base." The benefits of the development will be shared and supported by all constituencies in the City. The development will provide significant fiscal benefit to the City by generating additional business license and sales tax revenue for the City's General Fund.

B. According to Policy ED1-1.2, long-run efforts for economic development should focus on "diversification of El Segundo's economic base in order to meet quality of life goals." The project will add to the diversification of the economic base in the City by providing for new larger format retail uses that do not currently exist in the City. Therefore, these uses will meet quality of life goals by benefiting the residential and business communities with more diverse retail uses not currently available in the City.

C. Objective ED1-2 also directs diversification of the economic base "on targeted industries that meet the City's criteria for job creation, growth potential, fiscal impact and fit with local resources." The City's Economic Development Advisory Council (EDAC) prepared a list of targeted industries, which was approved by the City Council. These industries are eligible for certain financial incentives because they meet the criteria described in Objective ED1-2. The retail and restaurant uses would be on the list of targeted industries that the City is recruiting in order to meet its diversification efforts. Therefore, the proposed project does meet the diversification criteria established in the General Plan, by the EDAC, and the City Council.

D. Due to the City's tax structure, a significant portion of the fiscal benefit derived from most proposed development would be attributed to the number of employees in a new development. The Sepulveda/Rosecrans Site Rezoning is proposed to generate approximately 1,904 full time jobs in El Segundo when fully developed. Of these, approximately 952 jobs would be more immediately generated by the development of the Plaza El Segundo portion of the development and 200 additional jobs from the development of the Plaza El Segundo Project Site Phase 1B for a total of 1,152 jobs. Currently there is virtually no permanent employment on the Plaza El Segundo Project Site Phase 1B. Therefore, the project meets the job creation Objective (ED1-2) in the General Plan.

E. Policies ED1-2.1 and ED1-2.2, both seek to promote land uses, which improve the City's retail and commercial tax base. The stated purpose of the Commercial Center Land Use Designation is to provide for retail and other commercial services which provide a fiscal benefit to the City. The Fiscal Impact Analysis for the Plaza El Segundo development concluded that the project could generate an estimated annual marginal fiscal benefit

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(project versus existing conditions) of approximately $1,980,000 in the first year rising to $2,413,241 in the eighth year of operation.

F. The proposed project meets the City’s policy of seeking balance between enhanced economic development and available resources and infrastructure capacity (Policies ED1-2.3 and LU7-1.2). As adequate resources are currently available within the City to serve the proposed project or will be developed as part of the project, as supported by the certified FEIR and the addendum to the FEIR, a substantial new commitment of resources or infrastructure is not required. The project also proposes several roadway improvements to ensure that the project would not overburden the existing roadway infrastructure. Based on this, the proposed project is consistent with Policy ED1-2.3.

G. Implementation of the proposed project will meet relevant goals and policies with regard to the Land Use Element. The project will help the tax base through the development of new commercial uses without adversely affecting the viability of downtown (Goal LU4). The types of products and services expected to be provided for the most part are not already available in El Segundo. The Plaza El Segundo Project Site Phase 1B is likely to include specialty retail, home furnishings electronics, a spa, health and/or skin care services, apparel and accessories, sales of automobiles and automobile accessories and parts, and other merchandise in stores which will be able to provide a different range of products than the smaller stores in downtown.

H. Objective LU4-1 encourages high quality retail facilities in proximity to major employment centers. The Plaza El Segundo Project Site Phase 1B is adjacent to the 2,000,000 square-foot Continental Park office development, the 2,000,000 square-foot Raytheon campus and other office buildings along the Rosecrans Avenue commercial corridor. The proposed project will provide additional services to these employment centers.

I. The project will be conditioned to require maintenance and permanent upkeep on all the landscaping developed in conjunction with the project as required by Policy LU4-1.1.

J. Any development on the Plaza El Segundo Project Site Phase 1B would be required to meet all health and safety and environmental regulations and would be built to meet all current seismic safety standards, as overseen by the Building Safety Division. The appropriate regulatory agencies, including the Regional Water Quality Control Board (LARWQCB) would be required to approve remediation of the existing soil and water contamination on the Plaza El Segundo Project Site Phase 1B.
The LARWQCB determines what level of contaminants are acceptable to allow construction at the subject site (Policy LU4-1.2 and Policy LU4-1.4).

K. Any proposed development would comply with all the zoning regulations and development standards for the C-4 Zone (Policy LU4-2.1).

L. Although the Plaza El Segundo Project Site Phase 1B is not located within a quarter-mile of a Green Line Station, two are located within relatively close proximity. The Douglas/Rosecrans Station is located approximately 0.4 miles east and El Segundo/Nash Station is located approximately 0.5 miles north (Policy LU4-4.4) which will help encourage transit ridership to the project.

M. The development of the Plaza El Segundo Project Site Phase 1B would allow for the development for a blighted former industrial/chemical use area into a new shopping/retail opportunity for the surrounding area. This redevelopment would occur through the combined efforts of the City of El Segundo and private applicants and would conform to the new C-4 development standards (Objective LU5-3).

N. The Plaza El Segundo Project Site Phase 1B is only partially served by water and sewer lines. Additional facilities will be installed as development is approved on a project by project basis (Policy LU7-1.2).

O. As development on the site is approved, stormwater detention basin(s) would be required to contain the stormwater runoff. The size of these basin(s) would depend on the size of the individual developments and would be determined through completing a hydrology study (Policy LU7-1.4).

P. All new on-site utilities required for development(s) on the Plaza El Segundo Project Site Phase 1B will be placed underground with the construction of the individual project (Policy LU7-2.3).

Q. Landscaping, in compliance with the development standards for the Commercial Center (C-4) Zone, would be required for any development on the Plaza El Segundo Project Site Phase 1B (Policy 7-2.5).

R. The proposed project will be required to have strategic safety plans and a fire life safety plan in place (Policy LU 7-1.1 and Policy LU 7-1.2). All on-site utilities will be placed underground (Policy LU7-2.3).

S. Access to development on the Plaza El Segundo Project Site Phase 1B would be provided from Sepulveda Boulevard and Rosecrans Avenue. This would allow emergency vehicle access to the site from two sides of the subject property (Policy C1-1.10).
T. The Plaza El Segundo Project Site Phase 1B will include the widening of Sepulveda Boulevard on the east side of the street to provide acceleration and deceleration lanes to serve the project. The developer will dedicate provide an easement for the lane widening (Policy C1-1.14).

U. The Plaza El Segundo Project Site Phase 1B will include the widening of Rosecrans Avenue on the north side of the street east of Village Drive for approximately 130 feet to provide to provide a dedicated right-turn only deceleration lane to serve the project. The developer will dedicate property or provide an easement for the lane widening (Policy C1-1.14).

V. The Plaza El Segundo Project Site Phase 1B will include either the widening of Rosecrans Avenue on the north side of the street to provide a bicycle path to serve the project or provide an easement. The developer will dedicate property for the lane widening or provide an easement for the bicycle path (Policy C1-1.14).

W. The Traffic Study for the proposed Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo Development was conducted in June 2004. This traffic study analyzed the potential traffic related impacts associated with the full buildout of the Sepulveda/Rosecrans Rezoning Site under the new C-4 Zone and recommended mitigation measures as required by Policy C1-1.14. A trip generation study in compliance with the adopted mitigation measures was prepared on May 23, 2013 and amended on July 8, 2013. That Study analyzed the trip generation of the Plaza El Segundo development and the trip generation for the additional proposed development of 49,613 square feet (Plaza El Segundo Project Site Phase 1B). The Study determined that the number of vehicles trips would be less than the maximum number of trips allowed under the adopted Plaza El Segundo Reduced Traffic Generation Alternative Development project. The proposed Plaza El Segundo Project Site Phase 1B combined with the Plaza El Segundo Development project would generate 452 am peak period trips and 1476 pm peak period trips and would remain below the maximum permitted number of 779 am peak period trips and 1,477 pm peak period trips.

X. Development of the Plaza El Segundo Project Site Phase 1B would include landscaping, internal walkways and other amenities (e.g., pedestrian benches, and gathering places) which would facilitate pedestrian movements and ensure that any future uses were accessible and visitor friendly (Policy C2-1.3).

Y. Development on the Plaza El Segundo Project Site Phase 1B would incorporate sidewalks along project boundaries and any new roadways (Policy C2-1.4).
Z. The Plaza El Segundo Project Site Phase 1B will have sidewalks around the project boundaries and other internal pedestrian walkways with linkages to surrounding properties and public transit stops (Policies C2-1.3, C2-1.6, and C2-3.3).

AA. While future development projects on the Sepulveda/Rosecrans Rezoning Site, other than the Plaza El Segundo Development, are currently unknown, most projects of this type provide on-site amenities such as internal bicycle lanes or pathways that lead to the adjacent roadway system, bicycle racks or lockers that are distributed throughout the site and on-site shower facilities and clothes lockers for employees. It is therefore, assumed that future developments on the Sepulveda/Rosecrans Rezoning Site would provide these types of amenities (Policy C2-2.2). In addition to the Plaza El Segundo development, the Plaza El Segundo Project Site Phase 1B will be required to provide bicycle racks and lockers that are distributed throughout the site.

BB. The proposed project will adhere to any applicable regulations regarding preferential parking areas or promotion of ride share (Policy C2-5.1). The proposed project will provide sufficient on-site parking and loading (Policy C3-2.1 and C1-3.2) as required by the El Segundo Municipal Code.

CC. Parking would be provided on the proposed Plaza El Segundo Project Site Phase 1B in accordance with the City of El Segundo’s parking requirements for the Commercial Center (C-4) Zone (Policy C3-2.1).

DD. Policy C3-1.1 requires all project-related transportation impacts to be mitigated, where feasible, by the developer. The traffic impact study identified a number of intersections in the City that would require mitigation and identified mitigation measures to address the traffic impacts. However, because two of the proposed mitigation measures are infeasible due to right-of-way constraints, not all traffic impacts can be mitigated to an insignificant level. In order for the City Council to approve the project with significant impacts, the City Council must adopt a Statement of Overriding Considerations finding that there are positive aspects of the project, that when taken as a whole, outweigh the unavoidable negative environmental impacts.

EE. The proposed project includes the development of an outdoor private recreational facility, specifically a large landscaped plaza with outdoor seating in conjunction with non-residential development consistent with Policy OS1-2.5. This would expand the recreational opportunities for residents and employees in the City (Goal OS1 and Objective OS1-2).
FF. The construction of infrastructure to accommodate the use of reclaimed water for irrigation systems, when available, and the application of the City’s Water Conservation in Landscape regulations (ESMC Chapter 10-2), as required by mitigation measures M.2-4, M.2.5, M.2.6, M.2-10, M.2-13, and M.2-16 and Condition of Approval No. 8, would be consistent with and further Policies CN2-5, CN2-7, CN2-12.

GG. All development on the Plaza El Segundo Project Site Phase 1B would be required to include a comprehensive and coherent design for the development, including landscaping and amenities, in order to improve the existing aesthetic appearance of the site (Policy CN2-7).

HH. All development on the Plaza El Segundo Project Site Phase 1B would be required to include facilities capable of holding stormwater runoff resulting from the development. Additionally, reclaimed water would be used to the extent possible in the irrigation of the landscaping (Policy CN2-11).

II. All development on the Plaza El Segundo Project Site Phase 1B would be required to utilize reclaimed water for landscaping to the extent feasible (Policy CN2-12).

JJ. The project would provide a comprehensive and coordinated design of the entire project site, including landscape amenities to substantially improve the aesthetic appearance of the site and the surrounding area as encouraged by Policy CN5-6.

KK. The project has been identified and is currently under Los Angeles Regional Water Quality Control Board (LARWQCB) orders to remediate soil and groundwater contamination as contemplated by Goal CN3 and Policy CN3-2 to protect groundwater from contamination.

LL. The implementation of transportation demand management programs, as required by Mitigation Measure L-8 (bike, rideshare matching, and transit options), and as required by Chapters 15-16 and 15-17 of the El Segundo Municipal Code will demonstrate compliance with air quality objectives to encourage alternative commuting strategies (AQ1-1), reduce vehicle trips (AQ3-1.1, AQ3-1.2), and promote non-motorized transportation (AQ4-1.1).

MM. Approximately $879,452 in Traffic Impact Mitigation Fees must be paid to the City to offset development impacts (AQ5-1.2) related to the project. Approximately $800,000 in costs for on-site and off-site traffic mitigation will also be incurred by the developer for the Plaza El Segundo development Phase 1B project.
NN. The Phase 1B project will implement a number of traffic improvements, as required by mitigation measures L-17, L-18 and L-19 which will improve traffic flow (Policy AQ 7-1.1, AQ 7-2.1).

OO. Mitigation measure M.5-1 provides that the proposed project will incorporate energy conservation devices (i.e., motion-sensitive light activation switches, etc.) consistent with City (Policy AQ12-1.2).

PP. Implementation of the proposed project, subject to mitigation measures I-1, I-2, I-3, I-4, and I-5 which address construction hours, equipment mufflers, construction equipment staging, and noise barriers, will be consistent with relevant policies of the City's Noise Element (Policies N1-2.1, N1-2.1B, N1-2.1C, N1-3.1, N1-3.5, and Program N1-2.1A).

QQ. The development on the proposed Project Site Phase 1B will end eighty years of industrial use on the property which will significantly reduce the quantity of many hazardous materials that have been handled on the site (Objective PS3-1).

RR. The developer will remediate soil and groundwater contamination under the authority of the LARWQCB (Policy PS4-1.1).

SS. Public Safety Element Policy PS6-1.2 to continue efforts to reduce fire hazards would be furthered by preparation of fire life safety plans (mitigation measures K1-2, K1-5, K.1-7, and K-1.10) and the reduction of fire prone industrial facilities.

TT. As required by mitigation measures K1-3 and K.1-8, fire access roads will be provided throughout the proposed 13.05-acre project site (Policy PS6-1.2E).

UU. As a re-use of a previously developed industrial site, that will be remediated to the satisfaction of the appropriate regulatory agencies and will not pose any health hazard to employees, patrons or visitors to the site, the project is consistent with Policy HM3-1.1 requiring compliance with hazardous materials handling laws. Mitigation measures G-1 and G-2 will ensure that site contamination is remediated.

SECTION 5: Zone Text Amendment Findings. The draft ordinance set forth in attached Exhibit "B," and incorporated by reference, would (in part) amend the Commercial Center (C-4) development standards relating to permitted uses and signs (the "Ordinance"). In accordance with ESMC § 15-26-4 and based on the findings set forth in this Resolution, the Ordinance is consistent with the goals, policies, and objectives of the General Plan as follows:
A. It is consistent with the purpose of the ESMC, which is to serve the public health, safety, and general welfare and to provide the economic and social advantages resulting from an orderly planned use of land resources.

B. It is necessary to facilitate the development process and ensure the orderly development of the project.

SECTION 6: Development Agreement Findings. Pursuant to City Council Resolution No. 3268, adopted June 26, 1984, the Planning Commission finds that:

A. As set forth in Section 4, the project is consistent with the General Plan. The Amendment to the Development Agreement would provide the following public benefits in exchange for valuable development rights (eleven-year entitlement and 5-year extension):

1. Development of a property that is currently vacant and underutilized.
2. Increasing and further stabilizing the City's tax base through development of new commercial businesses.
3. Increase in employment opportunities for the City's residents.
4. Increasing the diversity of retail uses and services in the City.
5. Increasing City revenues through the generation of taxes that outweigh the City cost of services.
6. Development of a project that is consistent with the Elements of the General Plan.
7. The Plaza El Segundo Development project reduced the maximum permitted floor area ratio on the property from 0.6:1 to 0.275:1. The floor area ratio of the proposed Phase 1B project would be 0.193, which is below the maximum 0.275:1 allowed.
8. Improvements to roadways and intersections in the project vicinity.
9. Expansion of the planned ITS network to make it even more effective in relieving congestion.
10. Contribution of approximately $133,354 in police, fire, and parks mitigation fees to offset the impacts of the project on public services.
11. Contribution of approximately $879,452 in traffic impact mitigation fees to offset the impacts of the project on public roadway infrastructure.

B. Following implementation of the proposed Zone Text Amendment, the project is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located. These uses and development standards are similar and compatible with the other commercially zoned districts in the City.
C. The project conforms with the public convenience, general welfare and good land use practice. The Plaza El Segundo Development project permits a lower floor area ratio than allowed under the prior M-2 zoning (0.275:1 vs. 0.6:1). The floor area ratio of the proposed Phase 1B project would be 0.193, which is below the maximum 0.275:1 allowed. The project would facilitate constructing public roadways, through an irrevocable offer to dedicate land for public roadway purposes. The project would also be designed to support and encourage public transportation uses and contribute to the continued diversification of the southeast quadrant of the City by providing a broad range of commercial uses.

D. The project will not be detrimental to the health, safety and general welfare. The proposed project will not create any negative environmental impacts, with the exception of traffic, operational and temporary construction-related air quality, and temporary construction-related noise impacts, and cumulative solid waste and traffic impacts. The City Council is responsible for determining if there are overriding considerations, which outweigh the identified unavoidable environmental consequences of the project.

E. The project will not adversely affect the orderly development of property or the preservation of property values. The Commercial Center (C-4) Zone development standards and development agreement will ensure that the project will be developed in an orderly fashion. All mitigation measures will be implemented at the time and place impacts occur.

F. The project would also be designed to support and encourage public transportation uses and contribute to the continued diversification of the southeast quadrant of the City.

SECTION 7: Adjustment Findings. Pursuant to ESMC § 15-24-4, the Planning Commission finds as follows:

Curb-cuts and Driveways That Exceed ESMC Maximum Allowed Widths

A. The proposed adjustment would not be detrimental to the neighborhood or district in which the property is located.

The project is located in the C-4 (Commercial Center) Zone which is intended to provide for developing commercial establishments serving the city and surrounding area. The area surrounding the site is urbanized and developed with large scale commercial and office centers. The proposed curb-cut and driveway widths are consistent with other large scale commercial and office sites in the surrounding area. The proposed curb-cut and driveway widths are intended to facilitate access to and from the site to accommodate large volumes of vehicle traffic. The curb cut on
Rosecrans Avenue is proposed to be 76'-7" wide and the driveway at Rosecrans Avenue and Village Drive is proposed to be 62'-11" wide designed to accommodate three lanes exiting the project site (right out only; through/right combination; and left turn only) and two lanes entering the project site. The two lane entrance is necessary to accommodate the double-left turn lane into the project from eastbound Rosecrans Avenue. Additionally, the driveway entrance to the site at Rosecrans Avenue and Village Drive is a signalized intersection and effectively operates like a roadway rather than as a driveway. The curb cut on Sepulveda Boulevard would be 65'-7" wide and the driveway on Sepulveda would be 33'-5" wide (two lanes), with right-in and right-out only access. The curb cut and driveway widths are provided to accommodate a new deceleration lane and right-in, right-out driveway entrance to meet needed traffic safety requirements. Therefore, the proposed driveway and curb cuts are necessary to reduce potential traffic-related impacts to the subject site and surrounding properties in the neighborhood.

B. The proposed adjustment is necessary in order that the applicant may not be deprived unreasonably in the use or enjoyment of his property.

The project is located in the Commercial Center (C-4) Zone which is intended to provide for developing a regional shopping center with commercial establishments that serve the city and surrounding area. The project involves the expansion of a regional shopping center designed to an FAR of .193, which is below the maximum floor area allowed in the C-4 Zone (0.275). The shopping center will need to accommodate a high volume of daily vehicular traffic. As a result, the project includes features such as deceleration lanes at both entrances to the site and multiple entry and exit lanes to and from the site. The proposed curb-cut and driveway widths at the site access points are necessary to accommodate the expected volumes of daily traffic and the existing intersection design at Rosecrans Avenue and Village Drive.

C. The proposed adjustment is consistent with the legislative intent of this title. The project is located in the C-4 (Commercial Center) Zone which is intended to provide for developing commercial establishments serving the city and surrounding area.

The proposed project involves the expansion of an existing regional shopping center and the proposed curb-cut and driveway widths will facilitate the operation and reduce the traffic impacts of the subject shopping center. Therefore, the proposed curb-cut and driveway widths are consistent with the C-4 Zone’s intent. In addition, the intent of the zoning regulations (ESMC Title 15) is to serve the public health, safety, and general welfare and to provide the economic and social advantages resulting from an orderly planned use of land resources. The proposed
curb-cut and driveway widths are consistent with this legislative intent, in that they will facilitate the operation, increase traffic safety and reduce the traffic impacts of the subject shopping center.

**Shared Use of Loading Spaces as Parking Spaces**

A. The proposed adjustment would not be detrimental to the neighborhood or district in which the property is located.

The project involves construction and operation of a regional shopping center in the Commercial Center (C-4). The project will provide an adequate number and size of loading spaces for the anticipated uses on site. The proposed restrictions on loading hours from 6:00 a.m. to 10:00 a.m. will not conflict with the hours of operation of the uses onsite. The hours of operation for the subject shopping center will start generally after 10:00 AM, with the exception of the office uses (27,470 gross square feet) and restaurant uses that may be open for breakfast (up to a maximum of 12,000 gross square feet). In addition, typical loading/delivery operations for retail uses occur between 6:00 a.m. and 10:00 a.m. Therefore, no deliveries are anticipated to occur after 10:00 a.m. at the subject site. Furthermore, the development will be conditioned to post adequate signs (subject to staff review and approval) prohibiting parking in the required loading spaces during the designated loading hours. Deliveries to the project site will take place onsite and will have no impact on neighboring uses and/or properties. The availability of the loading spaces to create 38 additional parking spaces during non-loading hours. The 38 spaces are in excess of the minimum number of required parking spaces and they are located close to the buildings. Their location provides added convenience for shoppers and the additional parking further ensures that adequate parking is provided on-site during business hours to not impact the neighborhood and district in which the property is located.

B. The proposed adjustment is necessary in order that the applicant may not be deprived unreasonably in the use or enjoyment of his property.

The project is located in the Commercial Center (C-4) Zone which is intended to provide for developing commercial establishments serving the City and surrounding area. The project involves the expansion of a regional shopping center. Due to the location and configuration of the site the proposed buildings are located on the west portion of the site and approximately 30% of the required parking spaces are located at least 500 feet away from the proposed buildings. Although the project provides a sufficient number of parking spaces onsite to meet the minimum ESMC requirements, conveniently located, additional parking spaces are necessary for the commercial success of the project. The proposed loading spaces would remain unused after 10:00 a.m., because deliveries
to the retail shopping center will take place between the hours of 6:00 a.m. and 10:00 a.m. Therefore, these loading spaces may be converted to parking spaces after 10:00 a.m. to help meet the project need for conveniently located parking spaces adjacent to the subject buildings.

C. The proposed adjustment is consistent with the legislative intent of this title.

The project is located in the Commercial Center (C-4) Zone which is intended to provide for developing commercial establishments serving the City and surrounding area. The proposed project involves the expansion of an existing regional shopping center. The proposed loading spaces would remain unused after 10:00 a.m., because deliveries to the retail shopping center will take place between the hours of 6:00 a.m. and 10:00 a.m. Therefore, the proposed restrictions on loading hours from 6:00 a.m. to 10:00 a.m. will help provide additional and conveniently located parking spaces adjacent to the proposed buildings. Conveniently located parking spaces are necessary for the commercial success of the subject shopping center. Therefore, the proposed restrictions on loading hours from 6:00 a.m. to 10:00 a.m. are consistent with the intent of the C-4 Zone. In addition, the intent of the zoning regulations is to serve the public health, safety, and general welfare and to provide the economic and social advantages resulting from an orderly planned use of land resources. The proposed restrictions on loading hours from 6:00 a.m. to 10:00 a.m. are consistent with this legislative intent, in that they are necessary for the commercial success of the subject shopping center.

SECTION 8: Variance Findings. Pursuant to ESMC § 15-23-3, the Planning Commission finds as follows:

A. There are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to the other property or class of use in the same vicinity and zone.

The subject site is located in the Commercial Center (C-4) Zone at the northeast corner of Rosecrans Avenue and Sepulveda Boulevard. The existing grade level at the southwest corner of the site slopes significantly away from the corner towards the site interior. Specifically, the grade level at the southwest corner of the site at Rosecrans Avenue and Sepulveda Boulevard is approximately 30 to 35 feet higher than the grade level at the two proposed fill slope retaining wall locations along the north property line adjacent to the Union Pacific Railroad (UPRR) right-of-way and 45 feet higher than the northeast corner of the site. Retaining walls are needed to provide a relatively flat level area for the buildings, the outdoor public plaza and particularly the parking lot areas. The proposed retaining walls
containing up to 12 feet of fill are intended to level the site and facilitate construction of the proposed commercial center and parking lot. Parking lot areas must be designed to not exceed a maximum slope of five (5) percent to comply with ESMC § 15-15-5(E). The parking areas are located around the perimeter of the four proposed buildings with the majority of the parking areas located to the east. The design of the development project is also severely limited by restrictions on the use of the eastern portion of the Phase 1B site due to soil contamination. The use of the property for a parking lot complies with the requirements of the remedial action plan (RAP) reviewed and approved by the Regional Water Quality Control Board. The topographical and environmental conditions are exceptional or extraordinary circumstances or conditions applicable to the property and to the intended use that do not apply generally to the other property or class of use in the same vicinity and zone.

B. The Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone but which is denied to the property in question.

The subject site is located in the Commercial Center (C-4) Zone at the northeast corner of Rosecrans Avenue and Sepulveda Boulevard. The C-4 Zone is intended to provide for developing commercial establishments serving the city and surrounding area. The proposed project would develop a 119,613 square-foot commercial center along with a 645-space parking lot, which requires a relatively flat site. The shopping center is a permitted use and the project does not exceed the maximum allowable Floor Area Ratio or maximum allowed height within the C-4 Zone. The existing grade level at the south west corner of the site slopes significantly away from the corner towards the site interior. Specifically, the grade level at the southwest corner of the site at Rosecrans Avenue and Sepulveda Boulevard is approximately 30 to 35 feet higher than the grade level at the two proposed fill slope retaining wall locations along the north property line adjacent to the Union Pacific Railroad (UPRR) right-of-way and 45 feet higher than the northeast corner of the site. Retaining walls are needed to provide a relatively flat level area for the buildings, the outdoor public plaza and particularly the parking lot areas. The proposed retaining walls containing up to 12 feet of fill are intended to level the site and facilitate construction of the proposed commercial center and parking lot. Parking lot areas must be designed to not exceed a maximum slope of five (5) percent to comply with ESMC § 15-15-5(E). The parking areas are located around the perimeter of the four proposed buildings with the majority of the parking areas located to the east. The design of the development project is also severely limited by restrictions on the use of the eastern portion of the Phase 1B site due to soil contamination. The use of the property for a parking lot complies with the requirements of the remedial action plan (RAP) reviewed and approved by the Regional Water Quality
Control Board. Construction of the parking lot areas would not be feasible without the ability to construct up to a maximum of 12 feet in retaining wall height and to allow up to a maximum of 12 feet of fill in order to meet the maximum parking lot slope requirements and to meet the locational restrictions because of the requirements of the RAP. Therefore, the proposed variance is necessary for the preservation and enjoyment of the applicant’s right to develop his property as intended by the C-4 Zone.

C. Granting of the Variance not would be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located.

The subject site is located in the Commercial Center (C-4) Zone at the northeast corner of Rosecrans Avenue and Sepulveda Boulevard. The C-4 Zone is intended to provide for developing commercial establishments serving the city and surrounding area. The proposed project involves construction of a 119,613 square-foot commercial center along with a 645-space parking lot and the proposed retaining walls are necessary to allow development of the project. The proposed retaining walls will be located along the north property line of the subject site adjacent to the Union Pacific Railroad (UPRR) right-of-way. The proposed retaining walls will not affect the operation of the Union Pacific Railroad (UPRR). The walls will be approximately 270 feet away from Rosecrans Avenue and 170 feet away from Sepulveda Boulevard. Therefore, the walls will not obstruct sight line visibility of roadways, driveways or walkways along the perimeter of the property. The walls will be located below the grade level of these adjacent streets and will be screened substantially from these streets by the proposed buildings and landscaping throughout the subject site. In addition, the proposed retaining walls will be screened from adjacent properties to the north and east of the site by existing and proposed perimeter walls and fencing.

D. Granting of the Variance will not adversely affect the General Plan.

The General Plan Land Use designation for the subject property is Commercial Center. The proposed project involves construction of a 119,613 square-foot commercial center along with a 645-space parking lot and the proposed retaining walls are necessary to allow development of the project. Therefore, the proposed project, including the retaining walls, is consistent with the General Plan Land Use designation for the subject property. A further, more detailed analysis of the project consistency with the General Plan is included in Section 4 of this Resolution.

SECTION 9: Administrative Use Permit Findings. Pursuant to ESMC § 15-22-5, the Planning Commission finds as follows:
A. There is compatibility of the particular use on the particular site in relationship to other existing and potential uses within the general area in which the use is proposed to be located.

1. The applicant proposes to provide on-site sale and consumption of beer, wine, and distilled spirits at six new restaurants and five new retail kiosks totaling 26,664 and 2,100 gross square feet of floor area respectively, and 5,912 square feet of outdoor dining area. The restaurants, kiosk and outdoor dining area will be located in The Point, a commercial center to be constructed at 850 South Sepulveda Boulevard at the northeast corner of Rosecrans Avenue and Sepulveda Boulevard. The minimum number of required parking spaces for the restaurants, kiosk, and outdoor dining areas is 318 parking stalls which will be provided on-site.

2. The General Plan Land Use designation for the site is Commercial Center and the zoning for the site is Commercial Center (C-4). Restaurants are permitted uses in the Commercial Center (C-4) Zone in accordance with ESMC §15-5G-2 and on-site sale and consumption of alcohol is permitted with the approval of an Administrative Use Permit in accordance with ESMC §15-5G-4(B), and ESMC § 15-22-5.

3. The Commercial Center (C-4) Zone permits, and the surrounding land uses include commercial retail, restaurant, hotel, and office uses. The proposed restaurants and kiosks will be similar and compatible with the surrounding uses.

4. Each restaurant and kiosk must obtain a State of California Alcohol and Beverage Control (ABC) license for on-site sale and consumption of alcohol (Type 41 or Type 47 license).

B. The proposed use is consistent and compatible with the purpose of the Zone in which the site is located.

1. The General Plan Land Use designation for the site is Commercial Center.

2. The zoning for the site is Commercial Center (C-4). Restaurants are a permitted use in this Zoning District in accordance with ESMC §15-5G-2. The proposed use (on-site sale and consumption of beer, wine, and distilled spirits at a new restaurant) requires an Administrative Use Permit in accordance with ESMC §15-5G-4(B).

3. The purpose of the Commercial Center (C-4) Zone is to provide for developing commercial establishments serving the city and
surrounding area. The regulations of the C-4 Zone are designed to promote and control growth of commercial center projects such as retail and service uses.

4. The surrounding land uses include: commercial retail, restaurant, and office uses. The proposed restaurants and kiosks will be compatible with the surrounding land uses.

C. The proposed location and use and the conditions under which the use would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

1. The restaurants, kiosks, and outdoor dining areas will be located at a new commercial center to be constructed in the Commercial Center (C-4) Zone. The restaurants and kiosks total 26,664 and 2,100 gross square feet respectively, and the outdoor dining areas total 5,912 square feet. The restaurants, kiosks, and outdoor dining areas meet all the development standards of the Commercial Center (C-4) Zone and sufficient parking will be provided on-site in compliance with ESMC Chapter 15-15.

2. The surrounding land uses include commercial retail, hotels, restaurants and office uses. The restaurants, kiosks, and outdoor dining are permitted uses within the Commercial Center (C-4) Zone.

3. The proposed hours of operation and alcohol service for the restaurants and kiosks are limited to: Sunday through Thursday from 6:00 a.m. to 12:00 a.m. and Friday through Saturday from 6:00 a.m. to 2:00 a.m. The outdoor dining areas would be open the same hours as the restaurants. Background music is proposed. No live entertainment is proposed. The restaurants will be required to meet the noise and vibration requirements of ESMC § 7-2-1.

D. Potential impacts that could be generated by the proposed use, such as noise, smoke, dust, fumes, vibration, odors, traffic, and hazards have been recognized and mitigated.

1. The sale of alcohol will not create any new impacts that would not be normally associated with the operation of a restaurant with indoor and outdoor dining areas.

2. The proposed hours of operation and alcohol service for the restaurants and kiosks are limited to: Sunday through Thursday from 6:00 a.m. to 12:00 a.m. and Friday through Saturday from
6:00 a.m. to 2:00 a.m. The outdoor dining areas would be open the same hours as the restaurants. Background music is proposed. No live entertainment is proposed. The proposed restaurants and kiosks are located in a predominantly commercial/retail area that is not adjacent to any residential uses, which will minimize noise impacts on sensitive uses.

3. Adequate parking for the new restaurants, kiosks, and outdoor dining areas will be provided onsite.

4. The environmental impacts of the proposed commercial center, including the restaurants, kiosks, and outdoor dining areas were evaluated in an Addendum to the Certified Environmental Impact Report (FEIR) for the Original Project which was previously adopted in 2004. The Addendum to the FEIR found that the proposed project will have the same, similar, or lower impacts as the Original Project. As a result, the potential impacts that could be generated by the proposed uses, such as noise, smoke, dust, fumes, vibration, odors, traffic, and hazards have been recognized and mitigated.

5. In addition to complying with the requirements of the City of El Segundo and the State of California Department of Alcoholic Beverage Control the restaurant is subject to County Health Department regulations that address and monitor impacts of fumes and odors.

E. The State Department of Alcoholic Beverage Control has issued or will issue a license to sell alcohol to the applicant.

1. Each restaurant and kiosk operator must obtain a license from the State of California Department of Alcoholic Beverage Control (Type No. 41 or 47 license).

SECTION 10: Recommendations.

A. Subject to the conditions listed on the attached Exhibit "C," which are incorporated into this Resolution by reference, the City Council should certify the Addendum attached as Exhibit "A" and adopt the Statement of Overriding Considerations.

B. The City Council should adopt the Ordinance attached as Exhibit "B" which would implement the Zone Text Amendment, and adopt the Development Agreement;
C. Subject to the conditions listed on the attached Exhibit "C," which are incorporated into this Resolution by reference, the City Council should approve the Variance No. 13-01, Adjustment No. ADJ 13-03, and Administrative Use Permit No. 13-04.

SECTION 11: Reliance on Record. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 12: Limitations. The Planning Commission's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 13: Summaries of Information. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 14: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 15: According to the El Segundo Municipal Code, a copy of this Resolution shall be mailed to Street Retail, Inc. and PES Partners, LLC, and to any other person requesting a copy.
SECTION 16: This Resolution is the City Council's final decision and will become effective immediately upon adoption.

PASSED, APPROVED AND ADOPTED this 15th day of August 2015.

David Wagner, Chairperson
City of El Segundo Planning Commission

ATTEST:

Sam Lee, Secretary

Wagner  -
Baldino  -
Newman  -
Nicol    -
Nisley   -

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By: Karl H. Berger, Assistant City Attorney
PLANNING COMMISSION RESOLUTION No. 2736

Exhibit "C"

CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), Street Retail, Inc. and PES Partners, LLC, the property owner(s) and their successors in interest, agree to comply with the following provisions as conditions for the City of El Segundo's approval of Environmental Assessment No. 993, Zone Text Amendment No. 12-04, Amendment to Development Agreement No. 12-03, Adjustment No. 13-03, Variance No. 13-01, and Administrative Use Permit No. 13-04 ("Project Conditions").

1. All mitigation measures in the Final Environmental Impact Report (SCH No. 2003121037) that are reflected in the Mitigation Monitoring and Reporting Program for the proposed Sepulveda/Rosecrans Site Rezoning Reduced Traffic Generation Alternative and Plaza El Segundo Development Reduced Traffic Generation Alternative are incorporated by this reference into these conditions of approval.

2. All conditions of approval of Environmental Assessment No. 631, Development Agreement No. 03-1, General Plan Amendment No. 03-4 & 03-5, Zone Change No. 03-2 & 03-3, Zone Text Amendment No. 04-1, and Subdivision No. 03-7, except as modified below.

3. All conditions of approval of Environmental Assessment No. 768, Zone Text Amendment No. 08-01, and Development Agreement No. 07-03, except as modified below.

4. Condition No. 2 of Council Resolution No. 4415 is amended in its entirety to read as follows:

DEFINITIONS

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in these conditions.

A. "P.B.S. Director" means the City of El Segundo Director of Planning and Building Safety, or designee.

B. "EIR" means the Final Environmental Impact Report for the proposed Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo development project (SCH No. 2003121037), El Segundo, California.


D. "Development Agreement" refers to Development Agreement No. 03-1 and any amendments thereto.
PLANNING COMMISSION RESOLUTION No. 2736

Exhibit “C”

CONDITIONS OF APPROVAL

E. “Project Area” refers to each of the developable lots on the Plaza El Segundo development Project Site as shown on Vesting Tentative Map No. 061630 in the City of El Segundo, County of Los Angeles as per map filed on June 6, 2012, Book 1370, pages 41-51, and refers to Lot 1 of Lot Line Adjustment No. 13-04 as reflected in that Certificate of Compliance, in the City of El Segundo, County of Los Angeles, State of California, recorded on July 29, 2013, as Instrument No. 2013-1105767, of official records in the office of the County Recorder of said County.

F. “Project Site” refers to the 51.7 gross/46.60 net (after street dedications) acre site generally located south of Hughes Way, east of Sepulveda Boulevard, west of Nash Street, and north of Rosecrans Avenue.

F-1. “Project Site Phase 1B” refers to the 13.050 gross/12.63 net-acre site as shown as Lot 1 of Lot Line Adjustment No. 13-04 as reflected in that Certificate of Compliance, in the City of El Segundo, County of Los Angeles, State of California, recorded on July 29, 2013, as Instrument No. 2013-1105767, of official records in the office of the County Recorder of said County, generally located south of the Union Pacific Railroad, east of Sepulveda Boulevard, west of Douglas Street, and north of Rosecrans Avenue.

F-2. “Phase 1A” refers to the portion of the Project Area located north of the Union Pacific Railroad right-of-way.

F-3. “Phase 1B” refers to the portion of the Project Area located south of the Union Pacific Railroad right-of-way.

G. “Sepulveda/Rosecrans Rezoning Site” refers to the approximately 110 acres generally located south of Hughes Way, east of Sepulveda Boulevard, west of Douglas Street, and north of Rosecrans Avenue which is the subject of a General Plan and Zoning Code Amendment that is being considered concurrently with the land use entitlements for the Project Area and the Project Site.

H. Except as otherwise specified in these Conditions of Approval, conditions must be satisfied before the issuance of a Building Permit for each building within the Project Area.

AESTHETICS

Signs

5. Condition No. 9.B-1 of Council Resolution No. 4415 is amended to read as follows:

Not withstanding any other provisions in the ESMC, a maximum of two ground or monument signs with a maximum height of 25 feet each are permitted along the
PLANNING COMMISSION RESOLUTION No. 2736

Exhibit “C”

CONDITIONS OF APPROVAL

Sepulveda Boulevard street frontage of the Project Area south of the Union Pacific Railroad;

6. A new Condition No. 9.B-2 is added to read as follows:

"Notwithstanding any other provisions in the ESMC, one roof sign with an area up to a maximum of 450 square is allowed in the Phase 1B area. The area of said roof sign is not included in the maximum permitted freestanding building or store front sign area. Additional roof signs must comply with the maximum permitted store front sign area (fifteen (15%) percent of the face of each shop front)."

FIRE

7. A new Condition No. 13.A is added to read as follows:

"The applicant must comply with the applicable requirements of the 2010 California Building and Fire Codes and the 2009 International Fire Code, as adopted by the ESMC. The City will adopt the 2013 California Building and Fire Codes, effective January 1, 2014. All permits issued after January 1, 2014 must comply with the requirements of the 2013 Editions, as adopted by the ESMC."

8. Condition No. 15 of Council Resolution No. 4415 is amended in its entirety to read as follows:

"Before the City issues a building permit, the applicant must provide Fire Life Safety Plans to the PBS Director and the Fire Chief for review and approval, which include, without limitation, the following:

A. Fire lanes,

B. Fire lane signing,

C. Fire lane access easements or other recorded documents to the reasonable satisfaction of the City Attorney,

D. Fire lane accessibility,

E. Gas detection systems,

F. Minimum acceptable flow from any fire hydrant must be 2,500 gallon per minute, calculated at 20 psi,

G. Sprinklers within structures Underground looped fire mains, sprinklers, fire pumps, and fire alarms,"
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I. Emergency generators,

J. Any above ground or underground storage tanks including elevator sumps and condensation tanks,

K. Documentation that the on-site fire mains will be maintained,

L. Fire safety precautions during demolition and construction,

M. Emergency site access during construction,

N. Permanent fire department access,

O. Fire hydrant locations,

P. Any proposed fire sprinkler and fire alarm systems, and

Q. Before the City issues a certificate of occupancy, the applicant must demonstrate to the Fire Department that the development complies with the Fire Life Safety Plan, and that any required easements were properly dedicated and recorded."

9. A new Condition No. 16.A is added to read as follows:

“The applicant must provide an automatic fire sprinkler system throughout each building, installed in accordance with California Fire Code Chapter 9 and the currently adopted edition of NFPA 13.”

10. A new Condition No. 16.B is added to read as follows:

“The applicant must provide an automatic fire alarm system throughout each building, installed in accordance with California Fire Code Chapter 9 and the currently adopted edition of NFPA 72.”

11. A new Condition No. 16.C is added to read as follows:

“The applicant must provide a certification from the underground petroleum pipeline owner/operator that the proposed project will not encroach into any foundations or structures within the pipeline right-of-way without the underground petroleum pipeline owner/operator’s approval. The certification must be provided with the initial plan review documents.”

12. A new Condition No. 16.D is added to read as follows:

“There is a railroad right-of-way on the north side of the property. Access doors and ladders with a maximum 300-foot spacing must be provided to provide access to the
railroad right of way in case of a train derailment or incident to the satisfaction of the Fire Department. The access doors and ladders must have approved Knox Company Knox Padlocks installed.”

13. A new Condition No. 16.E is added to read as follows:

“If any fire features are proposed for the project, the applicant must provide the following conditions for any fire feature:

i. A barrier must be provided around the fire feature to prevent accidental access to the fire feature.

ii. The distance between the fire feature and combustible material and furnishings must meet the fire feature’s listing and manufacturer’s requirements.

iii. If the fire feature’s protective barrier exceeds ambient temperatures, all exit paths and occupant seating must be a minimum 36 inches from the fire feature.”

14. Condition No. 19 of Council Resolution No. 4415 is amended in its entirety to read as follows:

“Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time fire services mitigation fee as provided in City Council Resolution No. 4687.”

POLICE/SAFETY

15. Condition No. 27 of Council Resolution No. 4415 is amended in its entirety to read as follows:

“Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time police services mitigation fee as provided in City Council Resolution No. 4687.”

16. A new Condition No. 27.A is added to read as follows:

“The applicant must provide, at no cost to the City of El Segundo, a minimum of 240 square feet of office space to be used by the El Segundo Police Department as satellite office space to provide Police services on the east side of Sepulveda Boulevard.”
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CONDITIONS OF APPROVAL

PROJECT DESCRIPTION

17. Condition No. 29 of Council Resolution No. 4415 is amended to read as follows:

“The Plaza El Segundo development project is allowed to develop up to a maximum of 498,442 gross square feet including a maximum of 119,613 gross/109,575 net square feet for the Plaza El Segundo Phase 1B development project, consisting of a combination of uses as permitted by the Plaza El Segundo Reduced Traffic Generation Alternative described in the Final EIR, the C-4 Zone and as limited by the Development Agreement as long as the total AM, PM peak, daily, and Saturday midday peak trip generation established in the EIR for the Plaza El Segundo development project as a whole is not exceeded.”

18. Condition No. 30 of Council Resolution No. 4415 is amended in its entirety to read as follows:

“The maximum project size may be reduced as determined by the vehicle trip generation for each use. The Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo development project permit the following vehicle trips:

<table>
<thead>
<tr>
<th>MAXIMUM PERMITTED TRIPS</th>
<th>AM</th>
<th>PM</th>
<th>Daily</th>
<th>Saturday Midday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sepulveda/Rosecrans Site Rezoning</td>
<td>1,033</td>
<td>2,346</td>
<td>25,859</td>
<td>3,379</td>
</tr>
<tr>
<td>Plaza El Segundo Development Project</td>
<td>779</td>
<td>1,477</td>
<td>16,645</td>
<td>2,205</td>
</tr>
</tbody>
</table>

The trip generation for each use and building must be determined using the rates as set forth in the current edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. Trip adjustments for internal capture and pass-by reductions will be in accordance with the adjustments in the Traffic Impact Study in the FEIR (EA No. 631) approved on March 1, 2005. Trip adjustments for transit reductions will be in accordance with the adjustments in the Traffic Impact Study in the Addendum to the FEIR (EA No. 768) approved on February 19, 2008.

DEDICATIONS AND FEES

19. Condition No. 34A of Council Resolution No. 4415 is added to read as follows:

“The applicant must provide an irrevocable offer to dedicate a maximum of a six-foot wide bicycle lane to be located along the entire Rosecrans Avenue frontage of the subject property or for a bicycle path to be located in the landscaped front setback of the subject property in compliance with the Circulation Element of the General Plan and South Bay Bicycle Plan to the satisfaction of the Public Works Department and the Planning and Building Safety Department. The exact alignment will be
PLANNING COMMISSION RESOLUTION No. 2736

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determined by the Public Works Department and the Planning and Building Safety Department. Alternatively, if the Public Works Department and the Planning and Building Safety Department determine that it is infeasible to provide a bicycle lane or bicycle path on any portion or all of the Rosecrans frontage, signage and striping as a bicycle route may be required. The City has the right to exercise its right to accept the property subject to the offer of dedication on or after, October 17, 2013, but no later than 20 years following the date on which the certificate of occupancy was issued for the last building on the property.”

20. Condition No. 36 of Council Resolution No. 4415 is amended in its entirety to read as follows:

“Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time parks facilities mitigation fee as provided in City Council Resolution No. 4687.”

TRANSPORTATION/CIRCULATION/PARKING

21. Condition No. 61A is added to read as follows:

Before the City issues a certificate of occupancy for any building constructed south of the Union Pacific/Burlington Northern Santa Fe Railroads, the new on-site and off-site roadway improvements, including any medians, sidewalks, curbs, and gutters must be constructed in accordance with applicable Department of Public Works construction standards for a public roadway with the minimum dimensions required by the Circulation Element of the El Segundo General Plan to the satisfaction of the Director of Public Works and the Director of Planning and Building Safety, and must comply with applicable requirements of the Americans with Disabilities Act (ADA), as well as City requirements for traffic signage, street lighting, drainage plans, and underground utility service, subject to the review and approval of the Director of Public Works. Additionally, the roadway improvements along Rosecrans Avenue must be consistent with the design analyzed in the Addendum to the FEIR, including, but not limited to the lane configurations, deceleration lane design at Village Drive, and lengths of left turn pockets at Rosecrans Avenue and Sepulveda Boulevard and at Rosecrans Avenue and Village Drive. The application must be responsible for the design and construction of the new roadways.”

WATER

22. Condition No. 100 of Council Resolution No. 4542 is amended to read as follows:

“Water meters must be provided for each lot by the applicant in accordance with City policies and approved by the Water Division before installation. This condition does not prohibit the use of private water meters for individual buildings or individual tenancies.”
PROJECT CONDITIONS THAT APPLY TO PHASE 1B ONLY

22. New Condition No. 101 is added to read as follows:

“101. Up to a maximum of 12,000 gross square feet of restaurant space may open as early as 6:00 a.m. daily for breakfast service.”

ADMINISTRATIVE USE PERMIT/ALCOHOL SERVICE (FOR PHASE 1B)

23. New Conditions 102 through 120 are added to read as follows:

“102. The proposed hours of operation and hours of alcohol service for the restaurants and kiosks, including the outdoor dining patios are limited to: Sunday through Thursday from 10:00 a.m. to 12:00 a.m. and Friday through Saturday from 10:00 a.m. to 2:00 a.m. Food service must be available in the indoor dining areas and the outdoor patios during the hours of operation and alcohol service. Any change to the hours of operation or the hours that alcohol may be served is subject to review and approval by the Director of Planning and Building Safety.

103. Any subsequent modification to the project as approved in this Administrative Use Permit, including the floor plan and areas where alcohol will be served, and/or the conditions of approval, must be referred to the Director of Planning and Building Safety for approval and a determination regarding the need for Planning Commission review of the proposed modification.

104. The applicant for the Alcohol Beverage Control License must obtain and maintain all licenses required by the Alcoholic Beverage Control Act (Business & Professions Code §§ 23300 et seq.). The applicant must obtain and maintain a Type 41 license or a Type 47 license, whichever is applicable.

105. The restaurant operations must comply with ESMC §§ 7-2-1, et seq. regulating noise and vibration.

106. The Planning and Building Safety Department and the Police Department must be notified of any change of ownership of the approved use in writing within 10 days of the completion of the change of ownership. A change in project ownership may be cause to schedule a hearing before the Planning Commission regarding the status of the administrative use permit.

107. The applicant for the Alcohol Beverage Control License must comply with all regulations of the Alcoholic Beverage Control Act and the regulations promulgated by the Alcoholic Beverage Control Board including, without limitation, the regulations set forth in 4 Cal. Code ofRegs. §§ 55, et seq.
108. The applicant for the Alcohol Beverage Control License must post a sign in a clear and conspicuous location listing a phone number at which a responsible party may be contacted during all open hours of the establishment to address any concerns of the community regarding noise in the restaurant, patio and parking lot. Said contact’s name and phone number must also be available through the restaurant staff at all times.

109. The applicant for the Alcohol Beverage Control License must, at all times, display a Designated Driver sign of at least ten inches by ten inches (10” X 10”) in the bar and restaurant dining areas at eye level. The sign must be worded in a way that reminds patrons who are consuming alcohol to designate a non-drinking driver.

110. There cannot be exterior advertising of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages which are clearly visible to the exterior constitute a violation of this condition.

111. All employees serving alcoholic beverages to patrons must enroll in and complete a certified training program approved by the State Department of Alcoholic Beverages Control (ABC) for the responsible sales of alcohol. The training must be offered to new employees on not less than a quarterly basis.

112. Any and all employees hired to sell alcoholic beverages must provide evidence that they have either:

   a. Completed training from the State of California Department of Alcoholic Beverage Control (ABC), Long Beach/Lakewood District Office administered Licensee Education on Alcohol and Drugs (LEAD) Program; or,

   b. Completed an approved equivalent (LEAD) training program administered by the ABC, Long Beach/Lakewood District Office to ensure proper distribution of alcoholic beverages safely, responsibly and to adults of legal age. Any future employee designated to sell alcoholic beverages on behalf of the licensee or applicant must obtain a certificate proving completion of the (LEAD) training; and

   c. The licensee or applicant must confirm with the Planning and Building Safety Director, or designee, within fifteen (15) days of the Director’s decision as to the approval of the application, or by final project approval, that a date certain has been scheduled with the local ABC Office to complete the LEAD training program.
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Exhibit “C”

CONDITIONS OF APPROVAL

d. Within thirty (30) days of taking said course, the employees, or responsible employer must deliver each required certificate showing completion to the Police Department.

113. The applicant for the Alcohol Beverage Control License must have readily identifiable personnel to monitor and control the behavior of customers inside the building premises. Staff must monitor activity outside in the parking lot and any adjacent property under the establishment’s control to ensure the areas are generally free of people and are cleared of patrons and their vehicles one-half hour after closing.

114. If complaints are received regarding excessive noise, parking availability, lighting, building access, and the like associated with the restaurants and the outdoor patio areas, the city may, in its discretion, take action to review the Administrative Use Permit, including without limitation, adding conditions or revoking the permit.

115. The outdoor dining/seating areas must comply with ESMC § 15-2-16.

116. The applicant for the Alcohol Beverage Control License must install security cameras for monitoring and recording activity, which include, without limitation: cash handling/counting areas, the manager’s office, the safe, all access doors, and any other areas deemed necessary by the Police Department. Monitoring and recording equipment must be stored in a secure area (e.g., manager’s office).

117. Before a building permit is issued, a schematic plan of the camera system must be submitted and approved by the Police Chief, or designee. The camera specification notes must be included on the schematic plan.

118. Before a building permit is issued, the minimum camera requirements must be listed on the building plans with the camera specifications and include the following:

   a. All security surveillance cameras must be installed to record video in color.
   b. Security cameras, especially those viewing customers as they enter the business or stand at cash registers, must capture the individual from the waist to the top of the head, straight on.
   c. Security surveillance cameras must be positioned low enough so that caps/hats or other disguises (typically used when committing a crime) will not obstruct the view of the individual’s face. This will provide the best possible picture for the identification of the individual during the investigation process.
   d. The maximum mounting height is 8 feet.
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Exhibit “C”

CONDITIONS OF APPROVAL

e. The recording equipment must capture video digitally and must record a minimum of (21) days for each security surveillance camera. Security surveillance camera recordings must be made available to law enforcement agencies for investigation purposes upon request.

f. A schematic plan of the proposed camera locations must be submitted and approved by the Police Chief, or designee.

g. The “Camera Specification Notes” must be included on the schematic plan page.

h. A security surveillance camera plan must provide the following minimum items: (1) One camera facing each point of sale station (2); one camera facing the safe (it may be possible to cover the safe and the point of sale station closest to it); and (3) one camera at the main entry door capturing customers as they exit.

119. The buildings cannot be occupied by more persons than allowed by the California Building Code, as adopted by the ESMC.

120. The buildings and any outdoor seating must comply with California Building and Fire Code requirements, as adopted by the ESMC.”

ADJUSTMENT (FOR PHASE 1B)

121. A new Condition No. 121 is added to read as follows:

“The applicant must post clear signs at each of the required loading spaces designating them as loading spaces during the hours of 6:00 a.m. to 10:00 a.m. The signs must clearly prohibit employee and/or customer parking during those hours. The applicant may extend the loading hours beyond 10:00 a.m. at his discretion. The parking spaces must be marked clearly to delineate the parking and loading spaces to the satisfaction of the Director of Planning and Building Safety.”

122. A new Condition No. 122 is added to read as follows:

“Any subsequent modification to the project as approved in this Adjustment, including the plans and/or the conditions of approval, must be referred to the Director of Planning and Building Safety for approval and a determination regarding the need for Planning Commission review of the proposed modification.”

VARIANCE (FOR PHASE 1B)

123. A new Condition No. 123 is added to read as follows:

“Before the City issues building permits, the applicant must submit detailed plans of the two retaining walls along the north property line adjacent to the UPRR right-of-way. The retaining walls and their non-retaining portions cannot exceed 12 feet in
height, with the exception that a metal open work fence up to a maximum of 42 inches in height may be installed on top of the walls."

124. A new Condition No. 124 is added to read as follows:"
"Any subsequent modification to the project as approved in this Variance, including the plans and/or the conditions of approval, must be referred to the Director of Planning and Building Safety for approval and a determination regarding the need for Planning Commission review of the proposed modification."

INDEMNIFICATION

125. A new Condition No. 125 is added to read as follows:

PES Partners, LLC and Street Retail, Inc. (collectively, the "Applicant") agree to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of Environmental Assessment No. EA-993, Development Agreement Amendment No. DA 12-03, Zone Text Amendment No. 12-04, Adjustment No. ADJ 13-03, Variance No. VAR 13-01, and Administrative Use Permit No. AUP 13-04. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of Environmental Assessment No. EA-993, Development Agreement Amendment No. DA 12-03, Zone Text Amendment No. 12-04, Adjustment No. ADJ 13-03, Variance No. VAR 13-01, and Administrative Use Permit No. AUP 13-04 the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of El Segundo's elected officials, appointed officials, officers, and employees.
PLANNING COMMISSION RESOLUTION No. 2736

Exhibit “C”

CONDITIONS OF APPROVAL

PES Partners, LLC and Street Retail, Inc. must acknowledge receipt and acceptance of the Project Conditions by executing the acknowledgement below.

By signing this document, PES Partners, LLC, and Street Retail, Inc. certify that they have read, understood, and agrees to the Project Conditions listed in this document and represent and warrant that it has the authority to execute this document on behalf of the property owner and acknowledge that the conditions set forth above run with the land and are binding upon all owners and occupants of the land.

PESP
PES Partners, LLC, a Delaware limited liability company

By: Rosecrans-Sepulveda Partners 3, LLC, a Delaware limited liability company

Its: Sole Member

By Street Retail, Inc., a Maryland corporation

Its Manager

By: Jeffrey S. Berkes, Vice President – Western Region

STREET
STREET RETAIL, INC., a Maryland corporation

By: Jeffrey S. Berkes, Vice President – Western Region

{If Corporation or similar entity, needs two officer signatures or evidence that one signature binds the company}
RESOLUTION NO. _____

A RESOLUTION APPROVING AN ADDENDUM TO A FINAL ENVIRONMENTAL IMPACT REPORT FOR ENVIRONMENTAL ASSESSMENT NO. EA-993; ADJUSTMENT NO. ADJ 13-03; VARIANCE NO. VAR 13-01; ADMINISTRATIVE USE PERMIT NO. AUP 13-04; AND MODIFICATIONS TO CONDITIONS OF APPROVAL FOR THE PLAZA EL SEGUNDO DEVELOPMENT PROJECT (REDUCED TRAFFIC GENERATION ALTERNATIVE).

The City Council of the City of El Segundo does resolve as follows:

SECTION 1: The City Council finds and declares that:

A. On March 15, 2005, the City Council approved a development known as Plaza El Segundo. Approvals for that development were subsequently amended to allow for different types of uses including, among others, Health Clubs and Fitness Center (2007); Health/Skin Care and automobile sale uses (2008); fast food restaurants, banks, dance/music studios (2009); and medical and dental offices (2010);

B. On August 23, 2012, Street Retail, Inc. filed applications for an Environmental Assessment (EA-993), a Zone Text Amendment (ZTA 12-04), and a Development Agreement (DA 12-03), to add 4.988 acres to the approximately 8.1-acre property at the northeast corner of Sepulveda Boulevard and Rosecrans Avenue (Phase 1B Project Site); to increase the size of the previously approved shopping center by 49,613 square feet; a Zone Text Amendment to add permitted uses and signs to the Commercial Center (C-4) Zone that are permitted in the approved Development Agreement; a Zone Text Amendment to increase the permitted size of general office uses in the Commercial Center (C-4) Zone (ESMC § 15-5G-2(B)) from 5,000 to 28,735 gross square feet (including the existing general office area in Phase 1A); a modification to Development Agreement § 4.1.3 to allow fast food restaurants within 90 feet of Sepulveda Boulevard and Rosecrans Avenue; a modification to Development Agreement § 4.2.2 to remove the size limitations for retailers in the “Smaller Tenant Standards” for the Phase 1B Project;

C. On June 20, 2013, Street Retail, Inc. amended its applications and filed additional applications requesting an Adjustment (ADJ 13-03) to allow: a) a curb cut width of 65'-7" and a driveway width of 33'-5" on Sepulveda Boulevard and a curb cut width of 76'-7" and a driveway width of 62'-11" on Rosecrans Avenue where generally a maximum of 30 feet in width is permitted (ESMC § 15-15-5(O)(1)); b) a curb cut that is located a distance of zero feet from the eastern property line where a minimum of five feet is required (ESMC § 15-15-5(O)(2)); and c) shared use of one large truck
and 6 small truck loading spaces for public/employee parking after 10:00 a.m. (ESMC § 15-5-7(A)(1)); 2) a Variance (VAR 13-01) to allow construction of a retaining wall in excess of 6 feet to a maximum height of 12 feet, with a 42’ cable fence on top and to allow fill in excess of 6 feet to a maximum height of 12 feet (ESMC § 15-2-4(B)(3)); 3) an Administrative Use Permit (AUP 13-04) to allow a Master Administrative Use Permit to allow the sale of beer, wine and alcohol at 6 eating establishments and 5 kiosks for a total of 28,764 square feet of indoor floor area and a total of 5,912 square feet of outdoor dining area for a maximum total of 34,676 square feet of dining area. (ESMC § 15-5G-4); and 4) modification to conditions of approval. The applicant proposes to develop a 119,613 square foot shopping center, known as The Point;

D. The applications from Street Retail, Inc. (collectively, the “project”) were reviewed by the City’s Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the El Segundo Municipal Code (“ESMC”);

E. In addition, the City reviewed the project’s environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., “CEQA”), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, et seq., the “CEQA Guidelines”), and the City’s Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993);

F. The Planning and Building Safety Department completed its review and scheduled a public hearing regarding the project before the Planning Commission for August 15, 2013;

G. On August 15, 2013, the Planning Commission opened a public hearing to receive public testimony and other evidence regarding the applications including, without limitation, information provided to the Commission by City Staff, public testimony, and representatives of Street Retail, Inc. Following the public hearing, the Planning Commission adopted Resolution No. 2736 recommending that the City Council approve the project;

H. On September 3, 2013, the City Council held a duly advertised public hearing in the Council Chamber of the El Segundo City Hall, 350 Main Street to receive public testimony and other evidence regarding the applications including, without limitation, information provided to the Council by City Staff, public testimony, and representatives of Street Retail, Inc.;

I. This Resolution and its findings are made based upon the testimony and evidence presented to the City Council at its September 3, 2013 public
SECTION 2: Factual Findings and Conclusions. The City Council finds that the following facts exist and makes associated conclusions:

A. The project is proposed on an approximately 13.05-acre site located in the southern portion of the City of El Segundo. The project site is comprised of 1 parcel. The entire subject property is roughly bounded by the Union Pacific Railroad to the north, Air Products property to the east, Rosecrans Avenue to the south, and Sepulveda Boulevard to the west.

B. The majority of the site was historically devoted to industrial chemical manufacturing facilities. Honeywell International, Inc. and General Chemical had operational facilities on the site until 2003. At that time the facilities were closed and demolished for resale and reuse. Remediation activities for on-site soil contamination are underway on the Honeywell International and General Chemical properties.

C. The 13.05-acre project site ("Plaza El Segundo Project Site Phase 1B") has a Commercial Center land use designation and the zoning designation is the Commercial Center (C-4) Zone. The FAR for the Commercial Center land use designation is 0.275:1 and would permit up to 156,326 square feet of commercial shopping center development. The proposed project includes approximately 119,613 square feet of commercial shopping center development.

D. The proposed Plaza El Segundo Project Site Phase 1B would be constructed on approximately 13.05 gross acres within the Sepulveda/Rosecrans Site Rezoning and would implement proposed new C-4 zoning on that portion of the site. The proposed Plaza El Segundo Project Site Phase 1B would be located south of the Union Pacific Railroad tracks at the northeast corner of Sepulveda Boulevard and Rosecrans Avenue.

E. The proposed Plaza El Segundo Project Site Phase 1B is a shopping center of approximately 119,613 square feet. It would include the addition of 49,613 square feet to the Plaza El Segundo project for a total of 498,442 square feet. The Plaza El Segundo Project Site Phase 1B shopping center would contain retail and other commercial uses which could include specialty retail, home furnishings, electronics, a spa, health and/or skin care uses, apparel and accessories, sales of automobiles and automobile accessories and parts, offices, and a variety of sit-down restaurants, and limited fast food restaurants excluding drive through restaurants.
F. The proposed shopping center would consist of several one- and two-
story buildings with a maximum height of 65 feet. All development within
the proposed Plaza El Segundo would conform to C-4 development
standards excepting the development standards specified in the variance
and adjustment requests.

G. The proposed FAR for this development is 0.193:1 based on 119,613
gross square feet of development on 13.05 net acres.

H. The proposed C-4 Zone would provide for the transfer of density rights
within the development area to insure that the overall density of the site is
consistent with the C-4 Zoning. Any donor parcels for FAR purposes will
have covenants recorded stating the maximum FAR permitted on the
parcel.

I. Primary ingress and egress to the proposed addition to the Plaza El
Segundo development would be provided from Sepulveda Boulevard via a
driveway approximately 660 feet north of the intersection of Sepulveda
Boulevard and Rosecrans Avenue and via a signalized driveway at Village
Drive approximately 900 feet east of the intersection of Sepulveda
Boulevard and Rosecrans Avenue. An approximately 150 to 200-foot
deceleration lane will be provided for the Sepulveda Boulevard driveway.
An approximately 130-foot deceleration lane will be provided for the
Rosecrans Avenue driveway.

J. An underground stormwater system would be constructed within the
proposed 13.05-acre site to detain storm water runoff that would connect
to the on-site detention basin in the northeast corner of the site. The
proposed Plaza El Segundo Project Site Phase 1B would connect into the
existing water and sewer lines.

K. Parking for the proposed 13.05 acre portion of the Plaza El Segundo
development is proposed to be located in surface parking lots that will
surround the proposed shopping center buildings. Based on a total of
63,379 square feet of commercial/retail space, 32,576 net square feet of
restaurant floor area, and 27,740 square feet of offices, 576 parking
spaces are required. The developer proposes to provide 645 parking
spaces, which exceeds the City’s parking requirements.

L. An amendment to the previously approved Development Agreement for
the Plaza El Segundo Project Site Phase 1B includes modifications to the
project site boundary and an addition of 4.988 acres, an increase in the
allowable building square footage by 49,613 square feet; an amendment
to Development Agreement § 4.1.3 to allow fast food restaurants within 90
feet of Sepulveda Boulevard and Rosecrans Avenue; a modification to
Development Agreement § 4.2.2 to remove the size limitations for retailers in the “Smaller Tenant Standards” for the Phase 1B Project.

SECTION 3: Environmental Assessment. The City Council makes the following environmental findings:

A. The City Council certified a Final EIR (FEIR) on March 1, 2005 for the Plaza El Segundo project.

B. The City reviewed the project and prepared an Addendum to the FEIR pursuant to CEQA Guidelines § 15090. A true and correct copy of the Addendum is attached as Exhibit “A,” and incorporated by reference. None of the conditions in CEQA Guidelines § 15162 requiring a subsequent or supplemental EIR are present. No new significant effects will result from the revised project. No significant effects previously examined will be substantially more severe than shown in the FEIR in accordance with CEQA Guidelines § 15164(a).

C. The Addendum was not circulated for public review, but will be included in or attached to the FEIR in accordance with CEQA Guidelines § 15164(c).

D. In accordance with CEQA Guidelines § 15164(e), the Addendum includes an explanation of the decision not to prepare a subsequent EIR pursuant to CEQA Guidelines § 15162 and the explanation is supported by substantial evidence.

E. In accordance with CEQA Guidelines §§ 15090 and 15164(d) the Addendum reflects the City’s independent judgment and analysis and was considered with the FEIR before the Planning Commission considered the project. The Addendum is an accurate and complete statement of the environmental impacts of the project. The Addendum to the FEIR was prepared under the direction of the City of El Segundo Planning and Building Safety Department and reflected the independent judgment and analysis of the environmental impacts of the project.

F. In accordance with § 15091 of the CEQA Guidelines, the record on which the Planning Commission’s findings are based is located at the Planning and Building Safety Department, City of El Segundo, 350 Main Street, El Segundo, California 90245. The custodian of records is the Director of Planning and Building Safety.

G. The City Council finds that all mitigation measures now incorporated into the project are desirable and feasible. The City Council certifies the Addendum.
Because of the facts identified in this Resolution, the Addendum shows that a Statement of Overriding Considerations will be required in order for the project to be approved. Accordingly, the City Council incorporates the findings of fact attached as Exhibit "C," and incorporated by reference, and readopts the Statement of Overriding Considerations set forth in Exhibit C.

SECTION 4: General Plan. The proposed project conforms with the General Plan as follows:

A. The General Plan contains a number of relevant Goals, Objectives, and Policies in the Economic Development Element. The goal of Objective ED1-1 is building "support and cooperation among the City of El Segundo and its businesses and residential communities for the mutual benefits derived from the maintenance and expansion of El Segundo’s economic base." The benefits of the development will be shared and supported by all constituencies in the City. The development will provide significant fiscal benefit to the City by generating additional business license and sales tax revenue for the City’s General Fund.

B. According to Policy ED1-1.2, long-run efforts for economic development should focus on "diversification of El Segundo’s economic base in order to meet quality of life goals." The project will add to the diversification of the economic base in the City by providing for new larger format retail uses that do not currently exist in the City. Therefore, these uses will meet quality of life goals by benefiting the residential and business communities with more diverse retail uses not currently available in the City.

C. Objective ED1-2 also directs diversification of the economic base "on targeted industries that meet the City’s criteria for job creation, growth potential, fiscal impact and fit with local resources." The City’s Economic Development Advisory Council (EDAC) prepared a list of targeted industries, which was approved by the City Council. These industries are eligible for certain financial incentives because they meet the criteria described in Objective ED1-2. The retail and restaurant uses would be on the list of targeted industries that the City is recruiting in order to meet its diversification efforts. Therefore, the proposed project does meet the diversification criteria established in the General Plan, by the EDAC, and the City Council.

D. Due to the City’s tax structure, a significant portion of the fiscal benefit derived from most proposed development would be attributed to the number of employees in a new development. The Sepulveda/Rosecrans Site Rezoning is proposed to generate approximately 1,904 full time jobs in El Segundo when fully developed. Of these, approximately 952 jobs would be more immediately generated by the development of the Plaza El Segundo portion of the development and 200 additional jobs from the
development of the Plaza El Segundo Project Site Phase 1B for a total of 1,152 jobs. Currently there is virtually no permanent employment on the Plaza El Segundo Project Site Phase 1B. Therefore, the project meets the job creation Objective (ED1-2) in the General Plan.

E. Policies ED1-2.1 and ED1-2.2, both seek to promote land uses, which improve the City's retail and commercial tax base. The stated purpose of the Commercial Center Land Use Designation is to provide for retail and other commercial services which provide a fiscal benefit to the City. The Fiscal Impact Analysis for the Plaza El Segundo development concluded that the project could generate an estimated annual marginal fiscal benefit (project versus existing conditions) of approximately $1,980,000 in the first year rising to $2,413,241 in the eighth year of operation.

F. The proposed project meets the City's policy of seeking balance between enhanced economic development and available resources and infrastructure capacity (Policies ED1-2.3 and LU7-1.2). As adequate resources are currently available within the City to serve the proposed project or will be developed as part of the project, as supported by the certified FEIR and the addendum to the FEIR, a substantial new commitment of resources or infrastructure is not required. The project also proposes several roadway improvements to ensure that the project would not overburden the existing roadway infrastructure. Based on this, the proposed project is consistent with Policy ED1-2.3.

G. Implementation of the proposed project will meet relevant goals and policies with regard to the Land Use Element. The project will help the tax base through the development of new commercial uses without adversely affecting the viability of downtown (Goal LU4). The types of products and services expected to be provided for the most part are not already available in El Segundo. The Plaza El Segundo Project Site Phase 1B is likely to include specialty retail, home furnishings electronics, a spa, health and/or skin care services, apparel and accessories, sales of automobiles and automobile accessories and parts, and other merchandise in stores which will be able to provide a different range of products than the smaller stores in downtown.

H. Objective LU4-1 encourages high quality retail facilities in proximity to major employment centers. The Plaza El Segundo Project Site Phase 1B is adjacent to the 2,000,000 square-foot Continental Park office development, the 2,000,000 square-foot Raytheon campus and other office buildings along the Rosecrans Avenue commercial corridor. The proposed project will provide additional services to these employment centers.
I. The project will be conditioned to require maintenance and permanent upkeep on all the landscaping developed in conjunction with the project as required by Policy LU4-1.1.

J. Any development on the Plaza El Segundo Project Site Phase 1B would be required to meet all health and safety and environmental regulations and would be built to meet all current seismic safety standards, as overseen by the Building Safety Division. The appropriate regulatory agencies, including the Regional Water Quality Control Board (LARWQCB) would be required to approve remediation of the existing soil and water contamination on the Plaza El Segundo Project Site Phase 1B. The LARWQCB determines what level of contaminants are acceptable to allow construction at the subject site (Policy LU4-1.2 and Policy LU4-1.4).

K. Any proposed development would comply with all the zoning regulations and development standards for the C-4 Zone (Policy LU4-2.1).

L. Although the Plaza El Segundo Project Site Phase 1B is not located within a quarter-mile of a Green Line Station, two are located within relatively close proximity. The Douglas/Rosecrans Station is located approximately 0.4 miles east and El Segundo/Nash Station is located approximately 0.5 miles north (Policy LU4-4.4) which will help encourage transit ridership to the project.

M. The development of the Plaza El Segundo Project Site Phase 1B would allow for the development for a blighted former industrial/chemical use area into a new shopping/retail opportunity for the surrounding area. This redevelopment would occur through the combined efforts of the City of El Segundo and private applicants and would conform to the new C-4 development standards (Objective LU5-3).

N. The Plaza El Segundo Project Site Phase 1B is only partially served by water and sewer lines. Additional facilities will be installed as development is approved on a project by project basis (Policy LU7-1.2).

O. As development on the site is approved, stormwater detention basin(s) would be required to contain the stormwater runoff. The size of these basin(s) would depend on the size of the individual developments and would be determined through completing a hydrology study (Policy LU7-1.4).

P. All new on-site utilities required for development(s) on the Plaza El Segundo Project Site Phase 1B will be placed underground with the construction of the individual project (Policy LU7-2.3).
Q. Landscaping, in compliance with the development standards for the Commercial Center (C-4) Zone, would be required for any development on the Plaza El Segundo Project Site Phase 1B (Policy 7-2.5).

R. The proposed project will be required to have strategic safety plans and a fire life safety plan in place (Policy LU 7-1.1 and Policy LU 7-1.2). All on-site utilities will be placed underground (Policy LU7-2.3).

S. Access to development on the Plaza El Segundo Project Site Phase 1B would be provided from Sepulveda Boulevard and Rosecrans Avenue. This would allow emergency vehicle access to the site from two sides of the subject property (Policy C1-1.10).

T. The Plaza El Segundo Project Site Phase 1B will include the widening of Sepulveda Boulevard on the east side of the street to provide acceleration and deceleration lanes to serve the project. The developer will dedicate provide an easement for the lane widening (Policy C1-1.14).

U. The Plaza El Segundo Project Site Phase 1B will include the widening of Rosecrans Avenue on the north side of the street east of Village Drive for approximately 130 feet to provide a dedicated right-turn only deceleration lane to serve the project. The developer will dedicate the property or provide an easement for the lane widening (Policy C1-1.14).

V. The Plaza El Segundo Project Site Phase 1B will include either the widening of Rosecrans Avenue on the north side of the street to provide a bicycle path to serve the project or provide an easement. The developer will dedicate the property for the lane widening or provide an easement for the bicycle path (Policy C1-1.14).

W. The Traffic Study for the proposed Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo Development was conducted in June 2004. This traffic study analyzed the potential traffic related impacts associated with the full buildout of the Sepulveda/Rosecrans Rezoning Site under the new C-4 Zone and recommended mitigation measures as required by Policy C1-1.14. A trip generation study in compliance with the adopted mitigation measures was prepared on May 23, 2013 and amended on July 8, 2013. That Study analyzed the trip generation of the Plaza El Segundo development and the trip generation for the additional proposed development of 49,613 square feet (Plaza El Segundo Project Site Phase 1B). The Study determined that the number of vehicles trips would be less than the maximum number of trips allowed under the adopted Plaza El Segundo Reduced Traffic Generation Alternative Development project. The proposed Plaza El Segundo Project Site Phase 1B combined with the Plaza El Segundo Development project would generate 452 am peak period trips and 1476 pm peak period trips and would remain below the
maximum permitted number of 779 am peak period trips and 1,477 pm peak period trips.

X. Development of the Plaza El Segundo Project Site Phase 1B would include landscaping, internal walkways and other amenities (e.g., pedestrian benches, and gathering places) which would facilitate pedestrian movements and ensure that any future uses were accessible and visitor friendly (Policy C2-1.3).

Y. Development on the Plaza El Segundo Project Site Phase 1B would incorporate sidewalks along project boundaries and any new roadways (Policy C2-1.4).

Z. The Plaza El Segundo Project Site Phase 1B will have sidewalks around the project boundaries and other internal pedestrian walkways with linkages to surrounding properties and public transit stops (Policies C2-1.3, C2-1.6, and C2-3.3).

AA. While future development projects on the Sepulveda/Rosecrans Rezoning Site, other than the Plaza El Segundo Development, are currently unknown, most projects of this type provide on-site amenities such as internal bicycle lanes or pathways that lead to the adjacent roadway system, bicycle racks or lockers that are distributed throughout the site and on-site shower facilities and clothes lockers for employees. It is therefore, assumed that future developments on the Sepulveda/Rosecrans Rezoning Site would provide these types of amenities (Policy C2-2.2). In addition to the Plaza El Segundo development, the Plaza El Segundo Project Site Phase 1B will be required to provide bicycle racks and lockers that are distributed throughout the site.

BB. The proposed project will adhere to any applicable regulations regarding preferential parking areas or promotion of ride share (Policy C2-5.1). The proposed project will provide sufficient on-site parking and loading (Policy C3-2.1 and C1-3.2) as required by the El Segundo Municipal Code.

CC. Parking would be provided on the proposed Plaza El Segundo Project Site Phase 1B in accordance with the City of El Segundo’s parking requirements for the Commercial Center (C-4) Zone (Policy C3-2.1).

DD. Policy C3-1.1 requires all project-related transportation impacts to be mitigated, where feasible, by the developer. The traffic impact study identified a number of intersections in the City that would require mitigation and identified mitigation measures to address the traffic impacts. However, because two of the proposed mitigation measures are infeasible due to right-of-way constraints, not all traffic impacts can be
mitigated to an insignificant level. In order for the City Council to approve
the project with significant impacts, the City Council must adopt a
Statement of Overriding Considerations finding that there are positive
aspects of the project, that when taken as a whole, outweigh the
unavoidable negative environmental impacts.

EE. The proposed project includes the development of an outdoor private
recreational facility, specifically a large landscaped plaza with outdoor
seating in conjunction with non-residential development consistent with
Policy OS1-2.5. This would expand the recreational opportunities for
residents and employees in the City (Goal OS1 and Objective OS1-2).

FF. The construction of infrastructure to accommodate the use of reclaimed
water for irrigation systems, when available, and the application of the
City’s Water Conservation in Landscape regulations (ESMC Chapter 10-
2), as required by mitigation measures M.2-4, M2.5, M2.6, M.2-10, M2-13,
and M2-16 and Condition of Approval No. 8, would be consistent with and
further Policies CN2-5, CN2-7, CN2-12.

GG. All development on the Plaza El Segundo Project Site Phase 1B would be
required to include a comprehensive and coherent design for the
development, including landscaping and amenities, in order to improve the
existing aesthetic appearance of the site (Policy CN2-7).

HH. All development on the Plaza El Segundo Project Site Phase 1B would be
required to include facilities capable of holding stormwater runoff resulting
from the development. Additionally, reclaimed water would be used to the
extent possible in the irrigation of the landscaping (Policy CN2-11).

II. All development on the Plaza El Segundo Project Site Phase 1B would be
required to utilize reclaimed water for landscaping to the extent feasible
(Policy CN2-12).

JJ. The project would provide a comprehensive and coordinated design of the
entire project site, including landscape amenities to substantially improve
the aesthetic appearance of the site and the surrounding area as
encouraged by Policy CN5-6.

KK. The project has been identified and is currently under Los Angeles
Regional Water Quality Control Board (LARWQCB) orders to remediate
soil and ground water contamination as contemplated by Goal CN3 and
Policy CN3-2 to protect groundwater from contamination.

LL. The implementation of transportation demand management programs, as
required by Mitigation Measure L-8 (bike, rideshare matching, and transit
options), and as required by Chapters 15-16 and 15-17 of the El Segundo
Municipal Code will demonstrate compliance with air quality objectives to encourage alternative commuting strategies (AQ1-1), reduce vehicle trips (AQ3-1.1, AQ3-1.2), and promote non-motorized transportation (AQ4-1.1).

MM. Approximately $879,452 in Traffic Impact Mitigation Fees must be paid to the City to offset development impacts (AQ5-1.2) related to the project. Approximately $800,000 in costs for on-site and off-site traffic mitigation will also be incurred by the developer for the Plaza El Segundo development Phase 1B project.

NN. The Phase 1B project will implement a number of traffic improvements, as required by mitigation measures L-17, L-18 and L-19 which will improve traffic flow (Policy AQ 7-1.1, AQ 7-2.1).

OO. Mitigation measure M.5-1 provides that the proposed project will incorporate energy conservation devices (i.e., motion-sensitive light activation switches, etc.) consistent with City (Policy AQ12-1.2).

PP. Implementation of the proposed project, subject to mitigation measures I-1, I-2, I-3, I-4, and I-5 which address construction hours, equipment mufflers, construction equipment staging, and noise barriers, will be consistent with relevant policies of the City’s Noise Element (Policies N1-2.1, N1-2.1B, N1-2.1C, N1-3.1, N1-3.5, and Program N1-2.1A).

QQ. The development on the proposed Project Site Phase 1B will end eighty years of industrial use on the property which will significantly reduce the quantity of many hazardous materials that have been handled on the site (Objective PS3-1).

RR. The developer will remediate soil and groundwater contamination under the authority of the LARWQCB (Policy PS4-1.1).

SS. Public Safety Element Policy PS6-1.2 to continue efforts to reduce fire hazards would be furthered by preparation of fire life safety plans (mitigation measures K1-2, K1-5, K.1-7, and K-1.10) and the reduction of fire prone industrial facilities.

TT. As required by mitigation measures K1-3 and K.1-8, fire access roads will be provided throughout the proposed 13.05-acre project site (Policy PS6-1.2E).

UU. As a re-use of a previously developed industrial site, that will be remediated to the satisfaction of the appropriate regulatory agencies and will not pose any health hazard to employees, patrons or visitors to the site, the project is consistent with Policy HM3-1.1 requiring compliance
with hazardous materials handling laws. Mitigation measures G-1 and G-2 will ensure that site contamination is remediated.

SECTION 5: Adjustment Findings. Pursuant to ESMC § 15-24-4, the City Council finds as follows:

Curb-cuts and Driveways That Exceed ESMC Maximum Allowed Widths

A. The proposed adjustment would not be detrimental to the neighborhood or district in which the property is located.

The project is located in the C-4 (Commercial Center) Zone which is intended to provide for developing commercial establishments serving the city and surrounding area. The area surrounding the site is urbanized and developed with large scale commercial and office centers. The proposed curb-cut and driveway widths are consistent with other large scale commercial and office sites in the surrounding area. The proposed curb-cut and driveway widths are intended to facilitate access to and from the site to accommodate large volumes of vehicle traffic. The curb cut on Rosecrans Avenue is proposed to be 76'-7" wide and the driveway at Rosecrans Avenue and Village Drive is proposed to be 62'-11" wide designed to accommodate three lanes exiting the project site (right out only; through/right combination; and left turn only) and two lanes entering the project site. The two lane entrance is necessary to accommodate the double-left turn lane into the project from eastbound Rosecrans Avenue. Additionally, the driveway entrance to the site at Rosecrans Avenue and Village Drive is a signalized intersection and effectively operates like a roadway rather than as a driveway. The curb cut on Sepulveda Boulevard would be 65'-7" wide and the driveway on Sepulveda would be 33'-5" wide (two lanes), with right-in and right-out only access. The curb cut and driveway widths are provided to accommodate a new deceleration lane and right-in, right-out driveway entrance to meet needed traffic safety requirements. Therefore, the proposed driveway and curb cuts are necessary to reduce potential traffic-related impacts to the subject site and surrounding properties in the neighborhood.

B. The proposed adjustment is necessary in order that the applicant may not be deprived unreasonably in the use or enjoyment of his property.

The project is located in the Commercial Center (C-4) Zone which is intended to provide for developing a regional shopping center with commercial establishments that serve the city and surrounding area. The project involves the expansion of a regional shopping center designed to an FAR of .193, which is below the maximum floor area allowed in the C-4 Zone (0.275). The shopping center will need to accommodate a high volume of daily vehicular traffic. As a result, the project includes features
such as deceleration lanes at both entrances to the site and multiple entry and exit lanes to and from the site. The proposed curb-cut and driveway widths at the site access points are necessary to accommodate the expected volumes of daily traffic and the existing intersection design at Rosecrans Avenue and Village Drive.

C. The proposed adjustment is consistent with the legislative intent of this title. The project is located in the C-4 (Commercial Center) Zone which is intended to provide for developing commercial establishments serving the city and surrounding area.

The proposed project involves the expansion of an existing regional shopping center and the proposed curb-cut and driveway widths will facilitate the operation and reduce the traffic impacts of the subject shopping center. Therefore, the proposed curb-cut and driveway widths are consistent with the C-4 Zone's intent. In addition, the intent of the zoning regulations (ESMC Title 15) is to serve the public health, safety, and general welfare and to provide the economic and social advantages resulting from an orderly planned use of land resources. The proposed curb-cut and driveway widths are consistent with this legislative intent, in that they will facilitate the operation, increase traffic safety and reduce the traffic impacts of the subject shopping center.

**Shared Use of Loading Spaces as Parking Spaces**

A. The proposed adjustment would not be detrimental to the neighborhood or district in which the property is located.

The project involves construction and operation of a regional shopping center in the Commercial Center (C-4). The project will provide an adequate number and size of loading spaces for the anticipated uses on site. The proposed restrictions on loading hours from 6:00 a.m. to 10:00 a.m. will not conflict with the hours of operation of the uses onsite. The hours of operation for the subject shopping center will start generally after 10:00 AM, with the exception of the office uses (27,470 gross square feet) and restaurant uses that may be open for breakfast (up to a maximum of 12,000 gross square feet). In addition, typical loading/delivery operations for retail uses occur between 6:00 a.m. and 10:00 a.m. Therefore, no deliveries are anticipated to occur after 10:00 a.m. at the subject site. Furthermore, the development will be conditioned to post adequate signs (subject to staff review and approval) prohibiting parking in the required loading spaces during the designated loading hours. Deliveries to the project site will take place onsite and will have no impact on neighboring uses and/or properties. The availability of the loading spaces to create 38 additional parking spaces during non-loading hours. The 38 spaces are in excess of the minimum number of required parking spaces and they are
located close to the buildings. Their location provides added convenience for shoppers and the additional parking further ensures that adequate parking is provided on-site during business hours to not impact the neighborhood and district in which the property is located.

B. The proposed adjustment is necessary in order that the applicant may not be deprived unreasonably in the use or enjoyment of his property.

The project is located in the Commercial Center (C-4) Zone which is intended to provide for developing commercial establishments serving the City and surrounding area. The project involves the expansion of a regional shopping center. Due to the location and configuration of the site the proposed buildings are located on the west portion of the site and approximately 30% of the required parking spaces are located at least 500 feet away from the proposed buildings. Although the project provides a sufficient number of parking spaces onsite to meet the minimum ESMC requirements, conveniently located, additional parking spaces are necessary for the commercial success of the project. The proposed loading spaces would remain unused after 10:00 a.m., because deliveries to the retail shopping center will take place between the hours of 6:00 a.m. and 10:00 a.m. Therefore, these loading spaces may be converted to parking spaces after 10:00 a.m. to help meet the project need for conveniently located parking spaces adjacent to the subject buildings.

C. The proposed adjustment is consistent with the legislative intent of this title.

The project is located in the Commercial Center (C-4) Zone which is intended to provide for developing commercial establishments serving the City and surrounding area. The proposed project involves the expansion of an existing regional shopping center. The proposed loading spaces would remain unused after 10:00 a.m., because deliveries to the retail shopping center will take place between the hours of 6:00 a.m. and 10:00 a.m. Therefore, the proposed restrictions on loading hours from 6:00 a.m. to 10:00 a.m. will help provide additional and conveniently located parking spaces adjacent to the proposed buildings. Conveniently located parking spaces are necessary for the commercial success of the subject shopping center. Therefore, the proposed restrictions on loading hours from 6:00 a.m. to 10:00 a.m. are consistent with the intent of the C-4 Zone. In addition, the intent of the zoning regulations is to serve the public health, safety, and general welfare and to provide the economic and social advantages resulting from an orderly planned use of land resources. The proposed restrictions on loading hours from 6:00 a.m. to 10:00 a.m. are consistent with this legislative intent, in that they are necessary for the commercial success of the subject shopping center.
SECTION 6: Variance Findings. Pursuant to ESMC § 15-23-3, the City Council finds as follows:

A. There are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to the other property or class of use in the same vicinity and zone.

The subject site is located in the Commercial Center (C-4) Zone at the northeast corner of Rosecrans Avenue and Sepulveda Boulevard. The existing grade level at the southwest corner of the site slopes significantly away from the corner towards the site interior. Specifically, the grade level at the southwest corner of the site at Rosecrans Avenue and Sepulveda Boulevard is approximately 30 to 35 feet higher than the grade level at the two proposed fill slope retaining wall locations along the north property line adjacent to the Union Pacific Railroad (UPRR) right-of-way and 45 feet higher than the northeast corner of the site. Retaining walls are needed to provide a relatively flat level area for the buildings, the outdoor public plaza and particularly the parking lot areas. The proposed retaining walls containing up to 12 feet of fill are intended to level the site and facilitate construction of the proposed commercial center and parking lot. Parking lot areas must be designed to not exceed a maximum slope of five (5) percent to comply with ESMC § 15-15-5(E). The parking areas are located around the perimeter of the four proposed buildings with the majority of the parking areas located to the east. The design of the development project is also severely limited by restrictions on the use of the eastern portion of the Phase 1B site due to soil contamination. The use of the property for a parking lot complies with the requirements of the remedial action plan (RAP) reviewed and approved by the Regional Water Quality Control Board. The topographical and environmental conditions are exceptional or extraordinary circumstances or conditions applicable to the property and to the intended use that do not apply generally to the other property or class of use in the same vicinity and zone.

B. The Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone but which is denied to the property in question.

The subject site is located in the Commercial Center (C-4) Zone at the northeast corner of Rosecrans Avenue and Sepulveda Boulevard. The C-4 Zone is intended to provide for developing commercial establishments serving the city and surrounding area. The proposed project would develop a 119,613 square-foot commercial center along with a 645-space parking lot, which requires a relatively flat site. The shopping center is a permitted use and the project does not exceed the maximum allowable Floor Area Ratio or maximum allowed height within the C-4 Zone. The
existing grade level at the southwest corner of the site slopes significantly away from the corner towards the site interior. Specifically, the grade level at the southwest corner of the site at Rosecrans Avenue and Sepulveda Boulevard is approximately 30 to 35 feet higher than the grade level at the two proposed fill slope retaining wall locations along the north property line adjacent to the Union Pacific Railroad (UPRR) right-of-way and 45 feet higher than the northeast corner of the site. Retaining walls are needed to provide a relatively flat level area for the buildings, the outdoor public plaza and particularly the parking lot areas. The proposed retaining walls containing up to 12 feet of fill are intended to level the site and facilitate construction of the proposed commercial center and parking lot. Parking lot areas must be designed to not exceed a maximum slope of five (5) percent to comply with ESMC § 15-15-5(E). The parking areas are located around the perimeter of the four proposed buildings with the majority of the parking areas located to the east. The design of the development project is also severely limited by restrictions on the use of the eastern portion of the Phase 1B site due to soil contamination. The use of the property for a parking lot complies with the requirements of the remedial action plan (RAP) reviewed and approved by the Regional Water Quality Control Board. Construction of the parking lot areas would not be feasible without the ability to construct up to a maximum of 12 feet in retaining wall height and to allow up to a maximum of 12 feet of fill in order to meet the maximum parking lot slope requirements and to meet the locational restrictions because of the requirements of the RAP. Therefore, the proposed variance is necessary for the preservation and enjoyment of the applicant’s right to develop his property as intended by the C-4 Zone.

C. Granting of the Variance not would be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located.

The subject site is located in the Commercial Center (C-4) Zone at the northeast corner of Rosecrans Avenue and Sepulveda Boulevard. The C-4 Zone is intended to provide for developing commercial establishments serving the city and surrounding area. The proposed project involves construction of a 119,613 square-foot commercial center along with a 645-space parking lot and the proposed retaining walls are necessary to allow development of the project. The proposed retaining walls will be located along the north property line of the subject site adjacent to the Union Pacific Railroad (UPRR) right-of-way. The proposed retaining walls will not affect the operation of the Union Pacific Railroad (UPRR). The walls will be approximately 270 feet away from Rosecrans Avenue and 170 feet away from Sepulveda Boulevard. Therefore, the walls will not obstruct sight line visibility of roadways, driveways or walkways along the perimeter of the property. The walls will be located below the grade level of these adjacent streets and will be screened substantially from these streets by

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the proposed buildings and landscaping throughout the subject site. In addition, the proposed retaining walls will be screened from adjacent properties to the north and east of the site by existing and proposed perimeter walls and fencing.

D. Granting of the Variance will not adversely affect the General Plan.

The General Plan Land Use designation for the subject property is Commercial Center. The proposed project involves construction of a 119,613 square-foot commercial center along with a 645-space parking lot and the proposed retaining walls are necessary to allow development of the project. Therefore, the proposed project, including the retaining walls, is consistent with the General Plan Land Use designation for the subject property. A further, more detailed analysis of the project consistency with the General Plan is included in Section 4 of this Resolution.

SECTION 7: Administrative Use Permit Findings. Pursuant to ESMC § 15-22-5, the City Council finds as follows:

A. There is compatibility of the particular use on the particular site in relationship to other existing and potential uses within the general area in which the use is proposed to be located.

1. The applicant proposes to provide on-site sale and consumption of beer, wine, and distilled spirits at six new restaurants and five new retail kiosks totaling 26,664 and 2,100 gross square feet of floor area respectively, and 5,912 square feet of outdoor dining area. The restaurants, kiosk and outdoor dining area will be located in The Point, a commercial center to be constructed at 850 South Sepulveda Boulevard at the northeast corner of Rosecrans Avenue and Sepulveda Boulevard. The minimum number of required parking spaces for the restaurants, kiosk, and outdoor dining areas is 318 parking stalls which will be provided on-site.

2. The General Plan Land Use designation for the site is Commercial Center and the zoning for the site is Commercial Center (C-4). Restaurants are permitted uses in the Commercial Center (C-4) Zone in accordance with ESMC §15-5G-2 and on-site sale and consumption of alcohol is permitted with the approval of an Administrative Use Permit in accordance with ESMC §15-5G-4(B), and ESMC § 15-22-5.

3. The Commercial Center (C-4) Zone permits, and the surrounding land uses include commercial retail, restaurant, hotel, and office uses. The proposed restaurants and kiosks will be similar and compatible with the surrounding uses.
4. Each restaurant and kiosk must obtain a State of California Alcohol and Beverage Control (ABC) license for on-site sale and consumption of alcohol (Type 41 or Type 47 license).

B. The proposed use is consistent and compatible with the purpose of the Zone in which the site is located.

1. The General Plan Land Use designation for the site is Commercial Center.

2. The zoning for the site is Commercial Center (C-4). Restaurants are a permitted use in this Zoning District in accordance with ESMC §15-5G-2. The proposed use (on-site sale and consumption of beer, wine, and distilled spirits at a new restaurant) requires an Administrative Use Permit in accordance with ESMC §15-5G-4(B).

3. The purpose of the Commercial Center (C-4) Zone is to provide for developing commercial establishments serving the city and surrounding area. The regulations of the C-4 Zone are designed to promote and control growth of commercial center projects such as retail and service uses.

4. The surrounding land uses include: commercial retail, restaurant, and office uses. The proposed restaurants and kiosks will be compatible with the surrounding land uses.

C. The proposed location and use and the conditions under which the use would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

1. The restaurants, kiosks, and outdoor dining areas will be located at a new commercial center to be constructed in the Commercial Center (C-4) Zone. The restaurants and kiosks total 26,664 and 2,100 gross square feet respectively, and the outdoor dining areas total 5,912 square feet The restaurants, kiosks, and outdoor dining areas meet all the development standards of the Commercial Center (C-4) Zone and sufficient parking will be provided on-site in compliance with ESMC Chapter 15-15.

2. The surrounding land uses include commercial retail, hotels, restaurants and office uses. The restaurants, kiosks, and outdoor dining are permitted uses within the Commercial Center (C-4) Zone.
3. The proposed hours of operation and alcohol service for the restaurants and kiosks are limited to: Sunday through Thursday from 6:00 a.m. to 12:00 a.m. and Friday through Saturday from 6:00 a.m. to 2:00 a.m. The outdoor dining areas would be open the same hours as the restaurants. Background music is proposed. No live entertainment is proposed. The restaurants will be required to meet the noise and vibration requirements of ESMC § 7-2-1.

D. Potential impacts that could be generated by the proposed use, such as noise, smoke, dust, fumes, vibration, odors, traffic, and hazards have been recognized and mitigated.

1. The sale of alcohol will not create any new impacts that would not be normally associated with the operation of a restaurant with indoor and outdoor dining areas.

2. The proposed hours of operation and alcohol service for the restaurants and kiosks are limited to: Sunday through Thursday from 6:00 a.m. to 12:00 a.m. and Friday through Saturday from 6:00 a.m. to 2:00 a.m. The outdoor dining areas would be open the same hours as the restaurants. Background music is proposed. No live entertainment is proposed. The proposed restaurants and kiosks are located in a predominantly commercial/retail area that is not adjacent to any residential uses, which will minimize noise impacts on sensitive uses.

3. Adequate parking for the new restaurants, kiosks, and outdoor dining areas will be provided onsite.

4. The environmental impacts of the proposed commercial center, including the restaurants, kiosks, and outdoor dining areas were evaluated in an Addendum to the Certified Environmental Impact Report (FEIR) for the Original Project which was previously adopted in 2004. The Addendum to the FEIR found that the proposed project will have the same, similar, or lower impacts as the Original Project. As a result, the potential impacts that could be generated by the proposed uses, such as noise, smoke, dust, fumes, vibration, odors, traffic, and hazards have been recognized and mitigated.

5. In addition to complying with the requirements of the City of El Segundo and the State of California Department of Alcoholic Beverage Control the restaurant is subject to County Health Department regulations that address and monitor impacts of fumes and odors.
E. The State Department of Alcoholic Beverage Control has issued or will issue a license to sell alcohol to the applicant.

1. Each restaurant and kiosk operator must obtain a license from the State of California Department of Alcoholic Beverage Control (Type No. 41 or 47 license).

SECTION 8: Approvals.

A. Subject to the conditions listed on the attached Exhibit “D,” which are incorporated into this Resolution by reference, the City Council certifies the Addendum attached as Exhibit “A” and adopts the findings of fact and a Statement of Overriding Considerations set forth in Exhibit C in accordance with the requirements of Public Resources Code § 21081.

B. Pursuant to Public Resources Code §§21081(a) and 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program (MMRP) set forth in attached Exhibit “B,” which is incorporated into this Resolution by reference. The City Council adopts each of the mitigation measures expressly set forth therein as conditions of approval of the project. The other project conditions of approval and compliance with applicable codes, policies, and regulations will further ensure that the environmental impacts of the proposed project will not be greater than set forth in the FEIR and these findings.

C. Subject to the conditions listed on the attached Exhibit “D,” which are incorporated into this Resolution by reference, the City Council approves Variance No. 13-01, Adjustment No. ADJ 13-03, and Administrative Use Permit No. 13-04.

SECTION 9: Reliance on Record. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 10: Limitations. The City Council's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.
SECTION 11: Summaries of Information. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 12: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 13: According to the El Segundo Municipal Code, a copy of this Resolution shall be mailed to Street Retail, Inc. and PES Partners, LLC, and to any other person requesting a copy.

SECTION 14: This Resolution is the City Council's final decision and will become effective immediately upon adoption.

PASSED, APPROVED AND ADOPTED this 3rd day of September 2015.

Bill Fisher, Mayor

ATTEST:

STATE OF CALIFORNIA )
COUNTY OF LOS ANGELES ) SS
CITY OF EL SEGUNDO )

I, Tracy Weaver, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution No. _____ was duly passed, approved and adopted by said City Council at a regular meeting held on the 3rd day of September, 2013, approved and signed by the Mayor, and attested to by the City Clerk, by the following vote:
AYES:
NOES:
ABSENT:
ABSTAIN:

Tracy Weaver, City Clerk

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

Karl H. Berger, Assistant City Attorney
ADDENDUM TO THE CERTIFIED EIR FOR THE PLAZA EL SEGUNDO DEVELOPMENT PROJECT

Environmental Assessment No. EA-993
Case Nos. DA 12-03, ZTA 12-04, ADJ 13-03, Variance 13-01, AUP 13-04
State Clearinghouse No. 2003121037

Prepared For:

The City of El Segundo

Planning and Building Safety Department
350 Main Street
El Segundo, CA 90245

August 2013

EcoTierra consulting
IX. MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MONITORING AND REPORTING PROGRAM PROCEDURES

Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a “reporting or monitoring program for the changes to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment” (Mitigation Monitoring Program, Section 15097 of the CEQA Guidelines provides additional direction on mitigation monitoring or reporting). The Planning and Building Safety Department for the City of El Segundo is the Lead Agency for the Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo Development.

An Environmental Impact Report has been prepared to address the potential environmental impacts of the proposed project. Where appropriate, this environmental document identified project design features or recommended mitigation measures to avoid or to reduce potentially significant environmental impacts of the proposed project. This Mitigation Monitoring and Reporting Program (MMRP) is designed to monitor implementation of requirements for subsequent environmental documentation\(^1\) and mitigation measures identified for the Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo Development. The MMRP is subject to review and approval by the Lead Agency as part of the certification of the EIR and adoption of project conditions. The required subsequent environmental documentation and mitigation measures are listed separately and categorized by impact area, with an accompanying identification of the following:

- Monitoring Phase, the phase of the project during which the mitigation measure must be monitored;
  - Pre-Construction, including the design phase
  - Construction
  - Post-Construction

- The Implementing Party, the agency with the power to implement the mitigation measure;

- The Enforcement Agency, the agency with the power to enforce the mitigation measure, and

- The Monitoring Agency, the agency to which reports involving feasibility, compliance, implementation and development are made.

The MMRP performance must be monitored annually to determine the effectiveness of the measures implemented in any given year and re-evaluate the mitigation needs for the upcoming year.

\(^1\) In addition to mitigation measures, requirements for the preparation of subsequent environmental analysis and documentation are identified in the EIR. These requirements are intended to provide guidance for environmental review of future projects that would implement the Sepulveda/Rosecrans Site Rezoning, using the Program EIR. Because these requirements would also work to mitigate or avoid significant effects on the environment in accordance with PRC Section 21081.6, they have been included in this MMRP.
I. AESTHETICS

Subsequent Environmental Documentation

No subsequent environmental documentation is required for the Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo Development.

Mitigation Measures

**Sepulveda/Rosecrans Site Rezoning**

Impacts related to visual character and light and glare would be less than significant under the proposed Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo Development. No mitigation measures are required. However, the following measures are recommended as Conditions of Approval to ensure that potential impacts from glare are less than significant.

**B-1** Expansive areas of highly reflective materials, such as mirrored glass, must not be permitted. Non-reflective building materials must be used to the maximum extent possible to reduce potential glare impacts.

- **Monitoring Phase:** Pre-construction; Construction
- **Implementation Party:** Applicant
- **Enforcement Agency:** Planning and Building Safety Department
- **Monitoring Agency:** Planning and Building Safety Department

**B-2** Lighting must be designed to minimize off-site glare.

- **Monitoring Phase:** Pre-construction; Construction
- **Implementation Party:** Applicant
- **Enforcement Agency:** Planning and Building Safety Department
- **Monitoring Agency:** Planning and Building Safety Department

**Plaza El Segundo Development**

Impacts related to visual character and light and glare would be less than significant under the Plaza El Segundo Development. No mitigation measures are required. However, the following measures are recommended as Conditions of Approval to ensure that potential impacts from glare are less than significant.

**B-3** Expansive areas of highly reflective materials, such as mirrored glass, must not be permitted. Non-reflective building materials must be used to the maximum extent possible to reduce potential glare impacts.

- **Monitoring Phase:** Pre-construction; Construction
- **Implementation Party:** Applicant
- **Enforcement Agency:** Planning and Building Safety Department
- **Monitoring Agency:** Planning and Building Safety Department

**B-4** Lighting must be designed to minimize off-site glare.
II. **AIR QUALITY**

Subsequent Environmental Documentation

Subsequent environmental documentation must be prepared for any future development project proposed within the Sepulveda/Rosecrans Rezoning Site to identify emissions associated with construction of that specific development. The subsequent environmental documentation must address the following:

C-1 Prior to implementation of specific development projects, impacts associated with construction emissions must be examined in light of this Program EIR to determine whether a new Initial Study would be required to be prepared leading to either an EIR or Negative Declaration. This examination must provide quantified estimates of construction emissions based upon the specific site, schedule and construction equipment utilization characteristics of the proposed development and compare the estimated emissions to the SCAQMD thresholds for construction emissions. The analysis must incorporate the mitigation measures identified below as appropriate, along with any other mitigation measures identified by the project-specific analysis.

Mitigation Measures

**Sepulveda/Rosecrans Site Rezoning**

C-1 Prior to implementation of specific development projects, impacts associated with construction emissions must be examined. This examination must provide quantified estimates of construction emissions based upon the specific site, schedule and construction equipment utilization characteristics of the proposed development and compare the estimated emissions to the SCAQMD thresholds for construction emissions. The analysis must incorporate the mitigation measures identified below as appropriate, along with any other mitigation measures identified by the project-specific analysis.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Planning and Building Safety Department
Monitoring Agency: Planning and Building Safety Department
Construction

C-2  The construction area and vicinity (500-foot radius) must be swept (preferably with water sweepers) and watered at least twice daily. Site wetting must occur often enough to maintain a 10 percent surface soil moisture content throughout all earth moving activities.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-3  All unpaved roads, parking and staging areas must be watered at least once every two hours of active operation.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-4  Site access points must be swept/washed within thirty minutes of visible dirt deposition.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-5  On-site stockpiles of debris, dirt or rusty materials must be covered or watered at least twice daily.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-6  All haul trucks hauling soil, sand, and other loose materials must either be covered or maintain two feet of freeboard.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department
C-7  All haul trucks must have a capacity of no less than twelve and three-quarter (12.75) cubic yards.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-8  At least 80 percent of all inactive disturbed surface areas must be watered on a daily basis when there is evidence of wind driven fugitive dust.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-9  Operations on any unpaved surfaces must be suspended when winds exceed 25 mph.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-10 Traffic speeds on unpaved roads must be limited to 15 miles per hour.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-11 Operations on any unpaved surfaces must be suspended during first and second stage smog alerts.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-12 The applicant must develop and implement a construction management plan, as approved by the City of El Segundo, which includes the following measures recommended by the SCAQMD, or equivalently effective measures approved by the SCAQMD.

a. Configure construction parking to minimize traffic interference.
b. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person).

c. Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the degree practicable.

d. Re-route construction trucks away from congested streets.

e. Consolidate truck deliveries when possible.

f. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.

i. Use electricity from power poles rather than temporary diesel- or gasoline-powered generators.

j. Use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices.

k. Use propane- or butane-powered on-site mobile equipment instead of gasoline if readily available at competitive prices.

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<th>Monitoring Phase:</th>
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<td>Monitoring Agency:</td>
<td>Planning and Building Safety Department; Public Works Department</td>
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Plaza El Segundo Development

Construction

The construction area and vicinity (500-foot radius) must be swept (preferably with water sweepers) and watered at least twice daily. Site wetting must occur often enough to maintain a 10 percent surface soil moisture content throughout all earth moving activities.

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<tr>
<th>Monitoring Phase:</th>
<th>Construction</th>
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<tr>
<td>Monitoring Agency:</td>
<td>Planning and Building Safety Department; Public Works Department</td>
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</tbody>
</table>
C-14 All unpaved roads, parking and staging areas must be watered at least once every two hours of active operation.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-15 Site access points must be swept/washed within thirty minutes of visible dirt deposition.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-16 On-site stockpiles of debris, dirt or rusty materials must be covered or watered at least twice daily.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-17 All haul trucks hauling soil, sand, and other loose materials must either be covered or maintain two feet of freeboard.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-18 All haul trucks must have a capacity of no less than twelve and three-quarter (12.75) cubic yards.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-19 At least 80 percent of all inactive disturbed surface areas must be watered on a daily basis when there is evidence of wind driven fugitive dust.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency:  South Coast Air Quality Management District
Monitoring Agency:  Planning and Building Safety Department; Public Works Department

C-20  Operations on any unpaved surfaces must be suspended when winds exceed 25 mph.

Monitoring Phase:  Construction
Implementation Party:  Applicant
Enforcement Agency:  South Coast Air Quality Management District
Monitoring Agency:  Planning and Building Safety Department; Public Works Department

C-21  Traffic speeds on unpaved roads must be limited to 15 miles per hour.

Monitoring Phase:  Construction
Implementation Party:  Applicant
Enforcement Agency:  South Coast Air Quality Management District
Monitoring Agency:  Planning and Building Safety Department; Public Works Department

C-22  Operations on any unpaved surfaces must be suspended during first and second stage smog alerts.

Monitoring Phase:  Construction
Implementation Party:  Applicant
Enforcement Agency:  South Coast Air Quality Management District
Monitoring Agency:  Planning and Building Safety Department; Public Works Department

C-23  The applicant must develop and implement a construction management plan, as approved by the City of El Segundo, which includes the following measures recommended by the SCAQMD, or equivalently effective measures approved by the SCAQMD.

a.  Configure construction parking to minimize traffic interference.

b.  Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person).

c.  Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the degree practicable.

d.  Re-route construction trucks away from congested streets.

e.  Consolidate truck deliveries when possible.

f.  Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
g. Maintain equipment and vehicle engines in good condition and in proper tune as per manufacturer’s specifications and per SCAQMD rules, to minimize exhaust emissions.

h. Suspend use of all construction equipment operations during second stage smog alerts. Contact SCAQMD at (800) 242-4022 for daily forecasts.

i. Use electricity from power poles rather than temporary diesel- or gasoline-powered generators.

j. Use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices.

k. Use propane- or butane-powered on-site mobile equipment instead of gasoline if readily available at competitive prices.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

III. BIOLOGICAL RESOURCES

Subsequent Environmental Documentation

Subsequent environmental documentation must be prepared for any proposed development project that includes the northwest corner of the proposed Sepulveda/Rosecrans Rezoning Site that has been identified as potentially containing 0.30 acres of jurisdictional wetlands area under the jurisdiction of LARWQCB. Impacts to any jurisdictional wetlands that may exist in this area must be examined, at the time the development project is proposed, in light of the Program EIR to determine whether a new Initial Study would be required to be prepared leading to either an EIR or Negative Declaration. The subsequent environmental documentation must address the following:

D-1 A site specific analysis must be conducted to determine whether the design of the proposed development project would impact any of the 0.30 acres identified as potential jurisdictional wetlands. This analysis shall be completed prior to the start of construction activities for any proposed development within the Sepulveda/Rosecrans Rezoning Site. If jurisdictional wetlands would be affected by the development project, measures shall be identified to reduce impacts to less than significant levels.

Subsequent environmental documentation must also be prepared for any proposed development project within the proposed Sepulveda/Rosecrans Rezoning Site to determine the presence/absence of sensitive species. This information must be examined, at the time the development project is proposed, in light of the Program EIR to determine whether a new Initial Study would be required to be prepared leading to either an EIR or Negative Declaration. The subsequent environmental documentation must address the following:
Site specific analysis of potential effects to four sensitive bird species (white tailed kite, loggerhead shrike, burrowing owl and Belding’s savannah sparrow) must be conducted prior to the start of construction activities for any proposed development within the Sepulveda/Rosecrans Rezoning Site. If any of these sensitive species would be affected by the proposed development, measures must be identified to reduce impacts to these species to less than significant levels, including, but not limited to, on-site monitoring by a qualified biologist during grading and/or construction activities.

In the preparation of subsequent environmental documentation, as described above, it is not necessary to re-survey any area that has already been addressed in this EIR or may be surveyed in the course of preparing subsequent environmental documentation for later projects.
Mitigation Measures

**Sepulveda/Rosecrans Site Rezoning**

D-1. A site specific analysis must be conducted to determine whether the design of the proposed development project would impact any of the 0.30 acres identified as potential jurisdictional wetlands. This analysis shall be completed prior to the start of construction activities for any proposed development within the Sepulveda/Rosecrans Rezoning Site. If jurisdictional wetlands would be affected by the development project, measures shall be identified to reduce impacts to less than significant levels.

**Monitoring Phase:** Pre-construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Los Angeles Regional Water Quality Control Board  
**Monitoring Agency:** Planning Division

D-2. Site specific analysis of potential effects to four sensitive bird species (white tailed kite, loggerhead shrike, burrowing owl and Belding’s savannah sparrow) must be conducted prior to the start of construction activities for any proposed development within the Sepulveda/Rosecrans Rezoning Site. If any of these sensitive species would be affected by the proposed development, measures must be identified to reduce impacts to these species to less than significant levels, including, but not limited to, on-site monitoring by a qualified biologist during grading and/or construction activities.

**Monitoring Phase:** Pre-construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** California Department of Fish and Game  
**Monitoring Agency:** Planning Division

D-3. All construction personnel must receive copies of all pertinent mitigation measures to reduce impacts to general biological resources and must be instructed on avoiding adverse impacts to birds encountered on-site.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Planning Division  
**Monitoring Agency:** Planning Division

D-4. Prior to site remediation or construction grading on parts of the Site where burrowing owls may occur, a qualified biologist must be retained to conduct surveys for burrowing owl to determine if it is resident on-site. Surveys must be conducted no more than 30 days prior to commencement of such activities. If burrowing owl is determined to be resident, a qualified biologist must oversee site remediation and demolition activities in and around any semi-natural areas which could be occupied by burrowing owl. Proposed mitigation measures must be presented to the California
Department of Fish and Game and/or U.S. Fish and Wildlife Service for approval to avoid directly harming the owl if it is present on-site during these activities.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** California Department of Fish and Game; United States Fish and Wildlife Service  
**Monitoring Agency:** Planning Division

**Plaza El Segundo Development**

D-5. All construction personnel must receive copies of all pertinent mitigation measures to reduce impacts to general biological resources and must be instructed on avoiding adverse impacts to birds encountered on-site.

**Monitoring Phase:** Pre-construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Planning Division  
**Monitoring Agency:** Planning Division

D-6. Prior to site remediation or construction grading on parts of the Site where burrowing owls may occur, a qualified biologist must be retained to conduct surveys for burrowing owl to determine if it is resident on-site. Surveys must be conducted no more than 30 days prior to commencement of such activities. If burrowing owl is determined to be resident, a qualified biologist must oversee site remediation and demolition activities in and around any semi-natural areas which could be occupied by burrowing owl. Proposed mitigation measures must be presented to the California Department of Fish and Game and/or U.S. Fish and Wildlife Service for approval to avoid directly harming the owl if it is present on-site during these activities.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** California Department of Fish and Game; United States Fish and Wildlife Service  
**Monitoring Agency:** Planning Division

D-7. Prior to issuance of building permits, evidence must be provided to the City of El Segundo that all necessary approvals for any wetland dredge/fill contemplation by such permit have been obtained from the Regional Water Quality Control Board - Los Angeles Region or equivalent documentation, or a waiver stating that no permit is presently required pursuant to the regulations of that agency. If required, conditions for permit approval by LARWQCB must include, but may not be limited to the following:

- Mitigation of any unavoidable impacts to wetland values and functions to the satisfaction of the permitting agency;
- Incorporation of buffers to the wetland areas;
• On-site treatment of runoff to improve water quality; and

• Compliance with best management practices during construction.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Los Angeles Regional Water Quality Control Board
Monitoring Agency: Planning Division

IV. GEOLOGY AND SOILS

Subsequent Environmental Documentation

Subsequent environmental documentation must be prepared for any proposed development on the Sepulveda/Rosecrans Rezoning Site to determine the presence or absence of methane. The subsequent environmental documentation must address the following:

E-1 A methane study must be conducted to determine the levels at which methane is or is not present in the area of any proposed development. If methane is determined to be present at or above levels which require action, then the report must include recommendations and mitigation measures which must be followed.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

E-1 A methane study must be conducted to determine the levels at which methane is or is not present in the area of any proposed development. If methane is determined to be present at or above levels which require action, then the report must include recommendations and mitigation measures which must be followed.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Planning and Building Safety Department
Monitoring Agency: Building Safety Division

E-2 All soil disturbance and travel on unpaved surfaces must be suspended if winds exceed 25 miles per hour.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Building Safety Division; Public Works Department

**Plaza El Segundo Development**

E-3 All soil disturbance and travel on unpaved surfaces must be suspended if winds exceed 25 miles per hour.

**Monitoring Phase:** Construction
**Implementation Party:** Applicant
**Enforcement Agency:** South Coast Air Quality Management District
**Monitoring Agency:** Building Safety Division; Public Works Department

V. HYDROLOGY AND WATER QUALITY

Subsequent Environmental Documentation

No subsequent environmental documentation is required.

Mitigation Measures

**Sepulveda/Rosecrans Site Rezoning**

**Construction**

F-1. The applicant must prepare hydrology studies for each specific development on the Sepulveda/Rosecrans Rezoning Site. Such studies must be reviewed and approved by the City of El Segundo and any other applicable agency.

**Monitoring Phase:** Pre-construction
**Implementation Party:** Applicant
**Enforcement Agency:** Building Safety Division; Public Works Department
**Monitoring Agency:** Building Safety Division; Public Works Department

F-2. The applicant must prepare runoff studies for each specific development on the Sepulveda/Rosecrans Rezoning Site so that the runoff from one specific project area would not flow onto another specific project area without the owners consent. Such studies must be reviewed and approved by the City of El Segundo and any other applicable agency.

**Monitoring Phase:** Pre-construction
**Implementation Party:** Applicant
**Enforcement Agency:** Building Safety Division; Public Works Department
**Monitoring Agency:** Building Safety Division; Public Works Department
F-3. The applicant must prepare a master drainage plan for each specific development on the Sepulveda/Rosecrans Rezoning Site. This plan must include detailed hydrology/hydraulic calculations and drainage improvements, showing quantitatively how the project will eliminate the potential for downstream flooding due to increased storm water runoff. These plans will also identify the proposed BMPs to be implemented in compliance with the requirements of the Standard Urban Storm Water Mitigation Plan and the ESMC. Such plans must be reviewed and approved by the City of El Segundo and the Los Angeles County Department of Public Works.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Building Safety Division; Public Works Department

F-4. The applicant must design, for each specific development on the Sepulveda/Rosecrans Rezoning Site, a conveyance and detainment system to meet the Los Angeles County Department of Public Works limits on the storm drains that would convey the Sepulveda/Rosecrans Rezoning Site’s discharge.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

F-5. The proposed Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo Development must comply with the City of El Segundo Ordinance No. 1347 and No. 1348, which establishes storm water and urban pollution controls.

Monitoring Phase: Pre-construction; Construction; Post-Construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Public Works Department

Operation

F-6. The project owner/developer of a specific development (e.g., Plaza El Segundo) on the Sepulveda/Rosecrans site must maintain all structural or treatment control BMPs for the life of the project.

Monitoring Phase: Post-construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department; El Segundo Fire Department
Monitoring Agency: Building Safety Division; Public Works Department; El Segundo Fire Department
Plaza El Segundo Development

Construction

F-7. The applicant must prepare a hydrology study for the Plaza El Segundo site. The study must be reviewed and approved by the City of El Segundo and any other applicable agencies.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Building Safety Division; Public Works Department

F-8. The applicant must prepare a runoff study for the Plaza El Segundo site so that the runoff does not flow onto another area without the owners consent. The study must be reviewed and approved by the City of El Segundo and any other applicable agencies.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Building Safety Division; Public Works Department

F-9. The applicant must prepare a master drainage plan for the Plaza El Segundo site. This plan must include detailed hydrology/hydraulic calculations and drainage improvements, showing quantitatively how the project will eliminate the potential for downstream flooding due to increased storm water runoff. These plans will also identify the proposed BMPs to be implemented in compliance with the requirements of the Standard Urban Storm Water Mitigation Plan and the ESMC. Such plans must be reviewed and approved by the City of El Segundo and the Los Angeles County Department of Public Works.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Public Works Department

F-10. The applicant must design a conveyance and detention system to meet the City of El Segundo’s and Los Angeles County Department of Public Works limits on the storm drains that would convey the Plaza El Segundo site’s discharge.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Public Works Department

F-11. The proposed Plaza El Segundo Development must comply with the City of El Segundo Ordinance No. 1347 and No. 1348, which establishes storm water and urban pollution controls.

Monitoring Phase: Pre-construction; Construction; Post-construction
Operation

F-12. The project owner/developer must maintain all structural or treatment control BMPs for the life of the Plaza El Segundo Development.

VI. HAZARDS AND HAZARDOUS MATERIALS

Subsequent Environmental Documentation

Subsequent environmental documentation must be prepared for any proposed development project within the proposed Sepulveda/Rosecrans Rezoning Site. Conditions related to soil and groundwater contamination must be examined for the proposed development site, at the time the development project is proposed, in light of the Program EIR to determine whether a new Initial Study would be required to be prepared leading to either an EIR or Negative Declaration. The subsequent environmental documentation must address the following:

G-1. A full characterization of all the parcels that comprise that project site must be undertaken. The City must require that this process be initiated by requiring the project applicant to conduct a Phase I Environmental Site Assessment (ESA) or equivalent investigation and analysis for the specific project site that would be occupied by the proposed development. The Phase I ESA or equivalent document must be prepared by a licensed professional (Registered Environmental Assessor or equivalent) and submitted to the City for review.

G-2. If indicated by the initial investigation, the City must require the preparation of subsequent Phase II investigation(s) and submission to the Los Angeles Regional Water Quality Control Board and/or other appropriate agency. The project applicant must provide to the City copies of all materials submitted to the LARWQCB or any other regulatory agency.

G-3. Remediation of any environmental conditions identified in the Phase I and Phase II site assessments or investigations must be accomplished to the standards established and agreed upon by the appropriate regulatory agency(ies) for the contemplated development, prior to the issuance of grading or building permits for the project. The project applicant must provide to the City copies of any materials received from the LARWQCB or any other regulatory agency.
G-4. If the future development project would include any part of the Sepulveda/Rosecrans Rezoning Site that currently contains structures, an asbestos and lead survey must be conducted to determine the presence or absence of these substances. Removal of these substances must be conducted in accordance with all applicable rules and regulations.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

G-1. A full characterization of all the parcels that comprise that project site must be undertaken. The City must require that this process be initiated by requiring the project applicant to conduct a Phase I Environmental Site Assessment (ESA) or equivalent investigation and analysis for the specific project site that would be occupied by the proposed development. The Phase I ESA or equivalent document must be prepared by a licensed professional (Registered Environmental Assessor or equivalent) and submitted to the City for review.

Monitoring Phase: Pre-construction  
Implementation Party: Applicant  
Enforcement Agency: Planning Division; El Segundo Fire Department  
Monitoring Agency: Planning Division

G-2. If indicated by the initial investigation, the City must require the preparation of subsequent Phase II investigation(s) and submission to the Los Angeles Regional Water Quality Control Board and/or other appropriate agency. The project applicant must provide to the City copies of all materials submitted to the LARWQCB or any other regulatory agency.

Monitoring Phase: Pre-construction  
Implementation Party: Applicant  
Enforcement Agency: Los Angeles Regional Water Quality Control Board; Planning Division  
Monitoring Agency: Planning Division

G-3. Remediation of any environmental conditions identified in the Phase I and Phase II site assessments or investigations must be accomplished to the standards established and agreed upon by the appropriate regulatory agency(ies) for the contemplated development, prior to the issuance of grading or building permits for the project. The project applicant must provide to the City copies of any materials received from the LARWQCB or any other regulatory agency.

Monitoring Phase: Pre-construction  
Implementation Party: Applicant
Enforcement Agency: Planning Division; Los Angeles Regional Water Quality Control Board
Monitoring Agency: Planning Division

G-4. If the future development project would include any part of the Sepulveda/Rosecrans Rezoning Site that currently contains structures, an asbestos and lead survey must be conducted to determine the presence or absence of these substances. Removal of these substances must be conducted in accordance with all applicable rules and regulations.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division
Monitoring Agency: Building Safety Division

Plaza El Segundo Development

G-5. Remedial investigations, health risk assessments for the contemplated development and soils remedial action plans for the Plaza El Segundo portion of the project site must be completed and approved to the standards established and agreed upon in conjunction with the LARWQCB prior to the start of any project activities. The project applicant must provide to the City copies of any materials received from the LARWQCB or any other regulatory agency.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Planning Division; Los Angeles Regional Water Quality Control Board
Monitoring Agency: Planning Division

G-6. Remediation of shallow soil of the Plaza El Segundo Development site must be accomplished to the standards for commercial development established and agreed upon in conjunction with the LARWQCB and a shallow soil closure letter must be issued by the LARWQCB prior to the issuance of grading permits for construction of the proposed Plaza El Segundo Development. The project applicant must provide to the City copies of any materials received from the LARWQCB or any other regulatory agency.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Planning Division; Los Angeles Regional Water Quality Control Board
Monitoring Agency: Planning Division

VII. LAND USE

Subsequent Environmental Documentation
No subsequent environmental documentation is required.

Mitigation Measures

*Sepulveda/Rosecrans Site Rezoning*

No mitigation measures are required.

*Plaza El Segundo Development*

No mitigation measures are required.
VIII. NOISE

Subsequent Environmental Documentation

Subsequent environmental documentation must be prepared for development projects proposed to be constructed on the Sepulveda/Rosecrans site. The subsequent environmental documentation must address the following:

I-1 A project-specific construction noise analysis must be prepared that calculates, based on project-specific parameters and identification of the site-specific sensitive receptors that could be affected by construction activities, the noise levels that would be experienced at sensitive receptors located adjacent to that site. If noise levels resulting from construction activity would result in temporary construction noise levels that exceed 65 dBA at a sensitive receptor, or cause an incremental increase of 5 dBA over the existing ambient sound level, if the existing ambient sound level at the sensitive receptor location is 65 dBA or more, then the study must identify feasible mitigation measures to be applied to that project from the list of mitigation measures provided below.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

I-1 A project-specific construction noise analysis must be prepared that calculates, based on project-specific parameters and identification of the site-specific sensitive receptors that could be affected by construction activities, the noise levels that would be experienced at sensitive receptors located adjacent to that site. If noise levels resulting from construction activity would result in temporary construction noise levels that exceed 65 dBA at a sensitive receptor, or cause an incremental increase of 5 dBA over the existing ambient sound level, if the existing ambient sound level at the sensitive receptor location is 65 dBA or more, then the study must identify feasible mitigation measures to be applied to that project from the list of mitigation measures provided below.

- Construction contracts must specify that all construction equipment must be equipped with mufflers and other applicable noise attenuation devices.
- During construction phases, the contractor must store and maintain equipment as far as possible from the adjacent receptor property locations to the southwest, north, and east of the Sepulveda/Rosecrans Rezoning Site.
- As stated in the City of El Segundo Municipal Code, construction must be restricted to the hours of 7:00 a.m. to 6 p.m. Monday through Saturday, and prohibited at anytime on Sunday or a Federal holiday.
- Temporary plywood noise barriers must be constructed along the property lines of the Sepulveda/Rosecrans Rezoning Site during construction, which must be high enough to block the line-of-site between the Sepulveda/Rosecrans Rezoning Site and receptor property locations to the southwest, north, and east.
Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

Plaza El Segundo Development

I-2 Construction contracts must specify that all construction equipment must be equipped with mufflers and other applicable noise attenuation devices.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

I-3 During construction phases, the contractor must store and maintain equipment as far as possible from the adjacent receptor property locations to the north and east of the Plaza El Segundo Site.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

I-4 As stated in the City of El Segundo Municipal Code, construction must be restricted to the hours of 7:00 a.m. to 6 p.m. Monday through Saturday, and prohibited at anytime on Sunday or a Federal holiday.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division
Monitoring Agency: Building Safety Division

I-5 Temporary plywood noise barriers must be constructed along the property lines of the 4.5 net acre portion of the Plaza El Segundo site south of the UPRR tracks during construction, which must be high enough to block the line-of-site (a minimum of 8 feet above existing grade) between the Plaza El Segundo site and receptor property locations to the southwest, north, and east.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Building Safety Division

IX. POPULATION, HOUSING, AND EMPLOYMENT

Subsequent Environmental Documentation

No subsequent environmental documentation is required.
Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

No mitigation measures are required.

Plaza El Segundo Development

No mitigation measures are required.

X. PUBLIC SERVICES

Fire Protection

Subsequent Environmental Documentation

No subsequent environmental documentation is required.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

K.1-1 The applicant must pay the City of El Segundo a Fire Service Mitigation Fee of $0.14 per gross square foot of building area prior to the issuance of a certificate of occupancy.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

K.1-2 A fire life safety plan, which must include definitive plans and specifications, must be submitted to the El Segundo Fire Department (ESFD) for review and approval prior to commencement of construction of any portion of the proposed development.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: El Segundo Fire Department
Monitoring Agency: El Segundo Fire Department

K.1-3 The applicant must provide fire access roadways to and throughout the property and submit a layout plan to the ESFD for approval.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: El Segundo Fire Department
Monitoring Agency: El Segundo Fire Department

K.1-4 The applicant must provide water flow and on-site fire hydrants as required by the ESFD.

Monitoring Phase: Pre-construction; Construction; Post-construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; El Segundo Fire Department
Monitoring Agency: El Segundo Fire Department

K.1-5 The following installations require separate Fire Department approval. The applicant must submit separate plans for Fire Department review:

- Automatic fire sprinklers;
- Fire alarm system;
- Underground fire service mains;
- Fire pumps;
- Emergency generators; and
- Any aboveground or underground storage tank including elevator sumps and condensation tanks.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: El Segundo Fire Department
Monitoring Agency: El Segundo Fire Department

Plaza El Segundo Development

K.1-6 The applicant must pay the City of El Segundo a Fire Service Mitigation Fee of $0.14 per gross square foot of building area prior to the issuance of a certificate of occupancy.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division
K.1-7 A fire life safety plan, which must include definitive plans and specifications, must be submitted to the El Segundo Fire Department (ESFD) for review and approval prior to commencement of construction of any portion of the proposed development.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: El Segundo Fire Department
Monitoring Agency: El Segundo Fire Department

K.1-8 The applicant must provide fire access roadways throughout the property and submit a layout plan to the ESFD for approval.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: El Segundo Fire Department
Monitoring Agency: El Segundo Fire Department

K.1-9 The applicant must provide water flow and on-site fire hydrants as required by the ESFD.

Monitoring Phase: Pre-construction; Construction; Post-construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; El Segundo Fire Department
Monitoring Agency: El Segundo Fire Department

K.1-10 The following installations require separate Fire Department approval. The applicant must submit separate plans for Fire Department review:

- Automatic fire sprinklers;
- Fire alarm system;
- Underground fire service mains;
- Fire pumps;
- Emergency generators; and
- Any aboveground or underground storage tank including elevator sumps and condensation tanks.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: El Segundo Fire Department
Monitoring Agency: El Segundo Fire Department

Police Protection
Subsequent Environmental Documentation

No subsequent environmental documentation is required.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

K.2-1 The applicant must pay the City of El Segundo a Police Service Mitigation Fee of $0.11 per gross square foot of building area prior to the occupancy of each building.

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K.2-2 A strategic security plan, which must include definitive plans and specifications, must be submitted to the El Segundo Police Department (ESPD) for review and approval prior to commencement of construction of any portion of the proposed Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo Development. The strategic security plan must include, but not be limited to, the following item:

- Depending upon the size of the structure and its location in relation to the streets, the size of the displayed address may vary from a minimum of 4” to as much as 24”.

- Building entrances and exits must be limited in number and located in a manner to increase security and visibility of the building.

- All landscaping must be low profile especially around perimeter fencing, windows, doors and entryways taking special care not to limit visibility and provide climbing access.

- Adequate street, walkway, building and parking lot lighting must be provided to enhance security.

- Provisions for on-site security personnel.

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Plaza El Segundo Development

K.2-3 The applicant must pay the City of El Segundo a Police Service Mitigation Fee of $0.11 per gross square foot of building area prior to the occupancy of each building.
Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

K.2-4 A strategic security plan, which must include definitive plans and specifications, must be submitted to the El Segundo Police Department (ESPD) for review and approval prior to commencement of construction of any portion of the proposed Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo Development. The strategic security plan must include, but not be limited to, the following item:

- Depending upon the size of the structure and its location in relation to the streets, the size of the displayed address may vary from a minimum of 4” to as much as 24”.

- Building entrances and exits must be limited in number and located in a manner to increase security and visibility of the building.

- All landscaping must be low profile especially around perimeter fencing, windows, doors and entryways taking special care not to limit visibility and provide climbing access.

- Adequate street, walkway, building and parking lot lighting must be provided to enhance security.

- Provisions for on-site security personnel.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: El Segundo Police Department
Monitoring Agency: El Segundo Police Department

XI. TRANSPORTATION AND TRAFFIC

Subsequent Environmental Documentation

No subsequent environmental documentation is required.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

Physical Roadway Improvements

L-1 El Segundo Boulevard and Sepulveda Boulevard. Convert the existing eastbound right-turn only lane to a shared through/right-turn lane. There exists three receiving lanes on the east leg of the intersection. In addition, modify the raised center median to
convert the westbound shared through left-turn lane to a dedicated second left turn lane and additional through lane.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department; Caltrans  
**Monitoring Agency:** Public Works Department; Caltrans

L-2 **El Segundo Boulevard and Aviation Boulevard.** Provide a fair share cost of roadway construction and striping for a dedicated northbound right-turn lane at this intersection based upon each project's volume of traffic added to the intersection. Another development project (Los Angeles Air Force Base Land Conveyance, Construction and Development) will be providing all of the additional right-of-way necessary to implement this improvement.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department; City of Hawthorne Public Works Department  
**Monitoring Agency:** Public Works Department; City of Hawthorne Public Works Department

L-3 **Park Place and Nash Street.** Provide a new traffic signal at this location. Widen and restripe the eastbound and westbound directions to provide one left-turn lane, one through lane, and one right-turn only lane.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department  
**Monitoring Agency:** Public Works Department

L-4 **Park Place and Douglas Street.** Provide a new traffic signal at this location.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department  
**Monitoring Agency:** Public Works Department

L-5 **Rosecrans Avenue and Sepulveda Boulevard.** On the westbound approach of Rosecrans Avenue dedicate additional right-of-way on the north side of Rosecrans Avenue to provide a free flow right-turn lane and third left-turn lane. Sepulveda Boulevard south of Rosecrans Avenue may need to be widened to accommodate the third left-turn lane, depending on the specific design of this lane. This widening could take place within the existing Sepulveda Boulevard right-of-way. Widen the east side of Sepulveda Boulevard along the project frontage to provide the acceptance lane for the free westbound right-turn lane. This additional lane on Sepulveda should be improved to
the new Park Place connection where a right turn lane will be provided. This intersection’s jurisdiction is shared with Manhattan Beach and Caltrans. Coordination and concurrence of these agencies for implementation of these improvements would be required.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Caltrans; City of Manhattan Beach Public Works Department
Monitoring Agency: Public Works Department; Caltrans; City of Manhattan Beach Public Works Department

L-6 Rosecrans Avenue and Continental Way. Provide a new traffic signal at this location. This intersection’s jurisdiction is shared with Manhattan Beach. Coordination and concurrence of this agency for implementation of this improvement would be required.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; City of Manhattan Beach Public Works Department
Monitoring Agency: Public Works Department; City of Manhattan Beach Public Works Department

L-7 Rosecrans Avenue and Douglas Street. On the westbound approach, widen the north side of Rosecrans Avenue to provide a dedicated westbound right-turn lane. This intersection’s jurisdiction is shared with Manhattan Beach. Coordination and concurrence of this agency for implementation of this improvement would be required. This improvement is included as part of the current Rosecrans/Aviation Widening (discussed above under “Future Highway System Improvements”) but will be guaranteed by the project.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; City of Manhattan Beach Public Works Department
Monitoring Agency: Public Works Department; City of Manhattan Beach Public Works Department

Site Trip Reductions

L-8 Project applicants must promote rideshare programs (bikes, rideshare matching and transit options) as required by the City of El Segundo Transportation Demand Management Program (TDM). In addition to the traditional TDM program, project applicants must promote access to the Commute View System which is being implemented by the City to provide information on congested routes to provide additional trip reduction measures. The Commute View System is an advanced
traveler information system which provides real time travel time information, incident
information, and general traffic conditions through a variety of devices such as the
cable, internet, cell phone and wireless PDA. This will provide commuters the ability
to make informed decisions regarding the route, time of travel and mode of
transportation. Project applicants must include or share in a transit connection system
to promote use of the existing Metro Green Line service, remote employee lot during
seasonal peaks and local circulator service. Based upon estimate usage patterns and
trial studies, an approximately three percent reduction in trips to and from the site
during peak periods is anticipated with these enhancements.

Monitoring Phase: Post-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Planning Division
Monitoring Agency: Public Works Department; Planning Division

Intelligent Transportation Systems Connections/Upgrades

L-9 The South Bay area will be enhanced with an area-wide signal system upgrade prior to
project completion in 2012. This system is already funded and will be implemented
with or without the proposed project. The improvement will provide for intelligent
transportation systems (ITS) which provide real time adjustment to signal timing based
upon current conditions thereby increasing capacity along major corridors. ITS system
enhancements are currently being tested and evaluated which provide further enhanced
capacity. These enhancements provide advanced communication upgrades to the users
of the roadway systems. Items include Advanced Traveler Information System (ATIS)
and Advanced Traffic Management Systems (ATMS). ATIS provides commuters with
information to make route and time of day decisions. The enhanced ATIS system that
would be included within the South Bay ITS system will enable private sector partners
to disseminate freeway and arterial traffic information to the public via paid
subscription services. ATMS manages the traffic system on surrounding streets.

Applicants for development projects within the proposed Sepulveda/Rosecrans
Rezoning Site must provide for connectivity to the systems described above. Project
applicants must provide access to information disseminated by the ATIS system to
patrons and employees by including at least one television monitor or equivalent
equipment that is compatible with and connected to the ATIS system and that displays
current commuter information from the ATIS system during all hours that the
development is open for business. The monitor or equivalent equipment shall be
placed in a centralized location within the development, shall be specifically identified
on directory maps of the facility, shall be specifically and clearly identified as the
location for obtaining current travel information and shall be identified elsewhere
throughout the development with signage that directs patrons to the location.

Project applicants must also facilitate dissemination of information provided by the
ATIS system to project employees by working with project tenants to offer fully or
partially subsidized monthly subscriptions to employees (currently estimated at full cost
of $5.00 per month per user). Project applicants (or successors in interest) must
provide any new project tenant with information regarding subscription programs
available to employees and costs thereof and shall encourage tenants to provide subsidized monthly subscriptions to their employees. However, because there is no guarantee that subscription subsidies will be provided by future tenants of developments within the Sepulveda/Rosecrans Rezoning Site, no additional credit for these subscriptions can be taken except for the enhancements provided by the South Bay ITS system as presently designed (7%, see discussion under “Future Highway System Improvements” above).

**Monitoring Phase:** Construction; Post-construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department; Planning Division; Los Angeles County Public Works Department  
**Monitoring Agency:** Public Works Department; Planning Division; Los Angeles County Public Works Department

*Local Street-Freeway Inter-Ties*

L-10

This mitigation measure is applicable to buildout of the Sepulveda/Rosecrans Rezoning Site beyond the Plaza El Segundo Project Development. Applicants for development projects within the Sepulveda/Rosecrans Rezoning Site (excluding the Plaza El Segundo Project) shall fund or construct upgrades and enhancements to the El Segundo and/or South Bay ITS systems, and/or the Caltrans ITS system that singly or in combination cause an increase of 3% in the capacity of the street system served by these ITS systems. The 3% increase shall be measured from the calculated capacity of the system based upon existing lane configurations, plus a 10% increase on street in the City of El Segundo, and 7% increase on streets outside the City of El Segundo to reflect the El Segundo and South Bay ITS systems, respectively. The upgrades/enhancements shall be selected from the following menu and approved by the relevant jurisdictional agency: expansion of the fiber optic communication system, expansion of wireless communication components, provision of software components, supplemental advance system detectors, changeable message signs, closed circuit television cameras, or any other reasonably feasible upgrade or enhancement approved by the relevant jurisdictional agency. The applicant shall participate in any applicable fair share fee mitigation program that will otherwise fund the foregoing upgrades/enhancements and shall receive credit for all fair share payments.

**Monitoring Phase:** Pre-construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department; Caltrans; County of Los Angeles Department of Public Works  
**Monitoring Agency:** Public Works Department; Caltrans; County of Los Angeles Department of Public Works
Project Parking/Egress Information System for Key Access/Egress Corridors

L-11 Project applicants must provide parking/egress information systems in the manner of Changeable Message Signs (CMS) along key access/egress corridors of Sepulveda Boulevard, Rosecrans Avenue, and Park Place. Currently, Los Angeles County is installing CMS on major streets in the South Bay area and locations for additional CMS would be identified in coordination with Los Angeles County. A centrally located kiosk system must be included in project design that can disseminate roadway conditions along the major routes. This information would be utilized by the employee or patron to determine the least congested access/egress route to/from the project, thereby minimizing delay on the roadway systems. Based upon recent studies in the South Bay area under trial conditions, implementation of this measure is anticipated to improve capacity at the site adjacent intersections by three percent, along major corridors of Rosecrans Avenue, Sepulveda Boulevard, and El Segundo Boulevard by two percent, and the balance of the study intersections by one percent.

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Improvements for Cumulative Growth

L-12 In order to assist in addressing future cumulative traffic deterioration, the City of El Segundo through its Traffic Congestion Mitigation Fee Ordinance will require the developer of a specific project to make a “fair share” contribution for programmed roadway improvements. In addition, project implementation of the signal system enhancements described above will benefit the entire system and reduce cumulative impacts along the roadway corridors.

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Plaza El Segundo Development

Physical Roadway Improvements

L-13 El Segundo Boulevard and Sepulveda Boulevard – Convert the existing eastbound right-turn only lane to a shared through/right-turn lane. There exists three receiving lanes on the east leg of the intersection. In addition, modify the raised center median to convert the westbound shared through left-turn lane to a dedicated second left turn lane and additional through lane.

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L-14  El Segundo Boulevard and Aviation Boulevard – Provide a fair share cost of roadway construction and striping for a dedicated northbound right-turn lane at this intersection based upon each project’s volume of traffic added to the intersection. Another development project (Los Angeles Air Force Base Land Conveyance, Construction and Development) will be providing all of the additional right-of-way necessary to implement this improvement.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department; City of Hawthorne Public Works Department  
**Monitoring Agency:** Public Works Department; City of Hawthorne Public Works Department

L-15  Rosecrans Avenue and Sepulveda Boulevard – On the westbound approach of Rosecrans Avenue dedicate additional right-of-way on the north side of Rosecrans Avenue to provide a free flow right-turn lane and third left-turn lane. Sepulveda Boulevard south of Rosecrans Avenue may need to be widened to accommodate the third left-turn lane, depending on the specific design of this lane. This widening could take place within the existing Sepulveda Boulevard right-of-way. Widen the east side of Sepulveda Boulevard along the project frontage to provide the acceptance lane for the free westbound right-turn lane. This additional lane on Sepulveda should be improved to the new Park Place connection where a right turn lane will be provided. This intersection’s jurisdiction is shared with Manhattan Beach and Caltrans. Coordination and concurrence of these agencies for implementation of these improvements would be required.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department; Caltrans; City of Manhattan Beach Public Works Department  
**Monitoring Agency:** Public Works Department; Caltrans; City of Manhattan Beach Public Works Department

L-16  Rosecrans Avenue and Continental Way – Provide a new traffic signal at this location. This intersection’s jurisdiction is shared with Manhattan Beach. Coordination and concurrence of this agency for implementation of this improvement would be required.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department; City of Manhattan Beach Public Works Department  
**Monitoring Agency:** Public Works Department; City of Manhattan Beach Public Works Department

*Site Trip Reductions*

L-17  The project applicant must promote rideshare programs (bikes, rideshare matching, and transit options) as required by the City of El Segundo Transportation Demand Management Program (TDM). In addition to the tradition TDM program and to
provide additional trip reduction measures, the project applicant must promote access to the Commuter View System which is being implemented by the City to provide information on congested routes. The project applicant must provide a transit connection system must be established and/or shared with other nearby retail projects to promote use of the existing Metro Green Line service, remote employee lot during seasonal peaks and local circulator service. Based upon typical usage patterns, an approximately three percent reduction in trips to and from the site during peak periods is anticipated with these enhancements.

**Monitoring Phase:** Post-Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department; Planning Division  
**Monitoring Agency:** Public Works Department; Planning Division

**Intelligent Transportation System Connections/Upgrades**

L-18 The South Bay area will be enhanced with an area-wide signal system upgrade prior to project completion in 2012. This system is already funded and will be implemented with or without the proposed project. The improvement will provide for intelligent transportation systems (ITS) which provide real time adjustment to signal timing based upon current conditions thereby increasing capacity along major corridors. ITS system enhancements are currently being tested and evaluated which provide further enhanced capacity. These enhancements provide advanced communication upgrades to the users of the roadway systems. Items include Advanced Traveler Information System (ATIS) and Advanced Traffic Management Systems (ATMS). ATIS provides commuters with information to make route and time of day decisions. The enhanced ATIS system that would be included within the South Bay ITS system will enable private sector partners to disseminate freeway and arterial traffic information to the public via paid subscription services. ATMS manages the traffic system on surrounding streets.

Applicants for development projects within the proposed Sepulveda/Rosecrans Rezoning Site must provide for connectivity to the systems described above. Project applicants must provide access to information disseminated by the ATIS system to patrons and employees by including at least one television monitor or equivalent equipment that is compatible with and connected to the ATIS system and that displays current commuter information from the ATIS system during all hours that the development is open for business. The monitor or equivalent equipment shall be placed in a centralized location within the development, shall be specifically identified on directory maps of the facility, shall be specifically and clearly identified as the location for obtaining current travel information and shall be identified elsewhere throughout the development with signage that directs patrons to the location.

Project applicants must also facilitate dissemination of information provided by the ATIS system to project employees by working with project tenants to offer fully or partially subsidized monthly subscriptions to employees (currently estimated at full cost of $5.00 per month per user). Project applicants (or successors in interest) must provide any new project tenant with information regarding subscription programs available to employees and costs thereof and shall encourage tenants to provide
subsidized monthly subscriptions to their employees. However, because there is no guarantee that subscription subsidies will be provided by future tenants of developments within the Sepulveda/Rosecrans Rezoning Site, no additional credit for these subscriptions can be taken except for the enhancements provided by the South Bay ITS system as presently designed (7%, see discussion under “Future Highway System Improvements” above).

Monitoring Phase: Construction; Post-Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Planning Division; Los Angeles County Public Works Department
Monitoring Agency: Public Works Department; Planning Division; Los Angeles County Public Works Department

Improvements for Cumulative Growth

L-19 In order to assist in addressing future cumulative traffic deterioration, the project applicant must comply with the City of El Segundo Traffic Congestion Mitigation Fee Ordinance and make a “fair share” contribution for programmed roadway improvements. In addition, project implementation of the signal system enhancements described above will benefit the entire system and reduce cumulative impacts along the roadway corridors.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Planning Division; Public Works Department
Monitoring Agency: Planning Division; Public Works Department

XII. UTILITIES

Sewer

Subsequent Environmental Documentation

Subsequent environmental documentation must be prepared for development projects proposed to be constructed on the Sepulveda/Rosecrans Rezoning Site. This information must be examined, at the time the development project is proposed, in light of the Program EIR to determine whether a new Initial Study would be required to be prepared leading to either an EIR or Negative Declaration. The subsequent environmental documentation must include the following:

M.1-1 An analysis of sewer service to the proposed development must be prepared which examines the capacity of existing sewer lines to serve the development, the projected peak sewage generation and shall identify new sewer infrastructure required to serve the development.

Mitigation Measures
Sepulveda/Rosecrans Site Rezoning

M.1-1 An analysis of sewer service to the proposed development must be prepared which examines the capacity of existing sewer lines to serve the development, the projected peak sewage generation and must identify new sewer infrastructure required to serve the development.

- Monitoring Phase: Pre-construction
- Implementation Party: Applicant
- Enforcement Agency: Public Works Department
- Monitoring Agency: Public Works Department

M.1-2 The Sepulveda/Rosecrans Rezoning Site must be annexed to Los Angeles County Sanitation District No. 5.

- Monitoring Phase: Pre-construction
- Implementation Party: Applicant
- Enforcement Agency: Public Works Department; Los Angeles County Sanitation Districts
- Monitoring Agency: Public Works Department

M.1-3 Project applicants must be required to obtain a sewer connection permit from the Los Angeles County Sanitation Districts (District 5) to obtain sanitary sewer service.

- Monitoring Phase: Pre-construction
- Implementation Party: Applicant
- Enforcement Agency: Public Works Department; Los Angeles County Sanitation Districts
- Monitoring Agency: Public Works Department

M.1-4 Additional local sewer infrastructure must be provided by the applicant as necessary to connect the Sepulveda/Rosecrans Rezoning Site with existing sewer infrastructure. This provision must be coordinated with the project applicant and may be the partial responsibility of the applicant, as determined by the City.

- Monitoring Phase: Pre-construction; Construction
- Implementation Party: Applicant
- Enforcement Agency: Public Works Department; Los Angeles County Sanitation Districts
- Monitoring Agency: Public Works Department

M.1-5 The applicant must be required to replace or upgrade the sewer infrastructure on or adjacent to the Sepulveda/Rosecrans Rezoning Site, as needed.

- Monitoring Phase: Pre-construction; Construction
- Implementation Party: Applicant
- Enforcement Agency: Public Works Department; Los Angeles County Sanitation Districts
- Monitoring Agency: Public Works Department
M.1-6 Project applicants must comply with the City’s Sewer Ordinance No. 1093, of the City of El Segundo Municipal Code, Title 12, Chapter I General Provisions, Policies, and Procedures.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.1-7 Prior to a building permit being issued the project applicant must submit the Final Working Drawings to the City of El Segundo Planning and Building Safety Department and the Public Works Department for review and approval.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Planning Division; Building Safety Division; Public Works Department
Monitoring Agency: Planning Division; Building Safety Division; Public Works Department

M.1-8 Closed circuit television (CCTV) inspection of existing on-site and adjacent off-site sewer mains must be conducted to determine the present condition of the infrastructure which the Sepulveda/Rosecrans Site Rezoning project will connect to.

Monitoring Phase: Pre-construction
Implementation Party: City of El Segundo
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.1-9 All future developments must be discharged to the existing twelve-inch sanitary sewer main in Rosecrans Avenue.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.1-10 New businesses that generate Fats, Oils, or Greases (e.g., restaurants and grocery stores) must be required to install grease interceptors with a minimum 30 minute retention period to ensure these contaminants do not block the sewerage system.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Building Safety Division; Public Works Department
Plaza El Segundo Development

M.1-11 The Sepulveda/Rosecrans Rezoning Site must be annexed to Los Angeles County Sanitation District No. 5

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Los Angeles County Sanitation Districts
Monitoring Agency: Public Works Department

M.1-12 The project applicant must be required to obtain a sewer connection permit from the Los Angeles County Sanitation Districts (District 5) to obtain sanitary sewer service.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Los Angeles County Sanitation Districts
Monitoring Agency: Public Works Department

M.1-13 Additional local sewer infrastructure must be provided by the applicant as necessary to connect the Plaza El Segundo site with existing sewer infrastructure. This provision must be coordinated with the project applicant and may be the partial responsibility of the applicant, as determined by the City.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Los Angeles County Sanitation Districts
Monitoring Agency: Public Works Department

M.1-14 The existing 15-inch sanitary sewer line must be removed and replaced with an 18-inch line. Plans must identify the point of connection for the proposed ten-inch sanitary sewer to the existing sanitary sewer main on Allied Way.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Los Angeles County Sanitation Districts
Monitoring Agency: Public Works Department

M.1-15 Project applicants must comply with the City’s Sewer Ordinance No. 1093, of the City of El Segundo Municipal Code, Title 12, Chapter I General Provisions, Policies, and Procedures.
Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.1-16 Prior to a building permit being issued the project applicant must submit the Final Working Drawings to the City of El Segundo Planning and Building Safety Department and the Public Works Department for review and approval.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Planning Division; Building Safety Division; Public Works Department
Monitoring Agency: Planning Division; Building Safety Division; Public Works Department

M.1-17 Closed circuit television (CCTV) inspection of existing on-site and adjacent off-site sewer mains must be connected to determine the present condition of the infrastructure which the Sepulveda/Rosecrans Site Rezoning project will connect to.

Monitoring Phase: Pre-construction
Implementation Party: City of El Segundo
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.1-18 New businesses that generate Fats, Oils, or Greases (e.g., restaurants and grocery stores) must be required to install grease interceptors with a minimum 30 minute retention period to ensure these contaminants do not block the sewerage system.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Building Safety Division; Public Works Department

Water

Subsequent Environmental Documentation

Subsequent environmental documentation must be prepared for development projects proposed to be constructed on the Sepulveda/Rosecrans Rezoning Site. This information must be examined, at the time the development project is proposed, in light of the Program EIR to determine whether a new Initial Study would be required to be prepared leading to either an EIR or Negative Declaration. The subsequent environmental documentation must include the following:

M.2-1 An analysis of water service to the proposed development must be prepared which examines the capacity of existing water lines to serve the development and projected
water demand and must identify new water infrastructure required to serve the development.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

M.2-1 An analysis of water service to the proposed development must be prepared which examines the capacity of existing water lines to serve the development and the projected water demand and must identify new water infrastructure required to serve the development.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.2-2 New streets shall be connected through the Sepulveda/Rosecrans Rezoning Site to adjacent existing streets, with no gaps or disconnects, so as to allow connections to existing infrastructure contained in the existing streets.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.2-3 Water distribution mains must be installed in the through streets in order to complete the existing water grid and provide water distribution to the interior of the Sepulveda/Rosecrans Rezoning Site. Connecting pipes must be a minimum of ten inches.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.2-4 New water lines must be connected to the existing water line located in Allied Way to provide a continuous public water line beginning from Sepulveda Boulevard to an existing line in Allied Way.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.2-5 Development on the proposed Sepulveda/Rosecrans Rezoning Site must include dual water connections to allow for landscaping to be irrigated by reclaimed water.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division; Building Safety Division; Public Works Department
Monitoring Agency: Planning Division; Building Safety Division; Public Works Department

M.2-6 Reclaimed water must be used as the water source to irrigate landscaped areas on the Sepulveda/Rosecrans Rezoning Site.

Monitoring Phase: Post-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Planning Division
Monitoring Agency: Public Works Department

M.2-7 Efficient irrigation systems must be installed which minimize runoff and evaporation and maximize the water which will reach plant roots (e.g. drip irrigation, automatic sprinklers equipped with moisture sensors).

Monitoring Phase: Pre-construction; Construction; Post-construction
Implementation Party: Applicant
Enforcement Agency: Recreation and Parks Department
Monitoring Agency: Planning Division; Building Safety Division

M.2-8 Automatic sprinkler systems must be set to irrigate landscaping during early morning hours or during the evening to reduce water losses from evaporation. Sprinklers must also be reset to water less often in cooler months and during the rainfall season so that water is not wasted by excessive landscape irrigation.

Monitoring Phase: Post-construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

M.2-9 Selection of drought-tolerant, low water consuming plant varieties must be used to reduce irrigation water consumption.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Recreation and Parks Department
Monitoring Agency: Planning Division; Recreation and Parks Department

M.2-10 Project applicants must comply with the City’s Conservation Program, Ordinance No. 1194, of the City of El Segundo Municipal Code, Title 10-Parks and Recreation, Chapter 2 Water Conservation in Landscaping and Resolution No. 3806.

- Prior to a building permit being issued the project applicant must submit the Final Working Drawings to the City of El Segundo Planning and Building Safety Department for review and approval relative to compliance with the City’s Water Conservation Ordinance and Guidelines for Water Conservation in Landscaping.

Monitoring Phase: Pre-construction
Plaza El Segundo Development

M.2-11 Water distribution mains must be installed in the eastward extension of Park Place and the extension of Allied Way to Park Place in order to complete the existing water grid and provide water distribution to the interior of the Plaza El Segundo site. Connecting pipes should be a minimum of ten inches.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.2-12 Development on the proposed Plaza El Segundo Site must include dual water connections to allow for landscaping to be irrigated by reclaimed water.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division; Building Safety Division; Public Works Department
Monitoring Agency: Planning Division; Building Safety Division; Public Works Department

M.2-13 Reclaimed water must be used as the water source to irrigate landscaped areas on the Plaza El Segundo Development.

Monitoring Phase: Post-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Planning Division
Monitoring Agency: Public Works Department

M.2-14 Efficient irrigation systems must be installed which minimize runoff and evaporation and maximize the water which will reach plant roots (e.g. drip irrigation, automatic sprinklers equipped with moisture sensors).

Monitoring Phase: Pre-construction; Construction; Post-construction
Implementation Party: Applicant
Enforcement Agency: Recreation and Parks Department
Monitoring Agency: Public Works Department; Building Safety Division

M.2-15 Automatic sprinkler systems must be set to irrigate landscaping during early morning hours or during the evening to reduce water losses from evaporation. Sprinklers must also be reset to water less often in cooler months and during the rainfall season so that water is not wasted by excessive landscape irrigation.

Monitoring Phase: Post-construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

M.2-16 Selection of drought-tolerant, low water consuming plant varieties must be used to reduce irrigation water consumption.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Recreation and Parks Department
Monitoring Agency: Planning Division; Recreation and Parks Department

M.2-17 The project applicant must comply with the City’s Conservation Program, Ordinance No. 1194, of the City of El Segundo Municipal Code, Title 10-Parks and Recreation, Chapter 2 Water Conservation in Landscaping and Resolution No. 3806.

- Prior to a building permit being issued the project applicant must submit the Final Working Drawings to the City of El Segundo Planning and Building Safety Department for review and approval relative to compliance with the City’s Water Conservation Ordinance and Guidelines for Water Conservation in Landscaping.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Recreation and Parks Department
Monitoring Agency: Recreation and Parks Department

Solid Waste

Subsequent Environmental Documentation

No subsequent environmental documentation is required.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

M.3-1 Where economically feasible, the proposed Sepulveda/Rosecrans Site Rezoning project must incorporate the use of recycled materials in building materials, furnishing operations and building maintenance.

Monitoring Phase: Construction; Post-construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

M.3-2 The proposed Sepulveda/Rosecrans Site Rezoning project must recycle all construction debris in a practical, available, and accessible manner, to the maximum extent feasible, during the demolition and construction phases.

Monitoring Phase: Construction
M.3-3 The design of the proposed Sepulveda/Rosecrans Site Rezoning project must allocate space for a recycling collection area for use by both on-site employees and visitors, the design of which will adhere to siting requirements in the City’s recycling ordinance. The design of the collection area will facilitate source separation and collection of additional materials that may be designated as recyclable by the City in the future.

M.3-4 Where economically feasible, the proposed Plaza El Segundo Development must incorporate the use of recycled materials in building materials, furnishing operations and building maintenance.

M.3-5 The proposed Plaza El Segundo Development must recycle all construction debris in a practical, available, and accessible manner, to the maximum extent feasible, during the demolition and construction phases.

M.3-6 The design of the proposed Plaza El Segundo Development must allocate space for a recycling collection area for use by both on-site employees and visitors, the design of which will adhere to siting requirements in the City’s recycling ordinance. The design of the collection area will facilitate source separation and collection of additional materials that may be designated as recyclable by the City in the future.
Subsequent Environmental Documentation

No subsequent environmental documentation is required.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

No mitigation measures are required.

Plaza El Segundo Development

No mitigation measures are required.

Electricity

Subsequent Environmental Documentation

No subsequent environmental documentation is required.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

M.5-1 The applicant must consult with SCE during the design process of the proposed Sepulveda/Rosecrans Site Rezoning project regarding potential energy conservation measures for the project. Examples of such energy conservation measures include:

- Design windows (i.e., tinting, double pane glass, etc.) to reduce thermal gain and loss and thus cooling loads during warm weather, and heating loads during cool weather.

- Install thermal insulation in walls and ceilings that exceed requirements established by the State of California Energy Conservation Standards.

- Install high-efficiency lamps for all internal streetlights and outdoor security lighting.

- Time control interior and exterior lighting. These systems must be programmed to account for variations in seasonal daylight times.

- Finish exterior walls with light-colored materials and high-emissivity characteristics to reduce cooling loads. Finish interior walls with light-colored materials to reflect more light and thus increase lighting efficiency.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division; Building Safety Division; Southern California Edison (SCE)
Monitoring Agency: Planning Division; Building Safety Division

M.5-2 All on-site electrical lines must be placed underground, except for high voltage transmission lines located along Rosecrans Avenue.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department; SCE
Monitoring Agency: Building Safety Division; Public Works Department

M.5-3 Electrical transformers must be screened from view from the public right-of-way.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

Plaza El Segundo Development

M.5-4 The applicant must consult with SCE during the design process of the proposed Plaza El Segundo Development regarding potential energy conservation measures for the project. Examples of such energy conservation measures include:

- Design windows (e.g., tinting, double pane glass, etc.) to reduce thermal gain and loss and thus cooling loads during warm weather, and heating loads during cool weather.

- Install thermal insulation in walls and ceilings that exceed requirements established by the State of California Energy Conservation Standards.

- Install high-efficiency lamps for all internal streetlights and outdoor security lighting.

- Time control interior and exterior lighting. These systems must be programmed to account for variations in seasonal daylight times.

- Finish exterior walls with light-colored materials and high emissivity characteristics to reduce cooling loads. Finish interior walls with light-colored materials to reflect more light and thus increase lighting efficiency.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division; Building Safety Division; SCE
Monitoring Agency: Planning Division; Building Safety Division
M.5-5 All on-site electrical lines must be placed underground, except for high voltage transmission lines located along Rosecrans Avenue.

**Monitoring Phase:** Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Building Safety Division; Public Works Department; SCE  
**Monitoring Agency:** Building Safety Division; Public Works Department

M.5-6 Electrical transformers must be screened from view from the public right-of-way.

**Monitoring Phase:** Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Planning Division  
**Monitoring Agency:** Planning Division

### XIII. CULTURAL RESOURCES

#### Subsequent Environmental Documentation

Subsequent environmental documentation shall be prepared for development projects proposed to be constructed on the Sepulveda/Rosecrans Rezoning Site. The subsequent environmental documentation shall include the following:

**N-1** A records search and/or Phase I Archaeological Survey must be conducted by a qualified archaeologist prior to the start of construction activities (including grading) for any development on the Sepulveda/Rosecrans Rezoning Site. If the survey identifies resources within the construction area, follow on studies shall be conducted in accordance with the recommendations of the records search prior to commencement of construction.

**N-2** Further analysis of Cultural Resource 19-186856 is required, that meets the requirements of CEQA Guidelines Section 15064.5(a)(2), to determine potential eligibility for the California or National Register of Historic Places prior to any construction activities occurring on the H. Kramer portion of the Sepulveda/Rosecrans Rezoning Site. If further analysis identifies that the resource is eligible, then the recommendations identified in that analysis shall be followed.
Mitigation Measures

**Sepulveda/Rosecrans Site Rezoning**

N-1 A records search and/or Phase I Archaeological Survey must be conducted by a qualified archaeologist prior to the start of construction activities (including grading) for any development on the Sepulveda/Rosecrans Rezoning Site. If the survey identifies resources within the construction area, follow on studies must be conducted in accordance with the recommendations of the records search prior to commencement of construction.

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N-2 Further analysis of Cultural Resource 19-186856, that meets the requirements of CEQA Guidelines Section 15064.5(a)(2), is required to determine potential eligibility for the California or National Register of Historic Places prior to any construction activities occurring on the H. Kramer portion of the Sepulveda/Rosecrans Rezoning Site. If further analysis identifies that the resource is eligible, then the recommendations identified in that analysis must be followed and measures identified to reduce impacts to less than significant levels.

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N-3 In the event that archaeological or paleontological resources are encountered during the course of grading or construction, all development must temporarily cease in these areas until the resources are properly assessed and subsequent recommendations are determined by a qualified archaeologist/paleontologist.

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**Plaza El Segundo Development**

N-4 In the event that archaeological or paleontological resources are encountered during the course of grading or construction, all development must temporarily cease in these areas until the resources are properly assessed and subsequent recommendations are determined by a qualified archaeologist/paleontologist.

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CITY COUNCIL RESOLUTION No. _____

Exhibit C

On March 1, 2005, the City Council adopted Resolution No. 4415 approving Environmental Assessment No. 631 (certified EIR), and General Plan Amendment Nos. 03-4 and 03-5 for the Sepulveda/Rosecrans Site Rezoning Reduced Traffic Generation Alternative and the Plaza El Segundo Development Reduced Traffic Generation Alternative;

On March 15, 2005, the City Council adopted Ordinance No. 1382 approving Zone Change Nos. 03-2 and 03-3, Zone Text Amendment No. 04-1, and Subdivision No. 03-7 for the Sepulveda/Rosecrans Site Rezoning Reduced Traffic Generation Alternative and Plaza El Segundo Development Reduced Traffic Generation Alternative, and Development Agreement No. 03-1 for the Plaza El Segundo Development Reduced Traffic Generation Alternative;

The Certified EIR analyzed an assumed 850,000 square feet of retail uses on the approximately 110-acre Sepulveda-Rosecrans Rezoning Site ("S/R Project") and at a program level. It analyzed the impacts of a 425,000 square-foot shopping center on a 38.1 net acre portion of the 110-acre site at a project level ("Plaza El Segundo Development" or "Original Project").

In 2008, the City Council approved a modification (Plaza El Segundo Phase 1B) to the portion of the approved development located south of the UPRR tracks at the northeast corner of Sepulveda Boulevard and Rosecrans Avenue. This project modification increased the site area (south of the UPRR tracks) by 3.4 acres to a total of 8.1 acres and increased the allowable square footage in the Plaza El Segundo Development by 23,829 square feet to a total of 448,829 square feet.

On August 23, 2012, Street Retail, Inc. filed applications for an Environmental Assessment (EA-993), a Zone Text Amendment (ZTA 12-04), and a Development Agreement (DA 12-03), to add 4,968 acres to the approximately 8.1-acre property at the northeast corner of Sepulveda Boulevard and Rosecrans Avenue (Phase 1B Project Site); to increase the size of the previously approved shopping center by 49,613 square feet (from 448,829 to 498,442 square feet); a Zone Text Amendment to add permitted uses and signs to the Commercial Center (C-4) Zone that are permitted in the approved Development Agreement; a Zone Text Amendment to increase the permitted size of general office uses in the Commercial Center (C-4) Zone (ESMC § 15-5G-2(B)) from 5,000 to 28,735 gross square feet (including the existing general office area in Phase 1A); a modification to Development Agreement § 4.1.3 to allow fast food restaurants within 90 feet of Sepulveda Boulevard and Rosecrans Avenue; a modification to Development Agreement § 4.2.2 to remove the size limitations for retailers in the "Smaller Tenant Standards" for the Phase 1B Project;

The City Council has carefully and independently reviewed and considered all of the evidence in the record presented in connection with the hearing on the Addendum and proposed approvals, including, but not limited to, the recommendation of the Planning Commission, and all written and oral testimony presented. Based thereon, the City Council finds as follows:

I. FINDINGS REQUIRED BY CEQA.

An Addendum has been prepared under the authority of Public Resources Code § 21166 and of 14 Ca. Code Regs. Section 15000 et seq. (the State CEQA Guidelines) at Section 15164(a) which allows a lead agency to prepare an addendum to a previously certified EIR if some changes or additions to the previously certified EIR are necessary but none of the conditions described in Section 15162 of the State CEQA Guidelines calling for preparation of a
subsequent EIR have occurred. Section 15162 of the State CEQA Guidelines states that no subsequent EIR shall be prepared unless the lead agency determines on the basis of substantial evidence in light of the whole record one or more of the following:

"(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative;

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but project proponents decline to adopt the mitigation measure or alternative."

II. FINDINGS REGARDING THE POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT MODIFICATIONS WHEN COMPARED TO EFFECTS ANALYZED IN THE CERTIFIED EIR.

A. Aesthetics

The Revised Project would add additional development to an already developed urban area. The height and massing of the Revised Project would be similar to that of the Original Project, as well as the surrounding commercial, industrial, and office uses and would have the same aesthetic impacts as the Original Project. The Revised Project would include the same sources and levels of new lighting as would occur under the Original Project, as the uses and site configuration would be similar to the Original Project. The Revised Project would add light sources and lighted signage within an area characterized by existing high levels of nighttime lighting in the area, same as the Original Project. New signs that would be permitted under the proposed Zone Text Amendment may be visible from Rosecrans Avenue and Sepulveda Boulevard, but would not be prominent because they would be required to be oriented primarily to face within the shopping center area and would be limited in size to 30 feet by 60 feet. The distance of sensitive receptors from the site would be the same as under the Original Project. The new signs would not likely be visible from the residential areas located southwest of the project site because of the orientation and size of
the permitted displays, along with intervening development and grade changes between the project site and the nearby residential area. The mitigation measures identified in the Certified EIR would continue to be applicable to the Revised Project. (Addendum page 8) The certified EIR found Aesthetic Impacts of the Sepulveda-Rosecrans Site Rezoning and Original Projects to be less than significant. The Revised Project would cause no new significant impacts.

B. Air Quality

Construction of new development associated with the Revised Project would exceed the SCAQMD significance threshold for NOx (see Table 2 on Page 10 of the Addendum). However, the Certified EIR identified that construction activities associated with the Plaza El Segundo Development and the S/R Project would exceed the SCAQMD threshold for NOx emissions and maximum NOx emissions under the Revised Project (111.0 pounds per day) would be lower than projected for the Original Project (456.61 pounds per day) and within the range of emissions projected and analyzed for the S/R Project. As such, NOx emissions associated with the Revised Project would not represent a new significant impact or substantial increase in the severity of a previously identified impact. The same mitigation measures that were identified for the Original Project with respect to construction emissions would be applicable to the Revised Project. Construction emissions associated with the Revised Project would be below the SCAQMD threshold for the remaining criteria pollutants (CO, PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>x</sub>, and ROG) and would be less than significant. For the Original Project, the certified EIR found construction emissions for ROG be significant; for the S/R Project construction emissions of CO, PM10 and ROG exceeded SCAQMD thresholds of significance. Construction emissions of the Revised Project would also be below the Localized Significance Thresholds (LST) established by the SCAQMD. The SCAQMD’s LST methodology, which had not been established when the previous EIR was certified in February, 2005, is used to determine whether the construction emissions of a project would cause or contribute to adverse localized air quality impacts on the surrounding land uses. The thresholds shown in Table 2 on Page 10 of the Addendum under the row titled “SCAQMD Localized Significance Thresholds” represent the maximum emissions levels that can occur for each criteria pollutant without causing an exceedance of the applicable air quality standard and therefore adversely affecting adjacent sensitive uses. Additionally, the projected emissions of the Revised Project would not exceed any of the SCAQMD LSTs (Table 2 on Addendum Page 10). Thus impacts of the Revised Project related to local air quality during construction would be less than significant. (Addendum Pages 8-10)

Operational air quality impacts of the Revised Project would be similar to or less than the impacts of the Original Project due to the fact that the Revised Project would not exceed the number of daily car trips used in the air quality analysis for the Original Project. Thus, even though daily regional emissions of CO, ROG, NO<sub>x</sub>, and PM<sub>10</sub> could exceed the SCAQMD significance threshold under the Revised Project, this impact would not represent a new significant impact or substantial increase in the severity of a previously identified impact. Since the peak hour trip generation under the Revised Project would not exceed the peak hour trip generation limits of the Original Project, local concentrations of CO would not exceed the maximum allowable concentrations under the Revised Project, same as the Original Project. (Addendum page 10)
C. Biological Resources

The Certified EIR determined that the S/R Project would have less than significant impacts but that the Original Project potentially impacted 0.30 acres of wetlands. The Revised Project proposes to add approximately 3.4 acres to the Original Project site. These 3.4 acres are presently part of the Sepulveda/Rosecrans Rezoning Site. The 0.30 acres of potential wetland habitat are not located within this 3.4 acre area; rather the potential wetland habitat area was within the portion of the Plaza El Segundo Development that has been constructed or is under construction. Therefore, the mitigation measure related to wetlands would not be applicable to the Revised Project. With respect to the bird species identified as being potentially present within the Sepulveda/Rosecrans Rezoning Site, site-specific focused surveys were performed by Dudek & Associates for the remainder of the Sepulveda/Rosecrans Rezoning Site in June, 2006 (see Appendix B of the Addendum). During this survey, the proposed 3.4 acre area that would be added to the Plaza El Segundo Development under the Revised Project was fenced off and not accessible for survey, however; the area was completely paved and void of any vegetation or biological resources. Therefore, the Revised Project would cause no new or substantially more severe significant impacts.

D. Geology and Soils

The Revised Project would add approximately 3.4 acres to the Plaza El Segundo Development. These 3.4 acres are located within the Sepulveda/Rosecrans Rezoning Site addressed in the Certified EIR. As such, the Revised Project would be subject to the same conditions related to soil conditions and potential seismic activity analyzed, in the certified EIR. Consequently, impacts of the Revised Project with respect to surface fault rupture; seismicity and ground shaking; liquefaction and seismic settlement; slope stability; subsidence; expansive soils; landform alteration; building foundations; or grading would be less than significant, as determined in the certified EIR with respect to both the Original and S/R Projects. The additional 3.4 acres do not include any unlined natural depressions. However, grading activity associated with the Revised Project could result in wind-borne erosion, identified in the certified EIR as potentially significant before mitigation. The same mitigation measure that was applicable to the Original Project would be applicable to the Revised Project and would reduce impacts to less than significant levels. Thus, the Revised Project would not result in a new significant impact or substantial increase in the severity of a previously identified impact with respect to wind-borne erosion.

The Revised Project would add 3.4 acres to the Plaza El Segundo Development which could experience conditions related to methane gas, identified in the certified EIR as potentially significant with respect to the S/R Project and less than significant as to the Original Project. Methane gas soil sampling was undertaken on the 3.4 acre area (see Appendix C of the Addendum). Twelve soil gas samples were collected from six locations within the 3.4 acre area and analyzed for methane per United States Environmental Protection Agency Method 8015M. Methane was not detected at or above the reporting limit of 10 parts per million by volume (ppmv) in any of the samples analyzed. The samples
were also below the 1,000 ppmv threshold for additional sampling and further investigation. Therefore, no additional sampling of soil gas for methane was warranted and impacts of the Revised Project with respect to methane would be less than significant.

E. Hydrology and Water Quality

The certified EIR determined that, with mitigation, both the S/R and Original Projects would have a less than significant impact on Hydrology and Water Quality. The Revised Project would have similar storm water runoff quality during construction as the Original Project. Similar types of construction activities would be involved in the construction of the Revised Project. Additionally, the Revised Project would be required to comply with the requirements set forth in the County-wide General Construction Activity Storm Water Permit. The Hydrology Study in Appendix D of the Addendum documents demonstrates that, under the Revised Project, the site would be designed to drain through a proposed storm drain system into an on-site detention basin in the northeast corner of the site. Storm runoff discharging from the detention basin would be restricted to a discharge rate equal to or less than the discharge from the existing site. This would ensure that there is no net increase in the runoff rate of flows to the adjacent General Chemical property to the east. Based upon the hydrology calculations in the Hydrology Report, it was determined that the Revised Project site can be protected from flooding through the use of on-site storm drains in conjunction with an on-site detention basin. Furthermore, similar to the Original Project, the Revised Project would be subject to the same requirements set forth in the Standard Urban Storm Water Mitigation Plan for Los Angeles County and Cities in Los Angeles County. The mitigation measures identified in the Certified EIR would be applicable to the Revised Project. Thus, the Revised Project would not result in a new significant impact or a substantial increase in the severity of a previously identified significant impact.

F. Hazards and Hazardous Materials

The certified EIR concluded that, with mitigation, the impacts of both the S/R and Original Projects would be less than significant. The Revised Project would add approximately 3.4 acres to the Plaza El Segundo Development. This 3.4 acre addition is part of a 7.6 acre property previously owned by General Chemical Corporation (GCC) that was utilized for various industrial operations including pesticides grinding and packaging, sulfuric acid production and production of liquid aluminum chloride and aluminum sulfate. Specifically, previous facilities located on or adjacent to the 3.4 acre addition included: Nitric Warehouse; Photochemical and Hypo Plant; Cooling Tower and Substation; Calcium and Ammonium Polysulfide Manufacturing; and Aluminum Chloride Production. Operations on the 3.4 acre site had ceased by 1989 and the buildings were removed in 2002-2003.
Based on the previous use of the site, several site investigations have been conducted on the 7.6 acre GCC property, including the 3.4 acre site proposed to be added to the Plaza El Segundo Development.

A Site Characterization Work Plan was submitted to the Regional Water Quality Control Board – Los Angeles Region (LARWQCB) in 2004. The work plan was modified as described in the Site Characterization Work Plan Addendum submitted in May 2005. Site characterization work was initiated in August 2005 by Meredith & Associates (MAI). MAI installed 81 soil borings and collected analyzed 195 soil samples over the entire 7.6 acre GCC site. Results were submitted to LARWQCB in October 2005. Based on this investigation, the primary chemicals in soil at concentrations exceeding regulatory screening criteria were organochlorine pesticides. Total petroleum hydrocarbons (TPH), polyaromatic hydrocarbons (PAHs) and metals were also observed at concentrations in excess of conservative screening criteria.

A Soil Vapor Survey Work Plan was submitted by Jacobson Engineering to LARWQCB on behalf of GCC in November, 2005. GCC retained Hydro-Geo Spectrum to conduct the shallow soil gas survey in December, 2005. A total of 74 soil gas samples were collected at 38 separate locations on the 7.6 acre GCC site. The most widely detected chemicals were: trichloroethene (TCE); Freon-113, 1,2 dichloroethene (1,2-DCE), Freon-11, chloroform, tetrachloroethene (PCE). Additional volatile organic compounds (VOCs) were detected but not as widely as those listed above. The results of this survey were reported to LARWQCB in January, 2006.

GCC retained MAI to obtain samples from selected wells during two of the routine quarterly groundwater sampling rounds performed by CH2M-Hill on the GCC site and the adjacent Honeywell property. MAI obtained samples from CH2M-Hill field staff in November 2005 and May 2006 for analysis of chemicals of concern relevant to the GCC site. Gamma hexachlorine (BHC), also known as Lindane, was reported to be the only chemical detected in groundwater exceeding maximum contaminant levels (MCLs). These results were reported to LARWQCB in August, 2006.

A comprehensive analysis addressing previous work performed on the GCC site, along with additional testing across the 7.6 acre GCC site, was prepared by Environmental Resources Management (ERM) in December, 2006 (see Addendum E of the Addendum). Based on physical characteristics of the site related to surface cover and reported fill thickness, ERM divided the GCC site into three zones:

- Zone Alpha – covered with asphalt and/or concrete and having a relatively thin (2 to 10 feet) layer of fill material.

- Zone Beta – partially covered with variable fill thickness (5 to 16 feet); and

- Zone Gamma – mostly uncovered with a relatively thick (10 to 19 feet) layer of fill.
The approximately 3.4 acre area proposed to be included in the Plaza El Segundo Development under the Revised Project primarily includes Zone Alpha, with small area of Zone Beta (see Figure 3, page 16 of the Addendum). ERM's scope included:

- Installation of three multi-depth soil vapor probes to depths of 40, 60 and 70 feet below ground surface (bgs) within the western area of the GCC site;
- Driving of 19 cone penetrometer test points across the GCC site;
- Drilling and soil sampling at 132 locations using a combination of direct-push and hollow-stem auger rigs;
- Collection of grab soil samples at 12 locations (11 surface and one stockpile);
- Collection of concrete samples at 3 locations.

In total, ERM analyzed 465 soil samples, 15 soil vapor samples and three concrete samples. This analysis yielded the following results:

- Volatile organic compounds (primarily trichloroethene and 1,2 dichloroethene) are present in subsurface vapors at concentrations that exceed conservative screening criteria for indoor air. Based on the lateral and vertical distribution of these compounds in soil gas (on and off site), and the lack of on-site soil sources based on available data, it appears that the source of these compounds is associated with nearby, documented off-site sources associated with the former Honeywell Southwest Corner Lot Parcel and Unlined Natural Depression (UND) 4.

- Based on a comparison of soil data to conservative screening criteria and an evaluation of the prevalence and magnitude of detected compounds, the following chemicals of potential concern (COPCs) have been identified within the 3.4 acre area proposed to be added to the Plaza El Segundo Development:

  - Organochlorine Pesticides – 4,4 dichlorodiphenyldichloroethane (DDD); 4,4 dichlorodiphenyldichloroethylene (DDE); 4,4 dichlorodiphenyltrichloroethane (DDT); Alpha-hexachlorocyclohexane (BHC), Beta-BHC and Gamma-BHC (Lindane). Concentrations above screening criteria were detected at the indicated number of locations within the proposed 3.4 acre addition area: DDD (1 location); DDE (3); DDT (14); Alpha-BHC (8); Beta-BHC (2) (see Figures 13 through 16 in Appendix E to this Addendum).

  - Total petroleum hydrocarbons – Diesel range;
- Polyaromatic hydrocarbons – Benzo(a)anthracene; benzo(a)pyrene; benzo(b)fluoranthene; benzo(k)fluoranthene and dibenz(a)anthracene.

- Metals – arsenic, lead and chromium. Concentrations above screening criteria were detected at the indicated number of locations within the proposed 3.4 acre addition area: arsenic (1); lead (2); chromium (8) (see Figures 17 and 18 in Appendix E of the Addendum).

The chemicals detected within the proposed 3.4 acre addition area are the same as those detected and remediated on the remainder of the Original Project site. The findings of the site characterizations for the 3.4 acre proposed addition to the Plaza El Segundo Development would not represent a new significant impact or substantial increase in the severity of a previously identified impact. Additional studies are planned for the proposed 3.4 acre addition to evaluate the site-specific risks associated with the observed chemical presence based on future property use and potential impacts of soil conditions on groundwater. These studies include the development of an infiltration model based on site-specific physical soil data and development of a site-specific human health risk assessment. In addition, new groundwater data collected during future monitoring events both up- and down-gradient of the site will be incorporated into the analysis.

The mitigation measures identified in the Certified EIR would be applicable to the Revised Project. These measures would require the completion of the studies identified above, along with any other required remediation activities, and approval by LARWQCB or other cognizant regulatory agency, prior to issuance of grading permits for the Revised Project. As such, impacts of the Revised Project would be the same as the Original and S/R Projects with respect to site contamination.

The proposed Zone Text Amendment that is included in the Revised Project and that would exclude environmental mitigation structures required by regulatory agencies from setback requirements would facilitate the installation of required groundwater remediation facilities within the project site. Therefore, impacts of the Revised Project with respect to long term groundwater remediation activities would be the same as analyzed for the Original and S/R Projects.

G. Land Use

The Revised Project includes the same land uses analyzed in the Certified EIR and would be consistent with the requirements of the C-4 zoning designation, with the approval of the proposed Zone Text Amendments. With respect to land use, the proposed Zone Text Amendments would permit an additional land use (health and/or skin care services) and additional signage (two LED signs). The additional permitted land use would be consistent with and complementary to the other retail and commercial land uses allowed within the C-4 zone and would be compatible with the other shopping center and retail and restaurant uses already constructed within the project site. The proposed signage would be oriented primarily within the already constructed uses and would be designed to serve shopping center patrons. Thus the proposed changes to permitted signage would be compatible with existing land uses. Additionally, the proposed Zone
Text Amendment addresses the location of environmental mitigation structures which would have a beneficial effect on long term groundwater remediation activities on the project site. Thus, the Revised Project would have impacts similar to the Original Project, and not greater than those analyzed for the S/R Project, with respect to land use compatibility, zoning, and land use policies and regulations. The Revised Project would be consistent with the applicable land use policies and regulations set forth in the Regional Comprehensive Plan and Guide as well as the City of El Segundo General Plan.

H. Noise

The Revised Project would involve similar construction activities as would occur under the Original Project. Construction noise impacts of the Original Project were found to be significant and unavoidable at one location (FedEx facility), and at the FedEx and Pacific Theater facilities for the S/R Project. Because construction activity associated with the Revised Project would take place at a greater distance from the FedEx and Pacific Theater facilities than the construction activities associated with the Original Project, and as analyzed for the S/R Project, construction noise impacts associated with the Revised Project would be lower than construction noise impacts of the Original and S/R Projects with respect to those locations. The construction noise analysis in the Certified EIR took construction activity on the portion of the Plaza El Segundo Development located south of the UPRR tracks into account and concluded that impacts on the nearest sensitive receptor (Oak Avenue residential) would be less than significant after mitigation. The same mitigation measures identified for the Original Project would be applicable to the Revised Project. Therefore, construction noise impacts of the Revised Project would be the same as the Original Project and not greater than the impacts of the S/R Project.

The certified EIR found that impacts caused by parking lots and loading docks were less than significant for both the Original and S/R Projects. Noise associated with parking lot and loading activities under the Revised Project would be the same as the Original Project. Traffic noise impacts of the Revised Project would be similar to or less than the Original Project since peak hour trip generation under the Revised Project would not exceed the peak hour trip generation of the Original Project and would therefore fall in the projections analyzed in the certified EIR for both projects.

I. Population, Housing and Employment

The Revised Project would result in additional commercial square footage within the Plaza El Segundo Development but not in the S/R Project. The uses with the proposed Revised Project are similar to that of the Original and S/R Projects; however, total square footage under the Revised Project would increase by 23,829 square feet compared to the Original Project, but within the 1,904 employees projected to the S/R Project. As the Revised Project does not include a residential component, no project-related impacts to population and housing would occur. The additional square footage under the Revised Project would generate approximately 53 additional employees (23,829 square feet x 2.24 employees/1,000 square feet) compared to the Original Project, but within the 1,904 employees project for the S/R Project. The Certified EIR concluded that
the Original Project would generate approximately 952 jobs, which would be within the SCAG employment growth forecast for the City of El Segundo of 13,915 jobs between 2000 and 2010. The additional 53 jobs under the Revised Project would remain within this forecast. Therefore, impacts of the Revised Project with respect to population, housing, and employment would be similar to the Original Project and within the range analyzed in the certified EIR for the S/R Project.

The Certified EIR identified a significant cumulative impact on population growth and housing demand, based on the disparity between the number of projected housing units and estimated job growth in the South Bay Cities Subregion. The Certified EIR concluded that the Original Project and S/R Project would not contribute substantially to this impact because potential job growth associated with the Original Project would not result in substantial relocation and addition of permanent residents. The additional 53 jobs that would be associated with the Revised Project would be of the same nature as the jobs generated by the Original Project and S/R Project and would similarly not be expected to result in relocation and population growth in the South Bay Cities Subregion. Therefore the impact of the Revised Project with respect to cumulative subregional population growth and housing demand would be the same as the Original Project and S/R Project.

J. Public Services

The Revised Project would add approximately 3.4 acres to the Plaza El Segundo Development and would increase square footage of development. As such, the Revised Project would generate increased demand for fire protection services compared to the Original Project. However, the increased demand associated with the Revised Project would not exceed the level of demand for the Sepulveda/Rosecrans Site Rezoning, for which the Certified EIR concluded that impacts on fire protection services would be less than significant. Moreover, the additional land use that would be permitted under the proposed Zone Text Amendment (health and/or skin care services) would be similar to the commercial, retail and restaurant uses presently permitted under the C-4 zone. The additional use permitted under the Zone Text Amendment would not represent a use that would require fire protection services beyond those already contemplated to serve the uses that are currently allowed. A Water Line/Fire Flow Report was prepared by Development Resource Consultants and can be found in Appendix F of this Addendum. The report found that the project site has adequate fire flow for the development that would occur under the Revised Project. Furthermore, the project site is less than one mile from Fire Station #2 and all buildings will have automatic fire sprinklers installed for additional fire safety. The same conditions imposed on the Original Project by the City would apply to the Revised Project. Therefore, the Revised Project would not represent a new significant impact or increase in severity of a previously identified impact with respect to fire protection services.

The Revised Project would add approximately 3.4 acres to the Plaza El Segundo Development and would increase square footage of development. As such, the Revised Project would generate increased demand for police protection services compared to the Original Project. However, the increased demand associated with the Revised Project would not exceed the level of demand for the
Sepulveda/Rosecrans Site Rezoning, for which the Certified EIR concluded that impacts on police protection services would be less than significant. Moreover, the additional land use that would be permitted under the proposed Zone Text Amendment (health and/or skin care services) would be similar to the commercial, retail and restaurant uses presently permitted under the C-4 zone. The additional use permitted under the Zone Text Amendment would not represent a use that would require police protection services beyond those already contemplated to serve the uses that are currently allowed. The same conditions imposed on the Original Project by the City would apply to the Revised Project. Therefore, the Revised Project would not represent a new significant impact or increase in severity of a previously identified impact with respect to police protection services.

K. Transportation and Traffic

The Revised Project would add approximately 3.4 acres to the Plaza El Segundo Development and would increase total square footage of development by 23,829 square feet compared to the Original Project. An analysis of the total traffic generation associated with the Revised Project was undertaken (see Appendix G of the Addendum). The Trip Generation Comparison in Table 3 on Page 22 of the Addendum shows that the development of the Revised Project would not exceed the maximum allowable traffic trip counts analyzed in the Certified EIR and contained in the approved Development Agreement and conditions of approval for the Original Project. Since the trip counts would not be exceeded, impacts related to traffic and transportation under the Revised Project would be the same as or less than impacts from the Original Project. Impacts of the Revised Project with respect to traffic would not represent a new significant or substantial increase in the severity of a previously identified impact.

The Revised Project proposes to provide access to the southern 8.1 acres of the Plaza El Segundo Development, including the 3.4 acre addition, via driveways located on northbound Sepulveda Boulevard and westbound Rosecrans Avenue. The Sepulveda Boulevard driveway would allow right turns in and out only. The Rosecrans Avenue driveway would allow westbound right turns and eastbound left turns into the site and right turns only out of the site. To ensure that the modified access pattern would not affect adjacent intersections, a level of service analysis was conducted at three intersections to evaluate shifts in traffic that would vary from those evaluated in the Certified EIR. Table 4 on Page 22 of the Addendum shows the comparable level of service at the study intersections under the Original Project and the Revised Project. The analysis shows that proposed driveway access under the Revised Project would not affect the level of service at intersections located adjacent to the Plaza El Segundo Development under the Revised Project.

In addition, a queueing analysis was conducted for both of the proposed driveway locations to assess the adequacy of turn lane storage space at each entrance. Table 4 in Appendix G to this Addendum provides delay in seconds per vehicle and a summary of storage spaces required for the turn lanes at each driveway entrance. Storage requirements range from 0 to 44 feet, while storage capacity within the project driveways ranges from 22 to 132 feet, with additional storage provided within the parking areas. The analysis shows that the project
turn lanes provide adequate storage for vehicles entering and exiting the Plaza El Segundo Development under the Revised Project.

The Certified EIR concluded that traffic associated with the Original Project would result in cumulatively considerable impacts to a number of intersections surrounding the project area. The intersections listed below would be significantly impacted at the specified peak hour:

- Rosecrans Avenue and Hindry Avenue, p.m. peak hour
- Rosecrans Avenue and I-405 SB Off-ramp, a.m. and p.m. peak hour
- Marine Avenue and Sepulveda Boulevard, a.m. and p.m. peak hour
- Marine Avenue and Aviation Boulevard, a.m. and p.m. peak hour
- Manhattan Beach Boulevard and Sepulveda Boulevard, a.m. and p.m. peak hour
- Manhattan Beach Boulevard and Aviation Boulevard, a.m. and p.m. peak hour

While the Original Project was identified as contributing to cumulative impacts in the aforementioned areas, the Revised Project would not further exacerbate these cumulative impacts. As discussed above, traffic generation of the Revised Project would be equal to or less than the Original Project with respect to daily, a.m. peak, p.m. peak and Saturday mid-day trips. Therefore the contribution of the Revised Project to cumulative traffic effects would be the same as or less than the Original Project.

L. Utilities

The Revised Project would generate increased demand for utilities (sewer, water, solid waste, electricity, natural gas) that would be within the capacity of the existing and proposed utilities. According to the Sewer Area Study by Development Resources Consultants (see Appendix H to this Addendum), the proposed 8-inch PVC sewer main and the existing 12-inch VCP sewer main would adequately serve the proposed developments and the addition of the 8-inch PVC sewer main would not negatively impact the existing capacity of the overall sewer system maintained by the City of El Segundo. Impacts of the Revised Project with respect to water infrastructure and service would be within the parameters used to develop the water supply assessment for the EIR's Sepulveda/Rosecrans Site Rezoning. The additional land use that would be permitted under the proposed Zone Text Amendment (health and/or skin care services) would be similar to the commercial, retail and restaurant uses presently permitted under the C-4 zone. The additional use permitted under the Zone Text Amendment would not represent a use that would result in water consumption greater than the uses that are currently allowed under the C-4 zone. Additionally, impacts of the Revised Project with respect to solid waste, natural gas, and
electricity would be within the parameters analyzed for the Sepulveda/Rosecrans Site Rezoning and the proposed additional permitted use would have generation and consumption characteristics similar to the uses that are currently allowed under the C-4 zone. The certified EIR determined that with mitigation impacts of the S/R and Original Projects would be less than significant for all of the foregoing impacts. The same mitigation measures applicable to the utilities in the Certified EIR would be applicable to the Revised Project, so there would be no new or substantially more severe significant impacts.

The Certified EIR concluded that cumulatively considerable impacts with respect to solid waste would occur with implementation of the S/R and Original Projects and related projects because precise solutions to meeting the need for landfill capacity are not known. While the Revised Project would result in a small increase in solid waste generation compared to the Original Project, this increase would not exceed the solid waste generation analyzed for the S/R Project nor be sufficient to modify or accelerate the ongoing need to achieve long-term solutions to regional solid waste disposal needs. Therefore the Revised Project would not contribute to any new or substantially more severe cumulative impacts.

M. Cultural Resources

The certified EIR identified one historic resource or the S/R site and no other cultural resources on either the Original or S/R sites. The identified cultural resource is not located within this 3.4 acre area to be added to the Plaza El Segundo Development. Impacts of the Revised Project with respect to cultural resources would be the same as the Original Project. The same mitigation measure identified in the Certified EIR would be applicable to the Revised Project in the event that unknown archaeological or paleontological resources are encountered.

III. STATEMENT OF OVERRIDING CONSIDERATIONS.

The Statement of Overriding Considerations adopted by the City Council on March 1, 2005, pursuant to Resolution No. 4415 is hereby incorporated by reference. The Statement of Overriding Considerations remains accurate and applicable to the proposed approvals. All EIR mitigation measures will remain in effect.

IV. COMPLIANCE WITH CEQA

The City Council hereby finds that none of the conditions identified by Public Resources Code Section 21166 and State CEQA Guidelines Section 15162 have occurred and the Addendum has been completed in compliance with CEQA.

The City Council makes these findings based on its independent judgment after reviewing and considering the Addendum and all of the evidence in the record, including but not limited to, the recommendation of the Planning Commission and all written and oral testimony presented.
In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), Street Retail, Inc. and PES Partners, LLC, the property owner(s) and their successors in interest, agree to comply with the following provisions as conditions for the City of El Segundo’s approval of Environmental Assessment No. 993, Zone Text Amendment No. 12-04, Amendment to Development Agreement No. 12-03, Adjustment No. 13-03, Variance No. 13-01, and Administrative Use Permit No. 13-04 ("Project Conditions").

1. All mitigation measures in the Final Environmental Impact Report (SCH No. 2003121037) that are reflected in the Mitigation Monitoring and Reporting Program for the proposed Sepulveda/Rosecrans Site Rezoning Reduced Traffic Generation Alternative and Plaza El Segundo Development Reduced Traffic Generation Alternative are incorporated by this reference into these conditions of approval.

2. All conditions of approval of Environmental Assessment No. 631, Development Agreement No. 03-1, General Plan Amendment No. 03-4 & 03-5, Zone Change No. 03-2 & 03-3, Zone Text Amendment No. 04-1, and Subdivision No. 03-7, except as modified below.

3. All conditions of approval of Environmental Assessment No. 768, Zone Text Amendment No. 08-01, and Development Agreement No. 07-03, except as modified below.

4. Condition No. 2 of Council Resolution No. 4415 is amended in its entirety to read as follows:

**DEFINITIONS**

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in these conditions.

A. "P.B.S. Director" means the City of El Segundo Director of Planning and Building Safety, or designee.

B. "EIR" means the Final Environmental Impact Report for the proposed Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo development project (SCH No. 2003121037), El Segundo, California.


D. "Development Agreement" refers to Development Agreement No. 03-1 and any amendments thereto.

8/15/13
E. "Project Area" refers to each of the developable lots on the Plaza El Segundo development Project Site as shown on Vesting Tentative Map No. 061630 in the City of El Segundo, County of Los Angeles as per map filed on June 6, 2012, Book 1370, pages 41-51, and refers to Lot 1 of Lot Line Adjustment No. 13-04 as reflected in that Certificate of Compliance, in the City of El Segundo, County of Los Angeles, State of California, recorded on July 29, 2013, as Instrument No. 2013-1105767, of official records in the office of the County Recorder of said County.

F. "Project Site" refers to the 51.7 gross/46.60 net (after street dedications) acre site generally located south of Hughes Way, east of Sepulveda Boulevard, west of Nash Street, and north of Rosecrans Avenue.

F-1. "Project Site Phase 1B" refers to the 13.050 gross/12.63 net-acre site as shown as Lot 1 of Lot Line Adjustment No. 13-04 as reflected in that Certificate of Compliance, in the City of El Segundo, County of Los Angeles, State of California, recorded on July 29, 2013, as Instrument No. 2013-1105767, of official records in the office of the County Recorder of said County, generally located south of the Union Pacific Railroad, east of Sepulveda Boulevard, west of Douglas Street, and north of Rosecrans Avenue.

F-2. "Phase 1A" refers to the portion of the Project Area located north of the Union Pacific Railroad right-of-way.

F-3. "Phase 1B" refers to the portion of the Project Area located south of the Union Pacific Railroad right-of-way.

G. "Sepulveda/Rosecrans Rezoning Site" refers to the approximately 110 acres generally located south of Hughes Way, east of Sepulveda Boulevard, west of Douglas Street, and north of Rosecrans Avenue which is the subject of a General Plan and Zoning Code Amendment that is being considered concurrently with the land use entitlements for the Project Area and the Project Site.

H. Except as otherwise specified in these Conditions of Approval, conditions must be satisfied before the issuance of a Building Permit for each building within the Project Area.

**AESTHETICS**

**Signs**

5. Condition No. 9.B-1 of Council Resolution No. 4415 is amended to read as follows:

   Not withstanding any other provisions in the ESMC, a maximum of two ground or monument signs with a maximum height of 25 feet each are permitted along the
CITY COUNCIL RESOLUTION No. _____ Exhibit D
CITY COUNCIL ORDINANCE No. _____ Exhibit B

CONDITIONS OF APPROVAL

Sepulveda Boulevard street frontage of the Project Area south of the Union Pacific Railroad;

6. A new Condition No. 9.B-2 is added to read as follows:

"Notwithstanding any other provisions in the ESMC, one roof sign with an area up to a maximum of 450 square is allowed in the Phase 1B area. The area of said roof sign is not included in the maximum permitted freestanding building or store front sign area. Additional roof signs must comply with the maximum permitted store front sign area (fifteen (15%) percent of the face of each shop front)."

FIRE

7. A new Condition No. 13.A is added to read as follows:

"The applicant must comply with the applicable requirements of the 2010 California Building and Fire Codes and the 2009 International Fire Code, as adopted by the ESMC. The City will adopt the 2013 California Building and Fire Codes, effective January 1, 2014. All permits issued after January 1, 2014 must comply with the requirements of the 2013 Editions, as adopted by the ESMC."

8. Condition No. 15 of Council Resolution No. 4415 is amended in its entirety to read as follows:

"Before the City issues a building permit, the applicant must provide Fire Life Safety Plans to the PBS Director and the Fire Chief for review and approval, which include, without limitation, the following:

A. Fire lanes,
B. Fire lane signing,
C. Fire lane access easements or other recorded documents to the reasonable satisfaction of the City Attorney,
D. Fire lane accessibility,
E. Gas detection systems,
F. Minimum acceptable flow from any fire hydrant must be 2,500 gallon per minute, calculated at 20 psi,
G. Sprinklers within structures Underground looped fire mains, sprinklers, fire pumps, and fire alarms,"
I. Emergency generators,

J. Any above ground or underground storage tanks including elevator sumps and condensation tanks,

K. Documentation that the on-site fire mains will be maintained,

L. Fire safety precautions during demolition and construction,

M. Emergency site access during construction,

N. Permanent fire department access,

O. Fire hydrant locations,

P. Any proposed fire sprinkler and fire alarm systems, and

Q. Before the City issues a certificate of occupancy, the applicant must demonstrate to the Fire Department that the development complies with the Fire Life Safety Plan, and that any required easements were properly dedicated and recorded."

9. A new Condition No. 16.A is added to read as follows:

"The applicant must provide an automatic fire sprinkler system throughout each building, installed in accordance with California Fire Code Chapter 9 and the currently adopted edition of NFPA 13."

10. A new Condition No. 16.B is added to read as follows:

"The applicant must provide an automatic fire alarm system throughout each building, installed in accordance with California Fire Code Chapter 9 and the currently adopted edition of NFPA 72."

11. A new Condition No. 16.C is added to read as follows:

"The applicant must provide a certification from the underground petroleum pipeline owner/operator that the proposed project will not encroach into any foundations or structures within the pipeline right-of-way without the underground petroleum pipeline owner/operator’s approval. The certification must be provided with the initial plan review documents."

12. A new Condition No. 16.D is added to read as follows:

"There is a railroad right-of-way on the north side of the property. Access doors and ladders with a maximum 300-foot spacing must be provided to provide access to the
railroad right of way in case of a train derailment or incident to the satisfaction of the Fire Department. The access doors and ladders must have approved Knox Company Knox Padlocks installed."

13. A new Condition No. 16.E is added to read as follows:

"If any fire features are proposed for the project, the applicant must provide the following conditions for any fire feature:

i. A barrier must be provided around the fire feature to prevent accidental access to the fire feature.

ii. The distance between the fire feature and combustible material and furnishings must meet the fire feature's listing and manufacturer's requirements.

iii. If the fire feature's protective barrier exceeds ambient temperatures, all exit paths and occupant seating must be a minimum 36 inches from the fire feature."

14. Condition No. 19 of Council Resolution No. 4415 is amended in its entirety to read as follows:

"Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time fire services mitigation fee as provided in City Council Resolution No. 4687."

POLICE/SAFETY

15. Condition No. 27 of Council Resolution No. 4415 is amended in its entirety to read as follows:

"Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time police services mitigation fee as provided in City Council Resolution No. 4687."

16. A new Condition No. 27.A is added to read as follows:

"The applicant must provide, at no cost to the City of El Segundo, a minimum of 240 square feet of office space to be used by the El Segundo Police Department as satellite office space to provide Police services on the east side of Sepulveda Boulevard."
17. Condition No. 29 of Council Resolution No. 4415 is amended to read as follows:

"The Plaza El Segundo development project is allowed to develop up to a maximum of 498,442 gross square feet including a maximum of 119,613 gross/109,575 net square feet for the Plaza El Segundo Phase 1B development project, consisting of a combination of uses as permitted by the Plaza El Segundo Reduced Traffic Generation Alternative described in the Final EIR, the C-4 Zone and as limited by the Development Agreement as long as the total AM, PM peak, daily, and Saturday midday peak trip generation established in the EIR for the Plaza El Segundo development project as a whole is not exceeded."

18. Condition No. 30 of Council Resolution No. 4415 is amended in its entirety to read as follows:

"The maximum project size may be reduced as determined by the vehicle trip generation for each use. The Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo development project permit the following vehicle trips:

<table>
<thead>
<tr>
<th>MAXIMUM PERMITTED TRIPS</th>
<th>AM</th>
<th>PM</th>
<th>Daily</th>
<th>Saturday Midday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sepulveda/Rosecrans Site Rezoning</td>
<td>1,033</td>
<td>2,346</td>
<td>25,859</td>
<td>3,379</td>
</tr>
<tr>
<td>Plaza El Segundo Development Project</td>
<td>779</td>
<td>1,477</td>
<td>16,645</td>
<td>2,205</td>
</tr>
</tbody>
</table>

The trip generation for each use and building must be determined using the rates as set forth in the current edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. Trip adjustments for internal capture and pass-by reductions will be in accordance with the adjustments in the Traffic Impact Study in the FEIR (EA No. 631) approved on March 1, 2005. Trip adjustments for transit reductions will be in accordance with the adjustments in the Traffic Impact Study in the Addendum to the FEIR (EA No. 768) approved on February 19, 2008.

DEDICATIONS AND FEES

19. Condition No. 34A of Council Resolution No. 4415 is added to read as follows:

"The applicant must provide an irrevocable offer to dedicate a maximum of a six-foot wide bicycle lane to be located along the entire Rosecrans Avenue frontage of the subject property or for a bicycle path to be located in the landscaped front setback of the subject property in compliance with the Circulation Element of the General Plan and South Bay Bicycle Plan to the satisfaction of the Public Works Department and the Planning and Building Safety Department. The exact alignment will be
CONDITIONS OF APPROVAL

determined by the Public Works Department and the Planning and Building Safety Department. Alternatively, if the Public Works Department and the Planning and Building Safety Department determine that it is infeasible to provide a bicycle lane or bicycle path on any portion or all of the Rosecrans frontage, signage and striping as a bicycle route may be required. The City has the right to exercise its right to accept the property subject to the offer of dedication on or after, October 17, 2013, but no later than 20 years following the date on which the certificate of occupancy was issued for the last building on the property.

20. Condition No. 36 of Council Resolution No. 4415 is amended in its entirety to read as follows:

"Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time parks facilities mitigation fee as provided in City Council Resolution No. 4687."

TRANSPORTATION/CIRCULATION/PARKING

21. Condition No. 61A is added to read as follows:

Before the City issues a certificate of occupancy for any building constructed south of the Union Pacific/Burlington Northern Santa Fe Railroads, the new on-site and off-site roadway improvements, including any medians, sidewalks, curbs, and gutters must be constructed in accordance with applicable Department of Public Works construction standards for a public roadway with the minimum dimensions required by the Circulation Element of the El Segundo General Plan to the satisfaction of the Director of Public Works and the Director of Planning and Building Safety, and must comply with applicable requirements of the Americans with Disabilities Act (ADA), as well as City requirements for traffic signage, street lighting, drainage plans, and underground utility service, subject to the review and approval of the Director of Public Works. Additionally, the roadway improvements along Rosecrans Avenue must be consistent with the design analyzed in the Addendum to the FEIR, including, but not limited to the lane configurations, deceleration lane design at Village Drive, and lengths of left turn pockets at Rosecrans Avenue and Sepulveda Boulevard and at Rosecrans Avenue and Village Drive. The application must be responsible for the design and construction of the new roadways."

WATER

22. Condition No. 100 of Council Resolution No. 4542 is amended to read as follows:

"Water meters must be provided for each lot by the applicant in accordance with City policies and approved by the Water Division before installation. This condition does not prohibit the use of private water meters for individual buildings or individual tenancies."
PROJECT CONDITIONS THAT APPLY TO PHASE 1B ONLY

22. New Condition No. 101 is added to read as follows:

"101. Up to a maximum of 12,000 gross square feet of restaurant space may open as early as 6:00 a.m. daily for breakfast service."

ADMINISTRATIVE USE PERMIT/ALCOHOL SERVICE (FOR PHASE 1B)

23. New Conditions 102 through 120 are added to read as follows:

"102. The proposed hours of operation and hours of alcohol service for the restaurants and kiosks, including the outdoor dining patios are limited to: Sunday through Thursday from 10:00 a.m. to 12:00 a.m. and Friday through Saturday from 10:00 a.m. to 2:00 a.m. Food service must be available in the indoor dining areas and the outdoor patios during the hours of operation and alcohol service. Any change to the hours of operation or the hours that alcohol may be served is subject to review and approval by the Director of Planning and Building Safety.

103. Any subsequent modification to the project as approved in this Administrative Use Permit, including the floor plan and areas where alcohol will be served, and/or the conditions of approval, must be referred to the Director of Planning and Building Safety for approval and a determination regarding the need for Planning Commission review of the proposed modification.

104. The applicant for the Alcohol Beverage Control License must obtain and maintain all licenses required by the Alcoholic Beverage Control Act (Business & Professions Code §§ 23300 et seq.). The applicant must obtain and maintain a Type 41 license or a Type 47 license, whichever is applicable.

105. The restaurant operations must comply with ESMC §§ 7-2-1, et seq. regulating noise and vibration.

106. The Planning and Building Safety Department and the Police Department must be notified of any change of ownership of the approved use in writing within 10 days of the completion of the change of ownership. A change in project ownership may be cause to schedule a hearing before the Planning Commission regarding the status of the administrative use permit.

107. The applicant for the Alcohol Beverage Control License must comply with all regulations of the Alcoholic Beverage Control Act and the regulations promulgated by the Alcoholic Beverage Control Board including, without limitation, the regulations set forth in 4 Cal. Code of Regs. §§ 55, et seq."
108. The applicant for the Alcohol Beverage Control License must post a sign in a clear and conspicuous location listing a phone number at which a responsible party may be contacted during all open hours of the establishment to address any concerns of the community regarding noise in the restaurant, patio and parking lot. Said contact's name and phone number must also be available through the restaurant staff at all times.

109. The applicant for the Alcohol Beverage Control License must, at all times, display a Designated Driver sign of at least ten inches by ten inches (10" X 10") in the bar and restaurant dining areas at eye level. The sign must be worded in a way that reminds patrons who are consuming alcohol to designate a non-drinking driver.

110. There cannot be exterior advertising of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages which are clearly visible to the exterior constitute a violation of this condition.

111. All employees serving alcoholic beverages to patrons must enroll in and complete a certified training program approved by the State Department of Alcoholic Beverages Control (ABC) for the responsible sales of alcohol. The training must be offered to new employees on not less than a quarterly basis.

112. Any and all employees hired to sell alcoholic beverages must provide evidence that they have either:

   a. Completed training from the State of California Department of Alcoholic Beverage Control (ABC), Long Beach/Lakewood District Office administered Licensee Education on Alcohol and Drugs (LEAD) Program; or,

   b. Completed an approved equivalent (LEAD) training program administered by the ABC, Long Beach/Lakewood District Office to ensure proper distribution of alcoholic beverages safely, responsibly and to adults of legal age. Any future employee designated to sell alcoholic beverages on behalf of the licensee or applicant must obtain a certificate proving completion of the (LEAD) training; and

   c. The licensee or applicant must confirm with the Planning and Building Safety Director, or designee, within fifteen (15) days of the Director's decision as to the approval of the application, or by final project approval, that a date certain has been scheduled with the local ABC Office to complete the LEAD training program.
d. Within thirty (30) days of taking said course, the employees, or responsible employer must deliver each required certificate showing completion to the Police Department.

113. The applicant for the Alcohol Beverage Control License must have readily identifiable personnel to monitor and control the behavior of customers inside the building premises. Staff must monitor activity outside in the parking lot and any adjacent property under the establishment's control to ensure the areas are generally free of people and are cleared of patrons and their vehicles one-half hour after closing.

114. If complaints are received regarding excessive noise, parking availability, lighting, building access, and the like associated with the restaurants and the outdoor patio areas, the city may, in its discretion, take action to review the Administrative Use Permit, including without limitation, adding conditions or revoking the permit.

115. The outdoor dining/seating areas must comply with ESMC § 15-2-16.

116. The applicant for the Alcohol Beverage Control License must install security cameras for monitoring and recording activity, which include, without limitation: cash handling/counting areas, the manager's office, the safe, all access doors, and any other areas deemed necessary by the Police Department. Monitoring and recording equipment must be stored in a secure area (e.g., manager's office).

117. Before a building permit is issued, a schematic plan of the camera system must be submitted and approved by the Police Chief, or designee. The camera specification notes must be included on the schematic plan.

118. Before a building permit is issued, the minimum camera requirements must be listed on the building plans with the camera specifications and include the following:

a. All security surveillance cameras must be installed to record video in color.

b. Security cameras, especially those viewing customers as they enter the business or stand at cash registers, must capture the individual from the waist to the top of the head, straight on.

c. Security surveillance cameras must be positioned low enough so that caps/hats or other disguises (typically used when committing a crime) will not obstruct the view of the individual's face. This will provide the best possible picture for the identification of the individual during the investigation process.

d. The maximum mounting height is 8 feet.
CITY COUNCIL RESOLUTION No. ____ Exhibit D

CITY COUNCIL ORDINANCE No. ____ Exhibit B

CONDITIONS OF APPROVAL

e. The recording equipment must capture video digitally and must record a minimum of (21) days for each security surveillance camera. Security surveillance camera recordings must be made available to law enforcement agencies for investigation purposes upon request.

f. A schematic plan of the proposed camera locations must be submitted and approved by the Police Chief, or designee.

g. The “Camera Specification Notes” must be included on the schematic plan page.

h. A security surveillance camera plan must provide the following minimum items: (1) One camera facing each point of sale station (2); one camera facing the safe (it may be possible to cover the safe and the point of sale station closest to it); and (3) one camera at the main entry door capturing customers as they exit.

119. The buildings cannot be occupied by more persons than allowed by the California Building Code, as adopted by the ESMC.

120. The buildings and any outdoor seating must comply with California Building and Fire Code requirements, as adopted by the ESMC.”

ADJUSTMENT (FOR PHASE 1B)

121. A new Condition No. 121 is added to read as follows:

“The applicant must post clear signs at each of the required loading spaces designating them as loading spaces during the hours of 6:00 a.m. to 10:00 a.m. The signs must clearly prohibit employee and/or customer parking during those hours. The applicant may extend the loading hours beyond 10:00 a.m. at his discretion. The parking spaces must be marked clearly to delineate the parking and loading spaces to the satisfaction of the Director of Planning and Building Safety.”

122. A new Condition No. 122 is added to read as follows:

“Any subsequent modification to the project as approved in this Adjustment, including the plans and/or the conditions of approval, must be referred to the Director of Planning and Building Safety for approval and a determination regarding the need for Planning Commission review of the proposed modification.”

VARIANCE (FOR PHASE 1B)

123. A new Condition No. 123 is added to read as follows:

"Before the City issues building permits, the applicant must submit detailed plans of the two retaining walls along the north property line adjacent to the UPRR right-of-way. The retaining walls and their non-retaining portions cannot exceed 12 feet in
height, with the exception that a metal open work fence up to a maximum of 42 inches in height may be installed on top of the walls.”

124. A new Condition No. 124 is added to read as follows:

“Any subsequent modification to the project as approved in this Variance, including the plans and/or the conditions of approval, must be referred to the Director of Planning and Building Safety for approval and a determination regarding the need for Planning Commission review of the proposed modification.”

INDEMNIFICATION

125. A new Condition No. 125 is added to read as follows:

PES Partners, LLC and Street Retail, Inc. (collectively, the “Applicant”) agree to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney’s fees), injuries, or liability, arising from the City’s approval of Environmental Assessment No. EA-993, Development Agreement Amendment No. DA 12-03, Zone Text Amendment No. 12-04, Adjustment No. ADJ 13-03, Variance No. VAR 13-01, and Administrative Use Permit No. AUP 13-04. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of Environmental Assessment No. EA-993, Development Agreement Amendment No. DA 12-03, Zone Text Amendment No. 12-04, Adjustment No. ADJ 13-03, Variance No. VAR 13-01, and Administrative Use Permit No. AUP 13-04 the Applicant agrees to defend the City (at the City’s request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section “the City” includes the City of El Segundo’s elected officials, appointed officials, officers, and employees.
PES Partners, LLC and Street Retail, Inc. must acknowledge receipt and acceptance of the Project Conditions by executing the acknowledgement below.

By signing this document, PES Partners, LLC, and Street Retail, Inc. certify that they have read, understood, and agrees to the Project Conditions listed in this document and represent and warrant that it has the authority to execute this document on behalf of the property owner and acknowledge that the conditions set forth above run with the land and are binding upon all owners and occupants of the land.

PESP
PES Partners, LLC, a Delaware limited liability company

By: Rosecrans-Sepulveda Partners 3, LLC, a Delaware limited liability company

Its: Sole Member

By: Street Retail, Inc., a Maryland corporation

Its Manager

By: __________________________

Jeffrey S. Berkes, Vice President – Western Region

STREET
STREET RETAIL, INC., a Maryland corporation

By: __________________________

Jeffrey S. Berkes, Vice President – Western Region

{If Corporation or similar entity, needs two officer signatures or evidence that one signature binds the company}
ORDINANCE NO.____

AN ORDINANCE APPROVING ZONE TEXT AMENDMENT NO.
ZTA 12-04 AMENDING EL SEGUNDO MUNICIPAL CODE §§ 15-5G-2 AND 15-5G-9; AND DEVELOPMENT AGREEMENT NO. DA 12-03 (FIFTH AMENDMENT TO DEVELOPMENT AGREEMENT NO. DA 03-01; FOR THE PLAZA EL SEGUNDO DEVELOPMENT.

The City Council of the City of El Segundo does ordain as follows:

SECTION 1: The City Council finds and declares that:

A. On March 15, 2005, the City Council approved a development known as Plaza El Segundo. Approvals for that development were subsequently amended to allow for different types of uses including, among others, Health Clubs and Fitness Center (2007); Health/Skin Care and automobile sale uses (2008); fast food restaurants, banks, dance/music studios (2009); and medical and dental offices (2010);

B. On August 23, 2012, Street Retail, Inc. filed applications for an Environmental Assessment (EA-993), a Zone Text Amendment (ZTA 12-04), and a Development Agreement (DA 12-03), to add 4.988 acres to the approximately 8.1-acre property at the northeast corner of Sepulveda Boulevard and Rosecrans Avenue (Phase 1B Project Site); to increase the size of the previously approved shopping center by 49,613 square feet; a Zone Text Amendment to add permitted uses and signs to the Commercial Center (C-4) Zone that are permitted in the approved Development Agreement; a Zone Text Amendment to increase the permitted size of general office uses in the Commercial Center (C-4) Zone (ESMC § 15-5G-2(B)) from 5,000 to 28,735 gross square feet (including the existing general office area in Phase 1A); a modification to Development Agreement § 4.1.3 to allow fast food restaurants within 90 feet of Sepulveda Boulevard and Rosecrans Avenue; a modification to Development Agreement § 4.2.2 to remove the size limitations for retailers in the “Smaller Tenant Standards” for the Phase 1B Project;

C. On June 20, 2013, Street Retail, Inc. amended its applications and filed additional applications requesting: an Adjustment (ADJ 13-03) to allow: a) a curb cut width of 65'-7" and a driveway width of 33'-5" on Sepulveda Boulevard and a curb cut width of 76'-7" and a driveway width of 62'-11" on Rosecrans Avenue where a maximum
of 30 feet in width is permitted (ESMC § 15-15-5(O)(1)); b) a curb cut that is located a distance of zero feet from the eastern property line where a minimum of five feet is required (ESMC § 15-15-5(O)(2)); and c) shared use of one large truck and 6 small truck loading spaces for public/employee parking after 10:00 a.m. (ESMC § 15-5-7(A)(1)); 2) a Variance (VAR 13-01) to allow construction of a retaining wall in excess of 6 feet to a maximum height of 12 feet, with a 42’ cable fence on top and to allow fill in excess of 6 feet to a maximum height of 12 feet (ESMC § 15-2-4(B)(3)); 3) an Administrative Use Permit (AUP 13-04) to allow a Master Administrative Use Permit to allow the sale of beer, wine and alcohol at 6 eating establishments and 5 kiosks for a total of 28,764 square feet of indoor floor area and a total of 5,912 square feet of outdoor dining area for a maximum total of 34,676 square feet of dining area. (ESMC § 15-5G-4); and 4) modification to conditions of approval. If these matters are approved, the applicant proposes to develop a 119,613 square foot shopping center, known as The Point;

D. The applications from Street Retail, Inc. (collectively, the “project”) were reviewed by the City’s Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the El Segundo Municipal Code (“ESMC”);

E. In addition, the City reviewed the project’s environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., “CEQA”), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, et seq., the “CEQA Guidelines”), and the City’s Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993);

F. On August 15, 2013, the Planning Commission adopted Resolution No. 2736 recommending that the City Council adopt this Ordinance; and

G. This Ordinance and its findings are made based upon the entire administrative record including, without limitation, the public hearing held by the City Council on ________________, 2013.

SECTION 2: Environmental Assessment. Resolution No. ____ adopted an Addendum and a Statement of Overriding Considerations (SOC) for this Project which, among other things, properly assesses the environmental impact of this Ordinance, and the Project, in accordance with CEQA. This Ordinance incorporates by reference the environmental findings and analysis set forth in Resolution No. ____.
SECTION 3: Factual Findings and Conclusions. The City Council finds and declares that the factual findings and conclusions set forth in Resolution No. _____, adopted on _____________, are incorporated as if fully set forth.

SECTION 4: Zone Text Amendment Findings. Based on the factual findings of Resolution No. _____, as incorporated into this Ordinance, the proposed Zone Text Amendment is necessary to implement the Project and to amend the Commercial Center (C-4) development standards relating to permitted uses and signs. Specifically, the Zone Text Amendment amends ESMC § 15-5G-2 relating to permitted uses to increase the permitted size of general office uses in the Commercial Center (C-4) Zone (ESMC § 15-5G-2(B)) from 5,000 to 28,735 gross square feet (including the existing general office area in Phase 1A) and to add several permitted uses to the Commercial Center (C-4) Zone that are permitted in the approved Development Agreement. The added uses include: banks, savings and loans and/or credit unions, not to exceed a total of 10,000 square feet; day spas not to exceed a total of 10,000 square feet; dance and music instruction studios not to exceed a total of 6,000 square feet; a farmer's market; health and/or skin care services that are limited to non-invasive and/or minimally invasive cosmetic medical procedures that may be rendered by licensed health care professionals provided that such use does not exceed 3,000 square feet in floor area and at least twenty percent (20%) of the floor area is devoted to the sale of retail products; indoor sale of automobiles, motorcycles, and motor scooters along with the sale of accessories and parts as an accessory use. Additionally, the Zone Text Amendment amends ESMC § 15-5G-9 to permit a maximum of one roof sign up to 450 square feet in that portion of the C-4 Zone located south of the Union Pacific Railroad and north of Village Drive which shall not count toward the maximum 15 percent (15%) permitted for store front signage as specified in ESMC § 15-18-8(C); to increase the size of two ground or monument signs from a maximum of 20 feet to 25 feet each permitted along the Sepulveda Boulevard street frontage south of the Union Pacific Railroad; and to add provisions for signs to the Commercial Center (C-4) Zone that are already permitted in the approved Development Agreement.

SECTION 5: Zone Text Amendment. ESMC §§ 15-5G-2 and 15-5G-9 are amended in their entirety to read as follows:

"15-5G-2: PERMITTED USES:

The following uses are permitted in the C-4 Zone:

A. Banks, savings and loans and/or credit unions, not to exceed a total of 10,000 square feet.

B. Day spas not to exceed a total of 10,000 square feet.

C. Dance and music instruction studios not to exceed a total of 6,000
square feet.

D. Farmer's Market.

E. Fitness centers (indoors only).

F. General offices not to exceed twenty-eight thousand, seven hundred thirty-five (28,735) gross square feet.

G. Health and/or skin care services that are limited to non-invasive and/or minimally invasive cosmetic medical procedures that may be rendered by licensed health care professionals provided that such use does not exceed 3,000 square feet in floor area and at least twenty percent (20%) of the floor area is devoted to the sale of retail products.

H. Indoor sale of automobiles, motorcycles, and motor scooters along with the sale of accessories and parts as an accessory use. No outdoor display or storage shall be allowed and no on-site repair or maintenance shall be allowed.

I. Medical and dental offices, not to exceed five thousand (5,000) square feet.

J. Pet supplies and services, including veterinary services.

K. Restaurants and cafes.

L. Retail sales uses (excluding off-site alcohol sales).

M. Other similar uses approved by the Director of Planning and Building Safety, as provided by Chapter 22 of this Title.”

*   *   *

“15-5G-9: SIGNS:

Signs in the C-4 Zone must comply with requirements of Chapter 18 of this Title except as specified below.

A. A maximum of three ground or monument signs not to exceed 35 feet each are permitted along the Sepulveda Boulevard street frontage, north of the Union Pacific Railroad.
B. A maximum of two ground or monument signs not to exceed 25 feet each are permitted along the Sepulveda Boulevard street frontage south of the Union Pacific Railroad.

C. A maximum of two ground or monument signs (not including wayfinding signs), not to exceed 25 feet each are permitted along the Park Place street frontage.

D. A maximum of two ground or monument signs (not including wayfinding signs), not to exceed 25 feet each are permitted along the Allied Way street frontage.

E. A maximum of two ground or monument signs (not including wayfinding signs), not to exceed 20 feet each are permitted along the Rosecrans Avenue street frontage.

F. A maximum of one roof sign up to 450 square feet in that portion of the C-4 Zone located south of the Union Pacific Railroad and north of Village Drive which shall not count toward the maximum 15 percent (15%) permitted for store front signage as specified in § 15-18-8(C) of this Title.

G. Parcels that are comprised of a minimum of 7.5 acres and that have at least eighty percent of the floor area devoted to retail and restaurant uses may have up to two light emitting diode signs ("LED Sign") that do not exceed thirty (30) feet in height and sixty (60) feet in width so long as: a) the signs only advertise businesses and products (but only in conjunction with the name of the business that sells the product) that are located on the parcel or display movie projections and abstract videos that are not related to advertising any product, or entertainment, retail or service use and (b) the sign is oriented such that it is intended to be viewed by individuals located on the parcel and not by individuals located in a public right of way. Pursuant to a development agreement that covers multiple parcels of property, and so long as the requirements of this provision are otherwise met, the names of businesses and products (but only in conjunction with the name of the business that sells the product) that are located on parcels that are subject to the development agreement may be advertised on a LED Sign located on another parcel that is subject to the same development agreement.

SECTION 6: Development Agreement Findings. Pursuant to City Council Resolution No. 3268, adopted June 26, 1984, the City Council finds that:

A. The project is consistent with the objectives, policies, general land
uses, and programs specified in the general plan. The Development Agreement would provide the following public benefits in exchange for valuable development rights (eight-year entitlement):

1. Development of a property that is currently vacant and underutilized.
2. Increasing and further stabilizing the City’s tax base through development of new commercial businesses.
3. Increase in employment opportunities for the City’s residents.
4. Increasing the diversity of retail uses and services in the City.
5. Increasing City revenues through the generation of taxes that outweigh the City cost of services.
6. Development of a project that is consistent with the Elements of the General Plan.
7. The project would reduce the maximum permitted floor area ratio on the property from 0.6:1 to 0.275:1.
8. Improvements to roadways and intersections in the project vicinity.
9. Expansion of the planned ITS network to make it even more effective in relieving congestion.
10. Contribution of approximately $133,354 in police, fire, and parks mitigation fees to offset the impacts of the project on public services.
11. Contribution of approximately $879,452 in traffic impact mitigation fees to offset the impacts of the project on public roadway infrastructure.
12. Contribution of $25,000 for signage to enhance and promote businesses in the Downtown Specific Plan Area of El Segundo.

B. Following implementation of the proposed Zone Text Amendment, the project is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located. These uses and development standards are similar and compatible with the other commercially zoned districts in the City.

C. The project conforms with the public convenience, general welfare and good land use practice. The proposed project permits a lower floor area ratio than allowed under the prior M-2 zoning (0.275:1 vs. 0.6:1). The project would facilitate constructing public roadways, through an irrevocable offer to dedicate land for public roadway purposes. The project would also be designed to support and
encourage public transportation uses and contribute to the continued diversification of the southeast quadrant of the City by providing a broad range of commercial uses.

D. The project will not be detrimental to the health, safety and general welfare. The proposed project will not create any negative environmental impacts, with the exception of traffic, operational and temporary construction related air quality, and temporary construction-related noise impacts, and cumulative solid waste and traffic impacts. The City Council is responsible for determining if there are overriding considerations, which outweigh the identified unavoidable environmental consequences of the project.

E. The project will not adversely affect the orderly development of property or the preservation of property values. The Commercial Center (C-4) Zone development standards and development agreement will ensure that the project will be developed in an orderly fashion. All mitigation measures will be implemented at the time and place impacts occur.

F. The project would also be designed to support and encourage public transportation uses and contribute to the continued diversification of the southeast quadrant of the City.

SECTION 7: The Amendment to the Development Agreement by and between the City of El Segundo, PES Partners, LLC, and Street Retail, Inc., as set forth in attached Exhibit "A," and incorporated into this Ordinance by reference, is approved. The Mayor is authorized to execute the Development Agreement in a form approved by the City Attorney.

SECTION 8: Additional Approvals. To the extent they are not otherwise adopted or approved by this Ordinance, and subject to the conditions listed on attached Exhibit "B," which are incorporated into this Ordinance by reference, the City Council approves Zone Text Amendment No. ZTA 12-04 and Development Agreement (Amendment) No. DA 12-03.

SECTION 9: Reliance on Record. Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 10: Limitations. The City Council's analysis and evaluation of the Project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects
of the project will not exist. One of the major limitations on analysis of the project is the City Council's knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

**SECTION 11:** *Summaries of Information.* All summaries of information in the findings which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding, is not based in part on that fact.

**SECTION 12:** *Effectiveness of ESMC.* Repeal or amendment of any provision of the ESMC will not affect any penalty, forfeiture, or liability incurred before or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

**SECTION 13:** *Memorialization.* The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of El Segundo's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

**SECTION 14:** *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.
SECTION 15: Effective Date. This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

PASSED, APPROVED AND ADOPTED this ___ day of September 2013.

________________________
Bill Fisher, Mayor

ATTEST:

STATE OF CALIFORNIA )
COUNTY OF LOS ANGELES ) SS
CITY OF EL SEGUNDO )

I, Tracy Weaver, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. ___ was duly introduced by said City Council at a regular meeting held on the ___ day of September 2013, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the ___ day of September 2013, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

________________________
Tracy Weaver, City Clerk

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By: ______________________
Karl H. Berger, Assistant City Attorney
RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

CITY CLERK
CITY OF EL SEGUNDO
350 Main Street
El Segundo, California 90245

EXEMPT FROM RECORDER’S FEES
Pursuant to Government Code § 6103

FIFTH AMENDMENT TO DEVELOPMENT AGREEMENT

BY AND AMONG

CITY OF EL SEGUNDO,
PES PARTNERS, LLC
AND
STREET RETAIL, INC.

(AREA A)

THIS AGREEMENT MUST BE RECORDED WITHIN TEN DAYS OF EXECUTION BY ALL PARTIES PURSUANT TO GOVERNMENT CODE §65868.5
FIFTH AMENDMENT TO DEVELOPMENT AGREEMENT

This Fifth Amendment to Development Agreement ("Fifth Amendment") is made and entered into by and among the CITY OF EL SEGUNDO, a general law city and municipal corporation ("City"); PES PARTNERS, LLC, a Delaware limited liability company ("PESP"); and STREET RETAIL, INC., a Maryland corporation ("Street"), as of this ____ day of __________, 2013. Street and PESP are collectively referred to as "Developer." City and Developer are individually referred to as "Party" and collectively as "Parties." In consideration of the mutual covenants and agreements contained in this Fifth Amendment, and in light of Developer’s application which was considered by City concurrently with this Fifth Amendment, City and Developer agree as follows:

1. Recitals.

1.1 Unless otherwise specified the term “Development Agreement” refers to the Development Agreement entered into between the Parties, or their predecessors in interest, on March 16, 2005, its amendments, and related Operating Memoranda.

1.2 On December 30, 2011, RSP2 executed an Assignment and Assumption Agreement ("Assignment") whereby RSP2 conveyed to Street, in accordance with the provisions of Section 3 of the Development Agreement, RSP2’s right, title and interest in and to the Development Agreement and the Project Approvals with respect to the Property covered by the Development Agreement.

1.3 On August 15, 2013 the Planning Commission held a duly noticed public hearing on this Fifth Amendment to the Development Agreement along with Developer’s other applications.

1.4 On ______________, 2013 the City Council held a duly noticed public hearing on this Fifth Amendment and Developer’s other applications. At the conclusion of the public hearing the City Council adopted Resolution No. ____ approving the use of an Addendum for this project and introduced Ordinance No. ____ approving this Fifth Amendment to the Development Agreement as well as a zone text amendment to El Segundo Municipal Code § 15-5G-2. On ______________, 2013 the City Council adopted Ordinance No. ____. Ordinance No. ____ became effective on ______________, 2013.

1.5 Section 15 of the Development Agreement provides for amendment of the Development Agreement upon mutual consent of the parties and in accordance with the procedures established by applicable law. This Fifth Amendment was adopted in conformance with Government Code §§ 65865, et seq.

1.6 On ______________, 2013, the City Council certified an Addendum to the Final Environmental Impact Report ("FEIR"). As set forth in that Addendum, no subsequent or supplemental environmental impact report is required before approving this Fifth Amendment.

2. Amendment of Property Descriptions. In order to incorporate an additional 4.988 acres into the description of the Property, attached Exhibits A, B, and C amend, in their entirety,
the Depiction of Segments; Property Description; and Phase 1B Property Description. Exhibits A, B, and C are incorporated by this reference and supersede the previous exhibits as applicable.

3. Revised Square Footage of the Project. Sections 1.2 and 1.3 of the Development Agreement are amended to read as follows:

1.2 After the various dedications are made for Phase 1A, Phase 1A consists of approximately 33.55 gross acres of property. The total gross acreage of the Phase 1A and Phase 1B property is 51.70 gross/46.60 net (after street dedications) acres, as more specifically described by the legal description set forth in Exhibit “B” (the “Property” or “Area A”).

1.3 Developer desires to complete the development of Phase 1B of the Property so that the entire development for Phase 1A and Phase 1B will consist of a primarily retail complex, which will be comprised of approximately four-hundred ninety eight thousand, four hundred and forty-two (498,442) gross square feet that will include large retail stores, specialty retail stores, sit-down restaurants and other uses (the “Project”). Phase 1B will consist of one hundred nineteen thousand, six hundred and thirteen (119,613) gross and one hundred nine thousand, five hundred seventy five (109,757) net square feet, as more specifically described by the legal description set forth in Exhibit “C” (the “Phase 1B Property”).

4. Section 1.4 of the Development Agreement is amended to read as follows:

1.4 City has certified a Final Environmental Impact Report for Environmental Assessment No. 631 (SCH No. 2003121037) (the “EIR”), and has approved the Mitigation Monitoring Plan for the EIR; General Plan Amendment No. 03-04, Zone Change No. 03-02, Zone Text Amendment No. 04-1, Subdivision No. 03-07 (Vesting Tentative Tract No. 060630), and Development Agreement No. 03-1 (the foregoing are collectively referred to as the “Original Project Approvals”). Concurrently with the City’s approval of the Original Project Approvals, City has also, as part of General Plan Amendment No. 03-5, Zone Change No. 03-3 and Zone Text Amendment No. 04-1, re-designated and rezoned other property in the vicinity of the Property with a “Commercial Center (C-4)” land use and zoning designation (the “Other C-4 Property”) a portion of which (approximately 13 acres) Developer has an option to acquire from property owner and the balance of which (approximately 42 acres) is owned by third parties. .

1.4.1 On July 30, 2007 City approved a First Amendment to the Development Agreement allowing additional uses.

1.4.2 On March 4, 2008 City approved an Addendum to the Original EIR and also approved a Second Amendment to the Development Agreement, revised conditions of approval, and zone text amendments to Chapter 15-5 of the El Segundo Municipal Code which increased the size of the Phase 1B Property allowed development among other changes.
1.4.3 On March 22, 2010 City approved a Third Amendment to the Development Agreement related to the allowed uses.

1.4.4 On August 17, 2010 City approved a Fourth Amendment to the Development Agreement allowing additional uses and making changes to Chapter 15-5 of the El Segundo Municipal Code.

5. Section 4.1.3 of the Development Agreement is amended to read as follows:

4.1.3 Fast Food Restaurants. Unless such use is incidental to the primary business of an occupant of a building, “Fast food” restaurants are prohibited in Phase 1A within 150 feet of Sepulveda Boulevard and in Phase 1B within ninety (90) feet of Sepulveda Boulevard or Rosecrans Avenue. “Fast food” restaurant is defined as “A restaurant where customers purchase food and beverages and either consume the food and beverages on the premises within a short period of time or take the food and beverages off the premises. Typical characteristics of a fast food restaurant include, without limitation, the purchase of food and beverages at a walk-up window or counter, no table service by a server, payment for food and beverages prior to consumption, and the packaging of food and beverages in disposable containers. A restaurant is not considered a fast food or take-out restaurant solely on the basis of incidental or occasional take-out sales.”

6. Section 4.2.2 of the Development Agreement, as interpreted by Operating Memorandum No. 1, is amended to read as follows and Section 6 of the Second Amendment making the Smaller Tenant Standard applicable to Phase 1B is deleted:

4.2.2 Limitations on Minimum Square Footage of Buildings and Space.

Except with respect to the two restaurants identified in Section 4.1.5 above, a maximum of 75,000 square feet of the allowable building area allowed on the Property can be developed and/or utilized for uses that occupy less than 4,000 square feet of building space. With respect to such 75,000 square feet, a maximum of 8 building pads (exclusive of the “Full Service Restaurants” referred to in Section 4.1.5 above) may be less than 4,000 square feet each. Moreover, no building pads on the Property may be less than 5,000 square feet in size. Additionally, with respect to the 75,000 square feet, only those uses identified on Exhibit “B” to Operating Memorandum No. 1 are allowed to occupy less than 1,500 square feet of building space or uses which are the reasonable equivalents of the specific businesses listed in Exhibit “B” to Operating Memorandum No. 1 as determined by the Planning and Building Safety Director in his or her sole discretion. In addition, the Developer may request that the City Council approve of deviations from the restrictions set forth in this Section 4.2.2 and the City Council may approve or deny such requests in its sole discretion. As used in this Agreement, the term “building pad” means the total ground floor area of any individual building constructed on the Property.
4.2.2.1 Notwithstanding the above, the 75,000 square foot maximum and the Smaller Tenant Standards set forth in the Development Agreement and Operating Memorandum No. 1, do not apply to the Phase 1B development. However, all other requirements of the Development Agreement and the Conditions of Approval, apply with respect to the entire Project.

7. Notice. Section 19 of the Development Agreement is amended by changing the Notice to Developer to read as follows:

If to Developer: Street Retail, Inc.
Baris Ipek, Legal Counsel
1626 East Jefferson Street
Rockville, MD 20852

With Copy to: Federal Realty
Jeff Chambers
2041 Rosecrans Avenue, Suite 245
El Segundo, CA 90245

8. Amendments to Exhibit “D” Conditions of Approval. In connection with the development of the Phase 1B Property, the Conditions of Approval are amended as set forth in attached Exhibit “D,” which is incorporated by reference.

9. Remainder of Development Agreement to Remain in Full Force and Effect. Except as set forth in this Fifth Amendment, all terms and conditions of the Development Agreement remain in full force and effect.

IN WITNESS WHEREOF, Developer and City have executed this Fifth Amendment on the date first above written.

CITY:

CITY OF EL SEGUNDO, a municipal corporation

By: ______________________________
Name: Bill Fisher
Title: Mayor

ATTEST
By: ______________________________
Name: Tracy Weaver
Title: City Clerk

7/2/13
APPROVED AS TO FORM:

By: ____________________________
Name: Mark Hensley
Title: City Attorney

PESP

PES PARTNERS, LLC, a Delaware limited liability company

By: Street Retail, Inc., a Maryland corporation
Its: Manager

By: Jeffrey S. Berkes, Vice-President
    Western Region

STREET

STREET RETAIL, INC., a Maryland corporation

By: ____________________________
Jeffrey S. Berkes, Vice-President,
Western Region
State of California
County of____________

On _____________, before me, ____________________________, Notary Public, personally appeared ________________________, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature____________________________

(seal)

State of California
County of____________

On _____________, before me, ____________________________, Notary Public, personally appeared ________________________, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature____________________________

(seal)
State of California  
County of ____________________  

On ____________, before me, __________________, Notary Public,  
personally appeared __________________,  
who 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.  

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.  

WITNESS my hand and official seal.  

Signature__________________________  
(seal)  

State of California  
County of ____________________  

On ____________, before me, __________________, Notary Public,  
personally appeared __________________,  
who 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.  

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.  

WITNESS my hand and official seal.  

Signature__________________________  
(seal)
State of California

County of ____________

On ________________, before me, ____________________, Notary Public,

(here insert name and title of the officer)

personally appeared ____________________, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature ________________________________

(seal)
EXHIBIT B – LEGAL DESCRIPTION

PHASE 1

LOTS 1 THROUGH 17 OF VESTING TRACT NO. 61630, IN THE CITY OF EL SEGUNDO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1370, PAGES 41 THROUGH 51, OF MAPS, IN THE OFFICE OF THE COUNTY REGISTRAR-RECORDER/COUNTY CLERK OF SAID COUNTY.

TOGETHER WITH

PARCEL 1 OF THE DOCUMENT ENTITLED “CERTIFICATE OF COMPLIANCE REQUEST FOR CERTIFICATE OF COMPLIANCE CITY OF EL SEGUNDO”, IN THE CITY OF EL SEGUNDO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, RECORDED ________________, 2013, AS INSTRUMENT NO. 2013 ____________ OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

ALL AS DEPICTED ON “EXHIBIT B – PLAT”, ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

THIS DESCRIPTION WAS PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR’S ACT.

PRELIMINARY

J. MARTY SMITH, PLS 8070
DATE PREPARED: 06/13/2013
EXHIBIT C – LEGAL DESCRIPTION
PHASE 1B

PARCEL 1 OF THE DOCUMENT ENTITLED “CERTIFICATE OF COMPLIANCE REQUEST FOR CERTIFICATE OF COMPLIANCE CITY OF EL SEGUNDO”, IN THE CITY OF EL SEGUNDO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, RECORDED ____________ 2013, AS INSTRUMENT NO. 2013 __________ OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

ALL AS DEPICTED ON “EXHIBIT C – PLAT”, ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

THIS DESCRIPTION WAS PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR’S ACT.

[Signature]
J. MARTY SMITH, PLS 8070
DATE PREPARED: 06/13/2013

[Seal]
DRAFT

Page 1 of 1
LEGEND

--- EXTERIOR BOUNDARY LINES ---

PARCEL 1
COC/LA 2013 O.R.

SCALE: 1" = 250'

EXHIBIT C - PLAT
PHASE 1B
CITY OF EL SEGUNDO, CALIFORNIA
EXHIBIT D

AMENDMENTS TO CONDITIONS OF APPROVAL

The Conditions of Approval that were approved by the City Council on March 15, 2005 as part of Ordinance No. 1382, as revised by the Conditions of Approval that were approved by the City Council on March 4, 2008 as part of Ordinance No. 1417 (the "Second Amendment") (collectively, the "Conditions of Approval") are hereby amended as follows:

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), Street Retail, Inc. and PES Partners, LLC, the property owner(s) and their successors in interest, agree to comply with the following provisions as conditions for the City of El Segundo’s approval of Environmental Assessment No. 993, Zone Text Amendment No. 12-04, Amendment to Development Agreement No. 12-03, Adjustment No. 13-03, Variance No. 13-01, and Administrative Use Permit No. 13-04 ("Project Conditions").

1. All mitigation measures in the Final Environmental Impact Report (SCH No. 2003121037) that are reflected in the Mitigation Monitoring and Reporting Program for the proposed Sepulveda/Rosecrans Site Rezoning Reduced Traffic Generation Alternative and Plaza El Segundo Development Reduced Traffic Generation Alternative are incorporated by this reference into these conditions of approval.

2. All conditions of approval of Environmental Assessment No. 631, Development Agreement No. 03-1, General Plan Amendment No. 03-4 & 03-5, Zone Change No. 03-2 & 03-3, Zone Text Amendment No. 04-1, and Subdivision No. 03-7, except as modified below.

3. All conditions of approval of Environmental Assessment No. 768, Zone Text Amendment No. 08-01, and Development Agreement No. 07-03, except as modified below.

4. Condition No. 2 of Council Resolution No. 4415 is amended in its entirety to read as follows:

DEFINITIONS

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in these conditions.

A. "P.B.S. Director" means the City of El Segundo Director of Planning and Building Safety, or designee.
B. “EIR” means the Final Environmental Impact Report for the proposed Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo development project (SCH No. 2003121037), El Segundo, California.


D. “Development Agreement” refers to Development Agreement No. 03-1 and any amendments thereto.

E. “Project Area” refers to each of the developable lots on the Plaza El Segundo development Project Site as shown on Vesting Tentative Map No. 061630 in the City of El Segundo, County of Los Angeles as per map filed on June 6, 2012, Book 1370, pages 41-51, and refers to Lot 1 of Lot Line Adjustment No. 13-04 as reflected in that Certificate of Compliance, in the City of El Segundo, County of Los Angeles, State of California, recorded on July 29, 2013, as Instrument No. 2013-1105767, of official records in the office of the County Recorder of said County.

F. “Project Site” refers to the 51.7 gross/46.60 net (after street dedications) acre site generally located south of Hughes Way, east of Sepulveda Boulevard, west of Nash Street, and north of Rosecrans Avenue.

E-1. “Project Site Phase 1B” refers to the 13.050 gross/12.63 net-acre site as shown as Lot 1 of Lot Line Adjustment No. 13-04 as reflected in that Certificate of Compliance, in the City of El Segundo, County of Los Angeles, State of California, recorded on July 29, 2013, as Instrument No. 2013-1105767, of official records in the office of the County Recorder of said County, generally located south of the Union Pacific Railroad, east of Sepulveda Boulevard, west of Douglas Street, and north of Rosecrans Avenue.

E-2. “Phase 1A” refers to the portion of the Project Area located north of the Union Pacific Railroad right-of-way.

E-3. “Phase 1B” refers to the portion of the Project Area located south of the Union Pacific Railroad right-of-way.

G. “Sepulveda/Rosecrans Rezoning Site” refers to the approximately 110 acres generally located south of Hughes Way, east of Sepulveda Boulevard, west of Douglas Street, and north of Rosecrans Avenue which is the subject of a General Plan and Zoning Code Amendment that is being considered concurrently with the land use entitlements for the Project Area and the Project Site.
H. Except as otherwise specified in these Conditions of Approval, conditions must be satisfied before the issuance of a Building Permit for each building within the Project Area.

AESTHETICS

Signs

5. Condition No. 9.B-1 of Council Resolution No. 4415 is amended to read as follows:

Notwithstanding any other provisions in the ESMC, a maximum of two ground or monument signs with a maximum height of 25 feet each are permitted along the Sepulveda Boulevard street frontage of the Project Area south of the Union Pacific Railroad;

6. A new Condition No. 9.B-2 is added to read as follows:

"Notwithstanding any other provisions in the ESMC, one roof sign with an area up to a maximum of 450 square is allowed in the Phase 1B area. The area of said roof sign is not included in the maximum permitted freestanding building or store front sign area. Additional roof signs must comply with the maximum permitted store front sign area (fifteen (15%) percent of the face of each shop front)."

FIRE

7. A new Condition No. 13.A is added to read as follows:

"The applicant must comply with the applicable requirements of the 2010 California Building and Fire Codes and the 2009 International Fire Code, as adopted by the ESMC. The City will adopt the 2013 California Building and Fire Codes, effective January 1, 2014. All permits issued after January 1, 2014 must comply with the requirements of the 2013 Editions, as adopted by the ESMC."

8. Condition No. 15 of Council Resolution No. 4415 is amended in its entirety to read as follows:

"Before the City issues a building permit, the applicant must provide Fire Life Safety Plans to the PBS Director and the Fire Chief for review and approval, which include, without limitation, the following:

A Fire lanes,

B Fire lane signing,
C Fire lane access easements or other recorded documents to the reasonable satisfaction of the City Attorney,

D Fire lane accessibility,

E Gas detection systems,

F Minimum acceptable flow from any fire hydrant must be 2,500 gallon per minute, calculated at 20 psi,

G Sprinklers within structures Underground looped fire mains, sprinklers, fire pumps, and fire alarms,

I Emergency generators,

J Any above ground or underground storage tanks including elevator sumps and condensation tanks,

K Documentation that the on-site fire mains will be maintained,

L Fire safety precautions during demolition and construction,

M Emergency site access during construction,

N Permanent fire department access,

O Fire hydrant locations,

P Any proposed fire sprinkler and fire alarm systems, and

Q Before the City issues a certificate of occupancy, the applicant must demonstrate to the Fire Department that the development complies with the Fire Life Safety Plan, and that any required easements were properly dedicated and recorded."

9. A new Condition No. 16.A is added to read as follows:

“The applicant must provide an automatic fire sprinkler system throughout each building, installed in accordance with California Fire Code Chapter 9 and the currently adopted edition of NFPA 13.”

10. A new Condition No. 16.B is added to read as follows:
"The applicant must provide an automatic fire alarm system throughout each building, installed in accordance with California Fire Code Chapter 9 and the currently adopted edition of NFPA 72."

11. A new Condition No. 16.C is added to read as follows:

"The applicant must provide a certification from the underground petroleum pipeline owner/operator that the proposed project will not encroach into any foundations or structures within the pipeline right-of-way without the underground petroleum pipeline owner/operator's approval. The certification must be provided with the initial plan review documents."

12. A new Condition No. 16.D is added to read as follows:

"There is a railroad right-of-way on the north side of the property. Access doors and ladders with a maximum 300-foot spacing must be provided to provide access to the railroad right of way in case of a train derailment or incident to the satisfaction of the Fire Department. The access doors and ladders must have approved Knox Company Knox Padlocks installed."

13. A new Condition No. 16.E is added to read as follows:

"If any fire features are proposed for the project, the applicant must provide the following conditions for any fire feature:

i. A barrier must be provided around the fire feature to prevent accidental access to the fire feature.

ii. The distance between the fire feature and combustible material and furnishings must meet the fire feature’s listing and manufacturer’s requirements.

iii. If the fire feature’s protective barrier exceeds ambient temperatures, all exit paths and occupant seating must be a minimum 36 inches from the fire feature."

14. Condition No. 19 of Council Resolution No. 4415 is amended in its entirety to read as follows:

"Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time fire services mitigation fee as provided in City Council Resolution No. 4687."
POLICE/SAFETY

15. Condition No. 27 of Council Resolution No. 4415 is amended in its entirety to read as follows:

"Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time police services mitigation fee as provided in City Council Resolution No. 4687."

16. A new Condition No. 27.A is added to read as follows:

"The applicant must provide, at no cost to the City of El Segundo, a minimum of 240 square feet of office space to be used by the El Segundo Police Department as satellite office space to provide Police services on the east side of Sepulveda Boulevard."

PROJECT DESCRIPTION

17. Condition No. 29 of Council Resolution No. 4415 is amended to read as follows:

"The Plaza El Segundo development project is allowed to develop up to a maximum of 498,442 gross square feet including a maximum of 119,613 gross/109,575 net square feet for the Plaza El Segundo Phase 1B development project, consisting of a combination of uses as permitted by the Plaza El Segundo Reduced Traffic Generation Alternative described in the Final EIR, the C-4 Zone and as limited by the Development Agreement as long as the total AM, PM peak, daily, and Saturday midday peak trip generation established in the EIR for the Plaza El Segundo development project as a whole is not exceeded."

18. Condition No. 30 of Council Resolution No. 4415 is amended in its entirety to read as follows:

"The maximum project size may be reduced as determined by the vehicle trip generation for each use. The Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo development project permit the following vehicle trips:

<table>
<thead>
<tr>
<th>MAXIMUM PERMITTED TRIPS</th>
<th>AM</th>
<th>PM</th>
<th>Daily</th>
<th>Saturday Midday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sepulveda/Rosecrans Site Rezoning</td>
<td>1,033</td>
<td>2,346</td>
<td>25,859</td>
<td>3,379</td>
</tr>
<tr>
<td>Plaza El Segundo Development Project</td>
<td>779</td>
<td>1,477</td>
<td>16,645</td>
<td>2,205</td>
</tr>
</tbody>
</table>
The trip generation for each use and building must be determined using the rates, including the internal capture and pass-by discount rates, as set forth in the most current edition of the Institute of Traffic Engineer's Traffic General Manual. Trip adjustments for internal capture and pass-by reductions will be in accordance with the adjustments in the Traffic Impact Study in the FEIR (EA No. 631) approved on March 1, 2005. Trip adjustments for transit credit, will be in accordance with the adjustments in the Traffic Impact Study in the Addendum to the FEIR (EA No. 768) approved on February 19, 2008.

DEDICATIONS AND FEES

19. Condition No. 34A of Council Resolution No. 4415 is added to read as follows:

"The applicant must provide either 1) an irrevocable offer to dedicate a maximum of a six-foot wide bicycle lane to be located along the entire Rosecrans Avenue frontage of the subject property; or 2) a maximum of six-foot wide easement for a bicycle path to be located in the landscaped front setback of the subject property in compliance with the Circulation Element of the General Plan and South Bay Bicycle Plan to the satisfaction of the Public Works Department and the Planning and Building Safety Department. The exact alignment will be determined by the Public Works Department and the Planning and Building Safety Department. Alternatively, if the Public Works Department and the Planning and Building Safety Department determine that it is infeasible to provide a bicycle lane or bicycle path on any or all of the Rosecrans frontage, signage and striping as a bicycle route may be required. The City has the right to exercise its right to accept the property subject to the offer of dedication on or after, the earlier of, October 17, 2018, or 15 years following the date on which the certificate of occupancy was issued for the last building on the property."

20. Condition No. 36 of Council Resolution No. 4415 is amended in its entirety to read as follows:

TRANSPORTATION/CIRCULATION/PARKING

21. Condition No. 61A is added to read as follows:

Before the City issues a certificate of occupancy for any building constructed south of the Union Pacific/Burlington Northern Santa Fe Railroads, the new on-site and off-site roadway improvements, including any medians, sidewalks, curbs, and gutters must be constructed in accordance with applicable Department of Public Works construction standards for a public roadway with the minimum dimensions required by the Circulation Element of the El Segundo General Plan to the satisfaction of the Director of Public Works and the Director of Planning and Building Safety, and must comply with applicable
requirements of the Americans with Disabilities Act (ADA), as well as City requirements for traffic signage, street lighting, drainage plans, and underground utility service, subject to the review and approval of the Director of Public Works. Additionally, the roadway improvements along Rosecrans Avenue must be consistent with the design analyzed in the Addendum to the FEIR, including, but not limited to the lane configurations, deceleration lane design at Village Drive, and lengths of left turn pockets at Rosecrans Avenue and Sepulveda Boulevard and at Rosecrans Avenue and Village Drive. The application must be responsible for the design and construction of the new roadways.

WATER

22. Condition No. 100 of Council Resolution No. 4542 is amended to read as follows:

“Water meters must be provided for each lot by the applicant in accordance with City policies and approved by the Water Division before installation. This condition does not prohibit the use of private water meters for individual buildings or individual tenancies.”

ADMINISTRATIVE USE PERMIT/ALCOHOL SERVICE (FOR PHASE 1B)

23. New Conditions 101 through 120 are added to read as follows:

101. The proposed hours of operation and hours of alcohol service for the restaurants and kiosks, including the outdoor dining patios are limited to: Sunday through Thursday from 10:00 a.m. to 12:00 a.m. and Friday through Saturday from 10:00 a.m. to 2:00 a.m. Food service must be available in the indoor dining areas and the outdoor patios during the hours of operation and alcohol service. Any change to the hours of operation or the hours that alcohol may be served is subject to review and approval by the Director of Planning and Building Safety.

102. Up to a maximum of 12,000 gross square feet of restaurant space may open as early as 6:00 a.m. daily for breakfast service.

103. Any subsequent modification to the project as approved in this Administrative Use Permit, including the floor plan and areas where alcohol will be served, and/or the conditions of approval, must be referred to the Director of Planning and Building Safety for approval and a determination regarding the need for Planning Commission review of the proposed modification.
104. The applicant must obtain and maintain all licenses required by the Alcoholic Beverage Control Act (Business & Professions Code §§ 23300 et seq.). The applicant must obtain and maintain a Type 41 license.

105. The restaurant operations must comply with ESMC §§ 7-2-1, et seq. regulating noise and vibration.

106. The Planning and Building Safety Department and the Police Department must be notified of any change of ownership of the approved use in writing within 10 days of the completion of the change of ownership. A change in project ownership may be cause to schedule a hearing before the Planning Commission regarding the status of the administrative use permit.

107. The applicant must comply with all regulations of the Alcoholic Beverage Control Act and the regulations promulgated by the Alcoholic Beverage Control Board including, without limitation, the regulations set forth in 4 Cal. Code of Regs. §§ 55, et seq.

108. The applicant must post a sign in a clear and conspicuous location listing a phone number at which a responsible party may be contacted during all open hours of the establishment to address any concerns of the community regarding noise in the restaurant, patio and parking lot. Said contact’s name and phone number must also be available through the restaurant staff at all times.

109. The applicant must, at all times, display a Designated Driver sign of at least ten inches by ten inches (10" X 10") in the bar and restaurant dining areas at eye level. The sign must be worded in a way that reminds patrons who are consuming alcohol to designate a non-drinking driver.

110. There cannot be exterior advertising of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages which are clearly visible to the exterior constitute a violation of this condition.

111. All employees serving alcoholic beverages to patrons must enroll in and complete a certified training program approved by the State Department of Alcoholic Beverages Control (ABC) for the responsible sales of alcohol. The training must be offered to new employees on not less than a quarterly basis.

112. Any and all employees hired to sell alcoholic beverages must provide evidence that they have either:
a. Completed training from the State of California Department of Alcoholic Beverage Control (ABC), Long Beach/Lakewood District Office administered Licensee Education on Alcohol and Drugs (LEAD) Program; or,

b. Completed an approved equivalent (LEAD) training program administered by the ABC, Long Beach/Lakewood District Office to ensure proper distribution of alcoholic beverages safely, responsibly and to adults of legal age. Any future employee designated to sell alcoholic beverages on behalf of the licensee or applicant must obtain a certificate proving completion of the (LEAD) training; and

c. The licensee or applicant must confirm with the Planning and Building Safety Director, or designee, within fifteen (15) days of the Director's decision as to the approval of the application, or by final project approval, that a date certain has been scheduled with the local ABC Office to complete the LEAD training program.

d. Within thirty (30) days of taking said course, the employees, or responsible employer must deliver each required certificate showing completion to the Police Department.

113. The applicant must have readily identifiable personnel to monitor and control the behavior of customers inside the building premises. Staff must monitor activity outside in the parking lot and any adjacent property under the establishment's control to ensure the areas are generally free of people and are cleared of patrons and their vehicles one-half hour after closing.

114. If complaints are received regarding excessive noise, parking availability, lighting, building access, and the like associated with the restaurants and the outdoor patio areas, the city may, in its discretion, take action to review the Administrative Use Permit, including without limitation, adding conditions or revoking the permit.

115. The outdoor dining/seating areas must comply with ESMC § 15-2-16.

116. The applicant must install security cameras for monitoring and recording activity, which include, without limitation: cash handling/counting areas, the manager's office, the safe, all access doors, and any other areas deemed necessary by the Police Department. Monitoring and recording equipment must be stored in a secure area (e.g., manager's office).

117. Before a building permit is issued, a schematic plan of the camera system must be submitted and approved by the Police Chief, or
designee. The camera specification notes must be included on the schematic plan.

118. Before a building permit is issued, the minimum camera requirements must be listed on the building plans with the camera specifications and include the following:

a. All security surveillance cameras must be installed to record video in color.

b. Security cameras, especially those viewing customers as they enter the business or stand at cash registers, must capture the individual from the waist to the top of the head, straight on.

c. Security surveillance cameras must be positioned low enough so that caps/hats or other disguises (typically used when committing a crime) will not obstruct the view of the individual's face. This will provide the best possible picture for the identification of the individual during the investigation process.

d. The maximum mounting height is 8 feet.

e. The recording equipment must capture video digitally and must record a minimum of (21) days for each security surveillance camera. Security surveillance camera recordings must be made available to law enforcement agencies for investigation purposes upon request.

f. A schematic plan of the proposed camera locations must be submitted and approved by the Police Chief, or designee.

g. The “Camera Specification Notes” must be included on the schematic plan page.

h. A security surveillance camera plan must provide the following minimum items: (1) One camera facing each point of sale station (2); one camera facing the safe (it may be possible to cover the safe and the point of sale station closest to it); and (3) one camera at the main entry door capturing customers as they exit.

119. The buildings cannot be occupied by more persons than allowed by the California Building Code, as adopted by the ESMC.

120. The buildings and any outdoor seating must comply with California Building and Fire Code requirements, as adopted by the ESMC.

**ADJUSTMENT (FOR PHASE 1B)**

24. A new Condition No. 121 is added to read as follows:

"The applicant must post clear signs at each of the required loading spaces designating them as loading spaces during the hours of 6:00 a.m. to 10:00 a.m. The signs must clearly prohibit employee and/or customer parking
during those hours. The applicant may extend the loading hours beyond 10:00 a.m. at his discretion. The parking spaces must be marked clearly to delineate the parking and loading spaces to the satisfaction of the Director of Planning and Building Safety."

25. A new Condition No. 122 is added to read as follows:

"Any subsequent modification to the project as approved in this Adjustment, including the plans and/or the conditions of approval, must be referred to the Director of Planning and Building Safety for approval and a determination regarding the need for Planning Commission review of the proposed modification."

**VARIANCE (FOR PHASE 1B)**

26. A new Condition No. 123 is added to read as follows:

"Before the City issues building permits, the applicant must submit detailed plans of the two retaining walls along the north property line adjacent to the UPRR right-of-way. The retaining walls and their non-retaining portions cannot exceed 12 feet in height, with the exception that a metal open work fence up to a maximum of 42 inches in height may be installed on top of the walls."

27. A new Condition No. 124 is added to read as follows:

"Any subsequent modification to the project as approved in this Variance, including the plans and/or the conditions of approval, must be referred to the Director of Planning and Building Safety for approval and a determination regarding the need for Planning Commission review of the proposed modification."

**INDEMNIFICATION**

28. A new Condition No. 125 is added to read as follows:

PES Partners, LLC and Street Retail, Inc. (collectively, the "Applicant") agree to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of Environmental Assessment No. EA-993, Development Agreement Amendment No. DA 12-03, Zone Text Amendment No. 12-04, Adjustment No. ADJ 13-03, Variance No. VAR 13-01, and Administrative Use Permit No. AUP 13-04. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of Environmental Assessment No. EA-993, Development Agreement Amendment No. DA 12-03, Zone Text Amendment No. 12-04, Adjustment No. ADJ 13-03, Variance No. VAR 13-01, and Administrative
Use Permit No. AUP 13-04 the Applicant agrees to defend the City (at the City’s request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section “the City” includes the City of El Segundo’s elected officials, appointed officials, officers, and employees.

PES Partners, LLC and Street Retail, Inc. must acknowledge receipt and acceptance of the Project Conditions by executing the acknowledgement below.

By signing this document, PES Partners, LLC, and Street Retail, Inc. certify that they have read, understood, and agrees to the Project Conditions listed in this document and represent and warrant that it has the authority to execute this document on behalf of the property owner and acknowledge that the conditions set forth above run with the land and are binding upon all owners and occupants of the land.

PESP
PES Partners, LLC, a Delaware limited liability company

By: Rosecrans-Sepulveda Partners 3, LLC, a Delaware limited liability company

Its: Sole Member

By Street Retail, Inc., a Maryland corporation

Its Manager

By: __________________________
Jeffrey S. Berkes, Vice President – Western Region

STREET
STREET RETAIL, INC., a Maryland corporation

By: __________________________
Jeffrey S. Berkes, Vice President – Western Region

{If Corporation or similar entity, needs two officer signatures or evidence that one signature binds the company}
In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), Street Retail, Inc. and PES Partners, LLC, the property owner(s) and their successors in interest, agree to comply with the following provisions as conditions for the City of El Segundo’s approval of Environmental Assessment No. 993, Zone Text Amendment No. 12-04, Amendment to Development Agreement No. 12-03, Adjustment No. 13-03, Variance No. 13-01, and Administrative Use Permit No. 13-04 ("Project Conditions").

1. All mitigation measures in the Final Environmental Impact Report (SCH No. 2003121037) that are reflected in the Mitigation Monitoring and Reporting Program for the proposed Sepulveda/Rosecrans Site Rezoning Reduced Traffic Generation Alternative and Plaza El Segundo Development Reduced Traffic Generation Alternative are incorporated by this reference into these conditions of approval.

2. All conditions of approval of Environmental Assessment No. 631, Development Agreement No. 03-1, General Plan Amendment No. 03-4 & 03-5, Zone Change No. 03-2 & 03-3, Zone Text Amendment No. 04-1, and Subdivision No. 03-7, except as modified below.

3. All conditions of approval of Environmental Assessment No. 768, Zone Text Amendment No. 08-01, and Development Agreement No. 07-03, except as modified below.

4. Condition No. 2 of Council Resolution No. 4415 is amended in its entirety to read as follows:

DEFINITIONS

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in these conditions.

A. "P.B.S. Director" means the City of El Segundo Director of Planning and Building Safety, or designee.

B. "EIR" means the Final Environmental Impact Report for the proposed Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo development project (SCH No. 2003121037), El Segundo, California.


D. "Development Agreement" refers to Development Agreement No. 03-1 and any amendments thereto.
CITY COUNCIL RESOLUTION No. ____ Exhibit D

CITY COUNCIL ORDINANCE No. ____ Exhibit B

CONDITIONS OF APPROVAL

E. “Project Area” refers to each of the developable lots on the Plaza El Segundo development Project Site as shown on Vesting Tentative Map No. 061630 in the City of El Segundo, County of Los Angeles as per map filed on June 6, 2012, Book 1370, pages 41-51, and refers to Lot 1 of Lot Line Adjustment No. 13-04 as reflected in that Certificate of Compliance, in the City of El Segundo, County of Los Angeles, State of California, recorded on July 29, 2013, as Instrument No. 2013-1105767, of official records in the office of the County Recorder of said County.

F. “Project Site” refers to the 51.7 gross/46.60 net (after street dedications) acre site generally located south of Hughes Way, east of Sepulveda Boulevard, west of Nash Street, and north of Rosecrans Avenue.

F-1. “Project Site Phase 1B” refers to the 13.050 gross/12.63 net-acre site as shown as Lot 1 of Lot Line Adjustment No. 13-04 as reflected in that Certificate of Compliance, in the City of El Segundo, County of Los Angeles, State of California, recorded on July 29, 2013, as Instrument No. 2013-1105767, of official records in the office of the County Recorder of said County, generally located south of the Union Pacific Railroad, east of Sepulveda Boulevard, west of Douglas Street, and north of Rosecrans Avenue.

F-2. “Phase 1A” refers to the portion of the Project Area located north of the Union Pacific Railroad right-of-way.

F-3. “Phase 1B” refers to the portion of the Project Area located south of the Union Pacific Railroad right-of-way.

G. “Sepulveda/Rosecrans Rezoning Site” refers to the approximately 110 acres generally located south of Hughes Way, east of Sepulveda Boulevard, west of Douglas Street, and north of Rosecrans Avenue which is the subject of a General Plan and Zoning Code Amendment that is being considered concurrently with the land use entitlements for the Project Area and the Project Site.

H. Except as otherwise specified in these Conditions of Approval, conditions must be satisfied before the issuance of a Building Permit for each building within the Project Area.

AESTHETICS

Signs

5. Condition No. 9.B-1 of Council Resolution No. 4415 is amended to read as follows:

Not withstanding any other provisions in the ESMC, a maximum of two ground or monument signs with a maximum height of 25 feet each are permitted along the
CITY COUNCIL RESOLUTION No. ____ Exhibit D
CITY COUNCIL ORDINANCE No. ____ Exhibit B

CONDITIONS OF APPROVAL

Sepulveda Boulevard street frontage of the Project Area south of the Union Pacific Railroad;

6. A new Condition No. 9.B-2 is added to read as follows:

"Notwithstanding any other provisions in the ESMC, one roof sign with an area up to a maximum of 450 square is allowed in the Phase 1B area. The area of said roof sign is not included in the maximum permitted freestanding building or store front sign area. Additional roof signs must comply with the maximum permitted store front sign area (fifteen (15%) percent of the face of each shop front)."

FIRE

7. A new Condition No. 13.A is added to read as follows:

"The applicant must comply with the applicable requirements of the 2010 California Building and Fire Codes and the 2009 International Fire Code, as adopted by the ESMC. The City will adopt the 2013 California Building and Fire Codes, effective January 1, 2014. All permits issued after January 1, 2014 must comply with the requirements of the 2013 Editions, as adopted by the ESMC."

8. Condition No. 15 of Council Resolution No. 4415 is amended in its entirety to read as follows:

"Before the City issues a building permit, the applicant must provide Fire Life Safety Plans to the PBS Director and the Fire Chief for review and approval, which include, without limitation, the following:

A. Fire lanes,

B. Fire lane signing,

C. Fire lane access easements or other recorded documents to the reasonable satisfaction of the City Attorney,

D. Fire lane accessibility,

E. Gas detection systems,

F. Minimum acceptable flow from any fire hydrant must be 2,500 gallon per minute, calculated at 20 psi,

G. Sprinklers within structures Underground looped fire mains, sprinklers, fire pumps, and fire alarms,"
I. Emergency generators,

J. Any above ground or underground storage tanks including elevator sumps and condensation tanks,

K. Documentation that the on-site fire mains will be maintained,

L. Fire safety precautions during demolition and construction,

M. Emergency site access during construction,

N. Permanent fire department access,

O. Fire hydrant locations,

P. Any proposed fire sprinkler and fire alarm systems, and

Q. Before the City issues a certificate of occupancy, the applicant must demonstrate to the Fire Department that the development complies with the Fire Life Safety Plan, and that any required easements were properly dedicated and recorded."

9. A new Condition No. 16.A is added to read as follows:

"The applicant must provide an automatic fire sprinkler system throughout each building, installed in accordance with California Fire Code Chapter 9 and the currently adopted edition of NFPA 13."

10. A new Condition No. 16.B is added to read as follows:

"The applicant must provide an automatic fire alarm system throughout each building, installed in accordance with California Fire Code Chapter 9 and the currently adopted edition of NFPA 72."

11. A new Condition No. 16.C is added to read as follows:

"The applicant must provide a certification from the underground petroleum pipeline owner/operator that the proposed project will not encroach into any foundations or structures within the pipeline right-of-way without the underground petroleum pipeline owner/operator’s approval. The certification must be provided with the initial plan review documents."

12. A new Condition No. 16.D is added to read as follows:

"There is a railroad right-of-way on the north side of the property. Access doors and ladders with a maximum 300-foot spacing must be provided to provide access to the
railroad right of way in case of a train derailment or incident to the satisfaction of the Fire Department. The access doors and ladders must have approved Knox Company Knox Padlocks installed."

13. A new Condition No. 16.E is added to read as follows:

"If any fire features are proposed for the project, the applicant must provide the following conditions for any fire feature:

i. A barrier must be provided around the fire feature to prevent accidental access to the fire feature.

ii. The distance between the fire feature and combustible material and furnishings must meet the fire feature’s listing and manufacturer’s requirements.

iii. If the fire feature’s protective barrier exceeds ambient temperatures, all exit paths and occupant seating must be a minimum 36 inches from the fire feature."

14. Condition No. 19 of Council Resolution No. 4415 is amended in its entirety to read as follows:

"Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time fire services mitigation fee as provided in City Council Resolution No. 4687."

POLICE/SAFETY

15. Condition No. 27 of Council Resolution No. 4415 is amended in its entirety to read as follows:

"Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time police services mitigation fee as provided in City Council Resolution No. 4687."

16. A new Condition No. 27.A is added to read as follows:

"The applicant must provide, at no cost to the City of El Segundo, a minimum of 240 square feet of office space to be used by the El Segundo Police Department as satellite office space to provide Police services on the east side of Sepulveda Boulevard."
17. Condition No. 29 of Council Resolution No. 4415 is amended to read as follows:

“The Plaza El Segundo development project is allowed to develop up to a maximum of 498,442 gross square feet including a maximum of 119,613 gross/109,575 net square feet for the Plaza El Segundo Phase 1B development project, consisting of a combination of uses as permitted by the Plaza El Segundo Reduced Traffic Generation Alternative described in the Final EIR, the C-4 Zone and as limited by the Development Agreement as long as the total AM, PM peak, daily, and Saturday midday peak trip generation established in the EIR for the Plaza El Segundo development project as a whole is not exceeded.”

18. Condition No. 30 of Council Resolution No. 4415 is amended in its entirety to read as follows:

“The maximum project size may be reduced as determined by the vehicle trip generation for each use. The Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo development project permit the following vehicle trips:

<table>
<thead>
<tr>
<th>MAXIMUM PERMITTED TRIPS</th>
<th>AM</th>
<th>PM</th>
<th>Daily</th>
<th>Saturday Midday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sepulveda/Rosecrans Site Rezoning</td>
<td>1,033</td>
<td>2,346</td>
<td>25,859</td>
<td>3,379</td>
</tr>
<tr>
<td>Plaza El Segundo Development Project</td>
<td>779</td>
<td>1,477</td>
<td>16,645</td>
<td>2,205</td>
</tr>
</tbody>
</table>

The trip generation for each use and building must be determined using the rates as set forth in the current edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. Trip adjustments for internal capture and pass-by reductions will be in accordance with the adjustments in the Traffic Impact Study in the FEIR (EA No. 631) approved on March 1, 2005. Trip adjustments for transit reductions will be in accordance with the adjustments in the Traffic Impact Study in the Addendum to the FEIR (EA No. 768) approved on February 19, 2008.

DEDICTIONS AND FEES

19. Condition No. 34A of Council Resolution No. 4415 is added to read as follows:

“The applicant must provide an irrevocable offer to dedicate a maximum of a six-foot wide bicycle lane to be located along the entire Rosecrans Avenue frontage of the subject property or for a bicycle path to be located in the landscaped front setback of the subject property in compliance with the Circulation Element of the General Plan and South Bay Bicycle Plan to the satisfaction of the Public Works Department and the Planning and Building Safety Department. The exact alignment will be
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determined by the Public Works Department and the Planning and Building Safety Department. Alternatively, if the Public Works Department and the Planning and Building Safety Department determine that it is infeasible to provide a bicycle lane or bicycle path on any portion or all of the Rosecrans frontage, signage and striping as a bicycle route may be required. The City has the right to exercise its right to accept the property subject to the offer of dedication on or after, October 17, 2013, but no later than 20 years following the date on which the certificate of occupancy was issued for the last building on the property."

20. Condition No. 36 of Council Resolution No. 4415 is amended in its entirety to read as follows:

"Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time parks facilities mitigation fee as provided in City Council Resolution No. 4687."

TRANSPORTATION/CIRCULATION/PARKING

21. Condition No. 61A is added to read as follows:

Before the City issues a certificate of occupancy for any building constructed south of the Union Pacific/Burlington Northern Santa Fe Railroads, the new on-site and off-site roadway improvements, including any medians, sidewalks, curbs, and gutters must be constructed in accordance with applicable Department of Public Works construction standards for a public roadway with the minimum dimensions required by the Circulation Element of the El Segundo General Plan to the satisfaction of the Director of Public Works and the Director of Planning and Building Safety, and must comply with applicable requirements of the Americans with Disabilities Act (ADA), as well as City requirements for traffic signage, street lighting, drainage plans, and underground utility service, subject to the review and approval of the Director of Public Works. Additionally, the roadway improvements along Rosecrans Avenue must be consistent with the design analyzed in the Addendum to the FEIR, including, but not limited to the lane configurations, deceleration lane design at Village Drive, and lengths of left turn pockets at Rosecrans Avenue and Sepulveda Boulevard and at Rosecrans Avenue and Village Drive. The application must be responsible for the design and construction of the new roadways."

WATER

22. Condition No. 100 of Council Resolution No. 4542 is amended to read as follows:

"Water meters must be provided for each lot by the applicant in accordance with City policies and approved by the Water Division before installation. This condition does not prohibit the use of private water meters for individual buildings or individual tenancies."
PROJECT CONDITIONS THAT APPLY TO PHASE 1B ONLY

22. New Condition No. 101 is added to read as follows:

"101. Up to a maximum of 12,000 gross square feet of restaurant space may open as early as 6:00 a.m. daily for breakfast service."

ADMINISTRATIVE USE PERMIT/ALCOHOL SERVICE (FOR PHASE 1B)

23. New Conditions 102 through 120 are added to read as follows:

"102. The proposed hours of operation and hours of alcohol service for the restaurants and kiosks, including the outdoor dining patios are limited to: Sunday through Thursday from 10:00 a.m. to 12:00 a.m. and Friday through Saturday from 10:00 a.m. to 2:00 a.m. Food service must be available in the indoor dining areas and the outdoor patios during the hours of operation and alcohol service. Any change to the hours of operation or the hours that alcohol may be served is subject to review and approval by the Director of Planning and Building Safety.

103. Any subsequent modification to the project as approved in this Administrative Use Permit, including the floor plan and areas where alcohol will be served, and/or the conditions of approval, must be referred to the Director of Planning and Building Safety for approval and a determination regarding the need for Planning Commission review of the proposed modification.

104. The applicant for the Alcohol Beverage Control License must obtain and maintain all licenses required by the Alcoholic Beverage Control Act (Business & Professions Code §§ 23300 et seq.). The applicant must obtain and maintain a Type 41 license or a Type 47 license, whichever is applicable.

105. The restaurant operations must comply with ESMC §§ 7-2-1, et seq. regulating noise and vibration.

106. The Planning and Building Safety Department and the Police Department must be notified of any change of ownership of the approved use in writing within 10 days of the completion of the change of ownership. A change in project ownership may be cause to schedule a hearing before the Planning Commission regarding the status of the administrative use permit.

107. The applicant for the Alcohol Beverage Control License must comply with all regulations of the Alcoholic Beverage Control Act and the regulations promulgated by the Alcoholic Beverage Control Board including, without limitation, the regulations set forth in 4 Cal. Code of Regs. §§ 55, et seq.
108. The applicant for the Alcohol Beverage Control License must post a sign in a clear and conspicuous location listing a phone number at which a responsible party may be contacted during all open hours of the establishment to address any concerns of the community regarding noise in the restaurant, patio and parking lot. Said contact's name and phone number must also be available through the restaurant staff at all times.

109. The applicant for the Alcohol Beverage Control License must, at all times, display a Designated Driver sign of at least ten inches by ten inches (10" X 10") in the bar and restaurant dining areas at eye level. The sign must be worded in a way that reminds patrons who are consuming alcohol to designate a non-drinking driver.

110. There cannot be exterior advertising of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages which are clearly visible to the exterior constitute a violation of this condition.

111. All employees serving alcoholic beverages to patrons must enroll in and complete a certified training program approved by the State Department of Alcoholic Beverages Control (ABC) for the responsible sales of alcohol. The training must be offered to new employees on not less than a quarterly basis.

112. Any and all employees hired to sell alcoholic beverages must provide evidence that they have either:

a. Completed training from the State of California Department of Alcoholic Beverage Control (ABC), Long Beach/Lakewood District Office administered Licensee Education on Alcohol and Drugs (LEAD) Program; or,

b. Completed an approved equivalent (LEAD) training program administered by the ABC, Long Beach/Lakewood District Office to ensure proper distribution of alcoholic beverages safely, responsibly and to adults of legal age. Any future employee designated to sell alcoholic beverages on behalf of the licensee or applicant must obtain a certificate proving completion of the (LEAD) training; and

c. The licensee or applicant must confirm with the Planning and Building Safety Director, or designee, within fifteen (15) days of the Director's decision as to the approval of the application, or by final project approval, that a date certain has been scheduled with the local ABC Office to complete the LEAD training program.
d. Within thirty (30) days of taking said course, the employees, or responsible employer must deliver each required certificate showing completion to the Police Department.

113. The applicant for the Alcohol Beverage Control License must have readily identifiable personnel to monitor and control the behavior of customers inside the building premises. Staff must monitor activity outside in the parking lot and any adjacent property under the establishment's control to ensure the areas are generally free of people and are cleared of patrons and their vehicles one-half hour after closing.

114. If complaints are received regarding excessive noise, parking availability, lighting, building access, and the like associated with the restaurants and the outdoor patio areas, the city may, in its discretion, take action to review the Administrative Use Permit, including without limitation, adding conditions or revoking the permit.

115. The outdoor dining/seating areas must comply with ESMC § 15-2-16.

116. The applicant for the Alcohol Beverage Control License must install security cameras for monitoring and recording activity, which include, without limitation: cash handling/counting areas, the manager's office, the safe, all access doors, and any other areas deemed necessary by the Police Department. Monitoring and recording equipment must be stored in a secure area (e.g., manager's office).

117. Before a building permit is issued, a schematic plan of the camera system must be submitted and approved by the Police Chief, or designee. The camera specification notes must be included on the schematic plan.

118. Before a building permit is issued, the minimum camera requirements must be listed on the building plans with the camera specifications and include the following:

a. All security surveillance cameras must be installed to record video in color.

b. Security cameras, especially those viewing customers as they enter the business or stand at cash registers, must capture the individual from the waist to the top of the head, straight on.

c. Security surveillance cameras must be positioned low enough so that caps/hats or other disguises (typically used when committing a crime) will not obstruct the view of the individual's face. This will provide the best possible picture for the identification of the individual during the investigation process.

d. The maximum mounting height is 8 feet.
CITY COUNCIL RESOLUTION No. _____ Exhibit D

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CONDITIONS OF APPROVAL

e. The recording equipment must capture video digitally and must record a minimum of (21) days for each security surveillance camera. Security surveillance camera recordings must be made available to law enforcement agencies for investigation purposes upon request.

f. A schematic plan of the proposed camera locations must be submitted and approved by the Police Chief, or designee.

g. The “Camera Specification Notes” must be included on the schematic plan page.

h. A security surveillance camera plan must provide the following minimum items: (1) One camera facing each point of sale station (2); one camera facing the safe (it may be possible to cover the safe and the point of sale station closest to it); and (3) one camera at the main entry door capturing customers as they exit.

119. The buildings cannot be occupied by more persons than allowed by the California Building Code, as adopted by the ESMC.

120. The buildings and any outdoor seating must comply with California Building and Fire Code requirements, as adopted by the ESMC.”

ADJUSTMENT (FOR PHASE 1B)

121. A new Condition No. 121 is added to read as follows:

“The applicant must post clear signs at each of the required loading spaces designating them as loading spaces during the hours of 6:00 a.m. to 10:00 a.m. The signs must clearly prohibit employee and/or customer parking during those hours. The applicant may extend the loading hours beyond 10:00 a.m. at his discretion. The parking spaces must be marked clearly to delineate the parking and loading spaces to the satisfaction of the Director of Planning and Building Safety.”

122. A new Condition No. 122 is added to read as follows:

“Any subsequent modification to the project as approved in this Adjustment, including the plans and/or the conditions of approval, must be referred to the Director of Planning and Building Safety for approval and a determination regarding the need for Planning Commission review of the proposed modification.”

VARIANCE (FOR PHASE 1B)

123. A new Condition No. 123 is added to read as follows:

"Before the City issues building permits, the applicant must submit detailed plans of the two retaining walls along the north property line adjacent to the UPRR right-of-way. The retaining walls and their non-retaining portions cannot exceed 12 feet in
height, with the exception that a metal open work fence up to a maximum of 42 inches in height may be installed on top of the walls."

124. A new Condition No. 124 is added to read as follows:"
"Any subsequent modification to the project as approved in this Variance, including the plans and/or the conditions of approval, must be referred to the Director of Planning and Building Safety for approval and a determination regarding the need for Planning Commission review of the proposed modification."

INDEMNIFICATION

125. A new Condition No. 125 is added to read as follows:

PES Partners, LLC and Street Retail, Inc. (collectively, the "Applicant") agree to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney’s fees), injuries, or liability, arising from the City’s approval of Environmental Assessment No. EA-993, Development Agreement Amendment No. DA 12-03, Zone Text Amendment No. 12-04, Adjustment No. ADJ 13-03, Variance No. VAR 13-01, and Administrative Use Permit No. AUP 13-04. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of Environmental Assessment No. EA-993, Development Agreement Amendment No. DA 12-03, Zone Text Amendment No. 12-04, Adjustment No. ADJ 13-03, Variance No. VAR 13-01, and Administrative Use Permit No. AUP 13-04 the Applicant agrees to defend the City (at the City’s request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section “the City” includes the City of El Segundo’s elected officials, appointed officials, officers, and employees.
CITY COUNCIL RESOLUTION No. ____ Exhibit D
CITY COUNCIL ORDINANCE No. ____ Exhibit B

CONDITIONS OF APPROVAL

PES Partners, LLC and Street Retail, Inc. must acknowledge receipt and acceptance of the Project Conditions by executing the acknowledgement below.

By signing this document, PES Partners, LLC, and Street Retail, Inc. certify that they have read, understood, and agrees to the Project Conditions listed in this document and represent and warrant that it has the authority to execute this document on behalf of the property owner and acknowledge that the conditions set forth above run with the land and are binding upon all owners and occupants of the land.

PESP
PES Partners, LLC, a Delaware limited liability company

By: Rosecrans-Sepulveda Partners 3, LLC, a
Delaware limited liability company
Its: Sole Member

By: Street Retail, Inc., a Maryland corporation
Its Manager

By: ______________________________
Jeffrey S. Berkes, Vice President – Western Region

STREET
STREET RETAIL, INC., a Maryland corporation

By: ______________________________
Jeffrey S. Berkes, Vice President – Western Region

{If Corporation or similar entity, needs two officer signatures or evidence that one signature binds the company}
August 26, 2013

Bill Fisher, Mayor
Carl Jacobson, Mayor Pro Tem
Suzanne Fuentes, Council Member
Marie Fellhauer, Council Member
Dave Atkinson, Council Member

City of El Segundo
c/o: Greg Carpenter, City Manager
     Kimberly Christensen, AICP, Planning Manager
350 Main Street
El Segundo, CA 90245

RE: The Point
   El Segundo, California

Mayor Bill Fisher and City Council Members:

In advance of our presentation to you the evening of September 3, I’m writing you to provide background on the Applicant, Street Retail, Inc., which is a wholly-owned subsidiary of Federal Realty Investment Trust (“Federal”) and the owner of our controlling interest in Plaza El Segundo, The Point development site, and several other mixed-use and specialty retail centers in Federal’s portfolio. Some of these properties are featured in the accompanying “Rows of Success”.

We are experienced and thoughtful developers and operators of high-quality retail properties, like The Point, and are sufficiently capitalized to undertake the project. Further, we are long-term owners and operators committed to the communities in which our properties are located. We intend to hold our interest in Plaza El Segundo, which we acquired in 2011, and The Point indefinitely and further intend to be active and responsible members of the local business community.

Following are a few facts about our company. More information about Federal is available at www.federalrealty.com.
• Federal is a 50-year old, publicly-traded (New York Stock Exchange) Real Estate Investment Trust ("REIT") that develops, redevelops, owns and operates 90 high-quality retail and retail-focused mixed-use properties totaling approximately 20 million square feet. We have owned some of our properties for 40 years or more, and our average tenure of ownership is 20 years.

• As of June 30, 2013, Federal had a total enterprise value of approximately $9 billion dollars with a debt-to-enterprise value ratio of only 25%. Federal’s debt is “investment grade”, rated A- by S&P and Fitch. Federal is one of only four publicly-traded REIT’s with “A” rated debt. We have a $600 million (expandable to $1 billion) line of credit with a “zero” outstanding balance.

• As a REIT, Federal is required to pay out 90% of its taxable income as dividends. Federal has increased its annual dividend rate for 46 consecutive years, which is the longest record in the REIT industry and ranks Federal in the top 20 of all publicly-traded companies.

• Federal began acquiring property in California in 1996 and is the dominant owner of stores fronting the Third Street Promenade in Santa Monica and is the developer and owner of Santana Row in San Jose, one of the pre-eminent mixed-use properties in the U.S. Federal owns and operates approximately 3.4 million square feet of retail and commercial space and over 600 apartment units in California.

• Our California portfolio is operated out of our West Coast headquarters in San Jose where we have a full-service commercial real estate office with asset management, leasing, development, marketing, acquisitions, and property management staff. Our California operation is headed by Jan Sweetnam, Vice President and West Coast Chief Operating Officer.

• We acquired a controlling interest in Plaza El Segundo in late 2011, and we acquired the land, or the rights to own the land, that comprise The Point site at the same time. Recognizing the importance of these investments and the value of being in the community, we opened an office in 2011 in El Segundo, which is home to six Federal employees including Jeff Kreshek, Vice President – West Coast Leasing; Jeff Chambers, Senior Director of Development and Acquisitions; and Lora Vrastil, Regional Property Manager.

I hope the foregoing demonstrates our commitment to The Point development and our ability to successfully undertake and complete the project. If you have any questions about our company prior to our meeting, please call or email me. We look forward to meeting you on September 3.

Best Regards,

Jeff Chambers
Senior Director Development & Acquisitions

cc:   Jeff Berkes
      Jan Sweetnam
      Jeff Kreshek
PROJECT PLANS ARE AVAILABLE FOR REVIEW
IN THE CITY CLERK'S OFFICE

PROJECT LOCATION -
850 S. SEPULVEDA BLVD.

VICINITY MAP
NOT TO SCALE
CITY OF EL SEGUNDO
WARRANTS TOTALS BY FUND

<table>
<thead>
<tr>
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<th>DESCRIPTION</th>
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<td>TRAFFIC SAFETY FUND</td>
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<td>16</td>
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<td>108</td>
<td>ASSOCIATED RECREATION ACTIVITY/S FUND</td>
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<td>109</td>
<td>ASSET FORFEITURE FUND</td>
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<td>COMM.DEVEL.BLOCK GRANT</td>
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<td>HYPERION MITIGATION FUND</td>
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<td>TDA ARTICLE 3 - 86 821 BIKeway FUND</td>
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<td>119</td>
<td>MTA GRANT</td>
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<td>121</td>
<td>FEMAA</td>
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<td>120</td>
<td>C.O.P.S. FUND</td>
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<td>122</td>
<td>L.A.W.A. FUND</td>
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<td>708</td>
<td>OUTSIDE SERVICES FUND</td>
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TOTAL WARRANTS: $ 525,689.75

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
Information on actual expenditures is available in the Director of Administrative Services office in the City of El Segundo.

I certify as to the accuracy of the Demands and the availability of fund for payment therefor.
For Approval: Regular checks held for City council authorization to release.

CODES:
R = Computer generated checks for all non-emergency/urgence payments for materials, supplies and services in support of City Operations.

For Ratification:
A = Payroll and Employee Benefit checks
B - F = Computer generated Early Release disbursements and/or adjustments approved by the City Manager. Such as: payments for utility services, petty cash and employee travel expense reimbursements, various refunds, contract employee services consistent with current contractual agreements, instances where prompt payment discounts can be obtained or late payment penalties can be avoided or when a situation arises that the City Manager approves
H = Handwritten Early Release disbursements and/or adjustments approved by the City Manager.

FINANCE DIRECTOR  CITY MANAGER
DATE: 8/20/13  DATE: 8-20/13
# CITY OF EL SEGUNDO
## PAYMENTS BY WIRE TRANSFER
### 8/01/13 THROUGH 8/15/13

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<td>EFT 401a payment</td>
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### DATE OF RATIFICATION: 9/9/03/13
### TOTAL PAYMENTS BY WIRE: 4,072,078.17

Certified as to the accuracy of the wire transfers by:

City Treasurer

Director of Finance

City Manager

Information on actual expenditures is available in the City Treasurer's Office of the City of El Segundo.
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, AUGUST 20 2013 – 5:00 PM

5:00 P.M. SESSION

CALL TO ORDER – Mayor Fisher at 5:00 PM

ROLL CALL

Mayor Fisher - Present
Mayor Pro Temp Jacobson - Present
Council Member Fuentes - Present
Council Member Atkinson - Present
Council Member Fellhauer - Present

PUBLIC COMMUNICATION – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) Individuals who have received value of $50 or more to communicate to the City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. Failure to do so shall be a misdemeanor and punishable by a fine of $250.

SPECIAL ORDER OF BUSINESS:

1. Consideration and possible action to appoint the City Manager as labor negotiator for the Management Group (Department Heads), the Management Confidential Group (all city unrepresented employees, except Department Heads); and the Supervisory and Professional Employees Association.

MOTION by Council Member Fuentes, SECONDED by Council Member Fellhauer to the City Manager as labor negotiator for the Management Group (Department Heads), the Management Confidential Group (all city unrepresented employees, except Department Heads); and the Supervisory and Professional Employees Association. MOTION PASSED BY A 4-1 VOTE. AYES: Fisher, Fellhauer, Fuentes and Jacobson. NOS: Atkinson

Mayor Fisher announced that Council would be meeting in closed session pursuant of the items listed on the agenda.

CLOSED SESSION:
The City Council moved into a closed session pursuant to applicable law, including the Brown Act (Government Code Section §54960, et seq.) for the purposes of conferring with the City’s Real Property Negotiator; and/or conferring with the City Attorney on potential and/or existing litigation; and/or discussing matters covered under Government Code Section §54957 (Personnel); and/or conferring with the City’s Labor Negotiators; as follows:
CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov’t Code §54956.9(d) (3) -4- matters

1. City of El Segundo vs. City of Los Angeles, et. al., LASC Case No. BS094279
2. City of Los Angeles vs. Pacific Bell Telephone Company, et. al., LASC Case No. BC414272
3. Garton vs. City of El Segundo, et. al., LASC Case No. YC066586
4. El Segundo City Employees Association vs. City of El Segundo, Unfair Practice Charge No. California Public Employment Relations Board Case No. BC414272

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(d) (2) and (3): -1- matter.

Initiation of litigation pursuant to Government Code §54956.9(c): -0- matter.

DISCUSSION OF PERSONNEL MATTERS (Gov’t Code §54957): -0- matter

APPOINTMENT OF PUBLIC EMPLOYEE (Gov’t. Code § 54957) -0- matter

CONFERENCE WITH CITY’S LABOR NEGOTIATOR (Gov’t Code §54957.6): -3- matters

1. Unrepresented Group: Executive Group (Department Heads)
   City Negotiator: Greg Carpenter, City Manager

2. Unrepresented Group: Management Confidential Group (All unrepresented City Employees, except Department Heads)
   City Negotiator: Greg Carpenter, City Manager

3. Unrepresented Group: Supervisory and Professional Employees Association
   City Negotiator: Greg Carpenter, City Manager

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov’t Code §54956.8): -1- matters

Lease of City Owned Property (Price and Terms)
Real Property: City Owned Golf Course ("The Lakes") located at Sepulveda Boulevard
(Assessor Parcel Number: 4138 014 913)
City’s Negotiator: Greg Carpenter, City Manager
Potential Lessee/Negotiating Party: Centercal Properties, Inc.

MINUTES OF THE REGULAR CITY COUNCIL MEETING
August 20, 2013
PAGE NO. 2
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, AUGUST 20, 2013 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER – Mayor Fisher at 7:00 PM

INVOCATION – Tracy Weaver, City Clerk

PLEDGE OF ALLEGIANCE – Council Member Suzanne Fuentes

PRESENTATIONS

a) Proclamation presented by Council Member Fuentes to Denise Davis, Emergency Services Coordinator for the City of El Segundo, for September 2013 National Preparedness Month.

ROLL CALL

Mayor Fisher - Present
Mayor Pro Tem Jacobson - Present
Council Member Fuentes - Present
Council Member Atkinson - Present
Council Member Fellhauer - Present

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) Individuals who have received value of $50 or more to communicate to the City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. Failure to do so shall be a misdemeanor and punishable by a fine of $250. While all comments are welcome, the Brown Act does not allow Council to take action on any item not on the agenda. The Council will respond to comments after Public Communications is closed.

Gail Church, Executive Director Tree Musketeer's, spoke on the removal and replacement of the ficus trees along Main Street and also spoke on the removal of trees along Richmond Street and hopes the council will put Richmond St. revitalization near the top of the agenda on priorities.

Jennifer Jones, LPGA golf professional, spoke concerning keeping the Lakes a traditional Golf Course. Found three companies with an interest to bid on The Lakes; Touchstone Golf, O & J Golf and JC Golf.

Mike Robbins, Resident, spoke on the golf course, The Lakes, he also spoke against having the City Manager as the Labor negotiator; an item that was on the Closed Session agenda.
Veronica Chen, member of the Mira Costa Golf team, in favor of keeping The Lakes as it is currently.

John Gutt, resident and President of ES Golf Club, in favor of The Lakes staying a traditional course.

Tony Hobbs, resident and El Segundo High School Girls Soccer coach, spoke concerning the Campus El Segundo field and non-residents using the field and competing with the youth organizations for field time.

Tom Norton, resident, in favor of The Lakes staying a traditional course.

Allison Montgomery, Manhattan Beach resident, in favor of The Lakes staying a traditional course.

Dr. Antonio Mendez, Resident, shared information from attending an Assembly Select Committee on Aerospace and Public Information Hearing concerning rebuilding the Aerospace Industry with Assembly Member Al Muratsuchi.

Unknown Speaker, in favor of keeping The Lakes a traditional Golf Course, which she feels is a safe environment for children in the community.

Brad Campbell, resident, has concerns with Top Golf and would like The Lakes to stay a traditional course.

Brian Addison, Vice President of O & J Management, wanted to put a face to the proposal made by his company.

Kate Bergin, Manhattan Beach resident, speaking on behalf of keeping The Lakes a traditional course.

Ron Swanson, resident and El Segundo business owner, spoke in favor of Top Golf coming to El Segundo.

CITY COUNCIL COMMENTS – (Related to Public Communications)

Mayor Fisher, commented on the Campus El Segundo situation.

Council Member Atkinson, commented on the fact that non-residents use all our facilities and the feasibility study is looking into charging fees for the use of our various facilities.

A. PROCEDURAL MOTIONS

Consideration of a motion to read all ordinances and resolutions on the Agenda by title only.

MOTION by Mayor Pro Tem Jacobson, SECONDED by Council Member Fuentes to read all ordinances and resolutions on the agenda by title only. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

C. UNFINISHED BUSINESS

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS
E. CONSENT AGENDA

All items listed are to be adopted by one motion without discussion and passed unanimously. If a call for discussion of an item is made, the item(s) will be considered individually under the next heading of business.

1. Approved Warrant Numbers 2593754 - 2593958 on Register No. 21 in the total amount of $713,328.25 and Wire Transfers from 7/18/2013 through 8/01/2013 in the total amount of $953,614.65. Authorized staff to release. Ratified Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.


3. Adopted Resolution No. 4836 authorizing the annual destruction of identified records in accordance with the provisions of Section 34090 of the Government Code of the State of California. (Fiscal Impact: Not to Exceed $1,000.00)

4. Waived the bidding process per El Segundo Municipal Code § 1-7-10 and authorized the purchase and installation of a replacement MagneGrip vehicle exhaust extraction system for Air Cleaning Technology (ACT) to be installed at Fire Station 1. (Fiscal Impact: $52,675.34)

5. PULLED FOR DISCUSSION BY COUNCIL MEMBER FELLHAUER

6. Confirmed the City Manager's authority to execute Lease Agreement No. 4471, in a form approved by the City Attorney, between the City of El Segundo and Chevron for construction and operation of a beach restroom and lifeguard facility located at 105 Vista del Mar. (Fiscal Impact: $1.00)

7. Adopted Resolution No. 4837 authorizing the City Manager to Execute Agreement No. 4470 with the California Enterprise Development Authority ("CEDA") to participate in the California Property Clean Energy Program ("PACE"), authorized the Authority to take action for including property within the City's jurisdiction in the PACE program and authorized the City Manager, or designee, to execute such documents needed to implement this resolution. (Fiscal Impact: None)

8. Authorized the City Manager to approve a standard Public Works Contract No. 4472 in a form approved by the City Attorney with Best Contracting Services, Inc., in the amount of $346,333.00 for the Park Vista Senior Housing Facility roof replacement and authorized $34,667.00 for construction related to contingencies. Project No. PW 13-20. (Fiscal Impact: $381,000 from Park Vista Enterprise Fund)
MOTION by Council Member Fellhauer, SECONDED by Council Member Atkinson to approve Consent Agenda items 1, 2, 3 4, 6, 7, and 8. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

PULLED ITEM:

5. Consideration and possible action to authorize a contract amendment with First National Insurance Co., in a form approved by the City Attorney, for change orders related to construction of a beach bathroom and lifeguard facility located at 105 Vista del Mar Ave. (Fiscal Impact: $110,448.25)

Stephanie Katsouleas, Public Works Director, answered Council’s questions concerning the security cameras for the beach bathroom and lifeguard facility. Mitch Tavera, Chief of Police, answered questions and gave a security camera update.

MOTION by Council Member Fellhauer, SECONDED by Council Member Fuentes to authorize a contract amendment with First National Insurance Co., in a form approved by the City Attorney, for change orders related to construction of a beach bathroom and lifeguard facility located at 105 Vista del Mar Ave. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

NEW BUSINESS

9. Consideration and possible action to provide direction to staff on whether to waive the two year, open cut moratorium on streets recently resurfaced and allow NanoH2o to cut into the 700-800 block of LaPort Street before the expiration of the moratorium in February 2014. (Fiscal Impact: None)

Greg Carpenter, City Manager, gave a brief report.

MOTION by Council Member Fellhauer, SECONDED by Council Member Fuentes directing staff to allow NanoH2o to cut into LaPort (bore pit) prior to the February 2014 expiration of the open cut moratorium placed on street resurfacing projects. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

REPORTS – CITY MANAGER - None

REPORTS – CITY ATTORNEY - None

REPORTS – CITY CLERK - None

REPORTS – CITY TREASURER - None
REPORTS – CITY COUNCIL MEMBERS

Council Member Fellhauer - None

Council Member Atkinson – Participated in the Firemen’s Golf Tournament and encouraged everyone to attend next year.
Council Member Fuentes – Mentioned Broadway in the Park and stated it was a successful production. Attended Assembly Member Al Muratsuchi’s Assembly Select Committee on Aerospace and Public Information Hearing and reported back with information from the Hearing.

Mayor Pro Tem Jacobson – None

Mayor Fisher – Thanked Council Member Fuentes for attending the Assembly Select Committee on Aerospace and Public Information Hearing. Announced that the City has been working on an Economic Development Plan with EDAC and another group, an Economic Development Roundtable team. These two teams are coming up with initiatives; 1) Roundtable meetings to pull El Segundo businesses (smaller ones) together with Council Members and Department Heads to get to know the companies, City leaders and Department Heads; 2) Meetings with the larger businesses and Corporations for the same purpose of getting to know the business and the City leaders and 3) Meetings with businesses outside of El Segundo to understand what other cities are offering.
Mayor Fisher congratulated the Babe Ruth 13 Year Old All Star team for winning first in their pool in the Babe Ruth World Series and moving on to the Semi Finals on Friday in Williston, North Dakota. Council Member Fuentes stated that the last time we won the Babe Ruth World Series was in 1969.

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) Individuals who have receive value of $50 or more to communicate to the City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. Failure to do so shall be a misdemeanor and punishable by a fine of $250. While all comments are welcome, the Brown Act does not allow Council to take action on any item not on the agenda. The Council will respond to comments after Public Communications is closed.

Ron Swanson, resident and El Segundo business owner, commented on the Babe Ruth World Series as well. Stating you can see the games on ihigh.com. The next game is Friday and if they win, will play Saturday in the finals.
Jack Axelrod, resident, enjoys the art classes at ESMoA and encourages all to attend. Mr. Axelrod does not feel El Segundo should be all about Economic Development. Mr. Axelrod stated he is opposed to the Invocation at the beginning of the meetings and he also feels the Loyalty Oath is a bad idea, he would like to bring in HS students to read excerpts from the Bill of Rights or a section from the United Nation’s Declaration of
Human Rights. Mr. Axelrod encouraged the Council to adopt a resolution allowing President Obama to give Presidential Medal of Honor to Bradley Manning and Edward Snowden. Encourages the City to remove Chevron Refinery and replace with a Solar Generating Station or a Wind Farm.

Mike Robbins, resident, wanted an answer to his earlier request of what the vote was for appointing the City Manager as the Labor Negotiator for the Closed Session meeting. Would prefer the City use a professional Labor negotiator.

Mark Hensley, City Attorney, stated that the City Manager was appointed Labor negotiator with a vote of 4/1. Council Member Atkinson was the No vote.

MEMORIALS – None

CLOSED SESSION – Council moved to closed session at 8:21 PM.

ADJOURNMENT at 9:50 PM

Tracy Weaver, City Clerk
AGENDA DESCRIPTION:
Consideration and possible action to approve Vesting Final Map No. 71820, a subdivision of 1710 E. Mariposa Avenue for condominium purposes. (No Fiscal Impact)

RECOMMENDED COUNCIL ACTION:
1. Approve and accept Vesting Final Map No. 71820
2. Authorize the appropriate City Official(s) to sign and record said Map.
3. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
None.

FISCAL IMPACT: None
Amount Budgeted: $0
Additional Appropriation: None at this time
Account Number(s): Not applicable

ORIGINATED BY: Floriza Rivera, Principal Engineer
REVIEWED BY: Stephanie Katsouleas, Public Works Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
On June 28, 2012, the Planning Commission held a public hearing on the proposed subdivision and subsequently approved Vesting Final Map No. 71280 and Resolution No. 2722 approving Environmental Assessment No. 958.

The Final Map conforms to the Tentative Map and has been reviewed and approved by the Los Angeles County Department of Public Works. City staff has determined that Final Tract Map 71820 is in substantial conformance with the General Plan and applicable zoning and building ordinances.

The Final Map is now ready for approval by the City Council. After approval, it will be recorded in the County Recorder Office.
AGENDA DESCRIPTION:
Consideration and possible action authorizing the City Manager to execute a Design Services Contract with KOA Corporation, in a form approved by the City Attorney, to develop concept designs for parking improvements along Richmond St. and Standard St., between El Segundo Blvd. and Holly St. (Fiscal Impact: $60,000.00)

RECOMMENDED COUNCIL ACTION:
1. Authorize the City Manager to execute a Design Services Contract for $60,000 with KOA Corporation, in a form approved by the City Attorney, to develop concept designs for parking improvements on Richmond St. and Standard St., between El Segundo Blvd. and Holly St.
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
None

FISCAL IMPACT: Budget Adjustment Required
Amount Budgeted: $0
Additional Appropriation: Yes $60,000
Account Number(s): 001-400-4101-6206 (Downtown Parking In-lieu Account)

ORIGINATED BY: Stephanie Katsouleas, Public Works Director
REVIEWED BY: Stephanie Katsouleas, Public Works Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
The downtown and Smokey Hollow areas of El Segundo are vibrant, heavily visited commercial districts in El Segundo, and as such require a significant amount of parking for patrons visiting their restaurants, shops and businesses. Available parking in the area is limited to street stalls, parking lots and, to a lesser extent, business parking lots. Nearby City parking lots are located at the corners of Richmond St./Franklin St. and Grand Ave./Franklin St. However, these collective locations are woefully inadequate to meet the daily parking demands of both business employees and patrons, particularly during the lunchtime dinner hours.

At its June 18, 2013 meeting, Council directed staff to proceed with using Downtown Parking In-lieu funds to hire a consultant to develop conceptual designs for Richmond St. and Standard St. that would enhance available parking. In July, staff invited four firms to submit proposals for a scope of work that included:

1. Maximizing the total number of on-site street parking spots between El Segundo Blvd. and Holly Ave., while considering the total right-of-way width available, sidewalk requirements and existing off-street access points.
2. Identifying the pros and cons of the proposed configurations and how many additional spaces the proposed design(s) would achieve over the current number available.

3. Identifying the physical constraints for each design, and providing options for how those constraints could be resolved (e.g., narrow sidewalks to create more street width, tree removal). If the restraint could not be resolved, then stating so in the proposal.

4. Suggesting other creative ideas or additional considerations that would enhance the downtown “feel or ambiance” while still achieving additional parking.

5. Estimating the probable cost of construction for each proposed configuration.

After reviewing the proposals submitted on August 8, 2013, staff selected KOA Corporation as the most responsive and qualified proposer for these specific tasks. Staff therefore recommends that City Council award a contract to KOA Corporation for an amount not to exceed $60,000.