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.

Members of the Public may place items on the Agenda by submitting a Written Request to the City Clerk or City Manager's Office at least six days prior to the City Council Meeting (by 2:00 p.m. the prior Tuesday). The request must include a brief general description of the business to be transacted or discussed at the meeting. Playing of video tapes or use of visual aids may be permitted during meetings if they are submitted to the City Clerk two (2) working days prior to the meeting and they do not exceed five (5) minutes in length.

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, APRIL 1, 2014 – 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 §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): -3- matter

1. City of El Segundo vs. City of Los Angeles, et.al. LASC Case No. BS094279
2. Springfield vs. City of El Segundo, et.al. LASC Case No. YC067789
3. Moore vs. City of El Segundo, LASC Case No. BC537712

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): -8- matters

Agency Designated Representative: City Manager

Employee Organizations: Police Management Association; Police Officers Association; Police Support Services Employees Association; Fire Fighters Association; Supervisory and Professional Employees Association; City Employees Association; Executive Management Group (Unrepresented Group); Management/Confidential Group (Unrepresented Group)
CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov't Code §54956.8): -0-matters
AGENDA
EL SEGUNDO CITY COUNCIL
COUNCIL CHAMBERS - 350 Main Street

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REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, APRIL 1, 2014 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Rev. Diana Ferguson, St. Michael Episcopal

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Jacobson
PRESENTATIONS

a. Proclamation – Sexual Assault Awareness Month; April 23, 2014 Denim Day.

b. Proclamation – April 2014 as DMV/National Donate Life Month.

ROLL CALL

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.

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 a public hearing and receive testimony regarding Environmental Assessment No. EA-997 (Proposed Mitigated Negative Declaration of Environmental Impacts pursuant to the California Environmental Quality Act Section 15070 (“IS/MND”), General Plan Amendment No. GPA 12-03, Zone Change No. ZC 12-03, Zone Text Amendment No. ZTA 12-05, Specific Plan No. SP 12-05, Development Agreement No. 12-04, Subdivision No. SUB 12-07 (Vesting Tentative Parcel Map No. 71788), Conditional Use Permit No. CUP 12-08, Administrative Use Permit No. AUP 13-11 and Parking Demand Study No. PDS 12-06. The project consists of a proposed five-story, 190-room hotel with one level of underground parking, containing 72 parking spaces; continued use of an existing office building; and continued use of an existing parking structure. If approved, the proposed hotel would be 111,350-gross-square-foot, a
maximum of 89 feet tall and include 190 rooms. The existing two parcels on
the site (Assessor Parcel Nos. 4138-005-035 and 4138-005-036) would be
subdivided into three new parcels. Each parcel would contain an individual
use as follows: (1) five-story hotel (1.52 acres), (2) office building (0.42
acre), and (3) office/hotel parking and remote airport parking to serve LAX
(1.04 acres). The total floor area ratio (FAR) for the site would be
approximately 1.47. Applicant: The Realty Associates Fund IX, L.P. (Fiscal
Impact: $18,000 annual Development Agreement payment until Certificate
of Occupancy is issued)
Recommendation – 1) open the public hearing and take documentary and
testimonial evidence; 2) after considering the evidence: (a) adopt a Resolution
approving the IS/MND (Environmental Assessment No. EA-997); implementing a
Mitigation Monitoring and Reporting Program (MMRP), amending the General
Plan (Amendment No. 12-03), and approving Subdivision 12-07 for Vesting
Tentative Parcel Map (V TPM) 71788; b) introduce, and waive first reading, of an
Ordinance for Zone Change No 12-03, Zone Text Amendment No. 12-05,
Specific Plan No. 12-05, and Development Agreement No. 12-04; c) Schedule
second reading and adoption of Ordinance on April 15, 2014; and 3)
Alternatively, discuss and take other possible action related to this item.

C. UNFINISHED BUSINESS

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

2. Consideration and possible action regarding recommendations from the
Senior Housing Board Corporation to modify the eligibility requirements to
reside at the Park Vista Apartments located at 615 East Holly Street.
(Fiscal Impact: N/A)
Recommendation – 1) Authorize the Senior Housing Board to lower the
income/net worth eligibility requirement from $45,000 to $35,000 for a one
person household and from $50,000 to $40,000 for a two person household;
2) Authorize the Senior Housing Board to modify the residency requirement from
one year prior to application to at least five proven years of contiguous residency
within the City of El Segundo at any time during a person’s adult (18 years and
over) life; 3) Alternatively, discuss and take other possible action related to this
item.

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 2597039 - 2597277 on Register No. 12 in the total amount of $1,171,194.38 and Wire Transfers from 03/01/2014 through 03/16/2014 in the total amount of $2,987,698.93

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.

4. Regular City Council Meeting Minutes of March 18, 2014.

Recommendation – Approval.

5. Consideration and possible action to declare Fire Engine 35 (Unit #3345) to be a surplus vehicle.
(Fiscal Impact: None)

Recommendation – 1) Authorize Fire Engine 35 (Unit #3345) to be declared a surplus vehicle; 2) Alternatively, discuss and take other possible action related to this item.

6. Consideration and possible action to return a 1968 Crown fire engine to the El Segundo Firefighters' Association. The fire engine was purchased by the Fire Association and donated to the City in 2003 to be used as a display engine at special events.
(Fiscal Impact: None)

Recommendation – 1) Authorize the return a 1968 Crown fire engine to the El Segundo Firefighters' Association; 2) Alternatively, discuss and take other action related to this item.

7. Consideration and possible action to adopt a Resolution approving Plans and Specifications for Center St. and Pine Ave. Water Main Improvement, Project No. PW14-02.
(Fiscal Impact: $600,000.00)

Recommendation – 1) Adopt the Resolution approving Plans and Specifications for the Center St. and Pine Ave. Water Main Improvement Project; 2) Alternatively, discuss and take other possible action related to this item.

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 –

8. Consideration and possible action to act as a partner with the Advanced Manufacturing Partnership for Southern California (AMP SoCal) in response to the 2014 Investing in Manufacturing Communities Partnership (IMCP) notice. (Fiscal Impact: None)

Recommendation – 1) Approve the letter of commitment to act as a formal partner within AMP SoCal; 2) Alternatively, discuss and take other possible action related to this item.

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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

POSTED:

DATE: 3-26-14

TIME: 4:40 pm

NAME: Cathy Donnan
Proclamation

WHEREAS, The United States Government has declared April as "Sexual Assault Awareness Month" and Peace Over Violence has declared April 23, 2014 as "Denim Day" in Los Angeles County; and

WHEREAS, both events are intended to draw attention to the fact that rape and sexual assault remains a serious issue in our society; and

WHEREAS, harmful attitudes about rape and sexual assault allow these crimes to persist and allow victim/survivors to be re-victimized; and

WHEREAS, "Sexual Assault Awareness Month" and "Denim Day" were also instituted to call attention to misconceptions and misinformation about rape and sexual assault, and the problem that many in society remain disturbingly uninformed with respect to issues of assault and forcible rape; and

WHEREAS, every two minutes, someone in America is sexually assaulted, approximately 1-in-6 women are raped during their lifetime and youths under 18 account for about 44% of all reported; and

WHEREAS, with proper education on the matter, there is compelling evidence that we can be successful in reducing incidents of this alarming and psychologically damaging crime; and

WHEREAS, the members of the City Council strongly support the efforts of Peace Over Violence to educate persons in our community about the true impact of rape and sexual assault in Southern California.

NOW, THEREFORE, the Mayor and Members of the City Council of the City of El Segundo, California, hereby proclaim the month of April 2014, as "SEXUAL ASSAULT AWARENESS MONTH," and designates April 23, 2014 as "DENIM DAY" and urges everyone to wear jeans on April 23, 2014 to help communicate the message that there is "no excuse and never an invitation to rape".

Mayor Carl Jacobson
Mayor Pro Tem Suzanne Fuentes Council Member Bill Fisher
Council Member Dave Atkinson Council Member Marie Fellhauer
Proclamation

City of El Segundo, California

WHEREAS, organ, tissue, marrow and blood donation are life-giving acts recognized worldwide as expressions of compassion to those in need; and

WHEREAS, more than 121,000 individuals nationwide and more than 21,000 in California are currently on the national organ transplant waiting list, and every 90 minutes one person dies while waiting due to the shortage of donated organs; and

WHEREAS, the need for donated organs is especially urgent in Hispanic and African American communities; and

WHEREAS, more than 600,000 units of blood per year are needed to meet the need in California; and

WHEREAS, at any given time, 6,000 patients are in need of volunteer marrow donors; and

WHEREAS, a single individual’s donation of the heart, lungs, liver, kidneys, pancreas and small intestine can save up to eight lives; donation of tissue can save and heal the lives of up to 50 others; and a single blood donation can help three people in need; and

WHEREAS, millions of lives each year are saved and healed by donors of organs, tissues, marrow and blood; and

WHEREAS, the spirit of giving and decision to donate are not restricted by age or medical condition; and

WHEREAS, over ten million Californians have signed up with the state-authorized Donate Life California Registry to ensure their wishes to be organ and tissue donors are honored; and

WHEREAS, California residents can sign up with the Donate Life California Registry when applying for or renewing their driver’s license or ID cards at the California Department of Motor Vehicles.

NOW, THEREFORE, the Mayor and Members of the City Council of the City of El Segundo, California, in recognition of National Donate Life Month, hereby proclaim the month of April 2014 as ‘DMV/Donate Life California Month’ in El Segundo and in doing so we encourage all Californians to check “YES!” when applying for or renewing their driver’s license or I.D. card, or by signing up at www.donatelifeCalifornia.org or www.donevIDACalifornia.org

Mayor Bill Fisher
Mayor Pro Tem Carl Jacobson
Council Member Suzanne Fuentes
Council Member Dave Atkinson
Council Member Marie Fellhauern
EL SEGUNDO CITY COUNCIL
MEETING DATE: April 1, 2014
AGENDA STATEMENT
AGENDA HEADING: Special Orders of Business

AGENDA DESCRIPTION:
Consideration and possible action to open a public hearing and receive testimony regarding Environmental Assessment No. EA-997 (Proposed Mitigated Negative Declaration of Environmental Impacts pursuant to the California Environmental Quality Act Section 15070 ("IS/MND"), General Plan Amendment No. GPA 12-03, Zone Change No. ZC 12-03, Zone Text Amendment No. ZTA 12-05, Specific Plan No. SP 12-05, Development Agreement No. 12-04, Subdivision No. SUB 12-07 (Vesting Tentative Parcel Map No. 71788), Conditional Use Permit No. CUP 12-08, Administrative Use Permit No. AUP 13-11 and Parking Demand Study No. PDS 12-06. The project consists of a proposed five-story, 190-room hotel with one level of underground parking, containing 72 parking spaces; continued use of an existing office building; and continued use of an existing parking structure. If approved, the proposed hotel would be 111,350-gross-square-foot, a maximum of 89 feet tall and include 190 rooms. The existing two parcels on the site (Assessor Parcel Nos. 4138-005-035 and 4138-005-036) would be subdivided into three new parcels. Each parcel would contain an individual use as follows: (1) five-story hotel (1.52 acres), (2) office building (0.42 acre), and (3) office/hotel parking and remote airport parking to serve LAX (1.04 acres). The total floor area ratio (FAR) for the site would be approximately 1.47. Applicant: The Realty Associates Fund IX, L.P. (Fiscal Impact: $18,000 annual Development Agreement payment until Certificate of Occupancy is issued)

RECOMMENDED COUNCIL ACTION:
That the City Council:

1) open the public hearing and take documentary and testimonial evidence;

2) after considering the evidence: (a) adopt a Resolution approving the IS/MND (Environmental Assessment No. EA-997); implementing a Mitigation Monitoring and Reporting Program (MMRP); amending the General Plan (Amendment No. 12-03), and approving Subdivision 12-07 for Vesting Tentative Parcel Map (VTPM) 71788; b) introduce, and waive first reading, of an Ordinance for Zone Change No 12-03, Zone Text Amendment No. 12-05, Specific Plan No. 12-05, and Development Agreement No. 12-04; c) Schedule second reading and adoption of Ordinance on April 15, 2014; and

3) Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Draft City Council Resolution and attachments including Mitigation Monitoring and Reporting Program
2. Draft Ordinance and Exhibits including the 888 North Sepulveda Boulevard Specific Plan and the Draft Development Agreement
3. Planning Commission Staff Report
4. Planning Commission Resolution No. 2750
5. Final IS/MND and Errata
6. Project Plans

FISCAL IMPACT: N/A
Amount Budgeted: N/A
I. INTRODUCTION

As set forth in the attached Planning Commission staff report dated February 27, 2014, the applicant proposes to construct a five-story, 111,350 square-foot hotel containing 72 on-site parking spaces (a mix of surface and underground parking spaces) with one level of underground parking on a 2.98-acre site. The project site is currently developed with an eight-story office building and a seven-story parking structure on the northernmost portion of the property. The proposed hotel would be built on the vacant 1.5 acre southern portion of the site. The new hotel would be a maximum of 89 feet high and would include a maximum of 190 rooms. The existing two parcels on the site would be subdivided into three new parcels, each containing the following: (Parcel 1) an existing office building (0.42 acres), (Parcel 2) the existing office/hotel parking and remote airport parking facility (1.04 acres), (3) proposed five-story hotel (1.52 acres). The site is currently zoned Corporate Office.

II. PROJECT APPLICATIONS

The application includes the following:

1) Environmental Assessment No. EA-997 (State Clearinghouse (SCH) No. 2013121039), – An Initial Study/Mitigated Negative Declaration Environmental Assessment No EA-997 (888 North Sepulveda Boulevard Specific Plan) is proposed for this project pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) and the CEQA Guidelines. (See Exhibit 5)

2) General Plan Amendment No. GPA 12-03 – Amend the General Plan and the General Plan Map to re-designate the project site from Corporate Office to the 888 North Sepulveda Boulevard Specific Plan (“888 NSBSP”). The requested General Plan Amendment will allow the City Council to adopt a Specific Plan establishing the development standards and the design guidelines for the existing office building, the existing parking structure, the proposed hotel, and the permanent use of a portion of the parking structure as a remote airport parking facility. The requested designation would allow for an increased maximum floor area ratio (FAR) of 1.41 (See Exhibit 1).

3) Specific Plan No. SP 12-05 – Addition of the 888 North Sepulveda Boulevard Specific Plan (“888 NSBSP”) for the project site that establishes the development standards and design guidelines within the Specific Plan (See Exhibit 2).

4) Zone Change No. ZC 12-03 – Amend the Zoning Map to rezone the project site from the Corporate Office (CO) Zone to the 888 North Sepulveda Boulevard Specific Plan (“888 NSBSP”) Zone. The requested rezoning will allow for consistency with the proposed General Plan Amendment (See Exhibit 2).
5) **Zone Text Amendment No. ZTA 12-05** – Zone Text Amendment to: 1) add the 888 North Sepulveda Boulevard Specific Plan to ESMC § 15-3-1; and 2) add a new ESMC § 15-3-2(A)(9) “888 North Sepulveda Boulevard Specific Plan.”

6) **Development Agreement No. DA 12-04** – A Development Agreement to provide public benefits in exchange for development rights (ten year entitlement with no option for an extension) (See Exhibit 2).

7) **Subdivision No. SUB 12-07 for Vesting Tentative Parcel Map (VTPM) No. 71788** – A subdivision to allow the division of land from two lots to three lots (See Exhibit 6).

8) **Conditional Use Permit No. CUP 12-08** – Approval to allow the hotel use.

9) **Administrative Use Permit No. AUP 13-11** – Approval to allow the remote airport parking use.

10) **Parking Demand Study No. PDS 12-06** – To allow shared parking between the hotel, office, and remote airport parking uses.

### III. Background

The Planning Commission held its public hearing regarding the proposed project on March 13, 2014. A detailed historical background and analysis is provided in the attached Planning Commission staff report which is incorporated by reference.

The applicant and its representative (Barnard Ventures, LLC), and one representative from Boeing provided testimony at the public hearing. Although Boeing did not respond during the 30-day response period (December 12, 2013 to January 13, 2014), its representative had questions relating to pedestrian safety, hotel food services, and a possible deceleration lane for the right turn into the hotel site from North Sepulveda Boulevard. Staff addressed these concerns explaining that the proposed hotel would not add a significant amount of additional traffic to the street system as noted in the IS/MND; that the porte-cochere is designed to be wide enough to accommodate both the vehicles unloading adjacent to the curb and vehicles that pass the parked vehicles around the traffic circle; the porte-cochere would only be used for patron check-in and passenger drop off; that the design of the driveway accommodates two-way traffic that would accommodate the majority of the traffic that would be accessing the lower level on-site parking and parking structure; that the proposed hotel is a less intense use than the 10-story office building that is currently allowed in the existing Development Agreement; and that a deceleration lane is infeasible because there is not enough frontage on the site to accommodate one. Further, staff clarified that Caltrans did not comment on the project and therefore, did not raise any issues or concerns regarding the design, traffic levels, or the need for a deceleration lane. No written comments were received from other responsible agencies or from the public prior to the Commission hearing. Following the public hearing regarding the matter, the Planning Commission adopted Resolution No. 2750 recommending that the City Council approve the project (see attached Exhibit 3).

In order to approve the project, the City Council must take certain actions related to the proposed project related to the environmental review, General Plan Amendment, Zone Change,
Zone Text Amendment, Specific Plan, Development Agreement, and Subdivision. The required findings for each application are discussed in detail in the attached draft Resolution and draft Ordinance. Staff believes that the City Council may make the required findings to approve the Initial Study/Mitigated Negative Declaration (IS/MND) including the errata sheet and the Mitigation Monitoring and Reporting Program (MMRP), and to approve the General Plan Amendment, Zone Change, Zone Text Amendment, Specific Plan, Development Agreement, and Subdivision for the 888 North Sepulveda Boulevard Specific Plan Project as outlined in the draft Resolution and draft Ordinance.

IV. Conclusion and Recommendation

Planning staff believes that the proposed hotel and remote airport parking use are good uses of the property that are compatible with the surrounding uses in the area. The development of the long standing vacant parcel at 898 North Sepulveda Boulevard will enhance this northern gateway entrance into the City with an attractive new hotel that will serve the surrounding residential and business community. Planning staff believes that the development of the hotel will encourage additional renovation of businesses and properties in the vicinity of the project site. The remote airport parking use will provide a complimentary benefit and convenient service to the hotel patrons as well as the broader community by using the excess parking spaces in the parking structure. The hotel will provide additional employment opportunities and provide several fiscal benefits including new transient occupancy tax, new sales tax, increased property tax, one-time permitting revenues, and an annual contribution to encourage construction of the hotel as soon as feasible as outlined in detail in the Development Agreement benefits.

Planning staff believes that the proposed 888 North Sepulveda Boulevard Specific Plan project meets the mandatory findings as set forth in the draft resolution and draft ordinance and recommends that the City Council: 1) adopt the attached draft Resolution approving Environmental Assessment No. EA-897 approving the IS/MND for the 888 North Sepulveda Boulevard Specific Plan Project including the Mitigation Monitoring and Reporting Program (MMRP) and incorporating the errata sheet; 2) adopt an Ordinance approving General Plan Amendment No. GPA 12-03, Specific Plan No. Sp 12-05, Zone Change No. ZC 12-03, Zone Text Amendment No. ZTA 12-05, Development Agreement No. DA 12-04, and Subdivision No. SUB 12-07 for Vesting Tentative Parcel Map (VTPM) No. 71788 with conditions.
RESOLUTION NO. ___

A RESOLUTION APPROVING A MITIGATED NEGATIVE DECLARATION FOR ENVIRONMENTAL ASSESSMENT NO. EA-997 AND ADOPTING GENERAL PLAN AMENDMENT NO. GPA 12-03 FOR THE 888 NORTH SEPULVEDA BOULEVARD SPECIFIC PLAN PROJECT.

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

SECTION 1: The City Council finds and declares that:

A. On September 11, 2012 The Realty Associates Fund IX, L.P., filed an application for an Environmental Assessment No. EA-997, General Plan Amendment No. GPA 12-03, Specific Plan No. SP 12-05, Zone Change No. ZC 12-03, Zone Text Amendment No. ZTA 12-05, Development Agreement No. DA 12-04, Subdivision No. SUB 12-07 for Vesting Tentative Map Parcel Map No. 71788, Conditional Use Permit No. CUP 12-08, Administrative Use Permit No. AUP 13-11, and Parking Demand Study No. PDS 12-06, to re-designate and rezone an approximately 2.98 acre property at 888 North Sepulveda Boulevard from Corporate Office (CO) Zone to 888 North Sepulveda Boulevard Specific Plan (888 NSBSP). Approving this application ("the Project") would allow construction of a five-story, 89-foot high, 111,350 square-foot hotel with up to 190 rooms; one level of underground parking; a subdivision of 2 lots into 3 lots; a remote airport parking facility; and joint use of parking;

B. The application was reviewed by the City of El Segundo Planning and Building Safety Department for, in part, consistency with the General Plan, the 888 North Sepulveda Boulevard Specific Plan, and conformity with the El Segundo Municipal Code ("ESMC");

C. 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);

D. An Initial Study/Mitigated Negative Declaration (ISMND) was prepared pursuant to the requirements of CEQA Guidelines § 15070;

E. The Planning and Building Safety Department completed its review and scheduled a public hearing regarding the application before the Planning Commission for February 27, 2014;

-1-

EXHIBIT 1
F. On February 27, 2014, the Commission continued the public hearing to March 13, 2014;

G. On March 13, 2014, the Commission held a public hearing to receive public testimony and other evidence regarding the applications including, without limitation, information provided to the Commission by City staff and public testimony, and representatives of The Realty Associates Fund IX, L.P.; Following the public hearing, the Planning Commission adopted Resolution No. 2750 recommending that the City Council approve the project;

H. On April 1, 2014, 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 The Realty Associates Fund IX, L.P. c/o Barnard Ventures, LLC; and

I. This Resolution and its findings are made based upon the testimony and evidence presented to the City Council at its April 1, 2014 hearing including, without limitation, the staff report submitted by the Planning and Building Safety Department.

SECTION 2: Factual Findings and Conclusions. The City Council finds that the following facts exist:

A. The subject property is located at 888, 892, and 898 North Sepulveda Boulevard in the northeast portion of the City of El Segundo;

B. The property is comprised of two lots on the northeast corner of North Sepulveda Boulevard and Walnut Avenue. The 2.98 acre site varies from 113 feet to 106 feet above mean sea level (MSL) and as much as 18 feet lower than North Sepulveda Boulevard;

C. The surrounding land uses are primarily a mix of commercial office, restaurant, light industrial and research and development uses in the Commercial Office (CO) and Light Industrial (M-1) Zones to the north, east, south and west;

D. The proposed project for the portion of the property at 888 North Sepulveda Boulevard consists of the construction of a five-story, 89-foot high, 111,350 square-foot hotel with up to 190 rooms;

E. The subject site is developed with one eight-story, 95,360 square-foot office building at 898 North Sepulveda Boulevard, and one seven-level, 808 stall parking structure at 892 North Sepulveda Boulevard. The 888
North Sepulveda Boulevard portion of the site is currently vacant;

F. Vehicular access would be provided from two driveway entrances; primary access for the hotel would be from North Sepulveda Boulevard. Primary access to the parking structure would be from Walnut Avenue;

G. The proposed General Plan re-designation and rezoning of the Project Site would change the General Plan land use designation from Corporate Office to the 888 North Sepulveda Boulevard Specific Plan (888 NSBSP) designation and rezone the area from the Corporate Office (CO) Zone to the 888 North Sepulveda Boulevard Specific Plan (888 NSBSP) Zone; and

H. The re-zoning and General Plan re-designation would allow and encourage the development of an upscale hotel and a mix of uses in support of local area businesses. The total maximum FAR would be (1.41) combined for the entire site.

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

A. The City completed an Initial Study/Mitigated Negative Declaration of Environmental Impacts (IS/MND) for this project pursuant to CEQA Guidelines § 15063. The Initial Study demonstrated that the Project would not have a significant effect on the environment with the implementation of mitigation measures. A Notice of Intent to Adopt a Mitigated Negative Declaration prepared pursuant to CEQA Guidelines §§ 15072 and 15073, and the Initial Study/Mitigated Negative Declaration was available for public comment from December 12, 2013 to January 13, 2014 pursuant to CEQA Guidelines §15082.

B. The mitigation measures identified in the Mitigated Negative Declaration are sufficient to reduce all identified environmental impacts to less than significant levels.

C. In accordance with CEQA Guidelines § 15074, the record on which the City Council’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 the record if the Director of Planning and Building Safety.

D. Accordingly, based upon the evidence presented to the Planning Commission, the City need not prepare and environmental impact report for the Project.
SECTION 4: General Plan and Specific Plan. If approved, the proposed project conforms to the City’s General Plan and the 888 North Sepulveda Boulevard Specific Plan as follows:

A. Following a General Plan Amendment, the General Plan Land Use Designation of the project site would be 888 North Sepulveda Boulevard Specific Plan (888 NSBSP). This designation is intended to permit hotel, office and a mix of uses in support of local area businesses. As conditioned, the proposed project would be compatible with the General Plan.

B. Implementation of the Project will meet relevant goals and policies of the Land Use Element. Implementation of the Project will help achieve Land Use Element Goal LU4, which is the “provision of a stable tax base for El Segundo through commercial uses.” If approved, the development will incorporate a high quality hotel with amenities that will help contribute to the stability of the tax base in the City. The Project will be built and maintained in accordance with these requirements and regulations and the requirements and regulations of the 888 North Sepulveda Boulevard Specific Plan.

C. The proposed project is consistent with Land Use Element Objective LU4-4 to provide areas where development has the flexibility to mix uses, in an effort to provide synergistic relationships which have the potential to maximize economic benefit, reduce traffic impacts, and encourage pedestrian environments” in that the project will provide a new hotel development on a site that is currently developed with an office building and a parking structure.

D. Economic Development Policy ED1-2.2, states the City should seek to “maintain and promote land uses that improve the City’s tax base, balancing economic development and quality of life goals.” Allowing construction of a hotel will increase the City’s attractiveness with businesses in the area by making more hotel rooms available for business travelers. Quality of life issues have been balanced against economic development in that the Traffic Study for the Project indicates that the existing roadway system is adequate for the proposed use.

E. Implementation of the Project will meet relevant goals and policies of the Circulation Element. The Project is consistent with Circulation Element Objective C1-1 to “provide a roadway system that accommodates the City’s existing and projected land use and circulation needs.” The Traffic Study for the Project indicates that the existing roadway system is adequate for the existing and proposed uses. No mitigation measures other than the payment of traffic impact fees are required.
F. The Project is consistent with Circulation Element Policy 3-2.1 to “ensure the provision of sufficient on-site parking in all new development.” The overall parking requirement for the hotel is 168 parking spaces and the parking requirement for the existing office building is 228 parking spaces. The total parking provided for both the hotel and office uses based on the shared parking analysis is 307 parking spaces within the 808-space parking structure. In addition, 72 on-site spaces will be provided on the hotel site. Therefore the Project meets the minimum on-site parking requirements.

G. The Project is consistent with Air Quality Element Goal AQ10 regarding the “reduction in particulate emissions from paved and unpaved roads, parking lots, and road and building construction.” The Project will be required as a condition of approval to comply during all phases of construction with South Coast Air Quality Management District (SCAQMD) rules and regulations to minimize fugitive dust and other emissions resulting from the construction process.

H. Implementation of the Project will meet relevant goals and policies of the Noise Element. The Project is consistent with Noise Element Policy N1-2.1 to “require all new projects to meet the City’s Noise Ordinance Standards as a condition of building permit approval” and Program N1-2.1A to “Address noise impacts in all environmental documents for discretionary approval projects.” The Mitigated Negative Declaration prepared for the Project identifies that, after mitigation, no thresholds of significance for noise will be exceeded during construction or operation and the Project will be consistent with the relevant requirements of the City’s Noise Element.

I. The Project is consistent with Noise Element Objective N1-2 “to ensure that City residents are not exposed to stationary noise levels in excess of El Segundo Noise Ordinance standards.” The Project will be required as a condition of approval to observe the City’s limits on construction hours, to use equipment with mufflers and other State required noise attenuating devices, and to use construction noise reduction methods such as shutting off idling equipment and staging equipment away from nearby occupied uses.

J. Implementation of the Project will meet relevant goals and policies of the Public Safety Element. The Project is consistent with Public Safety Element Objective PS1-1 to “reduce exposure to potentially hazardous geological conditions through land use planning and project review” and Program PS2-1.1A “to enforce the [California] Building Code.” The Building and Safety Division will ensure compliance with current building code requirements and adequate geotechnical investigation before a building permit is issued.
CITY COUNCIL RESOLUTION NO. ____ EXHIBIT A
CITY COUNCIL ORDINANCE NO. ____ EXHIBIT D

CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), the Realty Associates Fund IX, L.P., agrees to comply with the following provisions as conditions for the City of El Segundo’s approval of a Mitigated Negative Declaration for Environmental Assessment No. EA-997, General Plan Amendment No. GPA 12-03, Specific Plan No. SP 12-05, Zone Change No. ZC 12-03, Zone Text Amendment No. ZTA 12-05, Development Agreement No. DA 12-04, Subdivision SUB 12-07 for Vesting Tentative Parcel Map No. 71788, Conditional Use Permit No. CUP 12-08, Administrative Use Permit No. AUP 13-11, and Parking Demand Study No. PDS 12-06 ("Project Conditions").

Planning and Building Safety Department

1. Before building permits are issued, the applicant must submit plans demonstrating substantial compliance with the plans and conditions of approval on file with the Planning and Building Safety Department. Any subsequent modification to the project as approved, including the site plan, floor plan, elevations, landscaping and materials, must be referred to the Director of Planning and Building Safety to determine whether the Planning Commission should review the proposed modification.

2. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.

3. The applicant must comply with all mitigation measures identified in the Mitigated Negative Declaration prepared for the Project. A Mitigation Monitoring and Reporting Program (MMRP) was prepared as part of the environmental review for the project and is attached as Exhibit "C" to this Resolution. The mitigation measures of the MMRP are incorporated into these conditions of approval by reference. All mitigation measures and conditions of approval must be listed on the plans submitted for plan check and the plans for which a building permit is issued.

4. Any changes to the colors and materials of the exterior façade of the buildings and structures in the 888 North Sepulveda Boulevard Specific Plan must be in compliance with the 888 North Sepulveda
Boulevard Specific Plan Section 4.0(H) Development Standards and approved to the satisfaction of the Director of Planning and Building Safety.

5. Before the City issues a building permit, the applicant must submit final landscaping and irrigation plans to the Planning and Building Safety Department and the Parks and Recreation Department for review and approval to demonstrate compliance with the City’s Water Conservation regulations and Guidelines for Water Conservation in Landscaping (ESMC §§ 10-2-1, et seq.). The plant materials used in landscaping must be compatible with the El Segundo climate pursuant to Sunset Western Garden Book’s Zone 24 published by Sunset Books, Inc., Revised and Updated 2001 edition, which is available for review at the Planning and Building Safety Department. Additionally, the landscaping and irrigation must be completely installed before the City issues a final Certificate of Occupancy. Additionally, the final landscaping and irrigation plans must comply with the following:

- Reclaimed water must be used as the water source to irrigate landscaped areas, if feasible. To that end, dual water connections must be installed to allow for landscaping to be irrigated by reclaimed water, if feasible.

- 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).

- 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 landscaping irrigation.

6. Selection of drought-tolerant, low-water consuming plant varieties must be used to reduce irrigation water consumption, in compliance with ESMC §§ 10-2-1, et seq.

7. Employees of both the proposed hotel and the existing office building must be provided current maps, routes and schedules for public transit routes serving the site; telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency and local transit operators; ridesharing promotional materials; and bicycle route and facility information.
8. Trash and recycling enclosures must be provided and shown on the site plan that are sufficiently large enough to store the necessary bins required for the regular collection of commercial solid waste and recyclable materials. The site plan with the location and dimensions of the trash and recycling enclosure and an elevation view of the enclosure must be provided to the Planning and Building Safety Department for review and approval before the City issues building permits.

9. Ground level mechanical equipment, refuse collectors, storage tanks, generators, and other similar facilities must be screened from view with dense landscaping and walls constructed of materials and finishes compatible with the overall design of the project and any ancillary buildings and in compliance with 888 NSBSP § 4.0(H) to the satisfaction of the Director of Planning and Building Safety.

10. Exterior lighting must be designed to minimize off-site glare.

11. The building must be designed to comply with all ESMC standards for the attenuation of interior noise.

**Building Division Conditions**

12. Before building permits are issued, the applicant must submit a geotechnical/soils report, along with an associated grading plan that addresses the current code to the Planning and Building Safety Department for review and approval.

13. Before grading permits are issued, the applicant must submit a soils report to the Planning and Building Safety Department for review and approval.

14. Before grading permits are issued, the applicant must submit a grading plan to the Planning and Building Safety Department for review and approval. Before building permits are issued, plans must show conformance with the 2013 California Building Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Electrical Code, and 2013 California Energy Code, all as adopted by the ESMC.

15. Before building permits are issued, plans must show compliance with accessibility requirements per the 2013 California Building Code, as adopted by the ESMC.
16. The applicant must provide a complete pool enclosure that encompasses the pool per the 2013 California Building Code, as adopted by the ESMC.

17. The applicant must provide a disabled access lift to access the pool per the 2013 California Building Code, as adopted by the ESMC.

18. At least one stairway must access the roof per the 2013 California Building Code, as adopted by the ESMC.

19. The applicant must provide a van accessible disabled parking space in the open, exterior parking area in addition to the van accessible disabled parking required in the underground parking area. The stall width must be a minimum of nine feet and the unloading zone area must be a minimum of eight feet in width.

20. The project must comply with current storm water requirements including the new MS4 permit under CAS004001.

21. The project will require complete structural calculations, notes, and details.

22. Separate permit applications will be required for all walls (retaining walls/block walls).

Fire Department Conditions

23. The project must comply with all applicable requirements in the 2013 California Building and Fire Codes, and the 2012 International Fire Code as adopted by the ESMC and El Segundo Fire Department regulations.

24. Construction of any cafeteria or kitchen facilities must include installation of a grease interceptor capable of removing fats, oils, and grease from the kitchen waste stream. If the Los Angeles County Health Department determines that the food preparation area does not require the installation of grease interceptors, then this condition will not be required.

25. Construction activities must include a storm water pollution prevention plan addressing non-storm water run-off, debris removal, track-out and protection of storm water system.

26. Any diesel-powered generators must be approved by the Fire Department, Environmental Safety Division, and provide for secondary containment, placarding, spill detection and prevention.
Underground tanks require additional environmental monitoring requirements.

27. The applicant must provide the Environmental Safety Division of the El Segundo Fire Department an inventory of any and all chemicals used for laundry, pool or house cleaning, emergency generators or other devices.

28. The applicant, or designee, must contact Underground Service Alert before digging or excavating.

29. In addition to the building plan check submittal, the applicant must provide as a separate submittal, and have approved by the Fire Department prior to issuance of the building permit, a Fire/Life Safety Plan, identifying fire safety precautions during demolition and construction, emergency site access during construction, permanent fire department access, fire hydrant locations and any existing or proposed fire sprinkler systems and fire alarm systems.

30. The applicant must comply with the City of El Segundo mid-rise building requirements identified in the 2013 California Fire Code (Section 915) adopted by the City of El Segundo.

31. A certification from the underground petroleum pipeline company must be submitted at time of initial plan check review, indicating that any proposed project encroachment within the pipeline right-of-way has been reviewed and approved by the pipeline owner/operator.

32. Any proposed exterior fire features must provide the following: (1) A barrier must be provided around the fire feature to prevent accidental access into the fire feature; (2) The distance between the fire feature and any combustible material and/or furnishings must meet the listed manufacturer’s requirements; (3) all exit paths and occupant seating must be a minimum 36 inches from the fire feature.

Public Works Department Conditions

33. All onsite utilities including, without limitation, water, electricity, gas, sewer and storm drains, must be installed underground. Contact Southern California Edison for required service and underground requirements (contact Mr. John Deng at (310) 783-9305).

34. A utility plan must be provided that shows all existing and proposed utility lines (sewer, water, storm drain, gas, electrical, cable,
communications, etc.) and their sizes, including easement boundaries, around the project site.

35. Before the City issues a Certificate of Occupancy, the applicant must upgrade the existing curb ramp located at the corner of Walnut Avenue and Sepulveda Boulevard to standards as required by the Public Works Department.

36. Before the City issues a Certificate of Occupancy, all damaged or off-grade curb, sidewalk and pavement must be removed and replaced as required by the Public Works Department by an appropriately licensed contractor.

37. The applicant must secure any required encroachment permits from the Public Works Department before commencing any work in the public right-of-way.

38. The applicant must improve the existing driveway on Sepulveda Boulevard to City Standards and adjust the off-grade existing pullbox.

39. Any work on the public right-of-way along Sepulveda Boulevard requires a Caltrans permit prior to issuance of the City encroachment permit (contact Mr. Art Escalante at (213) 897-3218).

40. The project must comply with the latest National Pollution Discharge Elimination System (NPDES) requirements and provide Best Management Practices (BMPs) for sediment control, construction material control and erosion control.

41. Before the City issues a building permit, the location and sizes of all proposed water meters must be approved by the City’s Water Division. The applicant must provide a water sewer service connection and a water meter for each parcel.

42. Any existing water meters, portable water service connections, fire backflow devices and potable water backflow devices must be upgraded to current City Water Division standards. These devices shall be placed or relocated onto private property. Contact the El Segundo Water Division regarding any proposed water system upgrades (meters, laterals, etc.) at (310) 524-2742.

43. The applicant must submit plans for water system upgrades to the City of El Segundo Public Works Department for review and approval, including traffic control plans for work in the public right-of-way.
44. Add the following note to the plans: No direct drainage connection can be made to the City's catch basins or storm drain system.

45. Add the following note to the plans: Any unused water or sanitary sewer laterals must be abandoned and properly capped at the City main. Provide necessary permits (encroachment permit and Caltrans permit) traffic control plans and shoring plans.

46. Add the following note to the plans: A CCTV video of the existing sewer lateral condition must be made available for review so that the Planning and Building Safety Department and the Public Works Department can determine any need for repair. Neither the final Public Works approval nor the Certificate of Occupancy can be issued until the lateral condition is assessed and any necessary repairs have been fully completed.

47. The applicant must submit construction, traffic control, and sewer bypass plans for the proposed sewer upgrades to the City of El Segundo Public Works Department for review and approval. No construction on sewer system upgrades can occur without issuance of an encroachment permit from the City of El Segundo Public Works Department.

48. Before the City issues a building permit the applicant must provide a SUSMP (Standard Urban Storm Water Mitigation Plan).

49. Before the City issues a building permit the applicant must provide a SWPPP (Stormwater Pollution Prevention Plan).

50. A registered civil engineer must provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts, as follows, subject to review and approval from the Public Works Department:

   a) The design must follow the criteria contained in both the Los Angeles County Department of Public Works Hydrology Manual 2006 and Standard Urban Storm Water Mitigation Plan or most recent editions. Flows must remain in their historical drainage pattern so as not to impact neighboring properties. Calculations shall be signed by a registered civil engineer.

   b) New development must not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.
51. Add the following note to the plans: Construction related parking must be provided on-site.

52. Add the following note to the plans: PG-64-10 tack coat and hot mix asphalt must be used for all slot paving required next to new concrete. Slot paving must be 3 feet wide and 1 foot deep, consisting of 6 inches of asphalt over 6 inches of base.

53. Add the following note to the plans: The applicant must repair any damage to public streets and/or sidewalks due to construction or by construction vehicles traveling to or from the project site, before the permit can be finalized.

54. Add the following note to the plans: The developer or contractor must inform all neighboring properties in writing of any street lane closures or other significant traffic impacts on the adjacent streets at least on week before they occur.

55. Add the following note to the plans: The contractor must obtain all required City encroachment permits from the Public Works Department before commencing any work in the public right-of-way, including lane closure. Call (310) 524-2360 for permit requirements and associated fees.

56. Add the following note to the plans: No parkway trees are to be removed without Recreation and Parks Department approval.

57. The Recreation and Parks Department will review the landscape plans to ensure the plant material is compatible with the City’s Water Conservation and Landscape Ordinance.

58. All record drawings (as-built drawings) and supporting documentation must be submitted to the Public Works Department before scheduling the project’s final inspection.

59. The Final Map must be recorded and filed with both the City Engineer of the City of El Segundo and the Los Angeles County Recorder’s Office.

Police Department Conditions

60. Before the City issues a building permit for the hotel, the applicant must submit a photometric light study to the Police Department for review and approval. A site plan must be provided showing buildings, parking areas, walkways, and the point-by-point
photometric calculation of the required light levels. Foot candles must be measured on a horizontal plane and conform to a uniformity ratio of 4:1 average/minimum. The photometric study must be point-by-point and include the light loss factor (.7). Lighting levels must be adjusted to meet the minimum foot candle requirements within each area of the site. All interior or exterior corridors, passageways and pedestrian walkways and open parking lot must be illuminated at all times with a minimum maintained one foot-candle of light on the walking surface. The plan must also include the underground parking area and the existing parking structure.

61. A schematic plan of the security camera system must be submitted and approved by the El Segundo Police Department before the City issues a building permit for the hotel. The plan must be included as a page in the stamped approved set of plans.

62. Lighting devices must be enclosed and protected by weather and vandal resistant covers.

63. Stairways must be illuminated with a minimum maintained one foot-candle of light on all landings and stair treads at all times.

64. All types of exterior doors must be illuminated during the hours of darkness, with a minimum maintained one foot-candle of light measured within a five-foot radius on each side of the door at ground level. The light source must be controlled by a photocell device or a time-clock with an astronomic clock feature and capable of operating during a power outage.

65. The addressing, open parking lot and trash dumpster must be illuminated with a maintained minimum of one foot-candle of light on the ground surface during hours of darkness.

66. Street addressing must be a minimum of 6 inches high and must be visible from the street or driving surface, of contrasting color to the background and illuminated during hours of darkness. Addressing must also be shown on plan elevations.

67. All landscaping must be low profile around perimeter fencing, windows, doors and entryways so as not to limit visibility or provide climbing access. Dense bushes cannot be clumped together in a manner that provides easy concealment. Bushes must be trimmed to a distance of two to three feet away from the buildings. After reaching full maturity, tree crowns must be trimmed a minimum of seven feet above grade.
68. Stairwell doors exiting onto the street must have a minimum 100-square inch vision panel, with a minimum five inch width, to provide visibility into the area being entered. Vision panels must meet the requirements of the California Building Code, as adopted by the ESMC. Vision panels must preclude manipulation of the interior locking device from the exterior.

69. Interior stairwell doors must have glazing panels a minimum of five inches wide and 20 inches in height and meet the requirements of the California Building Code, as adopted by the ESMC. Guest rooms must have a deadbolt lock, a secondary security latch and a wide angle (190-200 degree) door viewer, not to be mounted more than 58 inches from the bottom of the door.

70. Exterior mounted ladders are prohibited except: (1) ladders with a minimum 1/8 inch thick steel plate, securely attached to the ladders edge on each side, and extending to within two inches of the wall for a height of ten feet above ground level. A door and cover must be securely attached to the front of the ladder, and be constructed of minimum 1/8-inch steel, extending from ground level to at least ten feet high. The ladder must have non-removable hinge pins and be locked securely against the side wall by a locking mechanism with a minimum five pin tumbler operation; or (2) the bottom of the ladder must begin ten feet above the ground surface.

71. All pool entrances at the hotel must be posted with “No Trespassing” signs.

72. Any pool restroom and shower doors at the hotel must have access control as reviewed and approved by the El Segundo Police Department.

73. Exterior gates leading to the pool at the hotel must be secured by electronic access control.

74. A safe for the hotel must be installed in a secure location (ex: general manager’s office) and the safe must be equipped with suitable anchors in concrete blocks or to the premises in which it is located.

Construction Conditions

75. Before any construction occurs the perimeter of the property must be fenced with a minimum 6-foot high fence. The fence must be covered with a material approved by the Planning and Building Safety Department to prevent dust from leaving the site.
76. Public sidewalks must remain open at all times.

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

78. NOx emissions during construction must be reduced by limiting the operation of heavy-duty construction equipment to no more than 5 pieces of equipment at any one time.

79. Staging of construction vehicles and vehicle entry and egress to the site must be approved by the Public Works Department. Temporary construction driveways must be approved by the Public Works Department. Temporary construction driveways must be removed before the City issues a certificate of occupancy.

80. Construction vehicles cannot use any route except the City's designated Truck Routes.

81. The applicant must develop and implement a construction management plan, as approved by the Public Works Department, which includes the following measures recommended by the SCAQMD:

- Configure construction parking to minimize traffic interference.
- Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person).
- Re-route construction trucks away from congested streets.
- Maintain equipment and vehicles engines in good condition and in proper tune as per manufacturer's specifications and per SCAQMD rules, to minimize dust emissions.
- Suspend use of all construction equipment during second stage smog alerts. Contact SCAQMD at (800) 242-4022 for daily forecasts.
- Use electricity from temporary power poles rather than temporary diesel or gasoline-powered generators.
- Diesel-powered equipment such as booster pumps or generators should be replaced by electric equipment, if feasible.
- Catalytic converters must be installed, if feasible.
- Equipment must be equipped with two-to-four-degree engine time retard or pre-combustion chamber engines.
• Use methanol or natural gas powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices.
• Use propane or butane powered on-site mobile equipment instead of gasoline if readily available at competitive prices.

82. During construction and operations, all waste must be disposed in accordance with all applicable laws and regulations. Toxic wastes must be discarded at a licensed, regulated disposal site by a licensed waste hauler.

83. All leaks, drips and spills occurring during construction must be cleaned up promptly and in compliance with all applicable laws and regulations to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.

84. If materials spills occur, they must be cleaned up in a way that will not affect the storm drain system.

85. The project must comply with ESMC Chapter 5-4, which establishes storm water and urban pollution controls.

86. Before anticipated rainfall, construction dumpsters must be covered with tarps or plastic sheeting.

87. Inspections of the project site before and after storm events must be conducted to determine whether Best Management Practices have been implemented to reduce pollutant loadings identified in the Storm Water Prevention Plan.

88. The owner or contractor must conduct daily street sweeping and truck wheel cleaning to prevent dirt in the storm drain system.

89. Storm drain system must be safeguarded at all times during construction.

90. All diesel equipment must be operated with closed engine doors and must be equipped with factory-recommended mufflers.

91. Electrical power must be used to run air compressors and similar power tools.

92. The applicant must provide a telephone number for local residents to call to submit complaints associated with the construction noise. The number must be posted on the project site and must be easily viewed from adjacent public areas.
93. During construction, the contractor must store and maintain equipment as far as possible from adjacent residential property locations northwest of the site.

94. As stated in ESMC Chapter 7-2, construction related noise is restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Saturday, and prohibited at anytime on Sunday or a Federal holiday.

Impact Fee Conditions

95. 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 in accordance with Resolution No 4687. The fee amount must be based upon the adopted fee at the time the building permit is issued.

96. 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 in accordance with Resolution No. 4687. The fee amount must be based upon the adopted fee at the time the building permit is issued.

97. Pursuant to ESMC §§ 15-27A-1, *et seq.*, and before building permits are issued, the applicant must pay a one-time park services mitigation fee in accordance with Resolution No. 4687. The fee amount must be based upon the adopted fee at the time the building permit is issued.

98. Before building permits are issued, the applicant must pay the required sewer connection fees (as specified in ESMC Title 12-3).

99. Pursuant to ESMC §§ 15-27A-1, *et seq.*, and before the City issues a certificate of occupancy, the applicant must pay a one time traffic mitigation fee in accordance with Resolution No. 4443.

100. Before building permits are issued, the applicant must pay the required School Fees. This condition does not limit the applicant's ability to appeal or protest the payment of these fees to the school districts(s).

Conditional Use Permit Conditions

In addition to the above "Project" conditions, the hotel is subject to the following additional conditions:
101. The Conditional Use Permit for the proposed hotel will expire twenty four (24) months after its approval if the use has not commenced; or if improvements are required, but construction has not commenced under a valid building permit as specified in ESMC § 15-23-11.

102. The proposed hotel must provide features and amenities as specified in 888 NSBSP § 4.0(G) to the satisfaction of the Director of Planning and Building Safety.

103. The project must meet all design standards as specified in 888 NSBSP § 4.0(H) to the satisfaction of the Director of Planning and Building Safety.

104. The proposed hotel must comply with the Transportation Demand Management and Transportation Systems Management requirements in 888 NSBSP § 4.0(F)(10).

105. Plans for the hotel must include combining the existing and proposed walkways between the office building and hotel into a single walkway through the Sepulveda setback area. Any fencing, gate, and stairs providing access to the plaza must not be located in the Sepulveda setback area.

106. The 72 parking spaces located at 888 North Sepulveda Boulevard must be available only for the hotel use with corresponding signage and/or pavement marking.

107. The large truck loading space located at 888 North Sepulveda Boulevard must be made available for use by both the hotel at 888 North Sepulveda Boulevard and the office building at 898 North Sepulveda Boulevard.

108. Ninety six (96) parking spaces must be provided for the hotel in the parking structure at 892 North Sepulveda Boulevard. The parking spaces must be designated spaces subject to the approval of a parking management plan to the satisfaction of the Director of Planning and Building Safety in compliance with the parking management plan. The parking management plan must include detailed floor plans that designate the assignment of parking. Sharing of any of these required parking spaces with other uses within the Specific Plan will only be permitted subject to approval of a Parking Demand Study. An off-site parking covenant must be reviewed and approved as to form and recorded to the satisfaction of the Director of Planning and Building Safety and the City Attorney.
Administrative Use Permit Conditions

The remote airport parking facility is subject to the following conditions:

109. A maximum of 501 parking spaces located in the parking structure at 892 North Sepulveda Boulevard are allowed to be used for the remote airport parking facility. Provision for shared/joint use of parking spaces required for any other uses within the 888 North Sepulveda Boulevard Specific Plan with the remote airport parking facility is subject to a Parking Demand Study and the requirements of the 888 North Sepulveda Boulevard Specific Plan.

110. Parking spaces for the remote airport parking shuttles and the remote airport parking stalls must be designated spaces subject to the approval of a parking management plan to the satisfaction of the Director of Planning and Building Safety. All parking spaces and loading spaces must be clearly marked and designated through the use of signage and/or pavement marking to the satisfaction of the Director of Planning and Building Safety in compliance with the parking management plan. The parking management plan must include detailed floor plans that designate the assignment of parking.

111. A waiting area must be provided and maintained in the parking structure for use by the remote airport parking patrons.

112. A restroom must be provided and maintained in the parking structure for use by the remote airport parking patrons and employees.

113. Building permits must be obtained for improvements to the parking structure, including, but not limited to, the waiting area, storage rooms, the valet parking booth, the restroom required in the parking structure that will serve the remote airport parking facility employees and patrons.

Parking Demand Study Conditions

The Parking Demand Study approval is subject to the following conditions:

114. A minimum of two hundred twenty eight (228) parking spaces located in the parking structure at 892 North Sepulveda Boulevard must be available for the office building uses at 898 North Sepulveda Boulevard. An off site parking covenant must be reviewed and approved as to form and recorded to the satisfaction of the Director of Planning and Building Safety and the City Attorney.
Sharing of any of these required parking spaces with other uses within the Specific Plan are subject to the requirements of the 888 North Sepulveda Boulevard Specific Plan.

115. Ninety six (96) parking spaces must be provided in the parking structure at 892 North Sepulveda Boulevard for the hotel use located at 888 North Sepulveda Boulevard.

116. A maximum of seventeen (17) parking spaces may be shared jointly by the remote airport parking facility, the hotel, and the office uses. A maximum of three hundred seven (307) parking spaces may be shared jointly by the hotel and the office uses.

117. Any shared/joint use parking spaces for the hotel, the office building, and the remote airport parking stalls must be designated spaces subject to the approval of a parking management plan to the satisfaction of the Director of Planning and Building Safety. All parking spaces and loading spaces must be clearly marked and designated through the use of signage and/or pavement marking to the satisfaction of the Director of Planning and Building Safety in compliance with the parking management plan. The parking management plan must include detailed floor plans that designate the assignment of parking.

Miscellaneous Conditions

118. The tentative parcel map will expire pursuant to Government Code § 66452.6 and ESMC § 14-1-12.
119. The Realty Associates Fund IX, L.P., agrees 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-997, General Plan Amendment No. GPA 12-03, Specific Plan No. SP 12-05, Zone Change No. ZC 12-03, Zone Text Amendment No. ZTA 12-05, Development Agreement No. DA 12-04, Subdivision No. SUB 12-07, Conditional Use Permit CUP 12-08, Parking Demand Study PDS 12-06. 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. 997, the Realty Associates Fund IX, L.P., 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.

By signing this document, Scott Amling on behalf of the Realty Associates Fund IX, L.P., certifies that they have read, understood, and agree to the Project Conditions listed in this document.

Scott Amling, Regional Director
Realty Associates Fund IX, L.P.
CEQA FINDINGS – MIGRATION MEASURES RESULTING IN CLASS II IMPACTS

The Initial Study/Mitigated Negative Declaration (Environmental Assessment No. EA-997/SCH#2013121039) for the 888 North Sepulveda Boulevard Specific Plan Project ("Project") finds that the Project will result in potentially significant environmental impacts. However, these impacts may be mitigated to less than significant levels as identified by the IS/MND. The IS/MND identified the following areas as having significant (Class II) impacts: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hazards/Hazardous Materials, Hydrology/Water Quality, Noise, Public Services, Transportation/Traffic, and Utilities/Service Systems. To reduce such impacts to less than a significant level, the Planning Commission will impose mitigation measures on the Project as conditions of project approval.

**AESTHETICS.** The Project creates potentially significant impacts to aesthetics (see IS/MND § II(d), pp. 36 through 37). To mitigate these impacts, the Planning Commission will impose mitigation measures MM-AES-1 and MM-AES-2 (see IS/MND § II, pg. 36). These measures will mitigate these impacts to a less than significant level in accordance with Public Resources Code ("PRC") § 21081(a) and CEQA Guidelines § 15091(a).

**AIR QUALITY.** The Project creates potentially significant impacts to air quality (see IS/MND § IV(b), pp. 41 through 43). To mitigate these impacts, the Planning Commission will impose mitigation measure MM-AIR-1 (see IS/MND § IV, pp. 41 through 43). This measure will mitigate these impacts to a less than significant level in accordance with PRC § 21081(a) and CEQA Guidelines § 15091(a).

**BIOLOGICAL RESOURCES.** The Project creates potentially significant impacts to biological resources (see IS/MND § V(d), pp. 47 and 48). To mitigate these impacts, the Planning Commission will impose mitigation measure MM-BIO-1 (see IS/MND § V, p. 48). This measure will mitigate the impacts to a less than significant level in accordance with PRC § 21081(a) and CEQA Guidelines § 15091(a).

**CULTURAL RESOURCES.** The Project creates potentially significant impacts to cultural resources (see IS/MND § VI(b), VI(c) and VI(d), pp. 50 through 52). To mitigate these impacts, the Planning Commission will impose mitigation measures MM-CR-1 through MM-CR-3 (see IS/MND § VI, pp. 51 and 52). These measures will mitigate the impacts to a less than significant level in accordance with PRC § 21081(a) and CEQA Guidelines § 15091(a).

**HAZARDS/HAZARDOUS MATERIALS.** The Project creates potentially significant impacts to the public or the environment relating to hazards/hazardous materials (see
HYDROLOGY/WATER QUALITY. The Project creates potentially significant impacts to hydrology/water quality (see IS/MND § X(a), X(e), and X(f), pp. 69 through 75). To mitigate these impacts, the Planning Commission will impose mitigation measures MM-HY-1 and MM-HY-2 (see IS/MND § X, pp. 72 and 75). These measures will mitigate the impacts to a less than significant level in accordance with PRC § 21081(a) and CEQA Guidelines § 15091(a).

NOISE. The Project creates potentially significant impacts to noise (see IS/MND § 4.12, § XIII(a) and XIII(d), pp. 81 through 85, and 88). To mitigate these impacts, the Planning Commission will impose mitigation measure MM-NO-1 (see IS/MND § XIII, pg. 84). This measure will mitigate the impacts to a less than significant level in accordance with PRC § 21081(a) and CEQA Guidelines § 15091(a).

PUBLIC SERVICES. The Project creates potentially significant impacts to public services (see IS/MND § XV(a)(i), XV(a)(ii), XV(a)(iii), XV(a)(iv), and XV(a)(v), pp. 90 through 94). To mitigate these impacts, the Planning Commission will impose mitigation measures MM-PS-1 through MM-PS-10 (see IS/MND § XV, pp. 91 through 94). These measures will mitigate the impacts to a less than significant level in accordance with PRC § 21081(a) and CEQA Guidelines § 15091(a).

TRANSPORTATION/TRAFFIC. The Project creates potentially significant impacts to transportation/traffic (see IS/MND § XVII, XVII(a), pp. 95 through 103). To mitigate these impacts, the Planning Commission will impose mitigation measure MM-TR-1 (see IS/MND § XVII, pg. 103). This measure will mitigate the impacts to a less than significant level in accordance with PRC § 21081(a) and CEQA Guidelines § 15091(a).

UTILITIES/SERVICE SYSTEMS. The Project creates potentially significant impacts to utilities/service systems (see IS/MND § XVIII, XVIII(b), pg. 107). To mitigate these impacts, the Planning Commission will impose mitigation measure MM-UT-1 (see IS/MND § XVIII, pg. 107). This measure will mitigate the impacts to a less than significant level in accordance with PRC § 21081(a) and CEQA Guidelines § 15091(a).
CITY OF EL SEGUNDO
888 NORTH SEPULVEDA BOULEVARD SPECIFIC PLAN PROJECT
Initial Study/Mitigated Negative Declaration

Environmental Assessment No. EA-997; General Plan Amendment No. 12-03;
Zone Change No. 12-03; Zone Text Amendment No. 12-05; Specific Plan No. 12-05;
Development Agreement No. 12-04; Subdivision No. 12-07; Conditional Use Permit
No. 12-08; Administrative Use Permit No. 13-11; and Parking Demand Study No. 12-06

Final Mitigation, Monitoring, and Reporting Program

Prepared for
City of El Segundo
Planning and Building and Safety Department
350 Main Street
El Segundo, California 90245

Prepared by
Atkins
12301 Wilshire Boulevard, Suite 430
Los Angeles, California 90025

February 2014
# Mitigation, Monitoring, and Reporting Program

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<tr>
<th>Mitigation Measure</th>
<th>Timeframe of Mitigation</th>
<th>Monitoring Reporting Agency</th>
<th>Timeframe for Verification Frequency to</th>
<th>Date of</th>
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<td>Planning</td>
<td>Pre-Constr.</td>
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<td>Aesthetics</td>
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<tr>
<td>MM-AES-1 Expansive areas of highly reflective materials, such as mirrored glass, are not permitted along the building facade. Nonreflective building materials must be used to the maximum extent possible to reduce potential glare impacts.</td>
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<td>MM-AES-2 Exterior lighting must be designed to minimize off-site glare. This may include, without limitation, the use of shielded or recessed lighting fixtures.</td>
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<td>Air Quality</td>
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<td>MM-AIR-1 Construction Dust Control Measures. The on-site construction superintendent must ensure implementation of standard best management practices to reduce the emissions of fugitive dust during all phases of construction activities including, but not limited to, the following actions:</td>
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<td>■ Apply soil stabilizers to inactive construction areas.</td>
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<td>■ Quickly replace ground cover in disturbed areas. If disturbed graded areas remain inactive for greater than 4 days, nontoxic soil stabilizers must be applied.</td>
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<td>■ Water exposed surfaces two times daily.</td>
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<td>■ Water all unpaved haul roads two times daily.</td>
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<td>■ Cover all stock piles with tarp.</td>
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<td>■ Reduce vehicle speed on unpaved roads.</td>
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<td>■ Post signs on site limiting traffic to 15 miles per hour or less.</td>
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<td>■ Sweep streets adjacent to the project site at the end of the day if visible soil material is carried over to adjacent roads.</td>
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<td>■ Cover or have water applied to the exposed surface of all trucks hauling dirt, sand, soil, or other loose materials prior to leaving the site to prevent dust from impacting the surrounding areas.</td>
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<td>■ Install wheel washers where vehicles enter and exit unpaved roads onto paved roads to wash off trucks and any equipment leaving the site each trip.</td>
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### Biological Resources

**MM-BIO-1** Construction of the proposed project must avoid the February 1 through August 31 bird nesting season to the extent feasible. If it is not feasible to avoid the nesting period, a survey for nesting birds must be conducted by a qualified wildlife biologist approved by the City not earlier than 14 days before construction. The area surveyed must include all clearing/construction areas, as well as areas within 250 feet of the boundaries of these areas, or as otherwise determined by the biologist. If no active avian nests are identified on or within 250 feet of the limits of the proposed disturbance area, no further mitigation is necessary.

If active nests are found within 250 feet of the proposed disturbance area, clearing/construction activities must be postponed within 250 feet of the nest until a wildlife biologist has identified the nesting avian species. If the avian species is not protected under the MBTA or the California Fish and Game Code, no further action is required and construction activities may proceed.

If the avian species is protected under the MBTA or the California Fish and Game Code, no action other than avoidance of the active nest(s) may be taken without consulting with the California Department of Fish and Wildlife (CDFW). In addition, a minimum 100-foot buffer zone surrounding the active nest(s) must be established until the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts, as determined by the wildlife biologist. The size of the buffer area may be reduced if the wildlife biologist determines, upon consultation and concurrence from the CDFW, that the size of the buffer area would not be likely to have adverse effects on the particular species.

### Cultural Resources

**MM-CR-1** Due to the project site being located within a highly culturally sensitive area, the Gabrieleño Tribe, the experts on the tribal territory in which the project site is located, request the presence of one of their experienced and certified Native American monitors to be on site during all ground disturbances. The presence of the Native American monitor will ensure the protection of any potential cultural resources of the Gabrieleño Tribe.

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<th>Mitigation Measure</th>
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<td>MM-BIO-1</td>
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<td>MM-CR-2</td>
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| In the event that construction activities occur within previously undisturbed soils and buried cultural resources are discovered, such resources could be damaged or destroyed, potentially resulting in significant impacts to cultural resources. If subsurface cultural resources are encountered during construction, if evidence of an archaeological site or if other suspected historic resources are encountered, it is recommended that all ground-disturbing activity cease within 100 feet of the resource. A qualified archaeologist approved by the City must be consulted to assess the find, and to determine whether the resource requires further study. The qualified archaeological personnel must assist the City by generating measures to protect the discovered resources. Potentially significant cultural resources could consist of, but are not limited to, stone, bone, fossils, wood, or shell artifacts or features, including structural remains, historic dumpsites, hearths, and middens. Midden features are characterized by darkened soil, and could conceal material remains, including worked stone, fired clay vessels, faunal bone, hearths, storage pits, or burials and special attention should always be paid to uncharacteristic soil color changes. Any previously undiscovered resources found during construction must be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and evaluated for significance under all applicable regulatory criteria.

No further grading is permitted to occur in the area of the discovery until the City approves the measures to protect the resources. Any archaeological artifacts recovered as a result of mitigation must be donated to a qualified scientific institution approved by the Lead Agency where they would be afforded long-term preservation to allow future scientific study.
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<tr>
<td>MM-CR-3 If human remains are discovered during any phase of construction, including disarticulated or cremated remains, all ground-disturbing activities must cease within 100 feet of the remains. Health and Safety Code § 7060.5 prohibits any further disturbances until the Los Angeles County Coroner makes the necessary findings as to origin and disposition pursuant to Public Resources Code § 5097.98. If the remains are determined by the County Coroner to be Native American, the NAHC must be notified within 24 hours, and the guidelines of the NAHC must be adhered to in the treatment and disposition of the remains. It is further recommended that a professional archaeologist with Native American burial experience conduct a field investigation of the specific site and consult with the Most Likely Descendant (MLD), if any, identified by the NAHC. As necessary and appropriate, a professional archaeologist may provide technical assistance to the MLD including, without limitation, the excavation and removal of the human remains.</td>
<td>Planning Pre- Constr. During Constr. Post- Constr.</td>
<td>Monitor Report Completion Verification</td>
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<td>MM-HAZ-1 The Applicant and construction contractor must comply with existing hazardous materials regulations, which are codified in California Code of Regulations Titles 8, 22, and 26, and their enabling legislation set forth in Health and Safety Code Chapter 6.95. In addition, the Applicant and construction contractor must comply with applicable federal, state, and local laws and regulations pertaining to the transport, use, and disposal of hazardous waste including, without limitations, Code of Federal Regulations Title 49 as implemented by California Code of Regulations Title 13.</td>
<td>Planning Pre- Constr. During Constr. Post- Constr.</td>
<td>Monitor Report Completion Verification</td>
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In the event that soil or groundwater contamination is encountered that could present a threat to human health or the environment during construction in the project area, construction activities in the immediate vicinity of the contamination must immediately cease. If contamination is encountered, a Risk Management Plan must be prepared and implemented that (1) identifies the contaminants of concern and the potential risk each contaminant would pose to human health and the environment during construction and post-development and (2) describes measures to be taken to protect workers and the public from exposure to potential site hazards. Such measures could include a range of options, including, without limitation, physical site controls during construction, remediation, long-term monitoring, post-development maintenance or access limitations, or some combination thereof. Depending on the nature of contamination, if any, appropriate agencies must be notified (e.g., El Segundo Fire Department). If needed, a Site Health and Safety Plan that meets Occupational Safety and Health Administration requirements must be prepared and in place before commencement of work in any contaminated area.

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<th>Hydrology/Water Quality</th>
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<tr>
<td>MM-HY-1</td>
<td>The City will not issue a grading permit for the hotel project until the applicant obtains City approval for a stormwater quality management plan prepared in accordance with the El Segundo Municipal Code that describes the specific features that will be included in the project to ensure compliance with the regional MS4 permit. The stormwater quality management plan must be prepared in conjunction with the site-specific drainage plan (MM-HY-2) to ensure the sizing of drainage facilities is appropriate for the rate and volume of runoff that requires treatment. If, at the time the applicant applies for a grading permit, the City has not yet adopted low impact development (LID) regulations for nonresidential projects, the stormwater quality management plan must identify specific LID features based on the site planning and design, design requirements, LID hydrologic analysis, and best management practices set forth in the County of Los Angeles Low Impact Development Standards Manual (January 2009). If the City adopted LID regulations, the project's stormwater quality management plan must demonstrate consistency with the City's requirements.</td>
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<tr>
<th>Planning Pre-Constr.</th>
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<td>MM-HY-2 The City of El Segundo will not issue a grading permit for the hotel project until the applicant obtains City approval of a site-specific drainage plan that identifies preproject and postproject peak flows and volumes and features that will be included in project design to prevent on-site and off-site flooding and that will not cause or contribute to any exceedance of off-site storm drain capacity. This may be accomplished by use of the drywell and/or connections to off-site infrastructure and/or in combination with other equally effective measures determined suitable by the Director of Public Works, or designee, provided the following conditions are met:</td>
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<td>a. The hydrologic and hydraulic modeling included in the drainage plan must demonstrate that post-project peak flow rates and volumes result in no net increase in storm flows to Maple Avenue and Walnut Avenue under any storm event condition. If flows are directed to Maple and/or Walnut Avenues, the City must require an easement be recorded on the developed parcel to the north.</td>
<td>X</td>
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<td>b. The existing drywell on site may be used for containing storm flows. However, as part of the drainage plan, the project applicant must verify the condition of the drywell as suitable for containing flows and demonstrate that it has capacity for new flows generated by the project and will meet stormwater quality treatment criteria determined through implementation of mitigation measure MM-HY-1.</td>
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<td>c. The site-specific drainage plan must be prepared in conjunction with the stormwater quality management plan (MM-HY-1) to ensure appropriate sizing of drainage facilities for stormwater treatment control.</td>
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<td>MM-NO-1 The project Applicant’s construction contractor must require by contract specifications that the following construction best management practices be implemented by contractors to reduce construction noise levels:</td>
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<td>• The project’s construction contractor must provide advance notification to adjacent property owners and post notices around the boundaries of the Proposed Project site with information detailing the schedule of construction activities.</td>
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<td>• All construction equipment with a high noise-generating potential, including all equipment powered by internal combustion engines, must be muffled or controlled.</td>
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<td>• All noise-generating construction equipment and construction staging areas must be placed away from noise-sensitive uses, where feasible.</td>
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<td>• High noise-producing activities must be scheduled between the hours of 8:00 AM and 5:00 PM to minimize disruption to sensitive uses and delivery of materials and equipment must occur between 7:00 AM and 6:00 PM.</td>
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<td>• Noise attenuation measures must be implemented to the extent feasible, which may include, without limitation, noise barriers or noise blankets.</td>
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<td>• Machinery, including motors, must be turned off when not in use.</td>
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<td>Public Services</td>
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<td>MM-PS-1 Pursuant to ESMC §§ 15-27A-1 et seq., and before certificates of occupancy are issued, the applicant must pay a one-time fire services mitigation fee in accordance with Resolution No. 4687. The fee amount must be based upon the adopted fee at the time the building permit is issued.</td>
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<td>MM-PS-2 A fire safety plan, which must include definitive plans and specifications, must be approved by the Fire Chief, or designee, before the City issues building permits.</td>
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<td>MM-PS-3 The applicant must provide fire access roadways to and throughout the property and submit a layout plan to the Fire Chief, or designee, for approval.</td>
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<td>MM-PS-4 The applicant must provide water flow and on-site fire hydrants as required by the ESFD.</td>
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| MM-PS-5 The applicant must submit separate plans for approval by the Fire Chief, or designee. The following installations require separate approvals:  
- Automatic fire sprinklers;  
- Fire alarm system;  
- Underground fire service mains;  
- Fire pumps;  
- Emergency generators; and  
- Any aboveground or underground storage tanks including elevator sumps and condensation tanks. | | | | |
| X | | | | |
| MM-PS-6 Pursuant to ESMC §§ 15-21A-1 et seq., and before certificates of occupancy are issued, the applicant must pay a one-time police services mitigation fee in accordance with Resolution No. 4687. The fee amount must be based upon the adopted fee at the time the building permit is issued. | | | | |
| | | | | |
| MM-PS-7 The Applicant must obtain the Police Chief's, or designee's, approval for a strategic security plan, which includes definitive plans and specifications before the City issues building permits. The strategic security plan must include, without limitation, the following items:  
- 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 inches to as much as 24 inches;  
- 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; and  
- Provisions must be made for on-site security personnel. | | | | |
<p>| | | | | |
| | | | | |
| MM-PS-8 Before building permits are issued, the applicant must pay the required School Fees. This condition does not limit the applicant’s ability to appeal or protest the payment of these fees to the school district(s). | | | | |
| X | | | | |</p>
<table>
<thead>
<tr>
<th>Mitigation Measure</th>
<th>Timeframe of Mitigation</th>
<th>Monitoring Reporting Agency</th>
<th>Timeframe for Verification Frequency to</th>
<th>Date of</th>
</tr>
</thead>
<tbody>
<tr>
<td>MM-PS-9 Pursuant to ESMC §§ 15-27A-1 et seq., and before certificates of occupancy are issued, the applicant must pay a one-time parks services mitigation fee in accordance with Resolution No. 4687. The fee amount must be based upon the adopted fee at the time the building permit is issued.</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MM-PS-10 Pursuant to ESMC §§ 15-27A-1 et seq., and before certificates of occupancy are issued, the applicant must pay a one-time library services mitigation fee in accordance with Resolution No. 4687. The fee amount must be based upon the adopted fee at the time the building permit is issued.</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transportation/Traffic</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>MM-TR-1 Pursuant to ESMC §§ 15-27A-1 et seq., and before the City issues a certificate of occupancy, the applicant must pay a one-time traffic mitigation fee in accordance with Resolution No. 4443.</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Utilities/Service Systems</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MM-UT-1 Before building permits are issued, the applicant must pay the required sewer connection fees (as specified in ESMC Title 12-3).</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
CITY COUNCIL RESOLUTION NO. 
EXHIBIT D

Excerpt from Pages 3-10 and 3-11 of the El Segundo General Plan Land Use Element

Proposed Land Use Plan

"Northeast Quadrant"

On the 1992 Land Use Plan, the majority of the northeast quadrant is designated either Corporate Office (246.652/13.67 ac) or Urban Mixed-Use (232.5 ac). The Corporate Campus Specific Plan (46.5 ac) also allows a mixture of office and commercial uses. Corporate Office allows a mixture of office uses with retail in the lobby. This designation covers the "Superblock Area" and will allow uses similar to those currently in that area.

The Urban Mixed-Use North and South designations allow a mixture of uses, including office, hotels, and retail and light industrial with discretionary approval. The Urban Mixed-Use North and South designations are designed to allow for a flexibility of uses near the three existing, and one future, Green Line transit stations. For the most part, the types of uses allowed are different from the light and heavy industrial uses currently in this area. These designations will accommodate a transition from these uses, which is being driven by the market forces described in the Economic Development Element.

General Commercial uses are proposed along Sepulveda Boulevard and along El Segundo Boulevard, east of Aviation Boulevard. This designation allows retail and hotel uses. The site along Sepulveda Boulevard, east of Aviation Boulevard (3.8 ac), as well as the site at the northeast corner of Sepulveda Boulevard and Mariposa Avenue (3.2 ac) are already in commercial use. The site on the southeast corner of Sepulveda Boulevard and Mariposa Avenue (7.1 ac) is currently vacant, except for an existing bank building. The area bounded by Nash Street, Maple Avenue, Lairport Street, and Imperial Avenue is designated as light industrial, which is consistent with the uses currently operating in that area, primarily the Hughes/Boeing facility (50.4 ac).

The area bounded generally by Aviation Boulevard, El Segundo Boulevard, and Douglas Street is currently a U.S. Government Air Force Base (48.5 ac.), which is expected to remain for the life of the Plan. The Federal Government designation placed on this area will allow the types of uses that are existing.

The parcel at 199 North Continental Boulevard between El Segundo Boulevard and Grand Avenue, bounded by Continental Boulevard to the east, 101 North Continental Boulevard to the south and west, and 201 North Continental Boulevard to the north is a Specific Plan area ("199 North Continental Boulevard Specific Plan") which encourages primarily a hotel use with a maximum floor area ratio of 0.92; however offices, medical-dental offices, public uses, recreational facilities (public and private), research and development, and restaurants and cafes with a maximum floor area ratio of 0.80 may also be developed on the site (1.75 ac.).
CITY COUNCIL RESOLUTION NO. ____
EXHIBIT D

The 888 North Sepulveda Boulevard Specific Plan (2.98 acres), that includes the parcels at 888, 892 and 898 North Sepulveda Boulevard located on the southeast corner of North Sepulveda Boulevard and East Walnut Avenue, will allow a mixture of commercial uses including offices, hotels, restaurants, cafes, and retail uses and will allow a remote airport parking use."
### 1992 General Plan

#### Summary of Existing Trends Buildout

<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>Acres</th>
<th>Dwelling Units</th>
<th>Square Footage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family Residential</td>
<td>357.2</td>
<td>2,858</td>
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</tr>
<tr>
<td>Two-Family Residential</td>
<td>57.4</td>
<td>934</td>
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</tr>
<tr>
<td>540 East Imperial Avenue Specific Plan</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Multi-Family Residential</td>
<td>5.65</td>
<td>304</td>
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<tr>
<td>Neighborhood Commercial</td>
<td>119.7</td>
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<tr>
<td>Downtown Commercial</td>
<td>6.6</td>
<td>85</td>
<td>89,110</td>
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<tr>
<td>General Commercial</td>
<td>8.8</td>
<td>18</td>
<td>383,328</td>
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<tr>
<td>Corporate Office</td>
<td>37.1</td>
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<td>1,618,508</td>
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<tr>
<td>Commercial Center</td>
<td>246.6</td>
<td>213.62</td>
<td>12,539,209</td>
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<tr>
<td>Smoky Hollow</td>
<td>85.8</td>
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<td>2,445,023</td>
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<tr>
<td>Urban Mixed-Use North</td>
<td>232.5</td>
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<td>Urban Mixed-Use South</td>
<td>70.6</td>
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<td>124th Street Specific Plan</td>
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<td>1</td>
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<tr>
<td>Aviation Specific Plan</td>
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<tr>
<td>Downtown Specific Plan</td>
<td>26.3</td>
<td>232</td>
<td>1,145,628</td>
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<tr>
<td>Corporate Campus Specific Plan</td>
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<td>2,550,000</td>
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<tr>
<td>199 North Continental Boulevard</td>
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<tr>
<td>Specific Plan</td>
<td>1.75</td>
<td>-</td>
<td>70,132</td>
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<tr>
<td>222 Kansas Street Specific Plan</td>
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<td>121,532</td>
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<tr>
<td><strong>888 No. Sepulveda Boulevard</strong></td>
<td></td>
<td><strong>2.98</strong></td>
<td><strong>206,710</strong></td>
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<tr>
<td>Specific Plan</td>
<td>11.8</td>
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<tr>
<td>Parking</td>
<td>356.1</td>
<td>-</td>
<td>18,529,000</td>
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<td>Light Industrial</td>
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<td>Heavy Industrial</td>
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<td>Public Facilities</td>
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<td>Federal Government</td>
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<td>Open Space</td>
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<td>Parks</td>
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<td>Street and Railroad R.O.W</td>
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<tr>
<td><strong>Totals</strong></td>
<td>3,497</td>
<td>8,089</td>
<td>57,773,771</td>
</tr>
<tr>
<td>Population Projection</td>
<td>17,287</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1 Existing construction and recently constructed, renovated commercial centers and legal non-conforming residential uses at densities that are currently higher than allowed by the land use designations in this plan will not realistically be converted to mixed commercial/residential uses and these buildings are expected to remain for the life of the Plan.

2 The heavy industrial shown on this plan includes the Chevron Refinery and former Southern California Edison Generation Station. These facilities have processing equipment and tanks rather than buildings and are expected to remain for the life of the Plan. Therefore, no estimated building square footage is shown.

3 This number represents the maximum number of dwelling units that can be developed in Option 1 of the 540 East Imperial Avenue Specific Plan. If Option 1 is not built, the maximum number of units that can be developed in Option 2 of the 540 East Imperial Avenue Specific Plan is 58 residential dwelling units.
ORDINANCE NO. ____

AN ORDINANCE APPROVING SPECIFIC PLAN NO. SP 12-05, ZONE CHANGE NO. ZC 12-03, ZONE TEXT AMENDMENT NO. ZTA 12-05, AND DEVELOPMENT AGREEMENT NO DA 12-04; ADDING ESMC § 15-3-2(A)(9); AND APPROVING SUBDIVISION NO 12-07 FOR VESTING TENTATIVE PARCEL MAP NO. 71788 FOR THE 888 NORTH SEPULVEDA BOULEVARD SPECIFIC PLAN PROJECT.

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

SECTION 1: The City Council finds and declares that:

A. On September 11, 2012 The Realty Associates Fund IX, L.P., filed an application for an Environmental Assessment No. EA-997, General Plan Amendment No. GPA 12-03, Specific Plan No. SP 12-05, Zone Change No. ZC 12-03, Zone Text Amendment No. ZTA 12-05, Development Agreement No. DA 12-04, Conditional Use Permit No. CUP 12-08, Administrative Use Permit No. AUP 13-11, Parking Demand Study No. PDS 12-06 and Subdivision No. SUB 12-07 for Vesting Tentative Map Parcel Map No. 71788 for three lots, to re-designate and rezone an approximate 2.98 acre property at 888 North Sepulveda Boulevard from Corporate Office (CO) Zone to 888 North Sepulveda Boulevard Specific Plan (888 NSBSP) to allow construction of a five-story, 89 foot high, 111,350 square foot hotel with up to 190 rooms and one level of underground parking;

B. The Project application was reviewed by the City of El Segundo Planning and Building Safety Department for, in part, consistency with the General Plan, the 888 North Sepulveda Boulevard Specific Plan, and conformity with the El Segundo Municipal Code ("ESMC");

C. 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);

D. An Initial Study/Mitigated Negative Declaration (ISMND) was prepared pursuant to the requirements of CEQA Guidelines § 15070 and circulated for public review and comment between
December 12, 2013 and January 14, 2014 in compliance with CEQA Guidelines § 15087;

E. The Planning and Building Safety Department completed its review and scheduled a public hearing regarding the application before the Planning Commission for February 27, 2014. Following the public hearing, the Planning Commission adopted Resolution No. 2750 recommending that the City Council approve the Project including, without limitation, adopting this Ordinance;

F. On March 13, 2014 the City Council held a public hearing and considered the information provided by City staff, public testimony and representatives of The Realty Associates Fund IX, LP and Barnard Ventures, LLC;

G. On March 13, 2014 City Council introduced Ordinance No. ____ approving Specific Plan No. SP 12-05, Zone Change No. ZC 12-03, Zone Text Amendment No. ZTA 12-05, and Development Agreement No. DA 12-04; adding ESMC § 15-3-2(A)(9); and approving Subdivision No. SUB 12-07 for Vesting Tentative Parcel Map No. 71788 for the 888 North Sepulveda Boulevard Specific Plan Project;

H. This Ordinance and its findings are made based upon testimony and evidence presented to the Council at its April __, 2014 hearing including, without limitation, the staff report submitted by the Department of Planning and Building Safety.

SECTION 2: Environmental Assessment. Resolution No. ____ approved an Initial Study/Mitigated Negative Declaration 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 April ____, 2014, are incorporated as if fully set forth.

SECTION 4: Zone Change Findings.

A. Based on the factual findings in Resolution No. ____, as incorporated into this Ordinance, the proposed Zone Change is necessary to carry out the proposed project because the proposed General Plan Amendment would change the land use classification of the project site from Corporate Office to 888 North Sepulveda Boulevard Specific Plan (888 NSBSP). The proposed Zone Change
is necessary to maintain consistency with the proposed General Plan land use designation of 888 North Sepulveda Boulevard Specific Plan.

B. ESMC Title 15 is intended to be the primary tool for implementing the goals, objectives and policies of the El Segundo General Plan. The zone change will maintain consistency with the proposed change in General Plan land use designation to 888 North Sepulveda Boulevard Specific Plan and is also consistent with the General Plan goals, objectives and policies set forth in Section 4 of Resolution No. ____. Those findings of consistency are incorporated by reference as if fully set forth below.

SECTION 5: Zone Text Amendment Findings. Based on the factual findings in Resolution No. ____, as incorporated into this Ordinance, the proposed Zone Text Amendment is necessary to implement the Project and establish the proposed 888 North Sepulveda Boulevard Specific Plan (888 NSBS) Zone. An amendment to ESMC § 15-3-2(A)(9) to create 888 North Sepulveda Boulevard Specific Plan (888 NSBS) is necessary for consistency with the General Plan.

SECTION 6: Specific Plan Findings. Based on the factual findings in Resolution No. ____, as incorporated into this Ordinance, the proposed creation of the 888 North Sepulveda Boulevard Specific Plan (888 NSBS), which would allow an increased FAR of 1.47 for a five-story, up to 190 room, 111,350 square foot hotel with one level of underground parking, and the continued of an existing office building and parking structure with remote airport parking on the project site, is necessary to carry out the proposed project. Without amending the ESMC, the current zoning would not permit the proposed project with a 1.47 Floor Area Ratio (FAR). The General Plan Land Use Designation of the project site is 888 North Sepulveda Boulevard Specific Plan (888 NSBS). This designation is intended for the project as defined herein. As conditioned, the proposed project would be compatible with the General Plan.

SECTION 7: 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 and any applicable specific plan. The Development Agreement would provide the following public benefits in exchange for valuable development rights (ten-year entitlement with no extension):

1. Development of a property that is currently vacant and underutilized.
2. Addition of an attractive new hotel at this location will encourage additional renovation of businesses in the vicinity of the project site.

3. The presence of a hotel and related evening activity will improve safety in this northern gateway area as more activity, together with building illumination, will create less of a need for police services as compared to the attractive nuisance of the existing long-time vacant property.

4. Existing and prospective corporate businesses and research and development businesses will benefit from the availability of additional lodging choices with competitive pricing resulting from more available rooms in the community.

5. Residents seeking lodging for out-of-town guest will benefit from more hotel choices which provide more competitive pricing with greater room availability.

6. The project will bring a new hotel flag to the City with experience in operating business hotels for professionals and the addition of the new hotel will increase the number of rooms and related facilities in the City to the benefit of adjacent and nearby business.

7. The project will provide one-time City revenues of $147,593 associated with the $26 million development costs as specified in the Development Agreement.

8. City will benefit from an increase in transient occupancy tax (TOT) in excess of $500,000 annually for the life of the hotel project which is a direct net benefit to the General Fund as specified in the Development Agreement.

9. City will benefit from an increase in sales tax of approximately $100,000 per year based on expected expenditures per room and the added occupancy rate for a new business hotel will encourage business growth as specified in the Development Agreement.

10. City will benefit from an increase in property tax which, based on the City's tax allocation formula and increased property tax valuation from a vacant to a developed parcel, is estimated to be approximately $29,000 per year as specified in the Development Agreement.
11. The new hotel will create approximately 20 full-time jobs and a limited number of part-time positions. At an estimated salary of $35,000 per year, with many of these jobs filled locally, this will increase annual payroll within the City by approximately $700,000, and increase employment opportunities for the City’s residents. Additionally, earnings within the City will result in an indeterminate amount of additional sales tax derived from retail expenditures by hotel employees.

12. Shuttle service to Los Angeles International Airport will be available to hotel guests to provide a convenient service for hotel guests and to reduce air quality impacts and traffic impacts to the City’s roadways as specified in the Development Agreement and as required in the conditions of approval.

13. The Developer agrees to contribute to the City an additional sum in the amount of $18,000 as an enhanced community benefit to be paid to the City annually beginning upon the effective date of this Development Agreement. This annual payment will cease on the date that a Certificate of Occupancy is issued for the proposed hotel building as specified as a term in the Development Agreement.

B. 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. The proposed project includes a new land use designation and zoning classification, which establishes the permitted uses and development standards that would apply to the project. These uses and development standards are similar and compatible with the other commercially zoned districts in the City.

C. The project will not adversely affect the orderly development of property or the preservation of property values. This project is surrounded by previously developed commercial properties and will help improve the value of the neighboring properties. The proposed 888 North Sepulveda Boulevard Specific Plan 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.

SECTION 8: Subdivision Findings.

A. The proposed map is consistent with applicable general and specific plans as specified in Government Code § 65451. As set forth in Section 4 of Resolution No. _____, as incorporated by this
Ordinance, the Project meets the goals and objectives of the General Plan and it is consistent with the 888 North Sepulveda Boulevard Specific Plan (888 NSBSP). Vesting Tentative Parcel Map (VTPM) No.71788 proposes three new lots. The proposed lots vary in size and meet the minimum lot sizes stated in the 888 North Sepulveda Boulevard Specific Plan (888 NSBSP).

B. The design of the proposed subdivision is consistent with applicable general and specific plans. As set forth in Section 4 of Resolution No. ____ , as incorporated by this Ordinance, this project meets the goals and objectives of the General Plan.

C. The site is physically suitable for the proposed type of development in that, after the proposed grading, the areas outside the required setbacks on each individual lot will be relatively flat. The proposed lots meet the size and dimension requirements to allow the subdivision of the existing parcel. The previous land use and zoning designation for the property was Corporate Office. The new 888 North Sepulveda Boulevard Specific Plan (888 NSBSP) continues the commercial mix and is compatible with the surrounding commercial, industrial uses.

D. The design of the subdivision or the proposed improvements is unlikely to cause substantial damage or substantially and avoidably injure fish or wildlife or their habitat. The proposed project site is a located in an urbanized area surrounded by existing commercial industrial uses. There are no fish or wildlife habitats on the site that could be damaged by the proposed subdivision or new development.

E. The design of the subdivision will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. The proposed subdivision is not anticipated to conflict with any known easements located at, or near the property.

SECTION 9: ESMC §15-3-2(A)(9) is amended to add subsection 9 to read as follows:

"9. 888 North Sepulveda Boulevard Specific Plan

There is one zone intended to be used within the boundaries of the 888 North Sepulveda Boulevard Specific Plan. The zone is:

888 NSBSP  888 North Sepulveda Boulevard Specific Plan"
SECTION 10: The current Zoning Map is amended by changing the Project site from Corporate Office to “888 North Sepulveda Boulevard Specific Plan (888 NSBSP).” The corresponding changes to the Zoning Map are set forth in attached Exhibit “A,” which is incorporated into this Ordinance by reference.

SECTION 11: The “888 North Sepulveda Boulevard Specific Plan (888 NSBSP)” is adopted as set forth in attached Exhibit “B” which is incorporated into this Ordinance by reference.

SECTION 12: The Development Agreement by and between the City of El Segundo and the Realty Associates Fund IX, L.P., as set forth in attached Exhibit “C,” 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 13: Additional Approvals. To the extent they are not otherwise adopted or approved by this Ordinance, and subject to the conditions listed on attached Exhibit “D,” which are incorporated into this Ordinance by reference, the City Council approves Zone Change No. ZC 12-03, Zone Text Amendment No. ZTA 12-05, Specific Plan No. SP 12-05, Development Agreement No. DA 12-04, Conditional Use Permit No. CUP 12-08, Administrative Use Permit No. AUP 13-11, Parking Demand Study No. PDS 12-06 and Subdivision No. SUB 12-07.

SECTION 14: 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 15: 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 16: 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 17: 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 18: Memorization: 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 19: 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 20: Effective Date. This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

PASSED, APPROVED AND ADOPTED this 1st day of April 2014.

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 1st day of April 2014, 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 _____ 2014, 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
Proposed change to 888 North Sepulveda Boulevard Specific Plan (888 NSBSP)
888 North Sepulveda Boulevard
Specific Plan

FEBRUARY 2014

ORDINANCE EXHIBIT B
1.0 SUMMARY

This 888 North Sepulveda Boulevard Specific Plan ("Specific Plan") allows a new select service business hotel to be developed and continued use of an existing parking structure and existing office building. The existing parking structure provides all parking for the office building and a portion of the required parking for the hotel, with the remaining parking spaces not needed to meet office and hotel parking requirements used for a remote airport parking facility. A portion of the required parking spaces for the hotel are provided on-site in surface parking and underneath the hotel. The Hotel is designed to be compatible with adjacent land uses and zoning. The Specific Plan regulates buildout of the project site in a manner that is consistent with applicable law.

1.1. Purpose And Authority

This Specific Plan is adopted in accordance with the provisions of Government Code §§ 65450 through 65457, which grants local governments authority to adopt specific plans to regulate any area within its jurisdiction.

Government Code §§ 65450 through 65454 establishes the authority to adopt a Specific Plan, identifies the required contents of a Specific Plan, and mandates consistency with the General Plan.

According to Government Code § 65451, a Specific Plan must include text and a diagram or diagrams which specify all of the following in detail:

- The distribution, location, and extent of the uses of land, including open space within the area covered by the plan.
- The proposed distribution, location, extent, and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy and other essential facilities proposed to be located within the land area covered by the plan and needed to support the land uses described in the plan.
- Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
- A program of implementation measures including regulations, programs, public works projects and financing measures necessary to carry out the above items.
- A discussion of the relationship of the Specific Plan to the General Plan.

A thorough review of the El Segundo General Plan shows that this Specific Plan is compatible and consistent with the goals and policies outlined in the General Plan. The project regulated by this Specific Plan includes an existing office building and parking structure and a new hotel all of which are uses already permitted in the Corporate Office (CO) Zone. Such uses are consistent with the Corporate Office Land Use Element designation. Additionally, the Specific Plan allows for continued use of a portion of the parking structure for remote airport parking. This Specific Plan furthers the goals and policies of the General Plan.

As a regulatory document, the Specific Plan implements the General Plan as the new zoning for the Specific Plan area. All future development plans and entitlements within the Specific Plan boundaries must be consistent with the standards set forth in this document; the El Segundo Municipal Code ("ESMC"); and General Plan.

1.2. Project History

The 2.98 acre Specific Plan area was initially developed with two office buildings and a parking structure. The office building located at 898 North Sepulveda Boulevard is an eight-story, 95,360 square foot structure (79,404 net square feet). The parking garage at 892 North Sepulveda is a seven-
story structure with 808 parking spaces. The second office building at 888 North Sepulveda Boulevard was a 12-story, 140,000 square-foot structure which was unoccupied for a period of time before being demolished in 2003. Before the office building was demolished, the FAR of the site was 1.61. Since 1994, the existing parking structure provided 228 spaces to meet parking requirements for the existing office building at 898 North Sepulveda Boulevard. The remaining 580 parking spaces are used for remote airport parking with the operation designated as “105 Airport Parking.”

In 1994, the City approved an administrative use permit that allows for remote airport parking use in the parking structure until a new second office building was constructed.

In 2001, the City entered into a ten (10) year development agreement with Legacy Partners which provided for demolition of the 888 North Sepulveda Boulevard office building, and construction of a six-story, 120,610 square foot office building. The FAR for the site was approved at 1.47 (1.086 on the single parcel for the proposed office building and existing parking structure). The remote airport parking was required to terminate when the City issues the first certificate of occupancy for the new office building.

In 2008, the Trammell Crow Company submitted a conditional use permit application and development agreement amendment to replace the six-story office building with a new nine-story, 179-room hotel, consisting of 88,859 square feet. These project applications were not processed by the applicant.

In 2011, at the request of Realty Advisors Associates, the term of the 2001 development agreement was amended and extended for an additional five (5) year term to 2016. Under the terms of this amended development agreement, the proposed new office building at 888 North Sepulveda was changed to a structure of ten (10)

stories or less, with a height not to exceed 200 feet, and with a maximum of 88,859 square feet.

A. Procedures

For this Specific Plan to be effective, the following must be approved by the City Council:

General Plan Amendment

A General Plan Amendment to change the land use designation from Corporate Office (CO) to the 888 North Sepulveda Boulevard Specific Plan.

Zone Change and Zone Text Amendment

A Zone Change creates the Specific Plan designation to replace the existing Corporate Office (CO) Zone designation and a Zone Text Amendment adds the 888 North Sepulveda Boulevard Specific Plan to ESMC Title 15, Chapter 3-2(A)(9).

Vesting Tentative Parcel Map

The vesting tentative parcel map encompasses the Specific Plan area and creates three parcels, one for each structure, respectively. Parcel 1 includes the existing office building; Parcel 2 includes the existing parking structure; and Parcel 3 includes the hotel.

Development Agreement

A Development Agreement must be approved and executed.

1.3. Project Description

The Specific Plan area is divided into three parcels by a vesting tentative parcel map. Parcel 1 consists of 0.42 acres, encompassing the existing office building at 898 North Sepulveda Boulevard. Parcel 2, consisting of 1.04 acres, encompasses the existing parking structure. Vacant Parcel 3, at 888 North Sepulveda Boulevard, encompasses 1.52 acres.
The Project consists of a 190-room, five (5) story hotel not to exceed 77 feet in height, consisting of 111,350 square-foot (104,040 net square feet) together with the existing 95,360 square-foot (79,404 net square feet) office building comprising a Floor Area Ratio ("FAR") of 1.41 across the three parcels, with parking provided by the existing parking structure located on Parcel 2, and with an additional 72 parking stalls provided by the new hotel. The parking structure is not included in the FAR calculation. The hotel is built on Parcel 3 with an address of 888 North Sepulveda. The existing parking structure contains 808 available parking spaces. Currently, 228 spaces are provided to meet ESMC parking requirements for the office building with 580 parking spaces remaining for other uses.

The addition of a new hotel on the property to complement the existing office building enhances the potential for shared parking between the two uses.

The project components are shown in Table 1.

### Table 1
#### Project Components

<table>
<thead>
<tr>
<th>Project Item</th>
<th>Existing Office Building</th>
<th>Existing Parking Structure</th>
<th>New Select Service Hotel</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Project Description</strong></td>
<td>Eight story, 95,360 gross square foot office building (79,404 net square feet), 110'-6&quot; in height</td>
<td>7 story, 808 stall parking structure; 66' in height</td>
<td>190 room, 111,350 gross square foot select service hotel (104,040 net square feet), 77' in height</td>
</tr>
<tr>
<td><strong>Parcel No.</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parcel Size</td>
<td>0.42 acres</td>
<td>1.04 acres</td>
<td>1.52 acres</td>
</tr>
<tr>
<td>FAR</td>
<td>4.34:1 on its own parcel</td>
<td>N/A</td>
<td>1.57:1 on its own parcel</td>
</tr>
<tr>
<td>Parking and Loading</td>
<td>Parking Structure: 808 parking spaces are provided for the office building, hotel and</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

remote airport parking uses. 2 loading spaces are provided in the parking structure for the office building.

Hotel Site: 72 parking spaces are provided for the Hotel use only. 3 loading spaces are provided.

1.4. CEQA

As set forth in the accompanying MND (as adopted by Resolution No. _____ on __________, 2014), the following development thresholds shown in Table 2, below, are established:

### Table 2
#### Development Thresholds

<table>
<thead>
<tr>
<th>MND</th>
<th>Gross Floor Area</th>
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<tbody>
<tr>
<td>Hotel</td>
<td>111,350 square feet (104,040 net square feet) with a 1.41 floor area ratio (FAR) when combined with existing office building in the Specific Plan area</td>
</tr>
</tbody>
</table>

Other uses allowed by this Specific Plan (may be subject to additional CEQA compliance review) | As determined by the maximum allowable FAR of 1.41 as allowed by this Specific Plan |

1.5. Current General Plan and Zoning

After being amended as contemplated by this Specific Plan, the General Plan land use classification and the zoning district will designate the property as 888 North Sepulveda Boulevard Specific Plan. This designation allows for general office and hotel uses and a mixture of food-serving uses with limited retail uses.

2.0 CONSISTENCY WITH THE GENERAL PLAN

Government Code § 65454 requires that this Specific Plan be consistent with the General Plan; Government Code § 65451 requires a statement of
relationship between this Specific Plan and the General Plan. As documented in the MND, the Specific Plan is consistent with the General Plan. The two elements that are most related to the Project are the Land Use Element and the Circulation Element, the consistency with these two elements is discussed below.

2.1 Land Use Element

As set forth in Resolution Nos. ___ and ___, which are incorporated by reference, this Specific Plan is consistent with the following Objectives and Policies of the Land Use Element of the General Plan: Objective LU4-4 and Policy 4-4.1.

2.2 Circulation Element

As set forth in Resolution Nos. ___ and ___, which are incorporated by reference, this Specific Plan is consistent with the following Objectives and Policies of the Circulation Element of the General Plan: Policy C1-1.8, Policy C1-1.9, Policy 1-1.14, Objective C3-1, Policy C3-1.1, Policy C3-1.2.

3.0 PHYSICAL ENVIRONMENT

The 2.98 acre project site slopes west to east and varies in elevation from approximately 120 feet above mean sea level adjacent to the Sepulveda and Walnut intersection to 106 feet above mean sea level at the southeast corner of the property.

3.1. Project Location And Adjacent Land Uses

Regionally, the subject site is located in the northernmost portion of the City of El Segundo, less than 0.25 miles south of the Los Angeles city limit which is also the southern perimeter boundary of Los Angeles International Airport (LAX). The project site is approximately one-quarter mile south of the Interstate 105 (Glen Anderson Freeway) and approximately 1.5 miles west of the San Diego Freeway (Interstate 405).

Locally, the project site is located adjacent to the southeast corner of North Sepulveda Boulevard and Walnut Avenue. Along this stretch, Sepulveda is designated as a state highway – State Route (SR) 1. Located at the northern gateway to the City, the project site is surrounded by commercial office, research, and manufacturing facilities.

Directly to the south is a single-story concrete manufacturing/distribution business. To the east, the Boeing Corporation occupies a wide range of structures including buildings housing low-rise office, manufacturing and research uses. To the north across Walnut Avenue are single-story and three-story offices for the Boeing Corporation. To the west, directly across Sepulveda, are a Bank of America, Travelodge Hotel, and a two story office building.

3.2. Circulation

Access to the Specific Plan area is via three driveways. The existing parking structure is accessed from two driveways on Walnut Avenue and will continue to operate in a similar manner. Pedestrian access is available to the office building from the parking structure. There is no direct vehicle access to the office building. The new hotel takes access via a driveway from Sepulveda along the southern portion of the property. This driveway must be modified to comply with the Caltrans standards. Turning movements from this driveway are restricted at certain hours to ensure the safety of vehicles using the driveway and for through traffic.

3.3. Utilities And Infrastructure

A. Water Service

Water service is provided by the City of El Segundo Public Works Department, Water Division and is currently available within the Specific Plan area. There is a 10-inch water line in Walnut Avenue on the north side of the site. Additionally, two 10-inch water lines are available
for use within North Sepulveda Boulevard located immediately west of the site.

**B. Wastewater Service**

Wastewater service within the project area which is east of Sepulveda Boulevard is provided by the Los Angeles County Sanitation District. Service connections can be made to the existing 8-inch sewer line at the southeastern corner of the property.

**C. Solid Waste Disposal**

Solid waste disposal is provided to commercial and industrial users by a variety of private haulers. Development within the Specific Plan area would contract with a provider. Landfill capacity is adequate for the assumed population and commercial growth within Los Angeles County. The Specific Plan area would not exceed any assumptions for either population or commercial growth in the region.

**D. Gas Service**

Gas service is provided by Southern California Gas Company. There is an existing 2-inch gas line, and 3-inch high pressure gas line, located within North Sepulveda Boulevard.

**E. Electric/Telephone and Cable Service**

Electric service is provided by Southern California Edison via existing underground lines along North Sepulveda Boulevard and Walnut Avenue. Telephone service is provided by AT & T and Sprint via existing lines in adjacent streets and cable service is provided by Time Warner Cable.

**F. Fire Suppression**

The El Segundo Fire Department (ESFD) provides fire protection services and emergency medical service to the City. The closest facility and immediate service provider to the project site, located 1.16 miles to the south and a two minute driving distance, is Fire Station 2 at 2261 East Mariposa Avenue. Additional or alternative services can be provided by Fire Station 1 located at 314 Main Street, located, 2.15 miles to the southwest at a five minute driving distance. The provision of water for fire suppression is available from existing water lines via adjacent hydrants.

**G. Police Protection Services**

The El Segundo Police Department (ESPD) provides police protection services to the City. The Specific Plan area is approximately 2.2 miles from the police station located at 348 Main Street. The El Segundo Police Department recently implemented an “Area Command” program which subdivides the City into two smaller geographic areas and assigns resources to the areas for more effective focus and delivery of police service. Sepulveda Boulevard is the physical divide for the two areas known as the East Command Area, for all properties east of Sepulveda Boulevard, and the West Command Area for all properties west of Sepulveda Boulevard. The Project is located within the East Command Area.

**H. Drainage**

On-site drainage must comply with applicable law including the California Water Code and the City’s National Pollution Discharge Elimination System (NPDES) permit.

**4.0 LAND USE AND DEVELOPMENT STANDARDS**

The Specific Plan must be administered in accordance with the ESMC, except as noted herein.

**A. Permitted Uses**

i. Cafes
ii. General offices
iii. Medical-dental offices
iv. Restaurants
v. Other similar uses approved by the Director of Planning and Building Safety Department, as provided by ESMC Chapter 15-22.
B. Permitted Accessory Uses

i. Any use customarily incidental to a permitted use
ii. Cafes
iii. Limited support service retail uses
iv. Open storage of commodities sold or utilized on the premises
v. Recreational uses (private)
vi. Restaurants
vii. Other similar uses approved by the Director of Planning and Building Safety Department, as provided by ESMC Chapter 15-22

C. Uses Subject to an Administrative Use Permit

i. Remote airport parking.
ii. The off site sale of alcohol at limited support service retail establishments as an accessory use.
iii. The on site sale and consumption of alcohol at hotels, restaurants and cafes.
iv. Other similar uses approved by the director of planning and building safety as provided by Section 5.0 of this Specific Plan.

D. Uses Subject to a Conditional Use Permit

i. Hotels
ii. Other similar uses approved by the Director of Planning and Building Safety Department, as provided by ESMC Chapter 15-22

E. Prohibited Uses

All uses not listed as a Permitted Use, Permitted Accessory Use, or Use Subject to a Conditional Use Permit, except as may be approved by the Director of Planning and Building Safety Department for the City subject to an Administrative Use Permit.

F. Site Development Standards

The Specific Plan standards below apply to all uses in the Specific Plan area. Where the Specific Plan does not regulate, new development must comply with the applicable sections of the ESMC. Otherwise, this Specific Plan regulates the primary development guidelines for the Specific Plan area.


The development standards of the Specific Plan are generally consistent with the adjacent Corporate Office (CO) Zone with the added flexibility to allow the development of a hotel use, combined with the adjacent existing office building, at a 1.41 floor area ratio for the 2.98 acre Specific Plan area.

2. Lot Area

The minimum lot area is 10,000 gross square feet.

3. Height

No building or structure can exceed one hundred twenty-five feet (125').

4. Setbacks

(a) **Front Yard:** Twenty five feet (25') minimum, except that the existing office building and parking structure do not meet this requirement and, as such, they are legal nonconforming uses pursuant to ESMC Chapter 15-21. Architectural building features as defined in ESMC § 15-1-6 including, without limitation, balconies, columns, doors, eaves, marquees, soffits, window or window trim may encroach into the front setback of the hotel parcel a maximum of 5 feet, except within driveway and corner visibility...
triangles. Architectural landscape features as defined in ESMC § 15-1-6 including, without limitation, arbors, colonnades, fountains, gazebos, lighting bollards, permanent outdoor seating, statuary, topiaries, trellises, and works of art may encroach into the front setback of the hotel parcel up to a maximum of 10 feet, except within driveway and corner visibility triangles.

(b) **Side Yard**: Ten feet (10') minimum, unless the following exists:

If the side yard adjoins a dedicated street, a minimum of twenty five feet (25') must be provided.

No setback is required for an unenclosed bridge that connects the hotel and parking structure.

The existing parking structure does not meet this side yard requirement, and as such, it is a legal nonconforming use pursuant to ESMC Chapter 15-21.

(c) **Rear Yard**: Ten feet (10') minimum, unless the following condition exists:

If the rear yard abuts a property with a different classification, the rear yard setbacks must be the average of the two (2) rear yard setbacks, but not less than ten feet (10').

No setback is required for an unenclosed bridge that connects the hotel and parking structure.

5. **Lot Frontage**

Each lot must have a minimum frontage on a street of one hundred feet (100').

6. **Building Area/Floor Area Ratio (FAR)**

The maximum FAR for the 2.98 acre Specific Plan area is 1.41, determined pursuant to ESMC Chapter 15-1. The square footage of the existing on-site parking garage is not included in the 1.41 FAR calculation.

7. **Walls and Fences**

All walls and fences in a front yard setback must comply with the requirements of ESMC Chapter 15-2. All fences in the side and rear yard setbacks cannot exceed 8' in height. Retaining walls in the side yard setbacks of the hotel parcel cannot be higher than 18' for the portion of the property within 150' of the property line at Sepulveda Boulevard, and thereafter taper to maximum height of 4' at a distance 300' from the property line at Sepulveda Boulevard.

8. **Access**

The project must provide pedestrian access between buildings and transit facilities, if within adjoining public rights-of-way. As the building is part of a multi-building development project, then pedestrian access must be provided between buildings.

9. **Landscaping**

Landscaping must be provided as required by ESMC Chapter 15-2.
10. Transportation Demand Management & Transportation Systems Management

The project must comply with the City’s transportation demand management and transportation systems management requirements as provided in ESMC Chapters 15-16 and 15-17.

11. Off-Street Parking and Loading Spaces

Off-Street Parking and Loading Spaces must be provided in compliance with ESMC Chapter 15-15 except as provided below:

(a) Parking Requirements for the Hotel Use at 888 North Sepulveda Boulevard and for the "Office" Building at 898 North Sepulveda Boulevard: One hundred sixty eight (168) parking spaces are required for the 190-room hotel use. Seventy two (72) of the parking spaces must be provided on the hotel site (Parcel 3) at 888 North Sepulveda Boulevard and are limited to hotel use only. Ninety six (96) parking spaces must be provided for the hotel in the parking structure (Parcel 2) at 892 North Sepulveda Boulevard. A portion of the ninety six (96) parking spaces required for the hotel use that are located in the parking structure may be a shared/joint use with the remote airport parking subject to approval of a Parking Demand Study and approval of an Administrative Use Permit for the remote airport parking.

(b) Remote Airport Parking: All parking spaces in the parking structure that are not required for the hotel use at 888 North Sepulveda Boulevard and for the uses in the "office" building at 898 North Sepulveda Boulevard may be provided for the remote airport parking use. Parking space that are required for the hotel use and for the uses in the "office" building may be a shared/joint use with the remote airport parking subject to approval of a Parking Demand Study and approval of an Administrative Use Permit for the remote airport parking.

(c) Loading Spaces: Provided as required by ESMC Chapter 15-15, except that loading spaces for the office building are designated in the parking structure as two loading spaces, each not less than 8.5' wide and 18' long and having an additional 1' in width if a wall abuts the side of said loading space. In addition, the large truck loading spaces on the hotel site (Parcel 3) must be available to the office building (Parcel 1) on an as-needed basis.

(d) Parking Space Allocation: Parking spaces must be allocated pursuant to ESMC § 15-15-6(A), except as
provided for in an approved Parking Demand Study and except as provided for in an approved Administrative Use Permit for Remote Airport Parking in conjunction with a parking management plan approved by the Director of Planning and Building Safety Department.

12. Signs

Signs located in the Specific Plan area must comply with the requirements of ESMC Chapter 15-18.

G. Features and Amenities for the Hotel

The following minimum features are included for the hotel:

1. The hotel must include a pedestrian oriented landscaped connection to/from the public sidewalk and a covered automobile pick-up/drop-off area at the front entrance driveway of the hotel.

2. Driveways and parking controls must be designed in such a manner that hotel employees and guests will easily identify access to the shared parking in the parking structure.

3. Pedestrian paths of travel between the parking structure and the hotel and office building must be designed with enhanced paving, landscaping, architectural and landscape lighting, and a comprehensive sign program.

4. The hotel must include a minimum of 1,000 square feet of meeting room space.

5. The hotel must include a minimum of 500 square feet of indoor fitness facilities.

6. The hotel must include a recreational amenity, such as a pool, spa, tennis court, racquetball court, or similar recreational or athletic facility, as approved by the Director of Planning and Building Safety.

7. The hotel may include food and beverage service for hotel patrons.

H. Design Standards

The following minimum design standards must be incorporated:

1. Ground level exterior walls facing Sepulveda Boulevard must include garden areas, balconies, patios and/or plazas and large windows to provide a visual connection with the surrounding area and pedestrian activity along the Sepulveda Boulevard frontage.

2. All colors, textures, and materials on exterior elevation(s) must be coordinated to achieve a continuity of design.

3. Exterior materials and design for buildings and structures must be contemporary in nature and compatible with developments in the vicinity.

4. Buildings must have contrasting accent features that use at least three primary exterior building materials (including, without limitation, stucco, stone, rock, and brick) and a minimum of two exterior colors.

5. Building materials must be of non-reflective coatings and glazings and windows must use low-reflectivity glass.

6. Plans must be reviewed and approved by the Director of Planning and Building Safety for compliance with these Design Standards. If the Director finds that such plans are not in compliance, an applicant may appeal that decision in accordance with the ESMC.
I. Phasing

The hotel portion of the Specific Plan area must be completed in one phase of construction.

4.1 MODIFICATIONS

A. Minor Modifications

Minor changes may be made to the Project and the Project Approvals (“Minor Modifications”) without amending the Specific Plan upon the administrative approval of the Director of Planning and Building Safety or designee, provided that such modifications are consistent with the Development Standards, Applicable Rules and Project Approvals.

B. Major Modifications

Any proposed modification to the Project which results in any of the following constitutes a Major Modification and requires an amendment to the Specific Plan:

1. Any decrease in the required building setbacks;

2. Any increase in the total developable square footage or FAR of the entire Property for either project option;

3. Any increase in height of buildings or structures on the Property above 115 feet in height;

4. Any decrease in the minimum required lot area;

5. Any decrease in the minimum required lot frontage;

6. Any change in use to a use which is not permitted by this Specific Plan;

7. Any deviation from the uses and development standards or limitations set forth in Section 4.0 of this Specific Plan;

8. Any increase in the number of shared/joint use parking spaces for the remote airport parking facility with the office and hotel uses greater than 24 parking spaces;

9. Any material modification that requires modifications to the Mitigated Negative Declaration, other than an Addendum;

10. Other than the Major Modifications listed above, all other modifications to the Project are considered “Minor Modifications.”

5.0 IMPLEMENTATION AND ADMINISTRATION

5.1. General Administration

The 888 North Sepulveda Boulevard Specific Plan is administered and enforced by the City of El Segundo in accordance with this Specific Plan and the ESMC.

5.2. Relationship To The ESMC

This Specific Plan augments the development regulations and standards of the City of El Segundo’s zoning regulations. When an issue, condition or situation occurs which is not covered or provided for in this Specific Plan, the zoning regulations that are most applicable to the issue, condition or situation apply. The procedures, regulations, standards and specifications described in this Specific Plan supersede any conflicting portions of the ESMC. Any development regulation and building requirement not addressed in this Specific Plan is subject to applicable law.

5.3. Amendment

In accordance with the Government Code §§ 65450-65457, Specific Plans must be prepared, adopted and amended in the same manner as General Plans except that Specific Plans may be adopted by resolution or by ordinance.

This Specific Plan may be amended as necessary in the same manner it was adopted, by ordinance. Said amendment or amendments do not require a concurrent General Plan amendment unless the Director of Planning and Building Safety
determines that the proposed amendment would substantially affect General Plan goals, policies, objectives or programs.
888 North Sepulveda Boulevard
Specific Plan
EXEMPT FROM RECORDER'S FEES
Pursuant to Government
Code §§ 6103, 27383
Recording Requested By
and When Recorded Return to:

CITY CLERK
CITY OF EL SEGUNDO
350 MAIN STREET
EL SEGUNDO, CA 90245

DEVELOPMENT AGREEMENT
BY AND BETWEEN
THE CITY OF EL SEGUNDO
AND
THE REALTY ASSOCIATES FUND IX, L.P.,
A CALIFORNIA LIMITED PARTNERSHIP
FOR 888, 892 & 898 NORTH SEPULVEDA BOULEVARD

THIS AGREEMENT MUST BE RECORDED WITHIN TEN DAYS
OF EXECUTION BY ALL PARTIES HERETO PURSUANT TO THE
REQUIREMENTS OF GOVERNMENT CODE § 65868.5

645384162327v5

ORDINANCE EXHIBIT C
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DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is made this ___ day of __________, 2014, by and between the CITY OF EL SEGUNDO, a general law city and municipal corporation ("City"), and THE REALTY ASSOCIATES FUND IX, L.P., a California limited partnership (the "Developer"). In consideration of the mutual covenants and agreements contained in this Agreement, the City and Developer agree as follows:

1. Recitals. This Agreement is made with respect to the following facts and for the following purposes, each of which are acknowledged as true and correct by the parties:

   A. The City is authorized pursuant to Government Code §§ 65864 through 65869.5 to enter into binding agreements with persons or entities having legal or equitable interests in real property for the development of such property in order to establish certainty in the development process.

   B. The Developer is the owner of certain real property, located at the southeast corner of Sepulveda Boulevard and Walnut Avenue, commonly known as 888 N. Sepulveda Boulevard, 892 N. Sepulveda Boulevard, and 898 N. Sepulveda Boulevard (collectively, the "Site"). Currently, 898 N. Sepulveda Boulevard is improved with an eight-story office building and is legally described in attached Exhibit "A-1," which is incorporated by reference ("Parcel 1"). Currently, 888 N. Sepulveda Boulevard is vacant and is legally described in attached Exhibit "A-2," which is incorporated by reference ("Parcel 3"). Currently, 892 N. Sepulveda Boulevard is improved with a seven (7)-story parking structure and is legally described in attached Exhibit "A-3," which is incorporated by reference ("Parcel 2").

   C. This Agreement is executed for the purpose of developing the Site pursuant to applicable law (as defined below) including, without limitation, the 888 North Sepulveda Boulevard Specific Plan, with a new hotel. Once executed, it supersedes all previous development agreements affecting the site including, without limitation, a 2001 development agreement (as amended).

   D. This Agreement will bind the Parties to the terms and obligations specified in this Agreement. Among other things, this Agreement obligates Developer to construct the Project in compliance with the 888 North Sepulveda Boulevard Specific Plan and limits City's ability to delay, postpone, preclude or regulate development of the Project.

2. Definitions. Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this Agreement. Words and phrases not defined in this Section will have the meaning set forth in this Agreement; the El Segundo Municipal Code; or in common usage. :

   (a) "Applicable Rules" means federal, state and local laws existing at the time of the Effective Date. Applicable Rules includes, without limitation, the 888 North Sepulveda Boulevard Specific Plan along with such Discretionary Approvals adopted by the City Council for the Project.
(b) "Effective Date" means the date on which the Enabling Ordinance becomes effective in accordance with Government Code § 36937.

(c) "Enabling Ordinance" means Ordinance No. ____, approving this Development Agreement.

(d) "Subsequent Applicable Rules" means the rules, regulations, and official policies of the City, as they may be adopted, operative after the Effective Date of this Agreement which, other than as provided for in this Agreement, would govern the zoning, development, density, permitted uses, growth management, environmental considerations, and design criteria applicable to the Project and Site. The parties intend the development of the Project and the Site to be subject to Subsequent Applicable Rules only to the extent specified in paragraph (a) of Section 8 of this Agreement.

(e) "Uniform Codes" means those Uniform Codes adopted by reference in the ESMC in accordance with Government Code §§ 50022.2, et seq. as required by applicable law including, without limitation, Health and Safety Code § 18944.5 and Title 24 of the California Code of Regulations. The Uniform Codes govern building and construction standards including, without limitation, the building, plumbing, electrical, mechanical, grading, sign, and fire standards.

3. Interest of Developer. The Developer represents to the City that, as of the Effective Date, it owns the Site in fee, subject to encumbrances, easements, covenants, conditions, restrictions, and other matters of record.

4. Binding Effect. This Agreement, and all of the terms and conditions of this Agreement, runs with the land comprising the Site and is binding upon and inures to the benefit of the parties and their respective assigns, heirs, or other successors in interest.

5. Negation of Agency. The Parties acknowledge that, in entering into and performing under this Agreement, each is acting as an independent entity and not as an agent of the other in any respect. Nothing contained herein or in any document executed in connection herewith may be construed as making the City and Developer joint venturers, partners or employer/employee.

6. Development of the Site. The following specific restrictions govern the use and development of the Project as described herein and in Exhibit "B," and without the need for any additional Discretionary Actions:

   (a) Permitted Uses of the Site. Nothing set forth in this Agreement may be deemed to require Developer to complete the Project. However, City and Developer agree that the permitted, conditional and permitted uses of the Site are provided in the Applicable Rules.
(b) **Density and Intensity of Use.** City and Developer agree that the maximum densities and, intensities for the permitted use of the Site are set forth in the Applicable Rules and in this Agreement.

(c) **Maximum Height and Size of Proposed Building.** City and Developer agree that the maximum height and size of the hotel proposed for the Site are set forth in the Applicable Rules and in this Agreement.

(d) **Development Standards.** All design and development standards applicable to the development of the Project must comply with the Applicable Rules.

(e) **Adherence to Uniform Codes.** All construction on the Site must adhere to the Uniform Codes in effect at the time building permits are issued.

(f) **Remote Airport Parking.** Developer will own and operate the remote airport parking facility with use and operation to be approved by an Administrative Use Permit concurrent with the approval of this Agreement. Upon the Effective Date, the Parties agree that the existing “Administrative Use Permit” (EA No. 356, and AUP No. 94-6), for the “Park and Ride” will be automatically terminated without additional action by either party.

7. **Acknowledgments, Agreements and Assurances on the Part of the Developer.** The parties acknowledge and agree that Developer’s faithful performance in developing the Project on the Site, pursuant to the terms of this Agreement and in constructing and installing public improvements, making payments and complying with the Applicable Rules will fulfill substantial public needs. The City acknowledges and agrees that there is good and valuable consideration to the City resulting from Developer’s assurances and faithful performance thereof and that same is in balance with the benefits conferred by the City on the Project and the Developer by this Agreement. In consideration of the foregoing and the City’s assurances set out in Section 8 below, Developer makes the covenants set forth in this Agreement.

8. **Acknowledgments, Agreements and Assurances on the Part of the City.** In order to effectuate the provisions of this Agreement and in consideration for Developer to obligate itself to carry out the covenants and conditions set forth in the preceding Section 7 of this Agreement, City agrees and assures Developer that Developer will be permitted to carry out and complete the development of the Project within the Site, subject to the terms and conditions of this Agreement Applicable Rules. Therefore, the City agrees and acknowledges that:

(a) **Entitlement to Develop.** Developer is granted the vested right to develop the Project on the Site to the extent and in the manner provided by the Applicable Rules and any “Subsequent Applicable Rules.” Any change in the Applicable Rules including, without limitation, any change in the General Plan, any applicable specific plan, zoning regulations, growth management regulations, design standards or any subdivision regulation of the City, adopted or becoming effective after the Effective Date, cannot be applied by the City to the Project on the Site. Subsequent Applicable Rules can be applied to the Site by the City only if, after public hearing, (1) the City determines that the failure of the City to apply Subsequent Applicable Rules will place residents of the City in a condition substantially dangerous to their
health or safety, which condition cannot otherwise be mitigated in a reasonable manner and (2) it is applied consistently and evenly to all other similar developments in the City. Subsequent Applicable Rules with regard to increases in existing permit fees imposed by the City (i.e., fees intended to cover the City’s processing costs) and not otherwise restricted by the terms of this Agreement, may, notwithstanding the above, be imposed on Developer.

(b) Prevailing Wages. In the event any infrastructure improvements are paid for in whole or in part out of public funds, as contemplated by Labor Code § 1720, Developer agrees to pay prevailing wages for the construction of such improvements to the extent required by Applicable Law.

In the event that an Applicable Rule is enacted after the Effective Date which would prevent or preclude compliance with one or more provisions of the Agreement, such provisions of the Agreement must be modified or suspended as may be necessary to comply with such Applicable Rule.

9. Vesting of Development Rights. In Pardee Construction Co. v. City of Camarillo, 37 Cal.3d 465 (1984), the California Supreme Court held that the failure of the parties therein to provide for the timing or rate of development resulted in a after-adopted initiative restricting the rate of development to prevail against the parties’ agreement. City and Developer intend to avoid the result in Pardee by acknowledging and providing that Developer has the right, without obligation, except as otherwise specifically set forth herein, to develop the Site in such order and at such rate and times as Developer deems appropriate within the exercise of its subjective business judgment subject to the term of this Agreement.

10. Benefits to the City. The parties acknowledge and agree that Developer’s agreement to perform and abide by the terms and conditions of this Agreement is material consideration for City’s agreement to also perform and abide by the terms and conditions of this Agreement including, without limitation, the following specific public benefits to be provided to the City in consideration for this Agreement:

- The addition of a new hotel at the Site will encourage additional renovation of businesses in the immediate vicinity of the project site.

- The presence of a hotel and related evening activity will improve safety in this northern gateway area as more activity, together with building illumination, will create less of a need for police services as compared to the attractive nuisance of the existing long-time vacant property.

- Existing and prospective corporate businesses and research & development businesses will benefit from the availability of additional lodging choices with competitive pricing resulting from more available rooms in the community.

- Residents seeking lodging for out of town guests will benefit from more hotel choices which provide more competitive pricing with greater room availability.
The project will bring a new hotel flag to the City with experience in operating business hotels for professionals and the addition of the new hotel will increase the number of rooms and related facilities in the City to the benefit of adjacent and nearby business.

The project will provide one-time City revenues of $147,593 associated with the $26 million development costs.

City will benefit from the increase in transient occupancy tax (TOT) which is a direct net benefit to the General Fund as hotels and other commercial uses require minimal city services. Estimated annual TOT is in excess of $500,000 for the life of the hotel project.

City will benefit from an increase in sales tax of approximately $100,000 per year based on expected expenditures per room and the added occupancy rate for a new business hotel will encourage business growth.

City will benefit from an increase in property tax which, based on the City’s tax allocation formula and increased property tax valuation from a vacant to a developed parcel, is estimated to be $29,000 per year.

The Project will create approximately 20 full-time jobs and a limited number of part-time positions. At an estimated salary of $35,000 per year, with many of these jobs filled locally, this will increase annual payroll within the City by approximately $700,000 and increase employment opportunities for the City’s residents. Additionally, earnings within the City will result in an indeterminate amount of additional sales tax derived from retail expenditures by hotel employees.

Shuttle service to Los Angeles International Airport will be made available to hotel guests to provide a convenient service for hotel guests and to reduce air quality impacts and traffic impacts to the City’s roadways.

The Developer agrees to contribute to the City an additional sum in the amount of $18,000 as an enhanced community benefit to be paid to the City annually beginning upon the effective date of this Development Agreement. This annual payment will cease on the date that a Certificate of Occupancy is issued for the proposed hotel building.

11. Sales and Use Tax.
   A. In the event the contract price for any work on the Project is valued at five million dollars ($5,000,000) or more, Developer agrees to report, on a State Board of Equalization Tax Return, any purchases of tangible personal property made in connection with the finishing of and/or installation of materials, or fixtures for the Project, when such purchases were made without sales or use tax due. Developer must indicate the City as a registered job site location on the State Board of Equalization Tax Return. In such event, Developer must also obtain a permit or a sub-permit from the State Board of Equalization indicating the City as the
registered job site location, in accordance with State Board of Equalization Operations Memorandum No. 1023.

B. Developer further agrees that if Developer retains contractors or subcontractors to perform a portion of work in the Project, and said contracts or subcontracts are valued at five million dollars ($5,000,000) or more, said contracts or subcontracts must contain the provisions set forth above.

C. The Director of Finance is authorized to relieve Developer, and Developer’s contractors and subcontractors, from the requirements set forth in this Section 5.6 upon proof to the reasonable satisfaction of the Director of Finance that Developer and/or its contractors or subcontractors have made good faith efforts to obtain said permit or sub-permits, but were denied the same by the State Board of Equalization.

12. Cooperation and Implementation. City agrees that it will cooperate with Developer to the extent allowed by law and practicable to implement this Agreement. Upon satisfactory performance by Developer of all required preliminary conditions, actions and payments, City will commence and in a timely manner proceed to complete all steps necessary for the implementation of this Agreement and the development of the Project or Site in accordance with the terms of this Agreement. Developer must, in a timely manner, provide City with all documents, plans, and other information necessary for the City to carry out its obligations under this agreement.

   (a) Periodic Review. The City Manager of City will review this Agreement annually, on or before the anniversary of the Effective Date, in accordance with the procedures and standards set forth in this Agreement and the ESMC in order to ascertain compliance by the Developer with the terms of this Agreement.

   (b) Special Review. The City Council of City may order a special review of compliance with this Agreement at any time, but not to exceed twice per year. The Director of Planning and Building Safety or the City Council, as determined by the City Council, must conduct such special reviews.

   (c) Procedure. During either a periodic review or a special review, Developer must demonstrate good faith compliance with the terms of this Agreement. The burden of proof on this issue is on Developer. The parties acknowledge that failure by Developer to demonstrate good faith compliance constitutes grounds for termination or modification of this Agreement in accordance with Government Code § 65865.1.

   (a) Default. Either party to this Agreement is deemed to have breached this Agreement if it materially breaches any of the provisions of the Agreement and the same is not cured within the time set forth in a written notice of violation from the non-breaching party to the breaching party, which period of time cannot be less than sixty (60) days for defaults from the date that the notice is deemed received, provided if the breaching party cannot reasonably
cure such a breach within the time set forth in the notice, then the breaching party cannot be in
default if it commences to cure the breach within such time limit and diligently effects such cure
thereafter. If City determines to proceed with termination of this Agreement, then City must give
written notice to Developer of its intention to terminate this Agreement and comply with the
notice and public hearing requirements of Government Code §§ 65867 and 65868. At the time
and place set forth in the hearing on termination, Developer must be given an opportunity to be
heard. If the City Council finds based upon the evidence that Developer is in breach of the
Agreement, the Council may modify or terminate this Agreement.

(b) Content of Notice of Violation. Every notice of violation must state with
specificity that it is given pursuant to this Section of the Agreement, the nature of the alleged
breach, and the manner in which the breach may be satisfactorily cured. The notice is deemed
given on the date that it is personally delivered or on the date that is three (3) business days after
it is deposited in the United States mail, in accordance with Section 21 hereof.

(c) Remedies for Breach. The Parties agree that remedies for breach of the
Agreement is limited to the remedies expressly set forth in this subsection. The remedies for
breach of the Agreement by City or Developer are limited to injunctive relief and/or specific
performance.

15. Attorneys’ Fees and Costs.

Each party to this Agreement agrees to waive any entitlement of attorneys’ fees and costs
incurred with respect to any dispute arising from this Agreement. The parties will each bear
their own attorneys’ fees and costs in the event of any dispute.

16. Mortgagee Protection. At the same time that City gives notice to the Developer of
a breach, City must send a copy of the notice to each holder of record of any deed of trust on the
portion of the Site in which Developer has a legal interest (“Financier”), provided that the
Financier has given prior written notice of its name and mailing address to City and the notice
makes specific reference to this Section 14. The copies must be sent by United States mail,
registered or certified, postage prepaid, return receipt requested, and are deemed received upon
the third (3rd) day after deposit. Each Financier that has given prior notice to City pursuant to
this Section has the right, at its option and insofar as the rights of City are concerned, to cure any
such breach within sixty (60) days after the receipt of the notice from City. If such breach cannot
be cured within such time period, the Financier may have such additional period as may be
reasonably required to cure the same, provided that the Financier gives notice to City of its
intention to cure and commences the cure within sixty (60) days after receipt of the notice for
City and thereafter diligently prosecutes the same to completion. City cannot commence legal
action against Developer by reason of Developer’s breach without allowing the Financier to cure
the same as specified herein. Notwithstanding any cure by Financier, this Agreement is binding
and effective against the Financier and every owner of the Site, or part thereof, whose title
thereto is acquired by foreclosure, trustee sale or otherwise.
17. **Estoppel Certificate.** At any time and from time to time, Developer may deliver written notice to City and City may deliver written notice to the Developer requesting that such party certify in writing that, to the knowledge of the certified party (i) this Agreement is in full force and effect and a binding obligation of the parties, (ii) this Agreement has not been amended, or if amended, the identity of each amendment, and (iii) the requesting party is not in breach of this Agreement, or if in breach, a description of each such breach. The party receiving such a request must execute and return the certificate within thirty (30) days following receipt of the notice. City acknowledges that a certificate may be relied upon by successors in interest to Developer who requested the certificate and by holders of record of deeds of trust on the portion of the Site in which that Developer has a legal interest.

18. **Operating Memoranda and Amendments of Development Agreement.**

(a) **Operating Memoranda.** The Parties acknowledge that the provisions of the Agreement require a close degree of cooperation and that new information and future events may demonstrate that changes are appropriate with respect to the details of performance of the Parties under this Agreement. The Parties desire, therefore, to retain a certain degree of flexibility with respect to the details of performance for those items covered in general terms under this Agreement. If and when from time to time, the Parties find that refinements or adjustments are desirable, such refinements or adjustments will be accomplished through operating memoranda or implementation agreements approved by the Parties which, after execution, will be attached to this Agreement as addenda and become a part hereof.

Operating memoranda or implementation agreements may be executed on behalf of the City by the City Manager after review by the City Attorney. In the event a particular subject requires notice or hearing, such notice or hearing will be appropriately given. Any significant modification to the terms of performance under this Agreement will be processed as an amendment of this Agreement in accordance with applicable rules and must be approved by the City Council.

(b) **Amendments.** This Agreement may be amended from time to time only upon the mutual written consent of City and Developer; provided, however, that in connection with the transfer of any portion of Developers rights or obligations under this Agreement to another developer, Developer (or any assignee of Developer’s rights), such other developer and City may agree that the signature of such other developer may be required to amend this Agreement insofar as such amendment would materially alter the rights or obligations of such developer hereunder. In no event will the signature or consent of any “Non-Assuming Transferee” (defined below) be required to amend this Agreement.

(c) **Minor Changes.** Any change to this Agreement which does not substantially affect (i) the Term of this Agreement, (ii) permitted uses of the Project Site, (iii) provisions for the reservation or dedication of land, (iv) conditions, terms, restrictions or requirements for subsequent discretionary actions, or (v) the density or intensity of use of the Project Site or the maximum height or size of proposed will, with Developer’s consent, be subject to the review and approval of the City’s city manager (the “City Manager”) and not require notice or public hearing, except to the extent otherwise required by law.
(d) **Future Development Agreements.** Except as otherwise consented to by Developer, any future development agreement that may be entered into between City and a successor or assign of Developer with respect to any portion of the Project Site must be consistent with the terms and provisions of this Agreement.

(e) **Future Approvals Do Not Require Amendments to Development Agreement.** Except as may be otherwise agreed to by the parties, no amendment of this Agreement is required in connection with the issuance of any Subsequent Applicable Rules except Major Modifications as defined in the 888 North Sepulveda Boulevard Specific Plan. Any Subsequent Applicable Rules will automatically be incorporated into this Agreement. Except as otherwise provided by this Agreement, City will not issue any Subsequent Applicable Rules for any portion of the Project Site unless Developer requests such Subsequent Applicable Rule from City.

19. **Term of Agreement.** This Agreement becomes operative and begins upon the Effective Date and remains in effect for a term of ten (10) years, unless said term is terminated, modified, or extended by circumstance set forth in this Agreement or by mutual consent of the Parties. Following the expiration of said term, this Agreement is deemed terminated and of no further force and effect; provided, such termination does not automatically affect any right of the City or Developer arising from City approvals on the Project before the expiration of the term or arising from the duties of the parties as prescribed in this Agreement.

20. **Administration of Agreement and Resolution of Disputes.** All decisions by the City staff concerning the interpretation and, administration of this Agreement and the Project which is the subject hereof are appealable to the City Council and all like decisions by the City Council are final. However, decisions of the City Council are also subject to judicial review pursuant to Code of Civil Procedure § 1094.5 so long as such action is filed in a court of competent jurisdiction not later than ninety (90) days following the date on which the City's decision becomes final pursuant to Code of Civil Procedure § 1094.6.

21. **Notices.** All notices under this Agreement must be in writing and are effective when personally delivered or upon the third (3rd) day after deposit in the United States mail as registered or certified mail, postage prepaid, return receipt requested, to the following representatives of the parties at the addresses indicated below:

If to the City: City of El Segundo
350 Main Street
El Segundo, California 90245
Attn: Director of Planning and Building Safety

With a copy to: Jenkins & Hogin, LLP
1230 Rosecrans Avenue, Suite 110
Manhattan Beach, CA 90266
Attn: Mark Hensley

If to Developer: The Realty Associates Fund IX, L.P.
1301 Dove Street, Suite 860
Newport Beach, CA 92660
Attn: Marcus Berry

With a copy to: Barnard Ventures, LLC
5100 Birch Street, Suite 100
Newport Beach, CA 92660
Attn: Scott Barnard

Any party may, from time to time, by written notice to the other, designate a different address which shall be substituted for the one above.

22. **Severability and Termination.** If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, or if any provision of this Agreement is superseded or rendered unenforceable according to any law which becomes effective after the Effective Date, the remainder of this Agreement shall be effective to the extent the remaining provisions are not rendered impractical to perform, taking into consideration the purposes of this Agreement.

23. **Time of Essence.** Time is of the essence for each provision of this Agreement of which time is an element.

24. **Force Majeure.** In the event of changed conditions, changes in local, state or federal laws or regulations, floods, delays due to strikes, inability to obtain materials, civil commotion, fire, or other circumstances which substantially interfere with carrying out the Project, as approved by the City, or with the ability of either party to perform its obligations under this Agreement, and which are not due to actions of Developer and are beyond its reasonable control, the parties agree to bargain in good faith to modify such obligations to achieve the goals and preserve the original intent of this Agreement.

25. **Waiver.** No waiver of any provision of this Agreement constitutes a waiver of any other provision, whether or not similar; nor does any such waiver constitute a continuing or subsequent waiver of the same provision. No waiver is binding, unless it is executed in writing by a duly authorized representative of the party against whom enforcement of the waiver is sought.

26. **Entire Agreement.** This Agreement contains the entire agreement between the Parties regarding the subject matter hereof, and all prior agreements or understandings, oral or written, are hereby merged herein. This Agreement cannot be amended, except as expressly provided herein.

27. **Relationship of the Parties.** Each party acknowledges that, in entering into and performing under this Agreement, it is acting as an independent entity and not as an agent of any of the other Party in any respect. Nothing contained herein or in any document executed in connection herewith may be construed as creating the relationship of partners, joint ventures or any other association of any kind or nature between City and Developer, jointly or severally.

28. **Rules of Construction.** The captions and headings of the various sections and subsections of this Agreement are for convenience of reference only, and they do not constitute a pact of this Agreement for any other purpose or affect interpretation of the Agreement. Should
any provision of this Agreement be found to be in conflict with any provision of the Project Approvals or the Subsequent Approvals, the provisions of this Agreement shall prevail over the Project Approvals.

29. **Constructive Notice and Acceptance.** Every person who, now or hereafter, owns or acquires any right, title or interest in or to any portion of the Project Site is conclusively deemed to have consented and agreed to every provision contained herein, whether or not any reference to this Agreement is contained in the instrument by which such person acquired such right, title or interest in the Project Site.

30. **No Third Party Beneficiaries.** This Agreement is made and entered into for the sole protection and benefit of the Parties and their successors and assigns. No other person has any right of action based upon any provision of this Agreement.

31. **Incorporation of Exhibits.** The following Exhibits are part of this Agreement and each of which are incorporated herein by this reference:

   - Exhibit A-1  Legal Description of Parcel 1
   - Exhibit A-2  Legal Description of Parcel 3
   - Exhibit A-3  Legal Description of Parcel 2
   - Exhibit B    Description of the Project
   - Exhibit C    Form of Assignment and Assumption

32. **Entire Agreement Conflicts.** This Agreement represents the entire agreement of the parties. Should any or all of the provisions of this Agreement be found to be in conflict with any provision or provisions found in the Project Approvals, Applicable Rules, or Subsequent Applicable Rules, then the provision(s) of this Agreement prevail.

33. **Release Upon Transfer.** Upon the sale or transfer of the Developer’s interest in any portion of the Site, except as otherwise provided herein, Developer is released from its obligations with respect to the portion so sold or transferred subsequent to the effective date of the sale or transfer and the City’s sole remedy is against the assignee or its successor or assign, provided that (i) Developer is not in breach of this Agreement at the time of the sale or transfer and (ii) before the sale or transfer, Developer delivers to City a written assignment and assumption agreement in the form attached hereto as Exhibit “C,” duly executed by the purchaser or transferee and notarized by a notary public, whereby the purchaser or transferee expressly assumes the obligations of Developer under this Agreement with respect to the sold or transferred portion of the Site. Failure to provide a written assumption agreement hereunder does not negate, modify or otherwise affect the liability of the purchaser or transferee pursuant to this Agreement. Nothing contained herein may be deemed to grant to City discretion to approve or deny any such sale or transfer.

34. **Hold Harmless.** Developer agrees 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 the Project, this Agreement, Developer’s performance of this Agreement, and all procedures with approving this Agreement (collectively,
“Discretionary Approvals”), except to the extent such is a result of the City’s sole negligence or intentional misconduct. 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 Discretionary Approvals, Developer 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.

A. Defense of Agreement. If City accepts Developer’s indemnification and defense as provided above, City agrees to and must timely take all actions which are necessary or required to uphold the validity and enforceability of this Agreement, the Discretionary Approvals, and the Applicable Rules. This Section will survive the termination of this Agreement.

35. Joint Preparation. This Agreement is deemed to have been prepared jointly and equally by the Parties, and it cannot be construed against any party on the ground that the Party prepared the Agreement or caused it to be prepared.

36. Governing Law and Venue. This Agreement is made, entered into, and executed in the County of Los Angeles, California, and the laws of the State of California govern its interpretation and enforcement. Any action, suit or proceeding related to, or arising from this Agreement must be filed in the appropriate court having jurisdiction in the County of Los Angeles.

37. Counterparts. This Agreement may be executed in multiple counterparts, each of which is deemed an original, but all of which constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have each executed this Agreement of the date first written above.

CITY OF EL SEGUNDO

By: ________________________________
Mayor
ATTEST:

____________________________________
City Clerk

APPROVED AS TO FORM:

____________________________________
City Attorney

THE REALTY ASSOCIATES FUND IX, L.P.,
a California limited partnership

By: _________________________________
Name: ______________________________
Its: _________________________________

State of California  }
}
County of Orange   }

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)
EXHIBIT A-1

Legal Description of Parcel 1 (898 North Sepulveda Boulevard)

Parcel 1 of Vesting Tentative Parcel Map No. 71788.
EXHIBIT A-2

Legal Description of Parcel 3 (888 North Sepulveda Boulevard)

Parcel 3 of Vesting Tentative Parcel Map No. 71788.
EXHIBIT A-3

Legal Description of Parcel 2 (892 North Sepulveda Boulevard)

Parcel 2 of Vesting Tentative Parcel Map No. 71788.
EXHIBIT “B”

Description of Project

The Project consists of the development of a 190 room, five (5) story hotel not to exceed 77 feet in height to the primary roof, consisting of 111,350 square feet (104,040 net square feet) together with the existing 95,360 square foot (79,404 net square feet) office building comprising a Floor Area Ratio (“FAR”) of 1.41 on the three parcel property, with shared office and hotel parking provided by the existing parking structure located on Parcel 2, with an additional 72 parking stalls provided by the new hotel. The hotel will be approved by a Conditional Use Permit (“CUP”) to be approved concurrently with this Agreement. The CUP encompasses the entire 2.98 acre Specific Plan area site. The remote airport parking business would operate through a CUP approved concurrently with this Agreement and subject to the approval of a Parking Demand Study and Shared Parking Analysis.
EXHIBIT "C"

ASSIGNMENT AND ASSUMPTION

This Assignment and Assumption is entered into as of this ______ day of ______, 20__, by and between The Realty Associates Fund IX, L.P., a California Limited Partnership ("Assignor") and ____________________ ("Assignee") with respect to the following facts:

RECITALS:

A. Assignor is the “Developer” with respect to that certain Development Agreement dated ______________, (the “Development Agreement”) by and between Assignor and the City of El Segundo, a city in the State of California (“City”).

B. The Development Agreement pertains to that certain real property located in the City consisting of 888, 892 and 898 North Sepulveda Boulevard (collectively, the “Site”).

C. By this Assignment and Assumption, Assignor desires to assign all its right, title and interest in and to the Development Agreement to Assignee and Assignee desires to assume all of Developer’s interest and obligations with respect to the Development Agreement.

NOW, THEREFORE, for good and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor and Assignee hereby agree as follows:

1. Assignment of Development Agreement. Assignor hereby grants, assigns, transfers, conveys and delivers to Assignee all of its right, title and interest in and to the Development Agreement and Assignee hereby accepts such assignment.

2. As-Is: Non-Recourse. Assignee hereby acknowledges and represents that Assignee has had a full and complete opportunity to evaluate the Development Agreement and the Site Assignee acknowledges and represents that Assignee accepts the assignment of Assignor’s interest in the Development Agreement on an “AS IS” basis, without any recourse to Assignor, and without any representation or warranty of any kind with respect to the terms and conditions of the Development Agreement and/or the obligations of “Developer” under the Development Agreement.

3. Assumption of Obligations. By acceptance of this Assignment, Assignee hereby assumes and agrees to perform and to be bound by all the terms, conditions, covenants and obligations imposed upon or assumed by Assignor under the Development Agreement.

4. Miscellaneous.

   (a) Notices. All notices or other communications provided for or permitted hereunder shall be made in writing by hand-delivery, or pre-paid first-class mail:
If to Assignor: The Realty Associates Fund IX, L.P.,
A California Limited Partnership
1301 Dove Street, Suite 860
Newport Beach, CA 92660

If to Assignee:

ALL SUCH NOTICES AND COMMUNICATIONS SHALL BE DEEMED TO HAVE BEEN
DULY GIVEN: WHEN DELIVERED BY HAND, IF PERSONALLY DELIVERED; AND
TWO BUSINESS DAYS AFTER BEING DEPOSITED IN THE MAIL, POSTAGE PRE-PAID,
IF MAILED AS AFORESAID. ANY PARTY MAY FROM TIME TO TIME, BY WRITTEN
NOTICE TO THE OTHER, DESIGNATE A DIFFERENT ADDRESS WHICH SHALL BE
SUBSTITUTED FOR THAT SPECIFIED ABOVE.

(b) Captions and Headings. The captions and headings in this Assignment for
convenience of reference only and shall not limit or otherwise affect the meaning hereof.

(c) Time of Essence. Except as otherwise provided herein, time is of the
essence with respect to all provisions of this Assignment in which a definite time for
performance is specified; provided, however, that the foregoing shall not be construed to limit or
deprive a party of the benefit of any grace period provided for in this Assignment.

(d) Interpretation and Governing Law. This Assignment shall be governed by
and construed in accordance with the internal laws of the State of California applicable to
agreements made and to be performed within the state. The provisions of this Assignment shall
be interpreted in a reasonable manner to affect the purpose of the parties and this Assignment
Accordingly, any rule of law (including California Civil Code Section 1654) or legal decision
that would require interpretation of any ambiguities in this Assignment against the party that has
drafted it is not applicable and is waived.

(e) Waiver of Jury Trial. The parties hereby waive their respective right to
trial by jury of any cause of action, claim, counterclaim or cross-complaint in any action,
proceeding or hearing brought by a party hereto or its successors and assigns on any matter
whatsoever arising out of, or in any way connected with, this Assignment, the relationship of the
parties hereto, or the enforcement of any remedy under any law, statute, or regulation,
emergency or otherwise, now or hereafter in effect.

(f) Severability. In the event that any one or more of the provisions contained
herein, or the application thereof in any circumstances, is held invalid, illegal or unenforceable in
any respect for any reason, the validity, legality and enforceability of any such provision in every
other respect and of the remaining provisions hereof shall not be in any way impaired or
affected, it being intended that all other rights and privileges shall be enforceable to the fullest
extent permitted by law.
(g) **Attorneys’ Fees.** In any action or proceeding brought to enforce or interpret any provision of this Assignment, or where any provision hereof is validly asserted as a defense, the prevailing party shall be entitled to recover actual attorneys’ fees and all other litigation costs including without limitation costs awardable pursuant to California Code of Civil Procedure Section 1033.5 and amounts payable to expert witnesses (“Costs”) in addition to any other available remedy. In addition to the fees and Costs recoverable under the preceding sentence, the parties agree that the prevailing party shall be entitled to recover actual attorneys’ fees and Costs incurred in connection with the enforcement of a judgment arising from such action or proceeding.

(h) **Entire Agreement.** This Assignment is intended by the parties as a final expression of their agreement and is intended to be a complete and exclusive statement of the agreement and understanding of the parties hereto in respect of the subject matter contained herein. This Assignment supersedes any and all prior restrictions, promises, representations, warranties, agreements, understandings and undertakings between the parties with respect to such subject matter and there are no restrictions, promises, representations, warranties, agreements, understandings or undertakings with respect to such subject matter other than those set forth or referred to herein.

(i) **Waiver.** No delay on the part of any party hereto in exercising any right, power or privilege hereunder shall operate as a waiver thereof, nor shall any waiver on the part of any party hereto of any right, power or privilege hereunder operate as a waiver of any other right, power or privilege hereunder, nor shall any single or partial exercise of any right, power or privilege hereunder preclude any other or further exercise thereof or the exercise of any other right, power or privilege hereunder.

(j) **Amendments.** Neither this Assignment nor any term hereof may be changed, waived, discharged or terminated orally or in writing, except that any term of this Assignment may be amended by a writing signed by the parties, and the observance of any such term may be waived (either generally or in a particular instance and either retroactively or prospectively) by a writing signed by the party against whom such waiver is to be asserted.

(k) **Successors and Assigns.** This Assignment shall inure to the benefit of and be binding upon the successors and permitted assigns of each of the parties.

(l) **No Third Party Beneficiaries.** Nothing expressed or mentioned in this Assignment is intended or shall be construed to give any person, other than the parties hereto and their respective successors and assigns, any legal or equitable right, remedy or claim under or in respect of this Assignment or any provisions herein contained, this Assignment and any conditions and provisions hereof being intended to be and being for the sole and exclusive benefit of the parties hereto and their respective successors and assigns, and for the benefit of no other person.

(m) **Counterparts.** This Assignment may be executed in any number of counterparts and by the parties hereto in separate counterparts, each of which when so executed shall be deemed to be an original and all of which taken together shall constitute one and the same agreement.
5. Facsimile. This Assignment may be executed by a party’s signature transmitted by facsimile (“fax”), and copies of this Assignment executed and delivered by means of faxed signatures shall have the same force and effect as copies hereof executed and delivered with original signatures. All parties hereto may rely upon faxed signatures as if such signatures were originals. Any party executing and delivering this Assignment by fax shall promptly thereafter deliver a counterpart signature page of this Assignment containing said party’s original signature. All parties hereto agree that a faxed signature page may be introduced into evidence in any proceeding arising out of or related to this Assignment as if it were an original signature page.

“ASSIGNOR”

The Realty Associates Fund IX, L.P.,
A California Limited Partnership

By: ________________________________
Name: ______________________________
Its: ________________________________

“ASSIGNEE”

By: ________________________________
Name: ______________________________
Its: ________________________________
CITY COUNCIL RESOLUTION NO. ____ EXHIBIT A

CITY COUNCIL ORDINANCE NO. ____ EXHIBIT D

CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), the Realty Associates Fund IX, L.P., agrees to comply with the following provisions as conditions for the City of El Segundo’s approval of a Mitigated Negative Declaration for Environmental Assessment No. EA-997, General Plan Amendment No. GPA 12-03, Specific Plan No. SP 12-05, Zone Change No. ZC 12-03, Zone Text Amendment No. ZTA 12-05, Development Agreement No. DA 12-04, Subdivision SUB 12-07 for Vesting Tentative Parcel Map No. 71788, Conditional Use Permit No. CUP 12-08, Administrative Use Permit No. AUP 13-11, and Parking Demand Study No. PDS 12-06 ("Project Conditions").

Planning and Building Safety Department

1. Before building permits are issued, the applicant must submit plans demonstrating substantial compliance with the plans and conditions of approval on file with the Planning and Building Safety Department. Any subsequent modification to the project as approved, including the site plan, floor plan, elevations, landscaping and materials, must be referred to the Director of Planning and Building Safety to determine whether the Planning Commission should review the proposed modification.

2. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.

3. The applicant must comply with all mitigation measures identified in the Mitigated Negative Declaration prepared for the Project. A Mitigation Monitoring and Reporting Program (MMRP) was prepared as part of the environmental review for the project and is attached as Exhibit “C” to this Resolution. The mitigation measures of the MMRP are incorporated into these conditions of approval by reference. All mitigation measures and conditions of approval must be listed on the plans submitted for plan check and the plans for which a building permit is issued.

4. Any changes to the colors and materials of the exterior façade of the buildings and structures in the 888 North Sepulveda Boulevard Specific Plan must be in compliance with the 888 North Sepulveda
Boulevard Specific Plan Section 4.0(H) Development Standards and approved to the satisfaction of the Director of Planning and Building Safety.

5. Before the City issues a building permit, the applicant must submit final landscaping and irrigation plans to the Planning and Building Safety Department and the Parks and Recreation Department for review and approval to demonstrate compliance with the City's Water Conservation regulations and Guidelines for Water Conservation in Landscaping (ESMC §§ 10-2-1, et seq.). The plant materials used in landscaping must be compatible with the El Segundo climate pursuant to Sunset Western Garden Book's Zone 24 published by Sunset Books, Inc., Revised and Updated 2001 edition, which is available for review at the Planning and Building Safety Department. Additionally, the landscaping and irrigation must be completely installed before the City issues a final Certificate of Occupancy. Additionally, the final landscaping and irrigation plans must comply with the following:

- Reclaimed water must be used as the water source to irrigate landscaped areas, if feasible. To that end, dual water connections must be installed to allow for landscaping to be irrigated by reclaimed water, if feasible.

- 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).

- 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 landscaping irrigation.

6. Selection of drought-tolerant, low-water consuming plant varieties must be used to reduce irrigation water consumption, in compliance with ESMC §§ 10-2-1, et seq.

7. Employees of both the proposed hotel and the existing office building must be provided current maps, routes and schedules for public transit routes serving the site; telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency and local transit operators; ridesharing promotional materials; and bicycle route and facility information.
8. Trash and recycling enclosures must be provided and shown on the site plan that are sufficiently large enough to store the necessary bins required for the regular collection of commercial solid waste and recyclable materials. The site plan with the location and dimensions of the trash and recycling enclosure and an elevation view of the enclosure must be provided to the Planning and Building Safety Department for review and approval before the City issues building permits.

9. Ground level mechanical equipment, refuse collectors, storage tanks, generators, and other similar facilities must be screened from view with dense landscaping and walls constructed of materials and finishes compatible with the overall design of the project and any ancillary buildings and in compliance with 888 NSBSP § 4.0(H) to the satisfaction of the Director of Planning and Building Safety.

10. Exterior lighting must be designed to minimize off-site glare.

11. The building must be designed to comply with all ESMC standards for the attenuation of interior noise.

Building Division Conditions

12. Before building permits are issued, the applicant must submit a geotechnical/soils report, along with an associated grading plan that addresses the current code to the Planning and Building Safety Department for review and approval.

13. Before grading permits are issued, the applicant must submit a soils report to the Planning and Building Safety Department for review and approval.

14. Before grading permits are issued, the applicant must submit a grading plan to the Planning and Building Safety Department for review and approval. Before building permits are issued, plans must show conformance with the 2013 California Building Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Electrical Code, and 2013 California Energy Code, all as adopted by the ESMC.

15. Before building permits are issued, plans must show compliance with accessibility requirements per the 2013 California Building Code, as adopted by the ESMC.
16. The applicant must provide a complete pool enclosure that encompasses the pool per the 2013 California Building Code, as adopted by the ESMC.

17. The applicant must provide a disabled access lift to access the pool per the 2013 California Building Code, as adopted by the ESMC.

18. At least one stairway must access the roof per the 2013 California Building Code, as adopted by the ESMC.

19. The applicant must provide a van accessible disabled parking space in the open, exterior parking area in addition to the van accessible disabled parking required in the underground parking area. The stall width must be a minimum of nine feet and the unloading zone area must be a minimum of eight feet in width.

20. The project must comply with current storm water requirements including the new MS4 permit under CAS004001.

21. The project will require complete structural calculations, notes, and details.

22. Separate permit applications will be required for all walls (retaining walls/block walls).

Fire Department Conditions

23. The project must comply with all applicable requirements in the 2013 California Building and Fire Codes, and the 2012 International Fire Code as adopted by the ESMC and El Segundo Fire Department regulations.

24. Construction of any cafeteria or kitchen facilities must include installation of a grease interceptor capable of removing fats, oils, and grease from the kitchen waste stream. If the Los Angeles County Health Department determines that the food preparation area does not require the installation of grease interceptors, then this condition will not be required.

25. Construction activities must include a storm water pollution prevention plan addressing non-storm water run-off, debris removal, track-out and protection of storm water system.

26. Any diesel-powered generators must be approved by the Fire Department, Environmental Safety Division, and provide for secondary containment, placarding, spill detection and prevention.
Underground tanks require additional environmental monitoring requirements.

27. The applicant must provide the Environmental Safety Division of the El Segundo Fire Department an inventory of any and all chemicals used for laundry, pool or house cleaning, emergency generators or other devices.

28. The applicant, or designee, must contact Underground Service Alert before digging or excavating.

29. In addition to the building plan check submittal, the applicant must provide as a separate submittal, and have approved by the Fire Department prior to issuance of the building permit, a Fire/Life Safety Plan, identifying fire safety precautions during demolition and construction, emergency site access during construction, permanent fire department access, fire hydrant locations and any existing or proposed fire sprinkler systems and fire alarm systems.

30. The applicant must comply with the City of El Segundo mid-rise building requirements identified in the 2013 California Fire Code (Section 915) adopted by the City of El Segundo.

31. A certification from the underground petroleum pipeline company must be submitted at time of initial plan check review, indicating that any proposed project encroachment within the pipeline right-of-way has been reviewed and approved by the pipeline owner/operator.

32. Any proposed exterior fire features must provide the following: (1) A barrier must be provided around the fire feature to prevent accidental access into the fire feature; (2) The distance between the fire feature and any combustible material and/or furnishings must meet the listed manufacturer’s requirements; (3) all exit paths and occupant seating must be a minimum 36 inches from the fire feature.

Public Works Department Conditions

33. All onsite utilities including, without limitation, water, electricity, gas, sewer and storm drains, must be installed underground. Contact Southern California Edison for required service and underground requirements (contact Mr. John Deng at (310) 783-9305).

34. A utility plan must be provided that shows all existing and proposed utility lines (sewer, water, storm drain, gas, electrical, cable,
communications, etc.) and their sizes, including easement boundaries, around the project site.

35. Before the City issues a Certificate of Occupancy, the applicant must upgrade the existing curb ramp located at the corner of Walnut Avenue and Sepulveda Boulevard to standards as required by the Public Works Department.

36. Before the City issues a Certificate of Occupancy, all damaged or off-grade curb, sidewalk and pavement must be removed and replaced as required by the Public Works Department by an appropriately licensed contractor.

37. The applicant must secure any required encroachment permits from the Public Works Department before commencing any work in the public right-of-way.

38. The applicant must improve the existing driveway on Sepulveda Boulevard to City Standards and adjust the off-grade existing pullbox.

39. Any work on the public right-of-way along Sepulveda Boulevard requires a Caltrans permit prior to issuance of the City encroachment permit (contact Mr. Art Escalante at (213) 897-3218).

40. The project must comply with the latest National Pollution Discharge Elimination System (NPDES) requirements and provide Best Management Practices (BMPs) for sediment control, construction material control and erosion control.

41. Before the City issues a building permit, the location and sizes of all proposed water meters must be approved by the City’s Water Division. The applicant must provide a water sewer service connection and a water meter for each parcel.

42. Any existing water meters, portable water service connections, fire backflow devices and potable water backflow devices must be upgraded to current City Water Division standards. These devices shall be placed or relocated onto private property. Contact the El Segundo Water Division regarding any proposed water system upgrades (meters, laterals, etc.) at (310) 524-2742.

43. The applicant must submit plans for water system upgrades to the City of El Segundo Public Works Department for review and approval, including traffic control plans for work in the public right-of-way.

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44. Add the following note to the plans: No direct drainage connection can be made to the City's catch basins or storm drain system.

45. Add the following note to the plans: Any unused water or sanitary sewer laterals must be abandoned and properly capped at the City main. Provide necessary permits (encroachment permit and Caltrans permit) traffic control plans and shoring plans.

46. Add the following note to the plans: A CCTV video of the existing sewer lateral condition must be made available for review so that the Planning and Building Safety Department and the Public Works Department can determine any need for repair. Neither the final Public Works approval nor the Certificate of Occupancy can be issued until the lateral condition is assessed and any necessary repairs have been fully completed.

47. The applicant must submit construction, traffic control, and sewer bypass plans for the proposed sewer upgrades to the City of El Segundo Public Works Department for review and approval. No construction on sewer system upgrades can occur without issuance of an encroachment permit from the City of El Segundo Public Works Department.

48. Before the City issues a building permit the applicant must provide a SUSMP (Standard Urban Storm Water Mitigation Plan).

49. Before the City issues a building permit the applicant must provide a SWPPP (Stormwater Pollution Prevention Plan).

50. A registered civil engineer must provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts, as follows, subject to review and approval from the Public Works Department:

a) The design must follow the criteria contained in both the Los Angeles County Department of Public Works Hydrology Manual 2006 and Standard Urban Storm Water Mitigation Plan or most recent editions. Flows must remain in their historical drainage pattern so as not to impact neighboring properties. Calculations shall be signed by a registered civil engineer.

b) New development must not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.
51. Add the following note to the plans: Construction related parking must be provided on-site.

52. Add the following note to the plans: PG-64-10 tack coat and hot mix asphalt must be used for all slot paving required next to new concrete. Slot paving must be 3 feet wide and 1 foot deep, consisting of 6 inches of asphalt over 6 inches of base.

53. Add the following note to the plans: The applicant must repair any damage to public streets and/or sidewalks due to construction or by construction vehicles traveling to or from the project site, before the permit can be finalized.

54. Add the following note to the plans: The developer or contractor must inform all neighboring properties in writing of any street lane closures or other significant traffic impacts on the adjacent streets at least on week before they occur.

55. Add the following note to the plans: The contractor must obtain all required City encroachment permits from the Public Works Department before commencing any work in the public right-of-way, including lane closure. Call (310) 524-2360 for permit requirements and associated fees.

56. Add the following note to the plans: No parkway trees are to be removed without Recreation and Parks Department approval.

57. The Recreation and Parks Department will review the landscape plans to ensure the plant material is compatible with the City's Water Conservation and Landscape Ordinance.

58. All record drawings (as-built drawings) and supporting documentation must be submitted to the Public Works Department before scheduling the project's final inspection.

59. The Final Map must be recorded and filed with both the City Engineer of the City of El Segundo and the Los Angeles County Recorder's Office.

Police Department Conditions

60. Before the City issues a building permit for the hotel, the applicant must submit a photometric light study to the Police Department for review and approval. A site plan must be provided showing buildings, parking areas, walkways, and the point-by-point
photometric calculation of the required light levels. Foot candles must be measured on a horizontal plane and conform to a uniformity ratio of 4:1 average/minimum. The photometric study must be point-by-point and include the light loss factor (.7). Lighting levels must be adjusted to meet the minimum foot candle requirements within each area of the site. All interior or exterior corridors, passageways and pedestrian walkways and open parking lot must be illuminated at all times with a minimum maintained one foot-candle of light on the walking surface. The plan must also include the underground parking area and the existing parking structure.

61. A schematic plan of the security camera system must be submitted and approved by the El Segundo Police Department before the City issues a building permit for the hotel. The plan must be included as a page in the stamped approved set of plans.

62. Lighting devices must be enclosed and protected by weather and vandal resistant covers.

63. Stairways must be illuminated with a minimum maintained one foot-candle of light on all landings and stair treads at all times.

64. All types of exterior doors must be illuminated during the hours of darkness, with a minimum maintained one foot-candle of light measured within a five-foot radius on each side of the door at ground level. The light source must be controlled by a photocell device or a time-clock with an astronomic clock feature and capable of operating during a power outage.

65. The addressing, open parking lot and trash dumpster must be illuminated with a maintained minimum of one foot-candle of light on the ground surface during hours of darkness.

66. Street addressing must be a minimum of 6 inches high and must be visible from the street or driving surface, of contrasting color to the background and illuminated during hours of darkness. Addressing must also be shown on plan elevations.

67. All landscaping must be low profile around perimeter fencing, windows, doors and entryways so as not to limit visibility or provide climbing access. Dense bushes cannot be clumped together in a manner that provides easy concealment. Bushes must be trimmed to a distance of two to three feet away from the buildings. After reaching full maturity, tree crowns must be trimmed a minimum of seven feet above grade.
68. Stairwell doors exiting onto the street must have a minimum 100-square inch vision panel, with a minimum five inch width, to provide visibility into the area being entered. Vision panels must meet the requirements of the California Building Code, as adopted by the ESMC. Vision panels must preclude manipulation of the interior locking device from the exterior.

69. Interior stairwell doors must have glazing panels a minimum of five inches wide and 20 inches in height and meet the requirements of the California Building Code, as adopted by the ESMC. Guest rooms must have a deadbolt lock, a secondary security latch and a wide angle (190-200 degree) door viewer, not to be mounted more than 58 inches from the bottom of the door.

70. Exterior mounted ladders are prohibited except: (1) ladders with a minimum 1/8 inch thick steel plate, securely attached to the ladders edge on each side, and extending to within two inches of the wall for a height of ten feet above ground level. A door and cover must be securely attached to the front of the ladder, and be constructed of minimum 1/8-inch steel, extending from ground level to at least ten feet high. The ladder must have non-removable hinge pins and be locked securely against the side wall by a locking mechanism with a minimum five pin tumbler operation; or (2) the bottom of the ladder must begin ten feet above the ground surface.

71. All pool entrances at the hotel must be posted with “No Trespassing” signs.

72. Any pool restroom and shower doors at the hotel must have access control as reviewed and approved by the El Segundo Police Department.

73. Exterior gates leading to the pool at the hotel must be secured by electronic access control.

74. A safe for the hotel must be installed in a secure location (ex: general manager’s office) and the safe must be equipped with suitable anchors in concrete blocks or to the premises in which it is located.

Construction Conditions

75. Before any construction occurs the perimeter of the property must be fenced with a minimum 6-foot high fence. The fence must be covered with a material approved by the Planning and Building Safety Department to prevent dust from leaving the site.
76. Public sidewalks must remain open at all times.

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

78. NOx emissions during construction must be reduced by limiting the operation of heavy-duty construction equipment to no more than 5 pieces of equipment at any one time.

79. Staging of construction vehicles and vehicle entry and egress to the site must be approved by the Public Works Department. Temporary construction driveways must be approved by the Public Works Department. Temporary construction driveways must be removed before the City issues a certificate of occupancy.

80. Construction vehicles cannot use any route except the City's designated Truck Routes.

81. The applicant must develop and implement a construction management plan, as approved by the Public Works Department, which includes the following measures recommended by the SCAQMD:

- Configure construction parking to minimize traffic interference.
- Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person).
- Re-route construction trucks away from congested streets.
- Maintain equipment and vehicles engines in good condition and in proper tune as per manufacturer's specifications and per SCAQMD rules, to minimize dust emissions.
- Suspend use of all construction equipment during second stage smog alerts. Contact SCAQMD at (800) 242-4022 for daily forecasts.
- Use electricity from temporary power poles rather than temporary diesel or gasoline-powered generators.
- Diesel-powered equipment such as booster pumps or generators should be replaced by electric equipment, if feasible.
- Catalytic converters must be installed, if feasible.
- Equipment must be equipped with two-to-four-degree engine time retard or pre-combustion chamber engines.
- Use methanol or natural gas powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices.
- Use propane or butane powered on-site mobile equipment instead of gasoline if readily available at competitive prices.

82. During construction and operations, all waste must be disposed in accordance with all applicable laws and regulations. Toxic wastes must be discarded at a licensed, regulated disposal site by a licensed waste hauler.

83. All leaks, drips and spills occurring during construction must be cleaned up promptly and in compliance with all applicable laws and regulations to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.

84. If materials spills occur, they must be cleaned up in a way that will not affect the storm drain system.

85. The project must comply with ESMC Chapter 5-4, which establishes storm water and urban pollution controls.

86. Before anticipated rainfall, construction dumpsters must be covered with tarps or plastic sheeting.

87. Inspections of the project site before and after storm events must be conducted to determine whether Best Management Practices have been implemented to reduce pollutant loadings identified in the Storm Water Prevention Plan.

88. The owner or contractor must conduct daily street sweeping and truck wheel cleaning to prevent dirt in the storm drain system.

89. Storm drain system must be safeguarded at all times during construction.

90. All diesel equipment must be operated with closed engine doors and must be equipped with factory-recommended mufflers.

91. Electrical power must be used to run air compressors and similar power tools.

92. The applicant must provide a telephone number for local residents to call to submit complaints associated with the construction noise. The number must be posted on the project site and must be easily viewed from adjacent public areas.
93. During construction, the contractor must store and maintain equipment as far as possible from adjacent residential property locations northwest of the site.

94. As stated in ESMC Chapter 7-2, construction related noise is restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Saturday, and prohibited at anytime on Sunday or a Federal holiday.

Impact Fee Conditions

95. 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 in accordance with Resolution No 4687. The fee amount must be based upon the adopted fee at the time the building permit is issued.

96. 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 in accordance with Resolution No. 4687. The fee amount must be based upon the adopted fee at the time the building permit is issued.

97. Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time park services mitigation fee in accordance with Resolution No. 4687. The fee amount must be based upon the adopted fee at the time the building permit is issued.

98. Before building permits are issued, the applicant must pay the required sewer connection fees (as specified in ESMC Title 12-3).

99. Pursuant to ESMC §§ 15-27A-1, et seq., and before the City issues a certificate of occupancy, the applicant must pay a one-time traffic mitigation fee in accordance with Resolution No. 4443.

100. Before building permits are issued, the applicant must pay the required School Fees. This condition does not limit the applicant's ability to appeal or protest the payment of these fees to the school districts(s).

Conditional Use Permit Conditions

In addition to the above “Project” conditions, the hotel is subject to the following additional conditions:
101. The Conditional Use Permit for the proposed hotel will expire twenty four (24) months after its approval if the use has not commenced; or if improvements are required, but construction has not commenced under a valid building permit as specified in ESMC § 15-23-11.

102. The proposed hotel must provide features and amenities as specified in 888 NSBSP § 4.0(G) to the satisfaction of the Director of Planning and Building Safety.

103. The project must meet all design standards as specified in 888 NSBSP § 4.0(H) to the satisfaction of the Director of Planning and Building Safety.

104. The proposed hotel must comply with the Transportation Demand Management and Transportation Systems Management requirements in 888 NSBSP § 4.0(F)(10).

105. Plans for the hotel must include combining the existing and proposed walkways between the office building and hotel into a single walkway through the Sepulveda setback area. Any fencing, gate, and stairs providing access to the plaza must not be located in the Sepulveda setback area.

106. The 72 parking spaces located at 888 North Sepulveda Boulevard must be available only for the hotel use with corresponding signage and/or pavement marking.

107. The large truck loading space located at 888 North Sepulveda Boulevard must be made available for use by both the hotel at 888 North Sepulveda Boulevard and the office building at 898 North Sepulveda Boulevard.

108. Ninety six (96) parking spaces must be provided for the hotel in the parking structure at 892 North Sepulveda Boulevard. The parking spaces must be designated spaces subject to the approval of a parking management plan to the satisfaction of the Director of Planning and Building Safety in compliance with the parking management plan. The parking management plan must include detailed floor plans that designate the assignment of parking. Sharing of any of these required parking spaces with other uses within the Specific Plan will only be permitted subject to approval of a Parking Demand Study. An off-site parking covenant must be reviewed and approved as to form and recorded to the satisfaction of the Director of Planning and Building Safety and the City Attorney.
Administrative Use Permit Conditions

The remote airport parking facility is subject to the following conditions:

109. A maximum of 501 parking spaces located in the parking structure at 892 North Sepulveda Boulevard are allowed to be used for the remote airport parking facility. Provision for shared/joint use of parking spaces required for any other uses within the 888 North Sepulveda Boulevard Specific Plan with the remote airport parking facility is subject to a Parking Demand Study and the requirements of the 888 North Sepulveda Boulevard Specific Plan.

110. Parking spaces for the remote airport parking shuttles and the remote airport parking stalls must be designated spaces subject to the approval of a parking management plan to the satisfaction of the Director of Planning and Building Safety. All parking spaces and loading spaces must be clearly marked and designated through the use of signage and/or pavement marking to the satisfaction of the Director of Planning and Building Safety in compliance with the parking management plan. The parking management plan must include detailed floor plans that designate the assignment of parking.

111. A waiting area must be provided and maintained in the parking structure for use by the remote airport parking patrons.

112. A restroom must be provided and maintained in the parking structure for use by the remote airport parking patrons and employees.

113. Building permits must be obtained for improvements to the parking structure, including, but not limited to, the waiting area, storage rooms, the valet parking booth, the restroom required in the parking structure that will serve the remote airport parking facility employees and patrons.

Parking Demand Study Conditions

The Parking Demand Study approval is subject to the following conditions:

114. A minimum of two hundred twenty eight (228) parking spaces located in the parking structure at 892 North Sepulveda Boulevard must be available for the office building uses at 898 North Sepulveda Boulevard. An off site parking covenant must be reviewed and approved as to form and recorded to the satisfaction of the Director of Planning and Building Safety and the City Attorney.
Sharing of any of these required parking spaces with other uses within the Specific Plan are subject to the requirements of the 888 North Sepulveda Boulevard Specific Plan.

115. Ninety six (96) parking spaces must be provided in the parking structure at 892 North Sepulveda Boulevard for the hotel use located at 888 North Sepulveda Boulevard.

116. A maximum of seventeen (17) parking spaces may be shared jointly by the remote airport parking facility, the hotel, and the office uses. A maximum of three hundred seven (307) parking spaces may be shared jointly by the hotel and the office uses.

117. Any shared/joint use parking spaces for the hotel, the office building, and the remote airport parking stalls must be designated spaces subject to the approval of a parking management plan to the satisfaction of the Director of Planning and Building Safety. All parking spaces and loading spaces must be clearly marked and designated through the use of signage and/or pavement marking to the satisfaction of the Director of Planning and Building Safety in compliance with the parking management plan. The parking management plan must include detailed floor plans that designate the assignment of parking.

Miscellaneous Conditions

118. The tentative parcel map will expire pursuant to Government Code § 66452.6 and ESMC § 14-1-12.
119. The Realty Associates Fund IX, L.P., agrees 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-997, General Plan Amendment No. GPA 12-03, Specific Plan No. SP 12-05, Zone Change No. ZC 12-03, Zone Text Amendment No. ZTA 12-05, Development Agreement No. DA 12-04, Subdivision No. SUB 12-07, Conditional Use Permit CUP 12-08, Parking Demand Study PDS 12-06. 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. 997, the Realty Associates Fund IX, L.P., 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.

By signing this document, Scott Amling on behalf of the Realty Associates Fund IX, L.P., certifies that they have read, understood, and agree to the Project Conditions listed in this document.

Scott Amling, Regional Director  
Realty Associates Fund IX, L.P.
I. INTRODUCTION

The applicant proposes to construct a five-story, 111,350 square-foot hotel containing 72 on-site parking spaces (a mix of surface and underground parking spaces) with one level of underground parking on a 2.98-acre site. The project site is currently developed with an eight-story office building and a seven-story parking structure on the northernmost portion of the property. The proposed hotel would be built on the vacant 1.5 acre southern portion of the site. The new hotel would be a maximum of 89 feet high and would include a maximum of 190 rooms. The existing two parcels on the site would be subdivided into three new parcels, each containing the following: (Parcel 1) an existing office building (0.42 acres), (Parcel 2) the existing office/hotel parking and remote airport parking facility (1.04 acres), (3) proposed five-story hotel (1.52 acres). The site is currently zoned Corporate Office.
II. PROJECT APPLICATIONS

The application includes the following:

1) **Environmental Assessment No. EA-997 (State Clearinghouse (SCH) No. 2013121039).** – An Initial Study/Mitigated Negative Declaration Environmental Assessment No EA-997 (888 North Sepulveda Boulevard Specific Plan) is proposed for this project pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) and the CEQA Guidelines. (See Exhibit B)

2) **General Plan Amendment No. GPA 12-03** – Amend the General Plan and the General Plan Map to re-designate the project site from Corporate Office to the 888 North Sepulveda Boulevard Specific Plan (“888 NSBSP”). The requested General Plan Amendment will allow the City Council to adopt a Specific Plan establishing the development standards and the design guidelines for the existing office building, the existing parking structure, the proposed hotel, and the permanent use of a portion of the parking structure as a remote airport parking facility. The requested designation would allow for an increased maximum floor area ratio (FAR) of 1.41 (See Exhibit A).

3) **Specific Plan No. SP 12-05** – Addition of the 888 North Sepulveda Boulevard Specific Plan (“888 NSBSP”) for the project site that establishes the development standards and design guidelines within the Specific Plan (See Exhibit A).

4) **Zone Change No. ZC 12-03** – Amend the Zoning Map to rezone the project site from the Corporate Office (CO) Zone to the 888 North Sepulveda Boulevard Specific Plan (“888 NSBSP”) Zone. The requested rezoning will allow for consistency with the proposed General Plan Amendment (See Exhibit A).

5) **Zone Text Amendment No. ZTA 12-05** – Zone Text Amendment to: 1) add the 888 North Sepulveda Boulevard Specific Plan to ESMC § 15-3-1; and 2) add a new ESMC § 15-3-2(A)(9) “888 North Sepulveda Boulevard Specific Plan.”

6) **Development Agreement No. DA 12-04** – A Development Agreement to provide public benefits in exchange for development rights (ten year entitlement with no option for an extension) (See Exhibit A).

7) **Subdivision No. SUB 12-07 for Vesting Tentative Parcel Map (VTPM) No. 71788** – A subdivision to allow the division of land from two lots to three lots (See Exhibit C).

8) **Conditional Use Permit No. CUP 12-08** – Approval to allow the hotel use.

9) **Administrative Use Permit No. AUP 13-11** – Approval to allow the remote airport parking use.
10) Parking Demand Study No. PDS 12-06 – To allow shared parking between the hotel, office, and remote airport parking uses.

These applications require review by the Planning Commission and a recommendation to the City Council.

III. RECOMMENDATION

Staff recommends that the Planning Commission consider the facts in this report and public testimony, conduct a public hearing, and adopt Resolution No. 2750, recommending that the City Council approve Environmental Assessment No. EA-997 to adopt the Initial Study/Mitigated Negative Declaration for the 888 North Sepulveda Boulevard Specific Plan; General Plan Amendment No. GPA 12-03; Specific Plan No. SP 12-05; Zone Change No. ZC 12-03; Zone Text Amendment No. ZTA 12-05; Development Agreement No. DA 12-04; Subdivision No. SUB 12-07 for Vesting Tentative Parcel Map (VTPM) No. 71788 (for 3 lots); Conditional Use Permit No. CUP 12-08; Administrative Use Permit No. AUP 13-11; and Parking Demand Study No. PDS 12-06; with conditions.

IV. BACKGROUND

History

The existing office building, on a portion of the project site at 898 North Sepulveda Boulevard, has been in continuous use with office operations since development in 1976. Office is a permitted use under the existing Corporate Office land use and zoning designations for the site. On March 6, 2001, the City adopted a resolution approving an Initial Study/Mitigated Negative Declaration for Environmental Assessment No. EA-535 and on March 20, 2001, entered into a ten-year Development Agreement (DA No. 00-02) to allow the demolition of a twelve-story (140,000-square-foot) office building located at 888 North Sepulveda Boulevard to be replaced by the construction of a new six-story 120,610-square-foot office building with an FAR of 1.086 on the same site. The Development Agreement also allowed the proposed new office building to exceed the 0.8 FAR allowed in the Corporate Office Zone.

Relating to the “remote airport parking” business, the Agreement allowed the temporary “Park and Ride” business to continue in accordance with Environmental Assessment No. EA-356 and Administrative Use Permit No. AUP 94-6 (1994) on an interim basis until construction of the proposed new office building described above, was completed. The Agreement required that the use be discontinued once a Certificate of Occupancy was issued for the first tenant improvement in the new office building. Additionally, the Development Agreement provided a financial contribution to the City in the amount of $78,000 payable over a five-year period for the permitted use of any excess parking spaces located in the parking structure for the remote airport parking use, and $150,000 for the cost of landscaping, median, visual, and other improvements to Sepulveda Boulevard in the vicinity of the Site.
The twelve-story office building was demolished in 2003 and the smaller, six-story (120,010-square-foot, 1.086 FAR) office building was never built. Therefore, the "Park and Ride" business was never discontinued.

The parking structure, immediately adjacent to the office building on the east, was developed on the site by 1967. In addition to meeting the day-to-day parking needs of the office uses, the interim remote parking operation serves passengers departing from the Los Angeles International Airport (LAX). Those passengers park or valet their vehicle and are shuttled to and from the LAX terminals. As noted above, since the second office building was not constructed; the remote parking operation was never discontinued. In 2011, the 2001 development agreement was amended to change the proposed office building to a structure (non-specific) of ten stories or less, not to exceed 200 feet in height, and up to a maximum of 89,000 square feet. The project amended in the new development agreement is smaller than originally approved, but taller by four stories. The amended Development Agreement (DA No. 11-01) retained the prior provisions to discontinue the interim "Park and Ride" business once a Certificate of Occupancy was issued for the first tenant improvement. The amended Development Agreement was extended until March 20, 2016 and is still valid.

V. ANALYSIS

Site Description/Surrounding Land Uses

The project site is located within the northeast portion of the City of El Segundo, with convenient access to the San Diego (I-405) Freeway and Glenn Anderson (I-105) Freeway. This portion of the City is generally designated as an office and commercial area, which primarily contains single tenant and mixed-use office buildings, as well as light industrial and hotel uses; there are no residential uses east of North Sepulveda Boulevard.

The site is generally surrounded by commercial and industrial uses. The areas located to the south, east, and north of the proposed project site are developed with low-rise commercial/industrial buildings with minimal landscaping. Most of the buildings are circa 1950s and 1960s and have undergone minimal improvements visually from the outside. Directly across the street on Sepulveda Boulevard are Bank of America and a brick medical office building. Farther west of the Bank of America on Walnut Avenue, is a newer six-story, 118,532 square foot office building. Opposite from the site at the northwest corner of Walnut Avenue and Sepulveda Boulevard are two older office towers and a parking structure. The recently renovated and expanded Boeing offices are located on the block north of the subject property bounded by Walnut, Sepulveda, Imperial and Selby Street. Other Boeing facilities are located directly east and northeast of the subject property. The surrounding land uses are summarized as follows:
Table 1
Surrounding Land Uses

<table>
<thead>
<tr>
<th>Direction</th>
<th>Land Use</th>
<th>Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Office, R &amp; D, Industrial</td>
<td>Corporate Office (CO)</td>
</tr>
<tr>
<td>East</td>
<td>Office, R&amp;D, Industrial</td>
<td>Corporate Office (CO)</td>
</tr>
<tr>
<td>South</td>
<td>Office</td>
<td>Corporate Office (CO)</td>
</tr>
<tr>
<td>West</td>
<td>Office, Residential</td>
<td>Corporate Office (CO) and (R-3) Multi-Family Residential</td>
</tr>
</tbody>
</table>

The Proposed Project

The applicant proposes constructing a five-story hotel with one level of underground parking, containing 72 on-site parking spaces (a combination of underground and surface parking spaces), on the vacant southern portion of the site, and allow for continued use of the existing office building and parking structure on the northernmost portion of the site. All uses would be considered as one project under the proposed 888 North Sepulveda Boulevard Specific Plan. In addition, the proposed 111,350-gross-square-foot hotel would be a maximum of 89 feet tall and include up to a maximum of 190 rooms. The existing two parcels on the site would be subdivided into three new parcels. Each parcel would contain an individual use as follows: (1) a five-story hotel (1.52 acres), (2) an office building (0.42 acre), and (3) office/hotel parking and remote airport parking to serve LAX (1.04 acres). The total floor area ratio (FAR) for the site would be approximately 1.41:1. A pedestrian bridge would connect the second level of the parking structure on the south side of the garage with the hotel side lobby entrance on the north side of the hotel. The individual parcels are discussed below.

Parcel 1—Existing Office Building

Parcel 1 (0.42 acre) would consist of the existing 95,360-gross-square-foot, eight-story office building, located at 898 North Sepulveda Boulevard. The existing structure currently occupies an 18,295-square-foot lot and has a building height of 124 feet. A courtyard separates the office building from the parking structure. The exterior of the office building consists of steel-lined alternating vision glass and spandrel glass panels on the east, west, and north elevations, with concrete panels on the southern elevation. Metal column wraps and an entrance canopy are provided at the entrance on the structure’s North Sepulveda frontage.

Parcel 2—Existing Parking Structure

Parcel 2 (1.04 acres) would consist of the existing 261,044-square-foot parking structure, located at 892 North Sepulveda Boulevard. The seven-level parking
structure is currently configured for 808 parking stalls. The parking structure would continue to be used for office building tenant parking. The structure would also provide parking for the proposed hotel and a short-term/long-term remote airport parking facility with a free shuttle service. Allocation of parking spaces is discussed in depth later in this report. The parking structure is white painted concrete, with painted metal siding on the ground level, and painted metal railings on the upper stories at openings in the concrete. Entrances to the parking structure are gated. The ground floor of the parking structure will include a 353-square-foot shuttle waiting area. Parking lot shuttles would operate 24 hours per day, 7 days per week. During active flight hours (daily, between 4:30 am and 1:00 am), three to five shuttles are operating at once. One to two shuttles operate during reduced flight hours. All shuttle vehicles are operated with natural gas fuel.

Parcel 3—Proposed Hotel

Parcel 3 (1.52 acres) would consist of the new five-story hotel structure at 888 North Sepulveda Boulevard. The hotel site is vacant and construction of the hotel would remove the existing blight associated with the vacant and minimally maintained parcel. The hotel would have a total gross square footage of 111,350 square feet per current plans and be approximately 89 feet at the highest point. The hotel would include up to 190 hotel rooms, 72 on-site parking spaces (a combination of underground and surface parking spaces), 96 parking spaces off-site in the parking structure at 892 North Sepulveda Boulevard, a 3,500-square-foot guest lobby, a 1,200-square-foot dining room, 3,000 square feet of administrative offices, and a pool and fitness center. Twelve bicycle parking spaces would be provided in the underground parking structure. The design of the hotel will be of a contemporary architectural style with varied relief and contrasting planes. Vision glass windows would be provided in hotel rooms and in ground floor facilities. The ground floor entry areas for automobiles and pedestrians would have enhanced hardscape and landscape areas that support pedestrian activity on the street. A loading area with electrical, trash, receiving and elevator mechanical rooms would be located on the easterly side of the hotel and would be screened from surrounding roadways by the hotel and office structures.

Access

Access to the project site is currently provided from North Sepulveda Boulevard and Walnut Avenue. The site is located on a major thoroughfare (North Sepulveda Boulevard) one block south of Imperial Highway and access to Interstate 105. As shown on the site plan in Exhibit C, access to the site would continue to be provided from existing driveways on North Sepulveda Boulevard and Walnut Avenue. The two driveways from Walnut Avenue serve the existing parking structure. The existing driveway from North Sepulveda Boulevard would be relocated approximately 20 feet north of the current location and off of the south property line to align with East Sycamore Avenue per Caltrans standards. This driveway will provide direct access to the proposed porte-cochere entrance to the hotel and to the underground hotel parking, hotel service and delivery areas. The existing internal roadway would also provide a third access point to the existing parking structure. A pedestrian entrance to the office building is currently provided from North Sepulveda Boulevard. A pedestrian entrance to the hotel would also be provided from North Sepulveda Boulevard.
Parking and Ride Remote Parking Structure

As noted, the parking structure was developed on the project site by 1967 and in addition to meeting the day-to-day parking needs of the existing 898 North Sepulveda Boulevard office building tenants and their visitors, the structure has also functioned, on an interim basis (per EA-356 and AUP 94-06), as an off-site “Park and Ride” remote parking lot for LAX. Table 2 shows the parking requirements for the project based on the ESMC and the Walker Shared Parking Analysis:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Required Parking*</th>
<th>Available Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>228</td>
<td>808 in parking structure</td>
</tr>
<tr>
<td>Hotel</td>
<td>168 (72 on-site) (96 in parking structure)</td>
<td>808 in parking structure</td>
</tr>
<tr>
<td>Total allotted in existing parking structure</td>
<td>324 (228+96)</td>
<td>808</td>
</tr>
<tr>
<td>Adjusted total designated for hotel and office per Shared Parking Analysis</td>
<td>307</td>
<td>808 provided in structure</td>
</tr>
</tbody>
</table>

*ESMC § 15-15-6(A) (OFFICE - 1/300 sf 1st 25,000 sf, 1/350 sf 2nd 25,000 sf, 1/400 sf area over 50,000 sf) (Hotel – 1/100 rooms, % per next 100 rooms, % per each room above 200)

The parking structure currently has 808 useable stalls. According to the City’s minimum parking requirements, the 898 North Sepulveda Boulevard “office” building requires 228 stalls currently, as it is only occupied by “general office” uses as defined in ESMC § 15-1-6. The remaining stalls in the facility (580 stalls) are currently used as part of the interim remote airport parking business. The 808 stalls are 32 stalls less than designed for the parking structure. These 32 stalls are out of service from a parking perspective; as they have been repurposed as storage, waiting areas, and other ancillary uses serving the remote airport parking use.

The proposed hotel would provide 72 on-site surface and subterranean parking stalls. As shown in Table 2 above, pursuant to ESMC § 15-15-6(A), 168 parking spaces must be provided for a 190-room hotel, or an additional 96 stalls to meet the minimum requirements. The additional 96 parking spaces that are required for the hotel will be provided in the parking structure at 892 North Sepulveda Boulevard. ESMC § 15-15-6(C)(2) allows for joint use of off-street parking. The applicant believes that the hotel operation is a complementary use to the adjacent office structure and has prepared a Shared Parking Analysis for the proposed project uses. The Shared Parking Analysis prepared for the project (Walker, April 2013) concluded that 307 parking spaces would accommodate peak parking demand for both the hotel and office building although 396 parking spaces are required (not including loading spaces). The proposed project designates 307 parking spaces for joint office and hotel use in the existing parking structure with 501 parking spaces remaining for the remote parking operation. When combining the 307 parking spaces located in the existing parking structure that are proposed for the hotel and office uses with the 72
parking spaces that will be available solely for the use of the hotel on the hotel site, a
total of 379 parking spaces are proposed to be provided which is 17 spaces less than
the 396 that are required. The 501 parking spaces proposed for use by the remote
parking operation are comprised of the 17 parking spaces and the 484 remaining
parking spaces in the parking structure that are not required for other uses. Therefore,
the existing parking structure would serve the parking requirements for the existing
office building, the proposed hotel (in conjunction with the 72 spaces on the hotel
parcel), and the use of a portion of the parking structure as a remote airport parking
facility.

The current interim use of the parking structure as an off-site remote airport parking lot
would be established as a permanent shared/joint use through the adoption of the
Specific Plan and the approval of the AUP proposed for the project. In addition, the
existing proposed hotel would be established through the adoption of the Specific Plan
and the CUP proposed for this project. If approved, the developer will be permitted to
use any excess parking spaces in the parking structure for the remote parking
operation.

**Landscaping**

Landscaping would include a mix of trees and shrubs/vines and ground cover. Specifically, shade canopy trees of various species would be planted along North
Sepulveda Boulevard, surrounding the hotel structure, on the southern edge of the
parking structure, between the hotel and the office building, along the southern and
western borders of the project site. Evergreen shrubs and ground cover are proposed
to be used for property perimeter areas, building perimeter areas, and used for
screening or hedging buildings. While the plans are still in concept, the project will be
conditioned to meet minimum requirements for vehicle use areas, and building and
perimeter landscaping.

**Architecture**

The project will be designed with a contemporary architectural style using stucco and
sidings as the primary building materials with the purpose of being distinct, but
compatible with the existing character in the area. The design avoids the appearance
of long flat planes through the use of both vertical and horizontal projections and a
variety of materials and colors on all building elevations. Overall, the proposed project
will enhance the aesthetic appearance of the site and add more interest to the existing
site when viewed from Sepulveda Boulevard.

**General Plan Amendment and Rezoning**

The proposed General Plan Amendment and Zone Change would establish the 888
North Sepulveda Boulevard Specific Plan ("888 NSBSP") as a new land use
classification and zoning district. The 888 NSBSP will allow a mix of office, hotel and
office serving commercial uses such as restaurants, cafes, parking facilities, and
recreational uses similar to the Corporate Office (CO) Zone and the adjacent mix of
land uses.
Specific Plan

A Specific Plan was prepared (see attached Exhibit A) to allow and encourage development of an upscale hotel and a mix of commercial uses in support of local area businesses. The plan allows for an increased maximum FAR of 1.41. The Specific Plan will guide the build-out of the project site in a manner that is consistent with City and State policies and standards and ensures that the project is developed in a coordinated manner. The proposed Specific Plan and conceptual project layouts are consistent with the General Plan.

General Plan Consistency

If the General Plan Amendment is approved, the land use designation for the project site will be 888 North Sepulveda Specific Plan (“888 NSBSP”). This designation would permit the hotel, office and remote airport parking facility along with a mix of other business supporting uses. The proposed project is consistent with the General Plan Goals, Policies and Objectives and the Specific Plan as set forth in detail in the draft Resolution.

Zoning Consistency

If the Zone Change is approved, the zoning designation for the project will be 888 North Sepulveda Specific Plan (“888 NSBSP”). The Specific Plan would augment the development standards of El Segundo’s zoning regulations. When an issue, condition or situation occurs which is not covered or provided for in the Specific Plan, the zoning regulations that are most applicable to the issue, condition or situation will apply. The proposed hotel meets the development standards set forth in the 888 North Sepulveda Specific Plan (“888 NSBSP”) § 4.0 Development Standards as set forth below:

<table>
<thead>
<tr>
<th>REQUIREMENTS</th>
<th>PROPOSED 888 NORTH SEPULVEDA BOULEVARD SPECIFIC PLAN ZONE STANDARDS FOR THE PROPOSED HOTEL AND HOTEL PARCEL (PARCEL NO. 3)</th>
<th>PROPOSED 888 NORTH SEPULVEDA BOULEVARD SPECIFIC PLAN ZONE STANDARDS FOR THE EXISTING OFFICE BUILDING (PARCEL NO. 1)</th>
<th>PROPOSED 888 NORTH SEPULVEDA BOULEVARD SPECIFIC PLAN ZONE STANDARDS FOR THE EXISTING PARKING STRUCTURE AND PARKING PARCEL (PARCEL NO. 2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted Uses</td>
<td>Hotel is subject to approval of an Administrative Use Permit. Will Comply. 888 NSBSP § 4.0(D)</td>
<td>Office uses are Permitted Uses. Complies. 888 NSBSP § 4.0(A)</td>
<td>Parking Structure is a Permitted Accessory Use; Remote Airport Parking Use is subject to approval of an Administrative Use Permit. Will Comply. 888 NSBSP §§ 4.0(B) and 4.0(C)</td>
</tr>
<tr>
<td>----------------</td>
<td>---------------------------------------------------------------------------------</td>
<td>--------------------------------------------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>Minimum Lot Size</td>
<td>10,000 square feet is required. 66,211 square feet is provided. Complies. 888 NSBSP § 4.0(F)(2)</td>
<td>10,000 square feet is required. 18,295 square feet is provided. Complies. 888 NSBSP § 4.0(F)(2)</td>
<td>10,000 square feet is required. 45,302 square feet is provided. Complies. 888 NSBSP § 4.0(F)(2)</td>
</tr>
<tr>
<td>Minimum Lot Frontage</td>
<td>100-foot minimum is required. 214-foot frontage is provided. Complies. 888 NSBSP § 4.0(F)(5)</td>
<td>100-foot minimum is required. 110 &amp; 168-foot frontage is provided. Complies. 888 NSBSP § 4.0(F)(5)</td>
<td>100-foot minimum is required. 190-foot frontage is provided. Complies. 888 NSBSP § 4.0(F)(5)</td>
</tr>
<tr>
<td>Height</td>
<td>125 feet maximum. 89 feet is provided. Complies. 888 NSBSP § 4.0(F)(3)</td>
<td>125 feet maximum. 125 feet is provided. Complies. 888 NSBSP § 4.0(F)(3)</td>
<td>125 feet maximum. 69.6 feet is provided. Complies. 888 NSBSP § 4.0(F)(3)</td>
</tr>
<tr>
<td>Front Setback</td>
<td>25 feet min. 25 feet provided 888 NSBSP § 4.0(F)(4)(a)</td>
<td>N/A no new construction 888 NSBSP § 4.0(F)(4)(a)</td>
<td>N/A no new construction 888 NSBSP § 4.0(F)(4)(a)</td>
</tr>
<tr>
<td>Side Setbacks</td>
<td>15 feet min. More than 40 feet provided 888 NSBSP § 4.0(F)(4)(b)</td>
<td>N/A no new construction 888 NSBSP § 4.0(F)(4)(b)</td>
<td>N/A no new construction 888 NSBSP § 4.0(F)(4)(b)</td>
</tr>
<tr>
<td>Rear Setback</td>
<td>10 feet min. More than 20 feet provided 888 NSBSP § 4.0(F)(4)(c)</td>
<td>N/A no new construction 888 NSBSP § 4.0(F)(4)(c)</td>
<td>N/A no new construction 888 NSBSP § 4.0(F)(4)(c)</td>
</tr>
<tr>
<td>Floor Area Ratio</td>
<td>1.41:1 maximum total combined (three parcels) 1.41:1 is provided. Complies. 888 NSBSP § 4.0(F)(6)</td>
<td>1.41:1 maximum total combined (three parcels) 1.41:1 is provided. Complies. 888 NSBSP § 4.0(F)(6)</td>
<td>N/A no FAR requirement for parking structures</td>
</tr>
<tr>
<td>------------------</td>
<td>---------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>Walls and Fences</td>
<td>Heights vary. Will comply. 888 NSBSP § 4.0(F)(7)</td>
<td>N/A no new construction 888 NSBSP § 4.0(F)(7)</td>
<td>N/A no new construction 888 NSBSP § 4.0(F)(7)</td>
</tr>
<tr>
<td>Vehicular Access</td>
<td>30 feet wide @ Sepulveda Boulevard 888 NSBSP § 4.0(F)(8)</td>
<td>Walnut Avenue (N/A no new construction) 888 NSBSP § 4.0(F)(8)</td>
<td>Walnut Avenue (N/A no new construction) 888 NSBSP § 4.0(F)(8)</td>
</tr>
<tr>
<td>Landscaping</td>
<td>Will comply with Vehicle Use Area, minimum square footage requirements and requirements regarding size of plant material. 888 NSBSP § 4.0(F)(9)</td>
<td>N/A no new construction 888 NSBSP § 4.0(F)(9)</td>
<td>N/A no new construction 888 NSBSP § 4.0(F)(9)</td>
</tr>
<tr>
<td>Transportation Demand Management and Transportation Systems Management</td>
<td>Will comply. 888 NSBSP § 4.0(F)(10)</td>
<td>N/A no new construction 888 NSBSP § 4.0(F)(10)</td>
<td>N/A no new construction 888 NSBSP § 4.0(F)(10)</td>
</tr>
<tr>
<td>Parking Spaces</td>
<td>168 total - provided 888 NSBSP §§ 4.0(F)(11)(a) and 4.0(F)(11)(d)</td>
<td>228 total - provided 888 NSBSP §§ 4.0(F)(11)(a) and 4.0(F)(11)(d)</td>
<td>808 total in structure 888 NSBSP §§ 4.0(F)(11)(a), 4.0(F)(11)(b), and 4.0(F)(11)(d)</td>
</tr>
<tr>
<td>Loading Spaces</td>
<td>Will comply with 888 NSBSP § 4.0(F)(11)(c)</td>
<td>N/A no new construction 888 NSBSP § 4.0(F)(11)(c)</td>
<td>N/A no new construction 888 NSBSP § 4.0(F)(11)(c)</td>
</tr>
<tr>
<td>Driveway Visibility</td>
<td>Will comply with ESMC § 15-2-11</td>
<td>N/A no new construction ESMC § 15-2-11</td>
<td>N/A no new construction ESMC § 15-2-11</td>
</tr>
<tr>
<td>Design Guidelines Consistency</td>
<td>Will comply with 888 NSBSP §§ 4.0(G) and 888 NSBSP §§ 4.0 (H)</td>
<td>N/A no new construction 888 NSBSP §§ 4.0 (H)</td>
<td>N/A no new construction 888 NSBSP §§ 4.0 (H)</td>
</tr>
<tr>
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</tbody>
</table>

**Development Agreement**

The proposed Development Agreement establishes a 10-year duration of the Agreement (see attached Exhibit A) with no option for an extension. Typical Development Agreements approved by the City, including the Agreements for Plaza El Segundo, Campus El Segundo, the Everest Storage project, and the Cambria Suites Hotel project, include similar time frames although most of these Development Agreements include extension periods. Recent Development Agreements for the Grand Avenue Corporate Center and Mattel, Inc. set eight-year terms with no extension provisions.

The primary deal points of the Development Agreement are as follows:

1. The Developer agrees to contribute to the City an additional sum in the amount of $18,000 as an enhanced community benefit to be paid to the City annually beginning upon the effective date of this Development Agreement; this represents a total of up to $180,000 through the term of the Development Agreement. This annual payment will cease on the date that a Certificate of Occupancy is issued for the proposed hotel building.

2. Shuttle service to Los Angeles International Airport is required to be available to hotel guests to provide a convenient service for hotel guests and to reduce air quality impacts and traffic impacts to the City’s roadways.

3. Administrative Use Permit No. AUP 94-6 for the Interim "Park and Ride" facility will be automatically terminated without additional action by either party.

4. The City will receive sales and use tax benefits in that the Developer agrees to report to the State Board of Equalization any work for the Project involving a contract price valued at five million dollars ($5,000,000) or more using the City as the registered job site location.

The Development Agreement represents the City’s and developer’s understanding with respect to the major deal points related to the project. There may be minor modifications made to the agreement after the Commission’s consideration of this project and before or during the City Council hearing of this project. The Planning Commission may recommend the Development Agreement to the City Council as proposed or with modifications.
Vesting Tentative Parcel Map

If this project is approved, Subdivision No. 12-07 (Vesting Tentative Parcel Map (VTPM) No. 71788) for three lots would be made final. ESMC § 14-1-6 requires the Planning Commission to deny a request for a subdivision map if it makes any of the findings consistent with Government Code § 66474: Based upon the administrative record, it does not appear that any facts would support findings for denial for the proposed project (see findings in attached draft Resolution in Exhibit A). The vesting tentative parcel map would expire twenty-four months after approval or conditional approval but may be extended for a period not to exceed five years, pursuant to Government Code § 66452.6 and ESMC § 14-1-12. The development rights expire when the vesting tentative map expires unless a final map is approved before the expiration date.

V. ENVIRONMENTAL REVIEW

The proposed project was analyzed for its 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). The City prepared an Initial Study of Environmental Impacts (Exhibit B) pursuant to CEQA Guidelines § 15063. A Mitigated Negative Declaration of Environmental Impacts is proposed for this project pursuant to CEQA Guidelines §15070. The draft Initial Study and Mitigated Negative Declaration were available for public comment from December 12, 2013 to January 13, 2014. No letters regarding the Mitigated Negative Declaration were received.

The IS/MND found that the project will result in potentially significant environmental impacts in ten of eighteen required study areas. However these impacts may be mitigated to less than significant levels. The IS/MND identified the following issue areas as having significant (Class II) impacts: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hazards/Hazardous Materials, Hydrology/Water Quality, Noise, Public Services, Transportation/Traffic, Utilities/Service Systems, and Mandatory Findings of Significance. Staff incorporated Mitigation Measures that reduce the impacts for each of these areas to “Less Than Significant” when mitigated. The Mitigation Measures are incorporated into the Initial Study/Mitigated Negative Declaration as well as included in the attached Mitigation Monitoring & Reporting Program (Exhibit A). A detailed analysis of environmental impacts is provided in the draft Initial Study and Mitigated Negative Declaration of Environmental Impacts.

VI. PUBLIC COMMENTS

The IS/MND was circulated for public comment between December 12, 2013 and January 13, 2014. No comments were received during the comment period.

VII. INTER-DEPARTMENTAL COMMENTS

The project application and plans were circulated for comment. Comments were received from the Building Safety Department, Public Works Department, Recreation
and Parks Department, Police Department and the Fire Department. Staff has incorporated those comments that are applicable and demonstrate a legal nexus as conditions of approval in the draft Resolution No. 2750.

VIII. APPLICATION FINDINGS

General Plan Amendment and Specific Plan Findings

There are no required findings for a General Plan Amendment. However, an amendment must be internally consistent with the rest of the General Plan. As discussed earlier in the staff report, the proposed 888 North Sepulveda Boulevard Specific Plan General Plan Designation is consistent with the General Plan. The proposed project would be consistent with the General Plan Goals, Policies and Objectives as generally set forth in the draft Resolution No. 2750.

Zone Change Findings

The proposed Zone Change is necessary to carry out the proposed project because the 888 North Sepulveda Boulevard Specific Plan Site Rezoning would change the zoning classification of the property from CO to 888 NSBSP. The proposed Zone Change is necessary to maintain consistency with the proposed General Plan land use designation of 888 North Sepulveda Boulevard Specific Plan. Without the General Plan Amendment and Zone Change the proposed hotel and continued use of the parking structure for the remote airport parking use with a 1.41 floor area ratio (FAR), would be inconsistent with the current zoning.

The ESMC requires the Planning Commission to make the findings that approving the proposed Zone Change will carry out the general purpose of ESMC Title 15 – Zoning Regulations (ESMC §15-26-4B). ESMC § 15-1-1 states that "This Title is the primary tool for implementing the goals, objectives and policies of the El Segundo General Plan."

Zone Text Amendment Findings

The proposed Zone Text Amendment is necessary to carry out the proposed project, because the proposed 888 North Sepulveda Boulevard Specific Plan Zone does not currently exist in any part of the City. Additionally, an amendment to add ESMC § 15-3-2(A)(9) to rezone the site from CO to 888 North Sepulveda Boulevard Specific Plan, and to amend ESMC § 15-3-2 to list the NSBSP as a Specific Plan within the City is necessary for consistency with the General Plan.

Development Agreement

The project is consistent with the objectives, policies, general land uses, and programs specified in the general plan and any applicable specific plan. The Development Agreement would provide the following public benefits in exchange for valuable development rights (10-year entitlement with no extension):

1. Development of a property that is currently vacant and underutilized.
2. Addition of an attractive new hotel at this location will encourage additional renovation of businesses in the vicinity of the project site.

3. The presence of a hotel and related evening activity will improve safety in this northern gateway area as more activity, together with building illumination, will create less of a need for police services as compared to the attractive nuisance of the existing long-time vacant property.

4. Existing and prospective corporate businesses and research and development businesses will benefit from the availability of additional lodging choices with competitive pricing resulting from more available rooms in the community.

5. Residents seeking lodging for out-of-town guest will benefit from more hotel choices which provide more competitive pricing with greater room availability.

6. The project will bring a new hotel flag to the City with experience in operating business hotels for professionals and the addition of the new hotel will increase the number of rooms and related facilities in the City to the benefit of adjacent and nearby business.

7. The project will provide one-time City revenues of $147,593 associated with the $26 million development costs as specified in the Development Agreement.

8. City will benefit from an increase in transient occupancy tax (TOT) in excess of $500,000 annually for the life of the hotel project which is a direct net benefit to the General Fund as specified in the Development Agreement.

9. City will benefit from an increase in sales tax of approximately $100,000 per year based on expected expenditures per room and the added occupancy rate for a new business hotel will encourage business growth as specified in the Development Agreement.

10. City will benefit from an increase in property tax which, based on the City’s tax allocation formula and increased property tax valuation from a vacant to a developed parcel, is estimated to be approximately $29,000 per year as specified in the Development Agreement.

11. The new hotel will create approximately 20 full-time jobs and a limited number of part-time positions. At an estimated salary of $35,000 per year, with many of these jobs filled locally, this will increase annual payroll within the City by approximately $700,000, and increase employment opportunities for the City’s residents. Additionally, earnings within the City will result in an indeterminate amount of additional sales tax derived from retail expenditures by hotel employees.

12. Shuttle service to Los Angeles International Airport will be available to hotel guests to provide a convenient service for hotel guests and to reduce air quality impacts and traffic impacts to the City’s roadways as specified in the Development Agreement and as required in the conditions of approval.

13. The Developer agrees to contribute to the City an additional sum in the amount of $18,000 as an enhanced community benefit to be paid to the City annually beginning upon the effective date of this Development Agreement. This annual payment will cease on the date that a Certificate of Occupancy is issued for the proposed hotel building as specified as a term in the Development Agreement.
Planning staff has independently assessed and verified the reasonable accuracy of the estimated tax revenues that include $500,000 in transient occupancy tax (TOT), the $100,000 estimated in added sales tax revenue, and the $29,000 estimated in added property tax revenue.

VIII. CONCLUSION

Planning staff recommends that the Planning Commission adopt Resolution No. 2750, recommending that the City Council approve Environmental Assessment No. EA-997 adopting the Final Initial Study/Mitigated Negative Declaration for the 888 North Sepulveda Boulevard Specific Plan Project including the Mitigation Monitoring and Reporting Program (MMRP) and incorporating the IS/MND errata sheet; approve General Plan Amendment No. GPA 12-03; Specific Plan No. SP 12-05; Zone Change No. ZC 12-03; Zone Text Amendment No. ZTA 12-05; Development Agreement No. DA 12-04; Subdivision No. SUB 12-07 for Vesting Tentative Parcel Map (VTPM) No. 71788 (3 lots); Conditional Use Permit No. CUP 12-08; Administrative Use Permit No. AUP 13-11; and Parking Demand Study No. PDS 12-06, with conditions.

X. EXHIBITS

A. Draft Planning Commission Resolution No. 2750 and Exhibits A through I (including the CEQA Findings of Fact, Mitigation Monitoring and Reporting Program (MMRP), 888 North Sepulveda Boulevard Specific Plan, and Draft Development Agreement)

B. Final IS/MND (draft IS/MND distributed previously under separate cover)

C. Plans

Prepared by: Trayci Nelson, Senior Contract Planner

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

Sam Lee, Director
Planning and Building Safety Department
RESOLUTION NO. 2750

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE A MITIGATED NEGATIVE DECLARATION FOR ENVIRONMENTAL ASSESSMENT NO. EA-997 FOR THE 888 NORTH SEPULVEDA BOULEVARD SPECIFIC PLAN PROJECT; ADOPT GENERAL PLAN AMENDMENT NO. GPA 12-03; SPECIFIC PLAN NO. SP 12-05; ZONE CHANGE NO. ZC 12-03, AND ZONE TEXT AMENDMENT NO. ZTA 12-05; APPROVE DEVELOPMENT AGREEMENT NO. DA 12-04; SUBDIVISION NO. SUB 12-07 FOR VESTING TENTATIVE PARCEL MAP NO. 71788; CONDITIONAL USE PERMIT NO. CUP 12-08; ADMINISTRATIVE USE PERMIT NO. AUP 13-11; AND PARKING DEMAND STUDY NO. PDS 12-06.

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

SECTION 1: The Planning Commission finds and declares that:

A. On September 11, 2012 The Realty Associates Fund IX, L.P., filed an application for an Environmental Assessment No. EA-997, General Plan Amendment No. GPA 12-03, Specific Plan No. SP 12-05, Zone Change No. ZC 12-03, Zone Text Amendment No. ZTA 12-05, Development Agreement No. DA 12-04, Subdivision No. SUB 12-07 for Vesting Tentative Map Parcel Map No. 71788, Conditional Use Permit No. CUP 12-08, Administrative Use Permit No. AUP 13-11, and Parking Demand Study No. PDS 12-06, to re-designate and rezone an approximately 2.98 acre property at 888 North Sepulveda Boulevard from Corporate Office (CO) Zone to 888 North Sepulveda Boulevard Specific Plan (888 NSBSP). Approving this application ("the Project") would allow construction of a five-story, 89-foot high, 111,350 square-foot hotel with up to 190 rooms; one level of underground parking; a subdivision of 2 lots into 3 lots; a remote airport parking facility; and joint use of parking;

B. The application was reviewed by the City of El Segundo Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the El Segundo Municipal Code ("ESMC");

C. 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);

D. An Initial Study/Mitigated Negative Declaration (ISMND) was prepared pursuant to the requirements of CEQA Guidelines § 15070;

-1-
E. The Planning and Building Safety Department completed its review and scheduled a public hearing regarding the application before the Planning Commission for February 27, 2014;

F. On February 27, 2014, the Commission continued the public hearing to March 13, 2014;

G. On March 13, 2014, the Commission held a public hearing to receive public testimony and other evidence regarding the applications including, without limitation, information provided to the Commission by City staff and public testimony, and representatives of The Realty Associates Fund IX, L.P.; and

H. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its March 13, 2014 hearing including, without limitation, the staff report submitted by the Planning and Building Safety Department.

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

A. The subject property is located at 888, 892, and 898 North Sepulveda Boulevard in the northeast portion of the City of El Segundo;

B. The property is comprised of two lots on the northeast corner of North Sepulveda Boulevard and Walnut Avenue. The 2.98 acre site varies from 113 feet to 106 feet above mean sea level (MSL) and as much as 18 feet lower than North Sepulveda Boulevard;

C. The surrounding land uses are primarily a mix of commercial office, restaurant, light industrial and research and development uses in the Commercial Office (CO) and Light Industrial (M-1) Zones to the north, east, south and west;

D. The proposed project for the portion of the property at 888 North Sepulveda Boulevard consists of the construction of a five-story, 89-foot high, 111,350 square-foot hotel with up to 190 rooms;

E. The subject site is developed with one eight-story, 95,360 square-foot office building at 898 North Sepulveda Boulevard, and one seven-level, 808 stall parking structure at 892 North Sepulveda Boulevard. The 888 North Sepulveda Boulevard portion of the site is currently vacant;

F. Vehicular access would be provided from two driveway entrances; primary access for the hotel would be from North Sepulveda Boulevard. Primary
access to the parking structure would be from Walnut Avenue;

G. The proposed General Plan re-designation and rezoning of the Project Site would change the General Plan land use designation from Corporate Office to the 888 North Sepulveda Boulevard Specific Plan (888 NSBSP) designation and rezone the area from the Corporate Office (CO) Zone to the 888 North Sepulveda Boulevard Specific Plan (888 NSBSP) Zone; and

H. The re-zoning and General Plan re-designation would allow and encourage the development of an upscale hotel and a mix of uses in support of local area businesses. The total maximum FAR would be (1.41) combined for the entire site.

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

A. The City completed an Initial Study/Mitigated Negative Declaration of Environmental Impacts (IS/MND) for this project pursuant to CEQA Guidelines § 15063. The Initial Study demonstrated that the Project would not have a significant effect on the environment with the implementation of mitigation measures. A Notice of Intent to Adopt a Mitigated Negative Declaration prepared pursuant to CEQA Guidelines §§ 15072 and 15073, and the Initial Study/Mitigated Negative Declaration was available for public comment from December 12, 2013 to January 13, 2014 pursuant to CEQA Guidelines §15082.

B. The mitigation measures identified in the Mitigated Negative Declaration are sufficient to reduce all identified environmental impacts to less than significant levels.

C. In accordance with CEQA Guidelines § 17074, the record on which the City Council’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 the record if the Director of Planning and Building Safety.

D. Accordingly, based upon the evidence presented to the Planning Commission, the City need not prepare and environmental impact report for the Project.

SECTION 4: General Plan and Specific Plan. If approved, the proposed project conforms to the City’s General Plan and the 888 North Sepulveda Boulevard Specific Plan as follows:

A. Following a General Plan Amendment, the General Plan Land Use Designation of the project site would be 888 North Sepulveda Boulevard
Specific Plan (888 NSBSP). This designation is intended to permit hotel, office and a mix of uses in support of local area businesses. As conditioned, the proposed project would be compatible with the General Plan.

B. Implementation of the Project will meet relevant goals and policies of the Land Use Element. Implementation of the Project will help achieve Land Use Element Goal LU4, which is the “provision of a stable tax base for El Segundo through commercial uses.” If approved, the development will incorporate a high quality hotel with amenities that will help contribute to the stability of the tax base in the City. The Project will be built and maintained in accordance with these requirements and regulations and the requirements and regulations of the 888 North Sepulveda Boulevard Specific Plan.

C. The proposed project is consistent with Land Use Element Objective LU4-4 to provide areas where development has the flexibility to mix uses, in an effort to provide synergistic relationships which have the potential to maximize economic benefit, reduce traffic impacts, and encourage pedestrian environments” in that the project will provide a new hotel development on a site that is currently developed with an office building and a parking structure.

D. Economic Development Policy ED1-2.2, states the City should seek to “maintain and promote land uses that improve the City’s tax base, balancing economic development and quality of life goals.” Allowing construction of a hotel will increase the City’s attractiveness with businesses in the area by making more hotel rooms available for business travelers. Quality of life issues have been balanced against economic development in that the Traffic Study for the Project indicates that the existing roadway system is adequate for the proposed use.

E. Implementation of the Project will meet relevant goals and policies of the Circulation Element. The Project is consistent with Circulation Element Objective C1-1 to “provide a roadway system that accommodates the City’s existing and projected land use and circulation needs.” The Traffic Study for the Project indicates that the existing roadway system is adequate for the existing and proposed uses. No mitigation measures other than the payment of traffic impact fees are required.

F. The Project is consistent with Circulation Element Policy 3-2.1 to “ensure the provision of sufficient on-site parking in all new development.” The overall parking requirement for the hotel is 168 parking spaces and the parking requirement for the existing office building is 228 parking spaces. The total parking provided for both the hotel and office uses based on the shared parking analysis is 307 parking spaces within the 808-space
parking structure. In addition, 72 on-site spaces will be provided on the hotel site. Therefore the Project meets the minimum on-site parking requirements.

G. The Project is consistent with Air Quality Element Goal AQ10 regarding the “reduction in particulate emissions from paved and unpaved roads, parking lots, and road and building construction.” The Project will be required as a condition of approval to comply during all phases of construction with South Coast Air Quality Management District (SCAQMD) rules and regulations to minimize fugitive dust and other emissions resulting from the construction process.

H. Implementation of the Project will meet relevant goals and policies of the Noise Element. The Project is consistent with Noise Element Policy N1-2.1 to “require all new projects to meet the City’s Noise Ordinance Standards as a condition of building permit approval” and Program N1-2.1A to “Address noise impacts in all environmental documents for discretionary approval projects.” The Mitigated Negative Declaration prepared for the Project identifies that, after mitigation, no thresholds of significance for noise will be exceeded during construction or operation and the Project will be consistent with the relevant requirements of the City’s Noise Element.

I. The Project is consistent with Noise Element Objective N1-2 “to ensure that City residents are not exposed to stationary noise levels in excess of El Segundo Noise Ordinance standards.” The Project will be required as a condition of approval to observe the City’s limits on construction hours, to use equipment with mufflers and other State required noise attenuating devices, and to use construction noise reduction methods such as shutting off idling equipment and staging equipment away from nearby occupied uses.

J. Implementation of the Project will meet relevant goals and policies of the Public Safety Element. The Project is consistent with Public Safety Element Objective PS1-1 to “reduce exposure to potentially hazardous geological conditions through land use planning and project review” and Program PS2-1.1A “to enforce the [California] Building Code.” The Building and Safety Division will ensure compliance with current building code requirements and adequate geotechnical investigation before a building permit is issued.

K. The Project is consistent with Public Safety Element Policy PS6-1.1 to “review projects and development proposals, and upgrade fire prevention standards and mitigation measures in areas of high urban fire hazard.” The Fire Department has preliminarily reviewed the Project and will ensure compliance with this policy before a building permit is issued.
SECTION 5: Zone Change Findings.

A. Based on the factual findings of this Resolution, the proposed Zone Change is necessary to carry out the proposed project because the proposed General Plan Amendment would change the land use classification of the project site from Corporate Office to 888 North Sepulveda Boulevard Specific Plan (888 NSBSP). The proposed Zone Change is necessary to maintain consistency with the proposed General Plan land uses designation of 888 North Sepulveda Boulevard Specific Plan (888 NSBSP).

B. The purpose of ESMC Title 15 is to implement the goals, objectives and policies of the El Segundo General Plan. The zone change is consistent with the General Plan goals, objectives and policies discussed in Section 4 of this resolution.

SECTION 6: Zone Text Amendment Findings. Based on the factual findings of this Resolution, the proposed Zone Text Amendment is necessary to carry out the proposed project to establish the proposed 888 North Sepulveda Boulevard Specific Plan (888 NSBSP) Zone. An amendment to add ESMC § 15-3-2(A)(9) to rezone the site from CO to 888 North Sepulveda Boulevard Specific Plan (888 NSBSP) Zone as a zoning classification within the City is necessary for consistency with the General Plan.

SECTION 7: Development Agreement Findings. Pursuant to City Council Resolution No. 3268, adopted June 26, 1984, the Planning Commission finds that:

A. The project is consistent with the objectives, policies, general land uses, and programs specified in the general plan and any applicable specific plan. The Development Agreement would provide the following public benefits in exchange for valuable development rights (ten-year entitlement with no extension option):

1. Development of a property that is currently vacant and underutilized.
2. Addition of an attractive new hotel at this location will encourage additional renovation of businesses in the vicinity of the project site.
3. The presence of a hotel and related evening activity will improve safety in this northern gateway area as more activity, together with building illumination, will create less of a need for police services as compared to the attractive nuisance of the existing long-time vacant property.
4. Existing and prospective corporate businesses and research and development businesses will benefit from the availability of additional lodging choices with competitive pricing resulting from more available rooms in the community.
5. Residents seeking lodging for out-of-town guests will benefit from more hotel choices which provide more competitive pricing with greater room availability.

6. The project will bring a new hotel flag to the City with experience in operating business hotels for professionals and the addition of the new hotel will increase the number of rooms and related facilities in the City to the benefit of adjacent and nearby business.

7. The project will provide one-time City revenues of $147,593 associated with the $26 million development costs as specified in the Development Agreement.

8. City will benefit from an increase in transient occupancy tax (TOT) in excess of $500,000 annually for the life of the hotel project which is a direct net benefit to the General Fund as specified in the Development Agreement.

9. City will benefit from an increase in sales tax of approximately $100,000 per year based on expected expenditures per room and the added occupancy rate for a new business hotel will encourage business growth as specified in the Development Agreement.

10. City will benefit from an increase in property tax which, based on the City’s tax allocation formula and increased property tax valuation from a vacant to a developed parcel, is estimated to be approximately $29,000 per year as specified in the Development Agreement.

11. The new hotel will create approximately 20 full-time jobs and a limited number of part-time positions. At an estimated salary of $35,000 per year, with many of these jobs filled locally, this will increase annual payroll within the City by approximately $700,000, and increase employment opportunities for the City’s residents. Additionally, earnings within the City will result in an indeterminate amount of additional sales tax derived from retail expenditures by hotel employees.

12. Shuttle service to Los Angeles International Airport will be available to hotel guests to provide a convenient service for hotel guests and to reduce air quality impacts and traffic impacts to the City’s roadways as specified in the Development Agreement and as required in the conditions of approval.

13. The Developer agrees to contribute to the City an additional sum in the amount of $18,000 as an enhanced community benefit to be paid to the City annually beginning upon the effective date of this Development Agreement. This annual payment will cease on the date that a Certificate of Occupancy is issued for the proposed hotel building as specified as a term in the Development Agreement.

B. 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. The proposed project includes a new land use designation and zoning classification, which establishes the permitted uses and development
standards that would apply to the project. These uses and development standards are similar and compatible with the other commercially zoned districts in the City.

C. The project will not adversely affect the orderly development of property or the preservation of property values. This project is surrounded by previously developed areas and will help improve the value of neighboring properties. The proposed 888 North Sepulveda Boulevard Specific Plan (888 NSBSP) 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.

SECTION 8: Subdivision. The Planning Commission cannot make any of the findings for denial set forth in ESMC § 14-1-6 for the following reasons:

A. The proposed map is consistent with applicable general and specific plans as specified in Government Code § 65451. As set forth in Section 4 of this Resolution, this project meets the goals and objectives of the General Plan and it is consistent with the 888 North Sepulveda Boulevard Specific Plan (888 NSBSP). Vesting Tentative Parcel Map (VTPM) No.71788 proposes three new lots. The proposed lots vary in size and meet the minimum lot sizes stated in the 888 North Sepulveda Boulevard Specific Plan (888 NSBSP).

B. The design of the proposed subdivision is consistent with applicable general and specific plans. As set forth in Section 4, this project meets the goals and objectives of the General Plan.

C. The site is physically suitable for the proposed type of development in that, the proposed lots meet the minimum size and lot frontage requirements to allow the subdivision of the existing parcels. The previous land use and zoning designation for the property was Corporate Office. The new 888 North Sepulveda Boulevard Specific Plan continues a commercial office and a parking structure that is still compatible with the surrounding land uses and physically suitable for the site. The new hotel and the remote airport parking facility will be compatible with the surrounding land uses and are physically suitable for the site.

D. The site is physically suitable for the proposed density of development. The proposed project involves a subdivision of a 2.98 acre parcel into a 3-lot subdivision. The proposed maximum FAR of 1.41 for the entire site is consistent with the 888 North Sepulveda Boulevard Specific Plan. Each new lot will meet or exceed the minimum size and lot frontage requirements.
E. The design of the subdivision or the proposed improvements is unlikely to cause substantial damage or substantially and avoidably injure fish or wildlife or their habitat. The proposed project site is a former commercial office site in an urbanized area surrounded by commercial and light industrial uses. There are no fish or wildlife habitats on the site that could be damaged by the proposed subdivision or new development.

F. The design of the subdivision will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. The proposed subdivision is not anticipated to conflict with any known easements located at, or near the property. No easements have been identified on the subject site.

SECTION 9: Conditional Use Permit Findings. Pursuant to ESMC § 15-23-6, the Planning Commission finds as follows:

A. That the proposed location of the conditional use is in accord with the objectives of this Title and the purposes of the zone in which the site is located.

1. The proposed hotel will be located on a currently vacant parcel at 888 North Sepulveda Boulevard in the proposed 888 North Sepulveda Boulevard Specific Plan (888 NSBSP) Zone. Hotels are conditionally permitted uses in the existing Corporate Office (CO) Zone. Hotels are conditionally permitted uses in the proposed 888 NSBSP Zone. Therefore, the proposed location of the conditional uses is in accord with the objectives of this Title and the purposes of the zone in which the site is located.

2. The 888 NSBSP Zone permits, and the surrounding land uses include commercial retail, restaurant, general office and medical-dental office uses, and conditionally permits hotel uses. The proposed hotel will be similar and compatible with the surrounding commercial uses.

B. That the proposed location of the conditional use and the conditions under which it 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 888 North Sepulveda Boulevard Specific Plan (888 NSBSP) Zone conditionally permits a hotel. The hotel will be operated and maintained in compliance with the 888 NSBSP. The surrounding land uses include compatible commercial, industrial and general office uses. The hotel operates 24 hours a day, 7 days a week. The remote airport parking facility to be located in the parking structure adjacent to the hotel will also operate 24 hours a day, 7
days a week. Industrial uses that are located east of the project site also operate with multiple work shifts with extended hours. No residential uses are located in the vicinity of the hotel. The proposed hotel will be similar and compatible with the surrounding uses and would not be detrimental to the public health, safety or welfare, or materially injurious to properties of improvements in the vicinity.

C. That the proposed conditional use will comply with each of the applicable provisions of this Chapter.

1. The proposed hotel will be located on a currently vacant parcel at 888 North Sepulveda Boulevard in the 888 NSBSP Zone. The hotel is a conditionally permitted use in the 888 NSBSP Zone. The project as proposed complies with the development standards and design guidelines of the 888 North Sepulveda Boulevard Specific Plan.

SECTION 10: 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 a remote airport parking facility on-site. A remote airport parking facility has been operating on-site on an interim basis. The proposed permanent airport parking facility will utilize 488 excess parking spaces and share 17 parking spaces with the adjacent existing office building and proposed hotel that are located in an existing 808-stall parking structure at 892 North Sepulveda Boulevard. The remote airport parking facility will complement the new hotel use and provide a convenient service for hotel patrons. The existing parking structure is compatible with the surrounding uses and the use of a portion of the parking spaces for a remote airport parking facility will be compatible with the other commercial and industrial uses in the surrounding area. Sufficient parking spaces will remain to serve the office and hotel uses in compliance with the requirements of the 888 North Sepulveda Boulevard Specific Plan (888 NSBSP).

2. The General Plan Land Use designation for the site is 888 North Sepulveda Boulevard Specific Plan and the zoning for the site is 888 North Sepulveda Boulevard Specific Plan (888 NSBSP) Zone. Remote airport parking facilities are permitted with the approval of
an Administrative Use Permit in accordance with 888 North Sepulveda Boulevard Specific Plan (888 NSBSP) 4.0(c)(i).

3. The 888 North Sepulveda Boulevard Specific Plan (888 NSBSP) Zone permits, and the surrounding land uses include commercial retail, restaurant, general office and medical-dental office uses, and conditionally permits hotel uses. The proposed remote airport parking facility will be similar and compatible with the surrounding commercial uses.

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 888 North Sepulveda Boulevard Specific Plan.

2. The zoning for the site is 888 North Sepulveda Boulevard Specific Plan (888 NSBSP). The proposed use (remote airport parking) requires an Administrative Use Permit in accordance with 888 NSBSP § 4.0(c)(i).

3. The purpose of the 888 North Sepulveda Boulevard Specific Plan (888 NSBSP) Zone is to provide for developing commercial establishments serving the city and surrounding area. The regulations of the 888 NSBSP Zone are designed to promote and control growth of commercial uses including hotels, offices, retail, restaurants, cafes, and remote airport parking.

4. The surrounding land uses include: commercial retail, restaurants, office, light industrial, and research and development uses. The proposed remote airport parking facility 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 remote airport parking facility will be located in an existing parking structure at 892 North Sepulveda Boulevard in the 888 NSBSP Zone. The remote airport parking facility is a use allowed subject to an Administrative Use Permit. The remote airport parking facility will meet all the development standards of the 888 North Sepulveda Boulevard Specific Plan (888 NSBSP) Zone and sufficient parking will be provided on-site in compliance with the 888 NSBSP and ESMC Chapter 15-15.
2. The surrounding land uses include commercial retail, restaurants office, light industrial, and research and development uses.

3. The proposed hours of operation for the remote airport parking facility are 24 hours per day, 7 days a week. The remote airport parking facility 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 remote airport parking facility will not create any new impacts that would not be normally associated with the operation of the existing parking structure.

2. The proposed hours of operation for the remote airport parking facility are 24 hours per day, 7 days per week. The proposed remote airport parking use is located in a predominantly commercial/industrial area that is not adjacent to any residential uses, which will minimize noise impacts on sensitive uses.

3. Adequate parking for the new hotel and the existing office building will be provided onsite.

4. The environmental impacts of the proposed uses in the 888 North Sepulveda Boulevard Specific Plan (888 NSBSP), including the remote airport parking facility and the proposed hotel were evaluated in an Initial Study/Mitigated Negative Declaration. The Initial Study/Mitigated Negative Declaration found that any potentially significant impacts of the proposed project will be mitigated to a less than significant level. 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.

SECTION 11: Recommendations. The Planning Commission makes the following recommendations:

A. Subject to the conditions listed on the attached Exhibit “A,” which are incorporated into this Resolution by reference, the City Council should adopt an Initial Study/Mitigated Negative Declaration for Environmental Assessment No. EA-997; and approve General Plan Amendment No. GPA 12-03, Specific Plan No. SP 12-05, Zone Change No. ZC 12-03, Zone Text Amendment No. ZTA 12-05, Development Agreement No. DA
12-04, Subdivision No. SUB 12-07 for Vesting Tentative Parcel Map No. 71788, Conditional Use Permit No. CUP 12-08, Administrative Use Permit No. AUP 13-11, and Parking Demand Study No. PDS 12-06.

B. The City Council should adopt the attached Findings of Fact as set forth in Exhibit "B," which are incorporated into this Resolution by reference.

C. The City Council should, in accordance with the requirements of Public Resources Code §§ 21081(a) and 21081.6, adopt a Mitigation Monitoring and Reporting Program (MMRP) as set forth in attached Exhibit "C" which is incorporated into this Resolution by reference. The City Council adopts each of the mitigation measures expressly set forth in the MMRP 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 Project will not be greater than set forth in the Mitigated Negative Declaration and these findings.

D. The City Council should adopt the IS/MND prepared for Environmental Assessment No. EA-997. While too voluminous to be attached to this Resolution, the IS/MND is incorporated by this reference.

E. The City Council should amend the proposed Land Use Plan ("Northeast Quadrant" subsection) of the Land Use Element of the General Plan to reflect the change of the Project area from Corporate Office to 888 North Sepulveda Boulevard Specific Plan. The corresponding changes as set forth in attached Exhibit D, which is incorporated into this Resolution by reference.

F. The City Council should amend the 1992 General Plan Summary of Existing Trends Buildout (Exhibit LU-3) of the Land Use Element to reflect the change of the Project area from Corporate Office to 888 North Sepulveda Boulevard Specific Plan. The corresponding changes to the Land Use Element are set forth in attached Exhibit E, which is incorporated into this Resolution by reference.

G. The City Council should amend the General Plan Land Use Map to reflect the change of the Project from Corporate Office to 888 North Sepulveda Boulevard Specific Plan. The corresponding changes to the Land Use Map are set forth in attached Exhibit F, which is incorporated into this Resolution by reference.

H. The City Council should amend the current Zoning Map to reflect a change of the Project area from Corporate Office to 888 North Sepulveda Boulevard Specific Plan. The corresponding changes to the Zoning Map are set forth in attached Exhibit G, which is incorporated into this
Resolution by reference.

I. The City Council should adopt the 888 North Sepulveda Boulevard Specific Plan, as set forth in attached Exhibit H, which is incorporated into this Resolution by reference.

J. The City Council should adopt the Development Agreement by and between the City of El Segundo and Realty Associates Fund IX, L.P. as set forth in attached Exhibit I, which is incorporated into this Resolution by reference.

K. The City Council should add ESMC § 15-3-2(A)(9) to read as follows:

"9. 888 North Sepulveda Boulevard Specific Plan

There is one zone intended to be used within the boundaries of the 888 North Sepulveda Boulevard Specific Plan. The zone is:

888 NSBSP  888 North Sepulveda Boulevard Specific Plan."

SECTION 12: 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 13: 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 14: 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 15: This Resolution will remain effective until superseded by a subsequent resolution.
SECTION 16: A copy of this Resolution must be mailed to Realty Associates Fund IX, L.P., and to any other person requesting a copy.

SECTION 17: This Resolution is the Planning Commission's final decision and will become effective immediately upon adoption.

PASSED, APPROVED AND ADOPTED this 13th day of March, 2014.

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. 2750

Exhibit A

CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), the Realty Associates Fund IX, L.P., agrees to comply with the following provisions as conditions for the City of El Segundo’s approval of a Mitigated Negative Declaration for Environmental Assessment No. EA-997, General Plan Amendment No. GPA 12-03, Specific Plan No. SP 12-05, Zone Change No. ZC 12-03, Zone Text Amendment No. ZTA 12-05, Development Agreement No. DA 12-04, Subdivision SUB 12-07 for Vesting Tentative Parcel Map No. 71788, Conditional Use Permit No. CUP 12-08, Administrative Use Permit No. AUP 13-11, and Parking Demand Study No. PDS 12-06 ("Project Conditions").

Planning and Building Safety Department

1. Before building permits are issued, the applicant must submit plans demonstrating substantial compliance with the plans and conditions of approval on file with the Planning and Building Safety Department. Any subsequent modification to the project as approved, including the site plan, floor plan, elevations, landscaping and materials, must be referred to the Director of Planning and Building Safety to determine whether the Planning Commission should review the proposed modification.

2. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.

3. The applicant must comply with all mitigation measures identified in the Mitigated Negative Declaration prepared for the Project. A Mitigation Monitoring and Reporting Program (MMRP) was prepared as part of the environmental review for the project and is attached as Exhibit "C" to this Resolution. The mitigation measures of the MMRP are incorporated into these conditions of approval by reference. All mitigation measures and conditions of approval must be listed on the plans submitted for plan check and the plans for which a building permit is issued.

4. Any changes to the colors and materials of the exterior façade of the buildings and structures in the 888 North Sepulveda Boulevard Specific Plan must be in compliance with the 888 North Sepulveda Boulevard Specific Plan Section 4.0(H) Development Standards and
approved to the satisfaction of the Director of Planning and Building Safety.

5. Before the City issues a building permit, the applicant must submit final landscaping and irrigation plans to the Planning and Building Safety Department and the Parks and Recreation Department for review and approval to demonstrate compliance with the City’s Water Conservation regulations and Guidelines for Water Conservation in Landscaping (ESMC §§ 10-2-1, et seq.). The plant materials used in landscaping must be compatible with the El Segundo climate pursuant to Sunset Western Garden Book’s Zone 24 published by Sunset Books, Inc., Revised and Updated 2001 edition, which is available for review at the Planning and Building Safety Department. Additionally, the landscaping and irrigation must be completely installed before the City issues a final Certificate of Occupancy. Additionally, the final landscaping and irrigation plans must comply with the following:

- Reclaimed water must be used as the water source to irrigate landscaped areas, if feasible. To that end, dual water connections must be installed to allow for landscaping to be irrigated by reclaimed water, if feasible.

- 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).

- 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 landscaping irrigation.

6. Selection of drought-tolerant, low-water consuming plant varieties must be used to reduce irrigation water consumption, in compliance with ESMC §§ 10-2-1, et seq.

7. Employees of both the proposed hotel and the existing office building must be provided current maps, routes and schedules for public transit routes serving the site; telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency and local transit operators; ridesharing promotional materials; and bicycle route and facility information.
8. Trash and recycling enclosures must be provided and shown on the site plan that are sufficiently large enough to store the necessary bins required for the regular collection of commercial solid waste and recyclable materials. The site plan with the location and dimensions of the trash and recycling enclosure and an elevation view of the enclosure must be provided to the Planning and Building Safety Department for review and approval before the City issues building permits.

9. Ground level mechanical equipment, refuse collectors, storage tanks, generators, and other similar facilities must be screened from view with dense landscaping and walls constructed of materials and finishes compatible with the overall design of the project and any ancillary buildings and in compliance with 888 NSBSP § 4.0(H) to the satisfaction of the Director of Planning and Building Safety.

10. Exterior lighting must be designed to minimize off-site glare.

11. The building must be designed to comply with all ESMC standards for the attenuation of interior noise.

Building Division Conditions

12. Before building permits are issued, the applicant must submit a geotechnical/soils report, along with an associated grading plan that addresses the current code to the Planning and Building Safety Department for review and approval.

13. Before grading permits are issued, the applicant must submit a soils report to the Planning and Building Safety Department for review and approval.

14. Before grading permits are issued, the applicant must submit a grading plan to the Planning and Building Safety Department for review and approval. Before building permits are issued, plans must show conformance with the 2013 California Building Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Electrical Code, and 2013 California Energy Code, all as adopted by the ESMC.

15. Before building permits are issued, plans must show compliance with accessibility requirements per the 2013 California Building Code, as adopted by the ESMC.
16. The applicant must provide a complete pool enclosure that encompasses the pool per the 2013 California Building Code, as adopted by the ESMC.

17. The applicant must provide a disabled access lift to access the pool per the 2013 California Building Code, as adopted by the ESMC.

18. At least one stairway must access the roof per the 2013 California Building Code, as adopted by the ESMC.

19. The applicant must provide a van accessible disabled parking space in the open, exterior parking area in addition to the van accessible disabled parking required in the underground parking area. The stall width must be a minimum of nine feet and the unloading zone area must be a minimum of eight feet in width.

20. The project must comply with current storm water requirements including the new MS4 permit under CAS004001.

21. The project will require complete structural calculations, notes, and details.

22. Separate permit applications will be required for all walls (retaining walls/block walls).

Fire Department Conditions

23. The project must comply with all applicable requirements in the 2013 California Building and Fire Codes, and the 2012 International Fire Code as adopted by the ESMC and El Segundo Fire Department regulations.

24. Construction of any cafeteria or kitchen facilities must include installation of a grease interceptor capable of removing fats, oils, and grease from the kitchen waste stream. If the Los Angeles County Health Department determines that the food preparation area does not require the installation of grease interceptors, then this condition will not be required.

25. Construction activities must include a storm water pollution prevention plan addressing non-storm water run-off, debris removal, track-out and protection of storm water system.

26. Any diesel-powered generators must be approved by the Fire Department, Environmental Safety Division, and provide for secondary containment, placarding, spill detection and prevention.
Underground tanks require additional environmental monitoring requirements.

27. The applicant must provide the Environmental Safety Division of the El Segundo Fire Department an inventory of any and all chemicals used for laundry, pool or house cleaning, emergency generators or other devices.

28. The applicant, or designee, must contact Underground Service Alert before digging or excavating.

29. In addition to the building plan check submittal, the applicant must provide as a separate submittal, and have approved by the Fire Department prior to issuance of the building permit, a Fire/Life Safety Plan, identifying fire safety precautions during demolition and construction, emergency site access during construction, permanent fire department access, fire hydrant locations and any existing or proposed fire sprinkler systems and fire alarm systems.

30. The applicant must comply with the City of El Segundo mid-rise building requirements identified in the 2013 California Fire Code (Section 915) adopted by the City of El Segundo.

31. A certification from the underground petroleum pipeline company must be submitted at time of initial plan check review, indicating that any proposed project encroachment within the pipeline right-of-way has been reviewed and approved by the pipeline owner/operator.

32. Any proposed exterior fire features must provide the following: (1) A barrier must be provided around the fire feature to prevent accidental access into the fire feature; (2) The distance between the fire feature and any combustible material and/or furnishings must meet the listed manufacturer’s requirements; (3) all exit paths and occupant seating must be a minimum 36 inches from the fire feature.

Public Works Department Conditions

33. All onsite utilities including, without limitation, water, electricity, gas, sewer and storm drains, must be installed underground. Contact Southern California Edison for required service and underground requirements (contact Mr. John Deng at (310) 783-9305).

34. A utility plan must be provided that shows all existing and proposed utility lines (sewer, water, storm drain, gas, electrical, cable,
communications, etc.) and their sizes, including easement boundaries, around the project site.

35. Before the City issues a Certificate of Occupancy, the applicant must upgrade the existing curb ramp located at the corner of Walnut Avenue and Sepulveda Boulevard to standards as required by the Public Works Department.

36. Before the City issues a Certificate of Occupancy, all damaged or off-grade curb, sidewalk and pavement must be removed and replaced as required by the Public Works Department by an appropriately licensed contractor.

37. The applicant must secure any required encroachment permits from the Public Works Department before commencing any work in the public right-of-way.

38. The applicant must improve the existing driveway on Sepulveda Boulevard to City Standards and adjust the off-grade existing pullbox.

39. Any work on the public right-of-way along Sepulveda Boulevard requires a Caltrans permit prior to issuance of the City encroachment permit (contact Mr. Art Escalante at (213) 897-3218).

40. The project must comply with the latest National Pollution Discharge Elimination System (NPDES) requirements and provide Best Management Practices (BMPs) for sediment control, construction material control and erosion control.

41. Before the City issues a building permit, the location and sizes of all proposed water meters must be approved by the City's Water Division. The applicant must provide a water sewer service connection and a water meter for each parcel.

42. Any existing water meters, portable water service connections, fire backflow devices and potable water backflow devices must be upgraded to current City Water Division standards. These devices shall be placed or relocated onto private property. Contact the El Segundo Water Division regarding any proposed water system upgrades (meters, laterals, etc.) at (310) 524-2742.

43. The applicant must submit plans for water system upgrades to the City of El Segundo Public Works Department for review and approval, including traffic control plans for work in the public right-of-way.
44. Add the following note to the plans: No direct drainage connection can be made to the City's catch basins or storm drain system.

45. Add the following note to the plans: Any unused water or sanitary sewer laterals must be abandoned and properly capped at the City main. Provide necessary permits (encroachment permit and Caltrans permit) traffic control plans and shoring plans.

46. Add the following note to the plans: A CCTV video of the existing sewer lateral condition must be made available for review so that the Planning and Building Safety Department and the Public Works Department can determine any need for repair. Neither the final Public Works approval nor the Certificate of Occupancy can be issued until the lateral condition is assessed and any necessary repairs have been fully completed.

47. The applicant must submit construction, traffic control, and sewer bypass plans for the proposed sewer upgrades to the City of El Segundo Public Works Department for review and approval. No construction on sewer system upgrades can occur without issuance of an encroachment permit from the City of El Segundo Public Works Department.

48. Before the City issues a building permit the applicant must provide a SUSMP (Standard Urban Storm Water Mitigation Plan).

49. Before the City issues a building permit the applicant must provide a SWPPP (Stormwater Pollution Prevention Plan).

50. A registered civil engineer must provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts, as follows, subject to review and approval from the Public Works Department:

   a) The design must follow the criteria contained in both the Los Angeles County Department of Public Works Hydrology Manual 2006 and Standard Urban Storm Water Mitigation Plan or most recent editions. Flows must remain in their historical drainage pattern so as not to impact neighboring properties. Calculations shall be signed by a registered civil engineer.

   b) New development must not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.
51. Add the following note to the plans: Construction related parking must be provided on-site.

52. Add the following note to the plans: PG-64-10 tack coat and hot mix asphalt must be used for all slot paving required next to new concrete. Slot paving must be 3 feet wide and 1 foot deep, consisting of 6 inches of asphalt over 6 inches of base.

53. Add the following note to the plans: The applicant must repair any damage to public streets and/or sidewalks due to construction or by construction vehicles traveling to or from the project site, before the permit can be finalized.

54. Add the following note to the plans: The developer or contractor must inform all neighboring properties in writing of any street lane closures or other significant traffic impacts on the adjacent streets at least on week before they occur.

55. Add the following note to the plans: The contractor must obtain all required City encroachment permits from the Public Works Department before commencing any work in the public right-of-way, including lane closure. Call (310) 524-2360 for permit requirements and associated fees.

56. Add the following note to the plans: No parkway trees are to be removed without Recreation and Parks Department approval.

57. The Recreation and Parks Department will review the landscape plans to ensure the plant material is compatible with the City’s Water Conservation and Landscape Ordinance.

58. All record drawings (as-built drawings) and supporting documentation must be submitted to the Public Works Department before scheduling the project’s final inspection.

59. The Final Map must be recorded and filed with both the City Engineer of the City of El Segundo and the Los Angeles County Recorder’s Office.

**Police Department Conditions**

60. Before the City issues a building permit for the hotel, the applicant must submit a photometric light study to the Police Department for review and approval. A site plan must be provided showing buildings, parking areas, walkways, and the point-by-point
photometric calculation of the required light levels. Foot candles must be measured on a horizontal plane and conform to a uniformity ratio of 4:1 average/minimum. The photometric study must be point-by-point and include the light loss factor (.7). Lighting levels must be adjusted to meet the minimum foot candle requirements within each area of the site. All interior or exterior corridors, passageways and pedestrian walkways and open parking lot must be illuminated at all times with a minimum maintained one foot-candle of light on the walking surface. The plan must also include the underground parking area and the existing parking structure.

61. A schematic plan of the security camera system must be submitted and approved by the El Segundo Police Department before the City issues a building permit for the hotel. The plan must be included as a page in the stamped approved set of plans.

62. Lighting devices must be enclosed and protected by weather and vandal resistant covers.

63. Stairways must be illuminated with a minimum maintained one foot-candle of light on all landings and stair treads at all times.

64. All types of exterior doors must be illuminated during the hours of darkness, with a minimum maintained one foot-candle of light measured within a five-foot radius on each side of the door at ground level. The light source must be controlled by a photocell device or a time-clock with an astronomic clock feature and capable of operating during a power outage.

65. The addressing, open parking lot and trash dumpster must be illuminated with a maintained minimum of one foot-candle of light on the ground surface during hours of darkness.

66. Street addressing must be a minimum of 6 inches high and must be visible from the street or driving surface, of contrasting color to the background and illuminated during hours of darkness. Addressing must also be shown on plan elevations.

67. All landscaping must be low profile around perimeter fencing, windows, doors and entryways so as not to limit visibility or provide climbing access. Dense bushes cannot be clumped together in a manner that provides easy concealment. Bushes must be trimmed to a distance of two to three feet away from the buildings. After reaching full maturity, tree crowns must be trimmed a minimum of seven feet above grade.
68. Stairwell doors exiting onto the street must have a minimum 100-square inch vision panel, with a minimum five inch width, to provide visibility into the area being entered. Vision panels must meet the requirements of the California Building Code, as adopted by the ESMC. Vision panels must preclude manipulation of the interior locking device from the exterior.

69. Interior stairwell doors must have glazing panels a minimum of five inches wide and 20 inches in height and meet the requirements of the California Building Code, as adopted by the ESMC. Guest rooms must have a deadbolt lock, a secondary security latch and a wide angle (190-200 degree) door viewer, not to be mounted more than 58 inches from the bottom of the door.

70. Exterior mounted ladders are prohibited except: (1) ladders with a minimum 1/8 inch thick steel plate, securely attached to the ladders edge on each side, and extending to within two inches of the wall for a height of ten feet above ground level. A door and cover must be securely attached to the front of the ladder, and be constructed of minimum 1/8-inch steel, extending from ground level to at least ten feet high. The ladder must have non-removable hinge pins and be locked securely against the side wall by a locking mechanism with a minimum five pin tumbler operation; or (2) the bottom of the ladder must begin ten feet above the ground surface.

71. All pool entrances at the hotel must be posted with "No Trespassing" signs.

72. Any pool restroom and shower doors at the hotel must have access control as reviewed and approved by the El Segundo Police Department.

73. Exterior gates leading to the pool at the hotel must be secured by electronic access control.

74. A safe for the hotel must be installed in a secure location (ex: general manager’s office) and the safe must be equipped with suitable anchors in concrete blocks or to the premises in which it is located.

Construction Conditions

75. Before any construction occurs the perimeter of the property must be fenced with a minimum 6-foot high fence. The fence must be covered with a material approved by the Planning and Building Safety Department to prevent dust from leaving the site.
76. Public sidewalks must remain open at all times.

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

78. NOx emissions during construction must be reduced by limiting the operation of heavy-duty construction equipment to no more than 5 pieces of equipment at any one time.

79. Staging of construction vehicles and vehicle entry and egress to the site must be approved by the Public Works Department. Temporary construction driveways must be approved by the Public Works Department. Temporary construction driveways must be removed before the City issues a certificate of occupancy.

80. Construction vehicles cannot use any route except the City’s designated Truck Routes.

81. The applicant must develop and implement a construction management plan, as approved by the Public Works Department, which includes the following measures recommended by the SCAQMD:

- Configure construction parking to minimize traffic interference.
- Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person).
- Re-route construction trucks away from congested streets.
- Maintain equipment and vehicles engines in good condition and in proper tune as per manufacturer’s specifications and per SCAQMD rules, to minimize dust emissions.
- Suspend use of all construction equipment during second stage smog alerts. Contact SCAQMD at (800) 242-4022 for daily forecasts.
- Use electricity from temporary power poles rather than temporary diesel or gasoline-powered generators.
- Diesel-powered equipment such as booster pumps or generators should be replaced by electric equipment, if feasible.
- Catalytic converters must be installed, if feasible.
- Equipment must be equipped with two-to-four-degree engine time retard or pre-combustion chamber engines.
- Use methanol or natural gas powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices.
- Use propane or butane powered on-site mobile equipment instead of gasoline if readily available at competitive prices.

82. During construction and operations, all waste must be disposed in accordance with all applicable laws and regulations. Toxic wastes must be discarded at a licensed, regulated disposal site by a licensed waste hauler.

83. All leaks, drips and spills occurring during construction must be cleaned up promptly and in compliance with all applicable laws and regulations to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.

84. If materials spills occur, they must be cleaned up in a way that will not affect the storm drain system.

85. The project must comply with ESMC Chapter 5-4, which establishes storm water and urban pollution controls.

86. Before anticipated rainfall, construction dumpsters must be covered with tarps or plastic sheeting.

87. Inspections of the project site before and after storm events must be conducted to determine whether Best Management Practices have been implemented to reduce pollutant loadings identified in the Storm Water Prevention Plan.

88. The owner or contractor must conduct daily street sweeping and truck wheel cleaning to prevent dirt in the storm drain system.

89. Storm drain system must be safeguarded at all times during construction.

90. All diesel equipment must be operated with closed engine doors and must be equipped with factory-recommended mufflers.

91. Electrical power must be used to run air compressors and similar power tools.

92. The applicant must provide a telephone number for local residents to call to submit complaints associated with the construction noise. The number must be posted on the project site and must be easily viewed from adjacent public areas.
93. During construction, the contractor must store and maintain equipment as far as possible from adjacent residential property locations northwest of the site.

94. As stated in ESMC Chapter 7-2, construction related noise is restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Saturday, and prohibited at anytime on Sunday or a Federal holiday.

**Impact Fee Conditions**

95. 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 in accordance with Resolution No 4687. The fee amount must be based upon the adopted fee at the time the building permit is issued.

96. 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 in accordance with Resolution No. 4687. The fee amount must be based upon the adopted fee at the time the building permit is issued.

97. Pursuant to ESMC §§ 15-27A-1, *et seq.*, and before building permits are issued, the applicant must pay a one-time park services mitigation fee in accordance with Resolution No. 4687. The fee amount must be based upon the adopted fee at the time the building permit is issued.

98. Before building permits are issued, the applicant must pay the required sewer connection fees (as specified in ESMC Title 12-3).

99. Pursuant to ESMC §§ 15-27A-1, *et seq.*, and before the City issues a certificate of occupancy, the applicant must pay a one time traffic mitigation fee in accordance with Resolution No. 4443.

100. Before building permits are issued, the applicant must pay the required School Fees. This condition does not limit the applicant’s ability to appeal or protest the payment of these fees to the school districts(s).

**Conditional Use Permit Conditions**

In addition to the above “Project” conditions, the hotel is subject to the following additional conditions:
101. The Conditional Use Permit for the proposed hotel will expire twenty four (24) months after its approval if the use has not commenced; or if improvements are required, but construction has not commenced under a valid building permit as specified in ESMC § 15-23-11.

102. The proposed hotel must provide features and amenities as specified in 888 NSBSP § 4.0(G) to the satisfaction of the Director of Planning and Building Safety.

103. The project must meet all design standards as specified in 888 NSBSP § 4.0(H) to the satisfaction of the Director of Planning and Building Safety.

104. The proposed hotel must comply with the Transportation Demand Management and Transportation Systems Management requirements in 888 NSBSP § 4.0(F)(10).

105. Plans for the hotel must include combining the existing and proposed walkways between the office building and hotel into a single walkway through the Sepulveda setback area. Any fencing, gate, and stairs providing access to the plaza must not be located in the Sepulveda setback area.

106. The 72 parking spaces located at 888 North Sepulveda Boulevard must be available only for the hotel use with corresponding signage and/or pavement marking.

107. The large truck loading space located at 888 North Sepulveda Boulevard must be made available for use by both the hotel at 888 North Sepulveda Boulevard and the office building at 898 North Sepulveda Boulevard.

108. Ninety six (96) parking spaces must be provided for the hotel in the parking structure at 892 North Sepulveda Boulevard. The parking spaces must be designated spaces subject to the approval of a parking management plan to the satisfaction of the Director of Planning and Building Safety in compliance with the parking management plan. The parking management plan must include detailed floor plans that designate the assignment of parking. Sharing of any of these required parking spaces with other uses within the Specific Plan will only be permitted subject to approval of a Parking Demand Study. An off-site parking covenant must be reviewed and approved as to form and recorded to the satisfaction of the Director of Planning and Building Safety and the City Attorney.
Administrative Use Permit Conditions

The remote airport parking facility is subject to the following conditions:

109. A maximum of 501 parking spaces located in the parking structure at 892 North Sepulveda Boulevard are allowed to be used for the remote airport parking facility. Provision for shared/joint use of parking spaces required for any other uses within the 888 North Sepulveda Boulevard Specific Plan with the remote airport parking facility is subject to a Parking Demand Study and the requirements of the 888 North Sepulveda Boulevard Specific Plan.

110. Parking spaces for the remote airport parking shuttles and the remote airport parking stalls must be designated spaces subject to the approval of a parking management plan to the satisfaction of the Director of Planning and Building Safety. All parking spaces and loading spaces must be clearly marked and designated through the use of signage and/or pavement marking to the satisfaction of the Director of Planning and Building Safety in compliance with the parking management plan. The parking management plan must include detailed floor plans that designate the assignment of parking.

111. A waiting area must be provided and maintained in the parking structure for use by the remote airport parking patrons.

112. A restroom must be provided and maintained in the parking structure for use by the remote airport parking patrons and employees.

113. Building permits must be obtained for improvements to the parking structure, including, but not limited to, the waiting area, storage rooms, the valet parking booth, the restroom required in the parking structure that will serve the remote airport parking facility employees and patrons.

Parking Demand Study Conditions

The Parking Demand Study approval is subject to the following conditions:

114. A minimum of two hundred twenty eight (228) parking spaces located in the parking structure at 892 North Sepulveda Boulevard must be available for the office building uses at 898 North Sepulveda Boulevard. An off site parking covenant must be reviewed and approved as to form and recorded to the satisfaction of the Director of Planning and Building Safety and the City Attorney.
Sharing of any of these required parking spaces with other uses within the Specific Plan are subject to the requirements of the 888 North Sepulveda Boulevard Specific Plan.

115. Ninety six (96) parking spaces must be provided in the parking structure at 892 North Sepulveda Boulevard for the hotel use located at 888 North Sepulveda Boulevard.

116. A maximum of seventeen (17) parking spaces may be shared jointly by the remote airport parking facility, the hotel, and the office uses. A maximum of three hundred seven (307) parking spaces may be shared jointly by the hotel and the office uses.

117. Any shared/joint use parking spaces for the hotel, the office building, and the remote airport parking stalls must be designated spaces subject to the approval of a parking management plan to the satisfaction of the Director of Planning and Building Safety. All parking spaces and loading spaces must be clearly marked and designated through the use of signage and/or pavement marking to the satisfaction of the Director of Planning and Building Safety in compliance with the parking management plan. The parking management plan must include detailed floor plans that designate the assignment of parking.

**Miscellaneous Conditions**

118. The tentative parcel map will expire pursuant to Government Code § 66452.6 and ESMC § 14-1-12.
119. The Realty Associates Fund IX, L.P., agrees 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-997, General Plan Amendment No. GPA 12-03, Specific Plan No. SP 12-05, Zone Change No. ZC 12-03, Zone Text Amendment No. ZTA 12-05, Development Agreement No. DA 12-04, Subdivision No. SUB 12-07, Conditional Use Permit CUP 12-08, Parking Demand Study PDS 12-06. 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. 997, the Realty Associates Fund IX, L.P., 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.

By signing this document, Scott Amling on behalf of the Realty Associates Fund IX, L.P., certifies that they have read, understood, and agree to the Project Conditions listed in this document.

Scott Amling, Regional Director
Realty Associates Fund IX, L.P.
CITY OF EL SEGUNDO
888 NORTH SEPULVEDA BOULEVARD SPECIFIC PLAN PROJECT
Initial Study/Mitigated Negative Declaration

Environmental Assessment No. EA-997; General Plan Amendment No. 12-03; Zone Change No. 12-03; Zone Text Amendment No. 12-05; Specific Plan No. 12-05; Development Agreement No. 12-04; Subdivision No. 12-07; Conditional Use Permit No. 12-08; Administrative Use Permit No. 13-11; and Parking Demand Study No. 12-06

Final

Prepared for
City of El Segundo
Planning and Building and Safety Department
350 Main Street
El Segundo, California 90245

Prepared by
Atkins
12301 Wilshire Boulevard, Suite 430
Los Angeles, California 90025

February 2014
List of Applications
- Environmental Assessment No.
- General Plan Amendment No.
- Zone Change No.
- Zoning Text Amendment No.
- Specific Plan Amendment No.
- Conditional Use Permit No.
- Development Agreement No.
- Subdivision No.
- Parking Demand Study No.

Application Numbers
- EA 997
- GPA 12-03
- ZC 12-03
- ZTA 12-05
- SPA 12-05
- CUP 12-08
- DA 12-04
- SUB 12-07
- PDS 12-06

VICINITY MAP

Area is based upon ESMC T5-1-6. Gross area minus Elevator Shells, Stairwells, device holding building operating equipment and Restrooms in common areas.
AGENDA DESCRIPTION:
Consideration and possible action regarding recommendations from the Senior Housing Board Corporation to modify the eligibility requirements to reside at the Park Vista Apartments located at 615 East Holly Street. (Fiscal Impact: N/A)

RECOMMENDED COUNCIL ACTION:
1. Authorize the Senior Housing Board to lower the income/net worth eligibility requirement from $45,000 to $35,000 for a one person household and from $50,000 to $40,000 for a two person household; and,
2. Authorize the Senior Housing Board to modify the residency requirement from one year prior to application to at least five proven years of contiguous residency within the City of El Segundo at any time during a person’s adult (18 years and over) life; or,
3. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS: None

FISCAL IMPACT: N/A – No General Fund
Amount Budgeted: N/A
Additional Appropriation: N/A
Account Number(s): N/A

PREPARED BY: Meredith Petit, Recreation Superintendent
REVIEWED BY: Bob Cummings, Director of Recreation and Parks
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND & DISCUSSION:
The Senior Housing Board Corporation is guided by a Plan of Operations, which must be approved by the City Council and, among other things, must provide the determining factors of tenant eligibility to reside at the Park Vista Apartment Complex. Eligibility requirements for application for residency at Park Vista are based on (1) age, (2) income and (3) El Segundo residency.

On October 23, 2013, the Senior Housing Board created a sub-committee including three Senior Housing Board members – Jim de Cordova, Laura Freeman, and Terry Sue Aikens – to analyze and review the current eligibility requirements and to ultimately make recommendations to the Board. The sub-committee’s presentation and recommendations were made on December 19, 2013, and February 26, 2014, and the Senior Housing Board voted to modify two of the three eligibility requirements, income and El Segundo residency.

If approved, the modified eligibility requirements will be applied to new applicants only. Those currently on the Park Vista Waiting List will remain eligible for residency. There are currently 52 applicants on the Park Vista Waiting List for residency.
Income

The current Plan of Operations (revised July 2010) calls for the following:

INCOME/NET WORTH – Maximum allowable combined incomes and net worth are as follows: For a one person household, five percent (5%) of an applicant’s total net worth plus the applicant’s annual income cannot exceed $45,000; for a two person household, five percent (5%) of the applicant’s and proposed co-resident’s combined total net worth plus the applicant’s and proposed co-resident’s combined annual income cannot exceed $50,000. These amounts are subject to change.

The Senior Housing Board has unanimously voted to reduce the income/net worth figures to $35,000 for a one person household and $40,000 for a two-person household. The sub-committee reasoned that the facility will continue to see a growing demand for affordable living into the future and rental rates are significantly reduced in comparison to market rates, therefore the eligibility requirements should be tightened up to ensure the apartments are available for those in greater need.

El Segundo Residency

The current Plan of Operations (revised July 2010) calls for the following:

Applicants must be residents of the City of El Segundo at the time of application. For purposes of this requirement, a “Resident of the City of El Segundo” is a person who has resided in the City of El Segundo at least one year prior to submitting an application.

The Senior Housing Board has unanimously voted to modify this eligibility requirement to be conditional upon proof of El Segundo residency for five consecutive years during the applicants adult life (18 years and older). The Board discussed instances in which an El Segundo senior citizen must move out of the area to live with family members and/or where it is more affordable to live while they are on the waiting list for Park Vista, thereby making the timing of application difficult to some under the existing rule. The Board also speculated that the existing requirement may be vulnerable to non-City residents residing in the City or providing false proof of residency for only one year when they have not resided with the City, as a way to receive the benefits of living in Park Vista.
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**Total Warrants:** $1,171,194.36

**Register #12**

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**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 thereof.

For Approval: Regular checks held for City council authorization to release.

**CODES:**

- **R =** Computer generated checks for all non-emergency/accident 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: [Signature]**
**DATE:** 3-17-14

**CITY MANAGER:**
**DATE:** 3-19-14
# CITY OF EL SEGUNDO
## PAYMENTS BY WIRE TRANSFER
### 03/01/14 THROUGH 03/16/14

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**DATE OF RATIFICATION: 02/18/14**

**TOTAL PAYMENTS BY WIRE:** 2,987,698.93

Certified as to the accuracy of the wire transfers by:

![Signature](Image)  
Deputy City Treasurer II  
3/12/14  

![Signature](Image)  
Director of Finance  
3/17/14  

![Signature](Image)  
City Manager  
3/19/14

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, MARCH 18, 2014 – 5:00 PM

5:00 P.M. SESSION

CALL TO ORDER – Mayor Fisher at 5:00 PM

ROLL CALL

Mayor Fisher  - Present
Mayor Pro Tem 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:

Mayor Fisher announced that Council would be meeting in closed session pursuant to 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) -3- matter

1. City of El Segundo vs. City of Los Angeles, et.al. LASC Case No. BS094279
2. Springfield vs. City of El Segundo, et.al. LASC Case No. YC067789
3. Flickenger vs. City of El Segundo, WCAB Case No. ADJ8627969

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): -8- matters

Agency Designated Representative: City Manager

Employee Organizations: Police Management Association; Police Officers Association; Police Support Services Employees Association; Fire Fighters Association; Supervisory and Professional Employees Association; City Employees Association; Executive Management Group (Unrepresented Group); Management/Confidential Group (Unrepresented Group)

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov't Code §54956.8): -0- matters

Adjourned at 6:50 PM
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, MARCH 18, 2014 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER – Mayor Fisher at 7:02 PM

INVOCATION – Father Alexei Smith, St. Andrew Russian Greek Catholic Church

PLEDGE OF ALLEGIANCE – Council Member Atkinson

PRESENTATIONS - None

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.

Elyse Rothstein, South Bay Workforce Investment Board Representative, gave her quarterly report.

Gail Church, Executive Director of Tree Musketeers, thanked the Council for waiving the fees for Arbor Day and gave a brief report of the day.

Carlos Donahue, Race Director for the Run for Education, spoke concerning waiving the fees for this year’s Run for Education and asked the Council to waive the fees.

Liz Garnholz, resident, shared her concerns about item #2 under Unfinished Business, Top Golf and the reduced work force at the City.

Jane Friedkin, resident, spoke concerning “wants vs. needs” of the City and would like the Council to consider this when making decisions.

Peggy Tyrell, resident, asked what the income is from the Parking Structure on the corner of Main Street and Richmond Street.

Mike Robbins, resident, shared his concerns about Top Golf, property taxes, employee wages and raises.
CITY COUNCIL COMMENTS – (Related to Public Communications)

Council and City Manager Carpenter answered questions pertaining to Public Communications.

A. PROCEDURAL MOTIONS

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

MOTION by Council Member Fellhauer, SECONDED by Mayor Pro Tem Jacobson 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

1. Approval of an amended Due Diligence and Ground Lease Agreement to include a “shared principles” document and Reimbursement Agreement with ES CenterCal, LLC (“ES CenterCal”) to lease the driving range portion of The Lakes Golf Course for the purpose of developing a TopGolf facility consisting of a driving range, restaurant, bar and lounge and event facilities. (Fiscal Impact: $425,000 annual ground lease with 10% increases compounded each five years; Reimbursement Agreement to be funded by a $367,500 Developer Reimbursed Trust Fund)

Mark Hensley, City Attorney, presented the agenda item, giving an outline of the amendment, lease agreement, which included the “shared principles” document and reimbursement agreement with CenterCal, LLC for developing the TopGolf facility.

Council Discussion

MOTION by Council Member Fellhauer, SECONDED by Council Member Atkinson to approve an amended Due Diligence and Ground Lease Agreement No. 4574 to include a "shared principles" document and Reimbursement Agreement 4574A with ES CenterCal, LLC (“ES CenterCal”) to lease the driving range portion of The Lakes Golf Course for the purpose of developing a TopGolf facility consisting of a driving range, restaurant, bar and lounge and event facilities. MOTION PASSED BY A VOICE VOTE. 4/1. Yes: Atkinson, Fellhauer, Fisher and Fuentes. No: Jacobson
2. Consideration and possible action to: 1) receive and file this report on alternative parking concept designs for Richmond Street, Standard Street and Grand Ave., and 2) provide preliminary direction to staff related to preferred alternatives and implementation plans for the 100-400 blocks of Richmond St. and Standard St. and the east 100 block of Grand Ave; 3) direct staff to begin process of undertaking California Environmental Quality Act ("CEQA") review of the alternatives.
(Fiscal Impact: To Be Determined)

Greg Carpenter, City Manager, presented the item and asked to discuss items 2 and 3 concurrently, as they both deal with downtown paring.

Mark Hensley, City Attorney, stated Mayor Pro Tem Jacobson would need to leave the dais when Standard Street is discussed due to a potential conflict.

Dave Wagner, Planning Commission Chairperson, spoke on behalf of the Commission concerning the Parking In-Lieu Fee Program, parking issues in downtown El Segundo and the Commissions suggestions.

Stephanie Katsouleas, Public Works Director, introduced Charlie Schwinger of KOA Corporation who presented a series of parking alternatives for Richmond Street and Standard Street.

Stephanie Katsouleas, Public Works Director, presented staffs recommendation for the parking situation on Richmond Street, answered Council's questions and asked for Council's direction for moving forward.

Council Discussion

Council Consensus directed staff to finalize the Alternative 4A design for Richmond Street. Directed staff to conduct Public Outreach, work on a final plan and bring back to Council at a later date with a report including comments from the Public Outreach and for an approval implementing the final design as part of the slurry program.

Mayor Pro Tem Jacobson left the dais for Standard Street, Grand Avenue and Main Street discussion at 8:55 PM due to a potential conflict.

Consensus from Council to direct staff to work on a final plan to extend the parking on Grand Ave. with closing the drive through to the alley between the 200 block of Main and the 200 block of Standard Street. Mayor Pro Tem Jacobson not participating due to a potential conflict.

Mayor Pro Tem Jacobson returned to the dais at 9:00 PM
MOTION by Council Member Fellhauer, SECONDED by Council Member Fuentes to receive and file the report on alternative parking concept designs for Richmond Street, and direct staff to begin process of undertaking California Environmental Quality Act ("CEQA") review of the alternatives. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

3. Planning Commission communication regarding the Downtown Specific Plan (DSP) Parking In-Lieu Fee Program and how the Program may have negatively affected parking being conveniently located near businesses. (Fiscal Impact: N/A)

Council discussed this item concurrently with Item #2. No action taken.

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.

4. Warrant Numbers 2596842 - 2597038 on Register No. 11 in the total amount of $691,372.90 and Wire Transfers from 02/15/2014 through 02/28/2014 in the total amount of $941,250.74. 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.

5. Approved Regular City Council Meeting Minutes of March 4, 2014 and approved Special Meeting Minutes of March 10, 2014

6. Accepted City Wide Fiber Optics Project as complete and authorized the City Clerk to file a Notice of Completion in the County Recorder’s Office. Project No. PW 13-04.
   (Fiscal Impact: $236,544.27)

7. Authorized the appropriation of existing designated funds accrued in prior fiscal years to purchase computer hardware, software and peripherals for use at City facilities in an amount not to exceed $230,600.00.
   (Fiscal Impact: $230,600.00)

8. Approved Contract Amendment No. 4480A to increase the budget for DownStream Services, Inc. for pump station on-call and emergency repair services in the 2013-14 Fiscal Year. Project No. PW13-12
   (Fiscal Impact: $40,000.00)
9. Awarded Contract No. 4570 to Big West Construction Corporation for construction at 26 homes related to Project No. RSI 14-01 (Group 51 of the City’s Residential Sound Insulation Program) and authorized the City Manager to execute a contract in a form approved by the City Attorney. (Fiscal Impact: Estimated construction costs and retention $1,286,947.00)

10. PULLED BY GREG CARPENTER, CITY MANAGER

MOTION by Council Member Fellhauer, SECONDED by Council Member Atkinson to approve Consent Agenda items 4, 5, 6, 7, 8, and 9. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

PULLED ITEM:

10. Consideration and possible action regarding a request from the El Segundo PTA Council to waive fees for the use of City resources and staff time associated with their Run for Education event on April 26, 2014. (Fiscal Impact: 13,040.32)

Greg Carpenter, City Manager, presented the Agenda item.

Council Discussion

Carlos Donahue, Race Director of the Run for Education, answered questions.

Mitch Tavera, Police Chief, answered Council questions.

MOTION by Council Member Atkinson, SECONDED by Council Member Fuentes to approve a request from the El Segundo PTA Council to waive fees for the use of City resources and staff time (Police and Public Works) associated with their Run for Education event on April 26, 2014. In an amount not to exceed $7151.12. MOTION PASSED BY A VOICE VOTE. 4/1 Yes: Atkinson, Fisher, Fuentes and Jacobson. No: Fellhauer

F. NEW BUSINESS

G. REPORTS – CITY MANAGER - None

H. REPORTS – CITY ATTORNEY - None

I. REPORTS – CITY CLERK – Reminded the residents that March 24, 2014 is the last day to register to vote and April 1, 2014 is the last day the Clerk’s office can accept requests for a Vote By Mail Ballot. Clerk Weaver stated that she would not be at the April 1, 2014 Council Meeting because she is chaperoning the award winning ESHS choir to Nashville, TN.
J. REPORTS – CITY TREASURER - None

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fellhauer – None

Council Member Atkinson – None

Council Member Fuentes – Attended the LA Jobs Defense Council’s meeting via teleconferencing with speaker Andreas Mueller, Chief Military Federal Policy Liaison to the California Military Department, on budget impacted defense. Attended the Santa Monica Bay Restoration Commission meeting.

Mayor Pro Tem Jacobson – Covered the Metro Transit Board Meeting.

Mayor Fisher – Also attended the LA Jobs Defense Council’s meeting via teleconferencing.

1. Consideration and possible action to support the Advanced Manufacturing Partnership for Southern California (“AMP SoCal”) response to the 2014 Investing in Manufacturing Communities Partnership (IMCP) notice. (Fiscal Impact: None)

MOTION by Mayor Pro Tem Jacobson, SECONDED by Council Member Fuentes to approve the letter of support for the Advanced Manufacturing Partnership for Southern California (“AMP SoCal”). MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

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.

Mike Robbins, resident, expressed his concerns about the Chamber of Commerce and Measure A, TopGolf and City employee raises over the years.

Peggy Tyrell, resident, spoke on the condition of the Council Chamber accommodations.

Jane Friedkin, resident, expressed her concerns over accuracy from the dais and is disappointed about decisions made by the Council.

Antonio Mendez, resident, enjoyed the meeting this evening. Mr. Mendez spoke about LAEDC’s longevity and gave a bit of history about the LAEDC.
Liz Garnholz, resident, spoke again on the TopGolf subject, thanked the Council for answering questions and answered the question, "why not run for office". Ms. Garnholz stated she does not have the temperament to hold a seat on the Council. Council answered questions pertaining to Public Communications.

MEMORIALS – Gary Daniel Ganibi and Julia Abreu

ADJOURNMENT at 10:07

Tracy Weaver, City Clerk
AGENDA DESCRIPTION:
Consideration and possible action to declare Fire Engine 35 (Unit #3345) to be a surplus vehicle. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Authorize Fire Engine 35 (Unit #3345) to be declared a surplus vehicle;
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

FISCAL IMPACT: None

- Amount Budgeted: None
- Additional Appropriation: None
- Account Number(s): n/a

ORIGINATED BY: Kevin S. Smith, Fire Chief
REVIEWED BY: Kevin S. Smith, Fire Chief
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
The Fire Department has strived to maintain two fire engines and one aerial ladder truck in front line service and two additional fire engines have been kept in reserve to be used when a front line engine or truck is out of service for maintenance or when the Fire Department elects to staff an additional engine for special events or large incidents. In recent years we have maintained a third engine in reserve due to the aging of our apparatus fleet and the chronic unreliability of the fleet especially the ladder truck. Council approved the replacement of the ladder truck and the replacement ladder truck was recently delivered to the City. The Fire Department and the Equipment Maintenance Division now recommend that the City surplus the oldest fire engine in our fleet which is Fire Engine 35 (Unit #3345). The engine is a 1985 Pierce Arrow which has long surpassed its intended service life of twenty years. The Fire Department and the Equipment Maintenance Division no longer see an operational need to maintain a third reserve fire engine in the fleet. If the fire engine is declared a surplus vehicle, the Finance Department will coordinate the sale of the vehicle. The likely sales price of this vehicle is estimated to be between $20,000 and $30,000.
AGENDA DESCRIPTION:
Consideration and possible action to return a 1968 Crown fire engine to the El Segundo Firefighters’ Association. The fire engine was purchased by the Fire Association and donated to the City in 2003 to be used as a display engine at special events. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Authorize the return a 1968 Crown fire engine to the El Segundo Firefighters’ Association;
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

FISCAL IMPACT: None

<table>
<thead>
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<th>Amount Budgeted:</th>
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<td>Additional Appropriation:</td>
<td>None</td>
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<tr>
<td>Account Number(s):</td>
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ORIGINATED BY: Kevin S. Smith, Fire Chief

REVIEWED BY: Kevin S. Smith, Fire Chief

APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
The El Segundo Fire Association purchased a 1968 Crown fire engine that once was in service in the El Segundo Fire Department. The fire engine was surplus after its service life was completed. The surplused fire engine was apparently purchased by a private business that used the fire engine for birthday parties. The El Segundo Fire Association found the fire engine for sale and purchased it with the intent of donating it to the City to be used as a display at special events. The City Council approved the donation of the fire engine to the City in January 2003. Staff believes that the fire engine’s value to the community as a display has been minimal. Also, it takes up valuable space in the fire station and requires service and maintenance that adds a burden to the City Equipment Maintenance Division. Staff recommends that the fire engine be donated back to the Fire Association so that they may recoup their investment.
AGENDA DESCRIPTION:
Consideration and possible action to adopt a Resolution approving Plans and Specifications for Center St. and Pine Ave. Water Main Improvement, Project No. PW14-02. (Fiscal Impact: $600,000.00)

RECOMMENDED COUNCIL ACTION:
1. Adopt the attached Resolution approving Plans and Specifications for the Center St. and Pine Ave. Water Main Improvement Project.
2. Alternatively, discuss and take other possible actions related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Resolution
Map of Project Area

FISCAL IMPACT: Included in Adopted Budget

Amount Budgeted: $600,000
Additional Appropriation: N/A
Account Number(s): 501-400-7103-8207 (Water Enterprise Fund)

ORIGINATED BY: Lifan Xu, Principal Civil Engineer
REVIEWED BY: Stephanie Katsouleas, Public Works Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
The City's water transmission and distribution system dates back to the 1920's. Staff regularly evaluates the conditions of the pipes to develop and prioritize a replacement schedule. The water mains under Center St., from Mariposa Ave. to Pine Ave., and under Pine Ave., from Center St. to Lomita St., were installed in 1930. They are exceeded their useful life and in need of replacement. Under staff's direction, Omnis Consulting Inc. prepared construction plans and specifications to replace the water mains under those streets. The plans and specification are now complete and ready for adoption by City Council.

Therefore, staff recommends that City Council: 1) adopt the attached resolution approving the plans and specifications for Center St. and Pine Ave. Water Main Improvements (Project No. PW14-02) and 2) authorize staff to advertise the project for receipt of construction bids. Staff estimates the following timeline for the project:

April, 2014          Advertise the Project
May, 2014           Project Award by City Council
June, 2014          Start Construction
August, 2014        Complete Construction
RESOLUTION NO. ___

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF CENTER ST. AND PINE AVE. WATER MAIN IMPROVEMENT, PW14-02 PURSUANT TO GOVERNMENT CODE SECTION 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT.

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

SECTION 1: The City Council finds and declares as follows:

A. The City retained Omnis Consulting, Inc. ("Consultant") as the engineer to design and prepare the plans and specifications for Center St. and Pine Ave. Water Main Improvement, PW14-02 ("Project");

B. The Consultant informed the City Engineer that these plans and specifications are complete and that construction of the Project may begin;

C. The City Engineer reviewed the completed plans and specifications for the Project and agrees with the Consultant that the plans and specifications are complete and the Project may be constructed;

D. The City Council wishes to obtain the immunities set forth in Government Code § 830.6 with regard to the plans and construction of the Project.

SECTION 2: Design Immunity; Authorization.

A. The design and plans for the Project are determined to be consistent with the City’s standards and are approved.

B. The design approval set forth in this Resolution occurred before actual work on the Project construction commenced.

C. The approval granted by this Resolution conforms with the City’s General Plan.

D. The City Engineer, or designee, is authorized to act on the City’s behalf in approving any alterations or modifications of the design and plans approved by this Resolution.

E. The approval and authorization granted by this Resolution is intended to avail the City of the immunities set forth in Government Code § 830.6.

SECTION 3: Project Payment Account. For purposes of the Contract Documents administering the Project, the City Council directs the City Manager, or designee, to establish a fund containing sufficient monies from the current fiscal year budget to pay for the Project ("Project Payment Account"). The Project Payment Account is the sole
source of funds available for the Contract Sum, as defined in the Contract Document administering the Project.

SECTION 4: The City Clerk is directed to certify the adoption of this Resolution.

SECTION 5: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this ___ day of _____________, 20___.

Mayor

ATTEST:

Tracy Weaver, City Clerk

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

By:
Karl H. Berger, Assistant City Attorney
EL SEGUNDO CITY COUNCIL
AGENDA STATEMENT

AGENDA DESCRIPTION:
Consideration and possible action to act as a partner with the Advanced Manufacturing Partnership for Southern California (AMP SoCal) in response to the 2014 Investing in Manufacturing Communities Partnership (IMCP) notice. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Approve the letter of commitment to act as a partner within AMP SoCal;
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Letter of Commitment

FISCAL IMPACT: Put Information in If Included in Adopted Budget

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

ORIGINATED BY: Ted Shove, Economic Development Analyst
REVIEWED BY: Bill Fisher, Mayor
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
The counties of Los Angeles, Orange, and San Diego will be applying to receive a federal manufacturing community designation in aerospace, defense and related supply chains. It is a competitive application with only 12 communities selected nationally. Receiving this designation would provide an opportunity for preferential consideration for up to $1.3 Billion in federal funding for the region to support and diversify the existing manufacturing base.

In response to the Obama Administration’s 2014 Investing in Manufacturing Communities Partnership (“2014 IMCP”), several regional organizations have joined together to form the Advanced Manufacturing Partnership for Southern California (“AMP SoCal”). The industry focus for the 2014 IMCP application will be aerospace and defense and its supply chains of small and medium sized manufacturers.

The attached letter of commitment to partner with AMP SoCal outlines the current ongoing efforts by city staff and does not result in an additional appropriation as the activities described are currently being conducted this fiscal year. The same level of staffing for Fiscal Year 2014-15 would also be used to support this partnership. The total staff resources of 0.65 FTE is an estimation of staff time allocated to complete the activities described within the letter of
commitment by economic development staff and executive management for fiscal year’s 2013-14 and 2014-15. The resources committed through this partnership would be exclusively in-kind staff resources that currently support the City’s economic development programming. The letter of commitment to continue the City’s economic development program goals constitutes the extent of the partnership and staff has verified that no further contracts or agreements are involved.
April 1, 2014

2014 Investing in Manufacturing Communities Partnership
Economic Development Administration
Office of Performance and National Programs
U.S. Department of Commerce
1401 Constitution Avenue, NW, Suite 71030
Washington DC 20230

RE: Advanced Manufacturing Partnership for Southern California (AMP SoCal)

Dear 2014 Investing in Manufacturing Communities Partnership Review team:

The City of El Segundo is a partner in the Advanced Manufacturing Partnership for Southern California ("AMP SoCal") and is pleased to provide this letter of commitment in response to the 2014 Investing in Manufacturing Communities Partnership notice.

The City of El Segundo is home to the Los Angeles Air Force Base and has long maintained a significant regional market share of high technology research and development, aerospace manufacturing, and defense-related firms. The dominant presence has created a significant industry cluster hub, significant skilled workforce pool, and deep supplier networks. The result is a region that is a world-leading research and innovation hub for these industries. We play a key role in the expansion and retention of these industries within El Segundo by directly supporting our business base through an extensive economic development program. One of the components of El Segundo's Economic Development Program includes a Business Expansion, Attraction and Retention ("BEAR") program. With a focus on retention and expansion of existing businesses, staff conducts onsite interviews with local businesses to diagnose and rapidly identify potential resources from strategic partners to ensure continued business vitality. The City has recently also committed significant resources with a third party vendor for community branding and public relations services to expand beyond the region when "telling El Segundo's story" in ongoing business attraction efforts. These efforts will have an overall positive impact for the region in business attraction efforts for these specifically targeted industries. El Segundo's efforts intend to accelerate the resurgence of aerospace and advanced manufacturing in addition to significant business recruiting efforts for the high technology research and development industries. El Segundo's ongoing commitment in these areas ideally aligns with the Advanced Manufacturing Partnership for Southern California as a pillar of the industrial ecosystem.

350 Main Street, El Segundo, California 90245-3813
Phone (310) 524-2300 Fax (310) 640-0489
We believe that the benefits of this collaboration will significantly increase the number and quality of jobs in the region. The activities we bring to this partnership are:

- Business outreach programming to include expansion, attraction and retention efforts. Specifically, the City has and will continue a focused approach on targeted industries that include: aerospace manufacturing, general advanced manufacturing, high technology research and development and all associated industry clusters and supporting supply chains;
- Community branding and marketing in accordance with the City’s Annual Economic Development Strategy, specifically targeting aerospace and advanced manufacturing and technology industries; and
- Support ongoing incubation programming that specifically targets aerospace and general advanced manufacturing and high technology research and development companies.

The value of our programmatic and management contribution in time and effort is 0.65 FTEs and $70,000 per year for two years or $140,000 total. This is allocated by program and inclusive of staff and consultant resources listed cumulatively as follows:

- Economic Development Program: $70,000 (FY 2013-14), 0.65 FTE
  - $70,000 (FY 2014-15), 0.65 FTE

Sincerely,

Bill Fisher
Mayor

350 Main Street, El Segundo, California 90245-3813
Phone (310) 524-2300  Fax (310) 640-0489