

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

September 25, 2012

TO: John White, City Clerk

FROM: Luciralia Ibarra
City Planning Associate
Department of City Planning

SUBJECT: CPC-2012-2398-DA
Corrections to Arena Development Agreement Amendment
Determination
Ad Hoc Meeting - 9/24

The following are corrections to the recommended actions and findings for Case No. CPC-2012-2398-DA as directed by Ad Hoc Committee on Downtown Stadium and Convention Center Renovation, to incorporate the revisions requested by the Planning Department, and as outlined in the Applicant letter, dated September 24, 2012, approved by the Ad Hoc Committee.

Also, attached is a complete version of the findings for CPC-2012-2398-DA, incorporating the following corrections (not including underline and strikeout edits).

Adopt the Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations as approved by the Ad Hoc Committee.

Add to the end of Section F.

Environmental Findings

1. The findings with respect to Environmental Impact Report (EIR No. 2011-0585-EIR; State Clearinghouse No. 2011031049) set forth in Case No. CPC-2012-0849-GPA-VZC-SP-SN at pages F-58 through the end (CEQA Findings), are incorporated by this reference as though fully set forth herein.

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FINDINGS

DEVELOPMENT AGREEMENT AMENDMENT REQUEST AND FINDINGS

The subject site is located within the area covered by the Central City Community Plan adopted by the City Council on June 13, 1974. With the adoption of the proposed entitlements for the Proposed Project, the Community Plan map will designate the Project site for Public Facilities with a corresponding zone of CEC (Convention and Event Center Specific Plan).

The Transportation Element of the General Plan will not be affected by the recommended action herein because the amendment request is to modify sections of an existing development agreement that was evaluated for transportation and other environmental impacts under EIR State Clearinghouse No. 96091061 and EIR State Clearinghouse No. 20110024. The scope of the project itself has not changed nor has any condition of approval.

State Government Code Section 65868 authorizes the amendment of a previously approved development agreement. Moreover, the City has adopted rules and regulations establishing procedures and requirements for consideration of development agreements under Citywide Development Agreement Procedures (CF 85-2313-S3).

The Development Agreement between the City and L.A. Arena Land Company, Inc., predecessor in interest to L.A. Arena Land Company, LLC (the "Applicant"), was entered into on March 26, 1998, and recorded on March 27, 1998, in the Official Records of Los Angeles County, California as Instrument No. 98-501503. The Development Agreement was amended by that certain Amendment No. 1 by and among the City of Los Angeles, L.A. Arena Land Company, Inc. and L.A. Arena Funding, LLC (as partial successor in interest to L.A. Arena Land Company, Inc.) dated June 7, 2003 (as so amended, the "Arena Development Agreement").

The Applicant has requested that the City consider an amendment to the existing Arena Development Agreement (the Arena Development Agreement Amendment) in order to revise certain provisions in the Arena Development Agreement regarding its the legal description of the subject property and City approvals governing the subject property. Pursuant to the Arena Development Agreement Amendment, the Applicant will obtain vested rights for the entitlements granted for the subject property and if the Event Center Development Agreement is executed to modify the boundaries of the premises adjacent to the Event Center to be consistent with the entitlements and approvals granted for the Event Center.

The amendment process was initiated by the Applicant, and all proceedings have been taken in accordance with the City's adopted procedures.

1. The Arena Development Agreement Amendment complies with all applicable City and State regulations governing development agreements.

Pursuant to Section 65867.5 of the Government Code, the Arena Development Agreement Amendment is consistent with the objectives, policies and programs specified in the General Plan, including the Community Plan and the Convention and Event Center Specific Plan, approved immediately prior to the adoption of the ordinance approving the Arena Development Agreement Amendment. The Arena Development Agreement Amendment is consistent with the General Plan and the Convention and Event Center Specific Plan in that it brings the Development Agreement into consistency with the Convention and Event Center Specific Plan and provides that the development

on the Property affected by the Development Agreement is subject to the provisions of the Convention and Event Center Specific Plan.

The Arena Development Agreement Amendment will not be detrimental to the public health, safety and general welfare. Approval of the Arena Development Agreement Amendment will make the Development Agreement consistent with the Convention and Event Center Specific Plan and zoning on the subject property. It will modify the property boundaries to reflect Event Center property boundary requirements. The Arena Development Agreement Amendment will not otherwise affect the Applicant's obligations under the Development Agreement.

The Arena Development Agreement Amendment will not modify those provisions of the Development Agreement which specifically permit application to the Project of rules and regulations under City Municipal Code Section 91.0101 and 98.0606 relating to public health and safety.

The Arena Development Agreement Amendment is consistent with conditions of previous discretionary approvals for the subject property, as well as with concurrently requested approvals.

The Arena Development Agreement Amendment is necessary to strengthen the public planning process and to reduce the public and private costs of development uncertainty.

Based upon the above findings, the Arena Development Agreement Amendment is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

2. The Arena Development Agreement Amendment complies with all applicable City and State regulations governing development agreements.

Pursuant to Section 65867.5 of the Government Code, the Arena Development Agreement Amendment is consistent with the objectives, policies and programs specified in the General Plan, including the Community Plan and the Convention and Event Center Specific Plan, approved immediately prior to the adoption of the ordinance approving the Arena Development Agreement Amendment. The Arena Development Agreement Amendment is consistent with the General Plan and the Convention and Event Center Specific Plan in that it brings the Development Agreement into consistency with the Convention and Event Center Specific Plan and provides that the development on the Property affected by the Development Agreement is subject to the provisions of the Convention and Event Center Specific Plan.

3. The Arena Development Agreement Amendment will not be detrimental to the public health, safety and general welfare.

Approval of the Arena Development Agreement Amendment will make the Development Agreement consistent with the Convention and Event Center Specific Plan and zoning on the subject property. It will provide consistency with the proposed Event Center Development Agreement by modifying the property boundaries to reflect Event Center property boundary requirements. The Arena Development Agreement Amendment does not otherwise affect the Applicant's obligations under the Development Agreement.

The Arena Development Agreement Amendment does not modify those provisions of the Development Agreement which specifically permit application to the Project of rules and regulations under City Municipal Code Section 91.0101 and 98.0606 relating to public health and safety.

The Arena Development Agreement Amendment is consistent with conditions of previous discretionary approvals for the subject property, as well as with concurrently requested approvals.

The Arena Development Agreement Amendment is necessary to strengthen the public planning process and to reduce the public and private costs of development uncertainty.

Based upon the above findings, the Arena Development Agreement Amendment is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

Environmental Findings

1. The findings with respect to Environmental Impact Report (EIR No. 2011-0585-EIR; State Clearinghouse No. 2011031049) set forth in Case No. CPC-2012-0849-GPA-VZC-SP-SN at pages F-58 through the end (CEQA Findings), are incorporated by this reference as though fully set forth herein.