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VIA HAND DELIVERY

October 23, 2012

Councilmember Reyes, Chair
Councilmember Huizar, Vice-Chair
Councilmember Englander
Planning & Land Use Management Committee
Los Angeles City Council
200 North Spring Street, Room 350
Los Angeles, CA 90012

Re: October 23, 2012 Agenda – NBCUniversal Evolution Plan (CPC-2007-251-GPA-ZC-SP-SPA-CA; CPC-2007-252-AD; CPC-2007-253-DA; ENV-2007-254-EIR)

Dear Honorable Councilmembers:

On behalf of NBCUniversal, we are providing for your consideration general responses to comments regarding the proposed NBC Universal Evolution Plan Project submitted to the City in connection with the August 27, 2012 City Planning Commission hearing. We address the main issues raised in these comments in Attachment A by topic.

We are proud of the strong support that the Evolution Plan has received from the community, including over 6,500 area residents, as well as local businesses, business and community organizations, and labor groups. We appreciate your time and consideration and look forward to presenting the Evolution Plan to you.

Very truly yours,



George J. Mhlsten
of LATHAM & WATKINS LLP

Attachments

cc: Corinne Verdery, NBCUniversal

ATTACHMENT A

RESPONSES TO COMMENTS

Los Angeles River Access

As explained in the EIR and at the public hearings for the Evolution Plan, the majority of the northern edge along the Project Site adjacent to the Los Angeles River is within the jurisdiction of the County of Los Angeles, and the majority of the River Road roadway is owned by the Los Angeles County Flood Control District. As stated in the EIR and at the public hearings, NBCUniversal will cooperate with the County, City and other agencies as necessary to accommodate the future use of the County land for public use, as contemplated by the County River Master Plan, and to continue use, if allowed by the County, of a portion of River Road for studio access. The Evolution Plan includes Trailhead Park in the northeastern portion of the Project Site in the City's jurisdiction, where the frontage is owned by the Applicant, to provide access to the Los Angeles River area.

Further, in response to comments and requests from Councilmember LaBonge, County Supervisor Yaroslavsky, the community, and City Planning Commission President Roschen and members of the City Planning Commission, as additional public benefits in connection with the requested Development Agreement, NBCUniversal will provide to the Los Angeles County Flood Control District River Construction Trust \$500,000 for planning and design of the regional river bikeway between the existing bikeway at Griffith Park and Whitsett Avenue/Studio City and \$3,000,000 for construction of the regional river bikeway on County land adjacent to the Project Site. In addition, with regard to comments about the Evolution Plan's consistency with Senate Bill 1201, the bill's author, State Senator Kevin de Leon, submitted a letter to the City Planning Commission in support of the Evolution Plan, which he indicated is fully consistent with the goals and spirit of SB 1201. A copy of Senator de Leon's letter is provided at Attachment A-1.

There also were a couple of comments regarding the proposed requirements of the River Improvement Overlay ("RIO") district, a proposed special use district that would implement the Los Angeles River Revitalization Master Plan. However, as you know, the proposed RIO district is not yet adopted, and it would be premature to try to incorporate the proposed RIO's requirements before the City Attorney's office prepares the ordinance and the full City Council acts on the proposed ordinance. In any case, as explained in the EIR, the Project furthers the goals and objectives of, and would not be inconsistent with, the City River Revitalization Master Plan. Further, the most recent draft of the proposed RIO, would require the provision of pedestrian access to the River. As noted above, the Evolution Plan would develop Trailhead Park along the Los Angeles River in the City where NBCUniversal owns the frontage and would provide access to the River.

City's Bicycle Master Plan

With regard to the implementation of the Evolution Plan relative to the provisions of the City's 2010 Bicycle Plan, in addition to the \$3,500,000 in funding for planning, design, and construction of the Los Angeles River bicycle path described above, the Evolution Plan will also

provide \$375,000 to the City's Bicycle Plan Trust Fund for the implementation of bicycle lanes on roadways in the Project vicinity.

As explained in the EIR, the Bicycle Plan is a part of the Transportation Element of the City's General Plan. The Transportation Element addresses all forms of mobility and circulation within the City, including vehicles on roadways, public transit and bicycles. The varying goals and policies in the Transportation Element and the General Plan necessitate that the decision-makers consider which goals and policies should be prioritized. The Evolution Plan's proposed transportation mitigation measures generally would not prevent the implementation of the City's Bicycle Plan, but may require the decision-makers to prioritize varying Transportation Element policies. For example, the proposed bike lanes on Lankershim Boulevard and Barham Boulevard may require removal of existing travel lanes on these streets to accommodate the new bike lanes; i.e., the proposed bike lanes cannot be accommodated within existing right-of-way even in the absence of the Evolution Plan's transportation mitigation measures. Such roadway configuration changes on streets with high automobile traffic volumes would result in a significant impact on vehicular mode of travel.

As discussed at the City Planning Commission hearing, the City's environmental review process for the Bicycle Plan currently is underway for the first year of the first five-year implementation strategy of the Bicycle Plan, including proposed bicycle lanes on Lankershim Boulevard and Cahuenga Boulevard. The City Planning Commission requested that the City Planning Department and Department of Transportation consider the proposed transportation mitigation program for the Evolution Plan in the City's environmental review process for the proposed bicycle lanes on Lankershim and Cahuenga Boulevards. In addition, the City Planning Commission requested that the proposed Evolution Plan transportation mitigation measures be considered in future analysis when the City studies later phases of implementation of the Bicycle Plan that include bicycle improvements on Barham Boulevard. Once the City has conducted the required analysis in connection with the implementation of the proposed bicycle lanes under the City's Bicycle Plan, the decision-makers can weigh the benefits of the proposed bicycle lanes with the potential impacts associated with their implementation.

Noise

A few comments suggested that the EIR is inaccurate because the analysis relies on the proposed Universal City Specific Plan, which was not recommended for adoption by Planning staff and the City Planning Commission. Although the proposed Universal City Specific Plan is not going to be adopted, the noise provisions that were part of the proposed Universal City Specific Plan are proposed to be included as project design features in the proposed Mitigation Monitoring and Reporting Program ("MMRP") for the Evolution Plan. Thus, consistent with the noise analysis in the EIR and the regulations that were included in the proposed specific plan, operational noise in the City portions of the Project Site would be subject to the Los Angeles Municipal Code's noise regulations, as well as additional limits for daytime and nighttime operational noise which are based on the Los Angeles County Code's noise regulations.

With regard to comments that suggest that the existing City and County noise regulations are not acceptable, as explained in the EIR, the Los Angeles Municipal Code and Los Angeles County Code noise regulations were established to limit the type of noise and noise levels that would constitute a disturbance or annoyance to a reasonable person living in the community.

The Los Angeles Municipal Code and Los Angeles County Code noise regulations are designed to protect the neighboring residences and commercial uses and are the standards applicable to noise sources throughout the City and County, respectively, and accordingly are the established standard by which to evaluate and regulate future noise sources at the Project Site. As noted above, additional limitations have been included in the MMRP to further reduce noise in the City portions of the Project Site.

With regard to construction noise, the Evolution Plan includes several noise reduction measures for construction activities as described in the EIR. Project design features included in the MMRP require a Construction Noise Mitigation Plan that includes such measures as the use of construction equipment with sound-reduction equipment, ensuring that construction equipment is fitted with modern sound-reduction equipment, use of air inlet silencers on motors and enclosures on motor compartments, staging certain high noise-generating activities to take place during times of day when less people are home or ambient noise levels are at their highest levels and shielding and screening of construction staging areas. Also, although it results in a less efficient and more costly construction equipment mix, as set forth in Project Design Feature C-1, NBCUniversal has chosen to not include pile driving as part of its construction equipment mix, in order to minimize noise and vibration impacts to the surrounding community. Further, pursuant to Mitigation Measure C-1, when construction occurs within 500 feet of an occupied residential structure outside of the Project Site, stationary construction equipment must be located away from the residential structures or a temporary acoustic barrier around the equipment must be installed. Mitigation Measure C-2 also limits the time and days during which construction can take place, and prohibits nighttime construction and grading activities, except for under limited circumstances.

In addition, in response to comments from Forest Lawn Memorial-Park Association, additional measures are proposed to be added to the MMRP to further reduce potential construction and noise impacts in relation to Forest Lawn's cemetery property on Forest Lawn Drive. These measures include, for example, no hauling on Forest Lawn Drive on Saturdays, limiting the scope and duration of lane closures on Forest Lawn Drive, and noise reduction measures when construction staging occurs along the frontage of Forest Lawn's property.

Traffic Mitigation

Several commenters inquired about the phasing of traffic mitigation measures. As explained in the EIR, a traffic mitigation phasing plan approved by the Los Angeles Department of Transportation ("DOT") would require the implementation of transportation improvements in tandem with the traffic impacts of the development. (See the DOT Assessment Letter for Alternative 10 provided as Appendix FEIR-15 to the Final EIR). The trip generation of development of each phase would be monitored by DOT. As further explained in the EIR, prior to the issuance of any building permit for each phase, all on- and off-site transportation mitigation measures for the phase must be complete or suitably guaranteed to the satisfaction of DOT. The actual phasing of transportation improvements will depend on the specific projects to be constructed.

With regard to potential neighborhood intrusion impacts (cut through traffic in residential neighborhoods), the EIR included a detailed analysis consistent with DOT's guidelines. As explained in the analysis, under Alternative 10, three neighborhoods have the potential to be

significantly impacted. Pursuant to the proposed mitigation measure, NBCUniversal would provide funding up to \$300,000 for implementation of DOT's Neighborhood Traffic Management Process, which is described in detail in the DOT Assessment Letter for Alternative 10. In addition, as requested by Councilmember LaBonge's office, NBCUniversal will provide an additional \$200,000 to DOT for the Neighborhood Traffic Management Process to include additional residential neighborhoods (Hollywood Knolls, Toluca Lake, and Cahuenga Pass).

A few comments addressed NBCUniversal's work with Caltrans regarding regional freeway improvements. To clarify, separate from the proposed transportation mitigation program, NBCUniversal has proposed to fund the environmental documents for certain proposed US 101 regional improvements described in the EIR (US 101-SR 134 interchange widening, US 101 auxiliary lane and US 101 ramp improvements at Highland Avenue). However, as explained in the EIR, the Evolution Plan traffic impact analysis (including the analysis of potential traffic impacts under Alternative 10) does not account for any benefits from these proposed US 101 regional improvements and conservatively assumes that these regional improvements would not be in place in the year 2030. Therefore, the conclusions in the EIR regarding the level of significance of traffic impacts after mitigation do not factor in any benefits from these regional improvements.

Mulholland Scenic Parkway Specific Plan

A less than two-acre portion of the southeastern-most tip of the Project Site was proposed to be removed from the Outer Corridor of the Mulholland Scenic Parkway Specific Plan. The area is not contiguous with other areas within the Outer Corridor (it is separated by the Hollywood Freeway) and is included within the Mulholland Scenic Parkway Specific Plan based on strict application of the boundary which includes the eight-lane Hollywood Freeway and a few areas on the north side of the freeway. Although the EIR concluded that land use impacts associated with the proposed Specific Plan amendment to remove the small portion of the Project Site from the Mulholland Scenic Parkway Specific Plan would be less than significant, NBCUniversal accepts the City Planning Commission's recommendation against the requested Specific Plan amendment.

As noted in the comments, there is an existing sign in this southeastern tip of the Project Site that is approximately 1,000 square feet in size and illuminated. As recommended by the City Planning Commission and Planning staff, the proposed zone change ordinance would permit NBCUniversal to relocate the existing sign in order to widen the roadway at the corner of Barham Boulevard and Buddy Holly Drive (now named W.C. Fields Drive). Although the Evolution Plan also included a proposal to permit the existing sign to be converted to a digital sign, in response to Councilmember LaBonge's request, NBCUniversal is no longer requesting to install a digital sign in this area (or within any location in the City portions of the Project Site).

Heights of Proposed Buildings

The Project Site and vicinity include several existing mid- and high-rise buildings. As discussed in responses to comments in the Final EIR, the Project would not substantially alter the relationship between existing residences and taller structures. In addition, the distances and separations between the existing residences and proposed on-site development are sufficiently large to minimize any perceived privacy issues. As explained in the EIR, potential shade/shadow

impacts under Alternative 10 would be less than significant with the inclusion of similar mitigation as that proposed for the Project.

Back Lot Area and Hollywood Manor

As requested by community members, Councilmember LaBonge, and Supervisor Yaroslavsky, under Alternative 10 the Back Lot Area of the Project Site is specifically retained for continued studio and entertainment uses. Preserving this area for production would help retain motion picture and television production jobs, which contribute vitally to the Los Angeles economy. As explained in the Final EIR, as compared to the proposed Project, Alternative 10 would include substantially less development within the existing Back Lot Area. In addition, the proposed zone change ordinance includes a 100-foot buffer zone along the Hollywood Manor boundary with the Project Site.

With the elimination of the proposed residential component of the Project, no annexation or detachment actions would occur in the existing Back Lot Area of the Project Site. Thus, this area is not proposed for annexation to the City under Alternative 10 and most of it would remain within the County's jurisdiction.

Regulations regarding many of the issues raised, such as lighting and noise limitations, and landscaping requirements, are included in the proposed County Specific Plan. For example, the proposed County Specific Plan includes design standards for permanent parking facilities that require rooftop parking to be vertically screened from view when located within 500 feet of Existing Off-Site Residential Uses (as defined in the proposed Specific Plan). Screening may include landscaping or "headlight" walls. Additional limitations on production uses in this area would be inconsistent with retention of this area for production uses.

Alternative 10 Process and Environmental Analysis

With regard to the comments suggesting that additional environmental review and public comment is needed with regard to Alternative 10, CEQA does not require an alternatives discussion to be the same level of detail as the proposed project. Pursuant to the CEQA Guidelines Section 15126.6(a), an EIR must contain sufficient information about each alternative to permit an evaluation of the relative merits of the alternatives and the project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. (CEQA Guidelines, Section 15126.6(d).) The discussion and analysis of Alternative 10 in the EIR included sufficient information about the alternative to permit an evaluation of its merits in relation to the proposed Project, and also included a matrix comparing the environmental effects of Alternative 10 and the proposed Project. Thus, the Alternative 10 analysis in the Final EIR complied with CEQA.

The CEQA provisions regarding supplemental EIRs apply when there is new information or substantial changes to a project requiring major revisions to an EIR, after an EIR has been certified. (See CEQA Section 21166). Since the EIR for the Evolution Plan has not yet been certified, requests for a supplemental EIR are inapplicable.

With regard to the suggestion that the EIR should be recirculated for Alternative 10, Alternative 10 does not constitute "significant new information" under CEQA. Pursuant to

Section 15088.5(a) of the CEQA Guidelines, "significant new information" requiring recirculation includes a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, *but the project's proponents decline to adopt it.*
- (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (CEQA Guidelines, Section 15088.5(a).)

None of these criteria have been met. In fact, with Alternative 10, impacts are substantially lessened. There is no feasible Project alternative or considerably different mitigation measure which would avoid or clearly lessen the Project's significant impacts which were identified through the EIR process that was rejected by the Applicant. The City Planning Commission and the Applicant have accepted the alternative recommended by many community members – Alternative 10, which eliminated the residential component of the Project. Thus, with regard to the requests for recirculation for Alternative 10, Alternative 10 does not constitute "significant new information" under CEQA, particularly since the Applicant is willing to accept adoption of it.

Further, as set forth in Section 15002(a)(3) of the CEQA Guidelines, one of the basic purposes of CEQA is to "[p]revent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible." (Emphasis added). Accordingly, Section 15002(h) of the CEQA Guidelines requires that "when an EIR shows that a project could cause substantial adverse changes in the environment, the governmental agency must respond to the information by one or more of the following methods: (1) Changing a proposed project; (2) Imposing conditions on the approval of the project; (3) Adopting plans or ordinances to control a broader class of projects to avoid the adverse changes; (4) Choosing an alternative way of meeting the same need. . ." (Emphasis added). Thus, Alternative 10 is evidence that the environmental review process for the Evolution Plan worked, as developing feasible and less impactful alternatives to the project is what CEQA contemplates. Alternative 10 responds to community comments, has fewer environmental impacts than the proposed Project, and was identified by the City as the Environmentally Superior Alternative – and it represents a significant investment in the economy.

In terms of the public's opportunity to comment on Alternative 10, it was included and analyzed in the Final EIR in response to comments from the community and requests from Councilmember LaBonge and Supervisor Yaroslavsky. Further, since the release of the Final EIR in July 2012, Alternative 10 has been included in the hearing notices for the Evolution Plan, and there have been two hearings (before the City's hearing officer and the City Planning Commission) at which the public had opportunities to comment on Alternative 10. For example, the hearing notice for the August 14, 2012 hearing officer hearing listed the alternatives

evaluated in the EIR, including Alternative 10, and indicated that they may be considered. At the hearing officer hearing on August 14, 2012, NBCUniversal indicated its willingness to accept Alternative 10. The hearing notice for the September 27, 2012 City Planning Commission hearing described Alternative 10 and stated also that the Applicant accepted Alternative 10. Further, the notice stated: "It is expected that the City Planning Commission will consider approval of Alternative 10 instead of the proposed Project as originally filed."

In addition, on September 12, 2012 (prior to the City Planning Commission hearing on September 27, 2012), the City published additional appendices to the Final EIR containing additional analysis and reports supporting the environmental analysis for Alternative 10 provided in the Final EIR. As explained in the Supplemental Notice of Completion and Availability, the Alternative 10 reports do not change any of the analysis or conclusions in the Final EIR but were provided as additional information for the public and the decision-makers with regard to the No Residential Alternative. These reports included the transportation analysis for Alternative 10, which was published by the City as Appendix FEIR-14 to the Final EIR, and the Los Angeles Department of Transportation Assessment Letter for Alternative 10, which was published as Appendix FEIR-15. As noted above, the traffic analysis and the other reports supporting the Final EIR analysis of Alternative 10 were available to the public prior to the City Planning Commission hearing, and members of the public have had the opportunity to review and comment on Alternative 10 since the Final EIR was published in July.

Role of EIR and Significant Impacts

With regard to the adequacy of the EIR and the potential for significant and unavoidable impacts, as described in Sections 15121(a) and 15362 of the CEQA Guidelines, an EIR is an informational document which will inform public agency decision-makers and the public of the significant environmental effects of a project, identify possible ways to minimize any significant effects, and describe reasonable project alternatives. CEQA requires a public agency to consider the effects of a project on the existing environment; it does not require a project to mitigate existing conditions. Further, CEQA requires each public agency to mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so; however, if economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment, the project may still be approved at the discretion of the public agency. (Public Resources Code Sections 21002.1(b) and (c).)

Consistent with CEQA, the City Planning Commission's determination sets forth the specific reasons to support the recommended action in a statement of overriding considerations. As detailed in the City Planning Commission's determination and also noted in this letter, the Evolution Plan includes many significant public benefits that outweigh the project's significant and unavoidable impacts, and overriding considerations of economic, social, aesthetic, and environmental benefits for the Evolution Plan justify its adoption, as well as certification of the EIR.

Additional Community Benefits

In addition to several other public benefits described herein, as recommended by the Planning Department, NBCUniversal will provide up to \$180,000 to the Department of City Planning for a full-time City Planning Associate for a period of one year to assist in the

preparation of Community Design Overlay Districts for Toluca Lake, Campo de Cahuenga, and Lankershim Boulevard. In addition, as requested by Councilmember LaBonge, NBCUniversal will provide \$50,000 to the non-profit Campo de Cahuenga Historical Memorial Association for the expansion and maintenance of the Campo de Cahuenga; \$50,000 for the support of the Los Angeles Zoo to the Greater Los Angeles Zoo Association; and \$50,000 for Travel Town in Griffith Park to the non-profit Travel Town Museum Foundation.

Further, NBCUniversal will require the contractor(s) for the Project to enter into a Project Labor Agreement with the Los Angeles/Orange Counties Building and Construction Trades Council. In addition, in the event the development of the proposed hotel in the City receives a public subsidy, employees of the hotel will be paid a living wage consistent with the City's Living Wage Ordinance.

ATTACHMENT A-1

LETTER FROM SENATOR DE LEON TO CITY PLANNING COMMISSION

CAPITOL OFFICE
STATE CAPITOL, ROOM 5108
SACRAMENTO, CA 95814
TEL (916) 651-4022
FAX (916) 327-8817

DISTRICT OFFICE
TEL (213) 612-9566
FAX (213) 612-9591

California State Senate

SENATOR
KEVIN DE LEÓN
DEMOCRATIC CAUCUS CHAIR
TWENTY-SECOND SENATE DISTRICT



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ORGANIZATION
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RULES

JOINT COMMITTEES
LEGISLATIVE AUDIT
RULES

September 26, 2012

Mr. William Roschen, Chair
Members of the Planning Commission
L.A. City Planning Department
200 North Spring Street, Room 272
Los Angeles, CA 90012

RECEIVED
CITY OF LOS ANGELES

SEP 27 2012

CITY PLANNING DEPT.
AREA PLANNING COMMISSION

Re: NBCUniversal Evolution Plan (CPC-2007-251-GPA-ZC-SP-SPA-CA)

Dear Mr. Roschen and Members of the Planning Commission:

I want to express my support for the NBC Universal Evolution Plan. The 20,000 construction jobs and 10,000 permanent jobs which this plan will create are essential to this region. Moreover, the entertainment and tourism industries are critical to our economic growth.

I know some have suggested that the Evolution Plan should not be approved because of concerns regarding bike access along the Los Angeles River. I strongly disagree. The Evolution Plan proposal for creating river access and a trailhead park is an important first step in developing a regional river plan.

As a majority of the River area is owned and controlled by the County Flood Control District, the rest must be solved by regional agencies such as the County Flood Control District, the City and Army Corps working with interested stakeholders such as FOLAR and the River Restoration Committees.

The NBCUniversal Evolution Plan is fully consistent with the goals and spirit of Senate Bill 1201 as adopted in August 2012.

I urge you to approve the Evolution Plan and commend your efforts to improve long-term river access.

Sincerely,

A handwritten signature in cursive script that reads "Kevin de Leon".

Hon. Kevin de Leon
22nd District

FILE COPY

Cc: Hon. Tom LaBonge (tom@lacity.org)

Hon. Zev Yaroslavsky (zev@bos.lacounty.gov)

Mariana Salazar for William Roschen (mariana.salazar@lacity.org)

Corinne Verdery (corinne.verdery@nbcuni.com)

Lewis MacAdams, FOLAR (leweye@gmail.com)

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VIA HAND DELIVERY

October 23, 2012

Councilmember Reyes, Chair
Councilmember Huizar, Vice-Chair
Councilmember Englander
Planning & Land Use Management Committee
Los Angeles City Council
200 North Spring Street, Room 350
Los Angeles, CA 90012

Re: October 23, Agenda – NBC Universal Evolution Plan (CPC-2007-251-GPA-ZC-SP-SPA-CA; CPC-2007-252-AD; CPC-2007-253-DA; ENV-2007-254-EIR)

Dear Honorable Councilmembers:

On behalf of NBCUniversal, we request your approval of the City Planning Commission Determinations for the Evolution Plan with the inclusion of the following modifications and technical corrections:

Proposed Zone Change Ordinance and Zoning/Land Use Maps.

1. Minor corrections and clarifications to the proposed zone change ordinance as set forth in Attachment A.
2. Direction to the Planning Department to correct the proposed zone change and General Plan Amendment maps to ensure that all existing site areas in the City are zoned [Q]C2-1-SN and designated Regional Commercial and all site areas proposed for annexation to the City are pre-zoned [Q]C2-1-SN and designated Regional Commercial.
3. The proposed zone change Q condition 7 relates to Trailhead Park which is provided for in the Development Agreement. Therefore, move the proposed zone change Q condition 7 regarding the Open Space Plan to the Development Agreement.

Public Benefits and Development Agreement.

4. Clarifications identified in Attachment B.
5. Direction to the City Attorney to include in the Development Agreement any necessary provisions regarding pre-annexation, taking into consideration the recommendation from the City's Boundary Adjustment Board.

Trailhead Park.

6. Approval of the Trailhead Park conceptual design, as provided at Attachment C.

Mitigation Monitoring and Reporting Program (MMRP).

7. Inclusion of additional measures in the MMRP as set forth in Attachment D to address requests from Forest Lawn related to hauling activities on Forest Lawn Drive.

8. Inclusion of additional project design features in the MMRP relating to screening of walls and grading, as set forth in Attachment D.

Findings.

9. Adoption of the Planning Commission's findings for the Evolution Plan with the corrections set forth in Attachment E to reflect the changes to the proposed entitlements as recommended by the City Planning Commission.

10. Adoption of the complete CEQA Findings and Statement of Overriding Considerations included in the Council File (including any updates required by this Committee's actions) and adoption of the related summary version of such findings as included in the staff report with corrections to be consistent with the complete CEQA Findings and Statement of Overriding Considerations.

We very much appreciate your consideration of the Evolution Plan. We respectfully request that you recommend approval to the City Council consistent with the City Planning Commission's unanimous recommendation together with the requested changes as detailed in this letter and Attachments A-E.

Very truly yours,



George J. Mhlsten
of LATHAM & WATKINS LLP

Attachments

cc: Corinne Verdery, NBCUniversal

ATTACHMENT A

Requested Edits to Proposed Zone Change Ordinance

Sections 1.A.i through 1.E.ii (89 Maps Total). Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone classifications of properties shown upon a portion of the Zoning Map incorporated therein and made a part of Article 2, Chapter 1 of the LAMC, so that such portion of the Zoning Map shall conform to the zoning on the map attached hereto and incorporated herein by this reference for those properties currently in the jurisdiction of the City and as pre-zoning for areas to be annexed to the City.

Sec. 2. Notwithstanding the requirements of Section. 12.14 "C2" Commercial Zone of the Los Angeles Municipal Code, all uses permitted in the C2 Zone, and all motion picture and television studios and related incidental uses that are located on a motion picture or television studio site, including film, video and audio processing, sets and props productions, computer design, computer graphics, animation, offices, and ancillary facilities related to those activities shall be permitted. In addition, the following uses shall be permitted without the requirement of a Conditional Use Permit: [...]

[Q] QUALIFIED CONDITIONS OF APPROVAL

A. ENTITLEMENT CONDITIONS

1. Use. Use of the subject property shall be limited to the use and area provisions of the C2-1 Zone, as defined in Section 12.14 of the Municipal Code, as modified by ~~Section 2 of~~ this ordinance.

~~7. Open Space. Prior to the issuance of any final Certificate of Occupancy, the Applicant, or its successor shall provide an Open Space Plan in substantial conformance with Exhibit B (stamped and dated September 27, 2012) to the satisfaction of the Director of City Planning, in consultation with the Urban Design Studio. [moved to Development Agreement]~~

13. Public Walkway Plan. The Applicant shall submit a Public Walkway Plan to the satisfaction of the Director of Planning, in consultation with Urban Design Studio with the following design criteria included:

- a. Walkway width of a minimum of 6 feet;
- b. Walkway connections to public areas, to adjacent or accessory buildings on the same lot and the front lot line(s) of the lot on which the building(s) is located. Walkways may also connect buildings to alternate points on the same lot.

ATTACHMENT B

Requested Edits to Draft Development Agreement

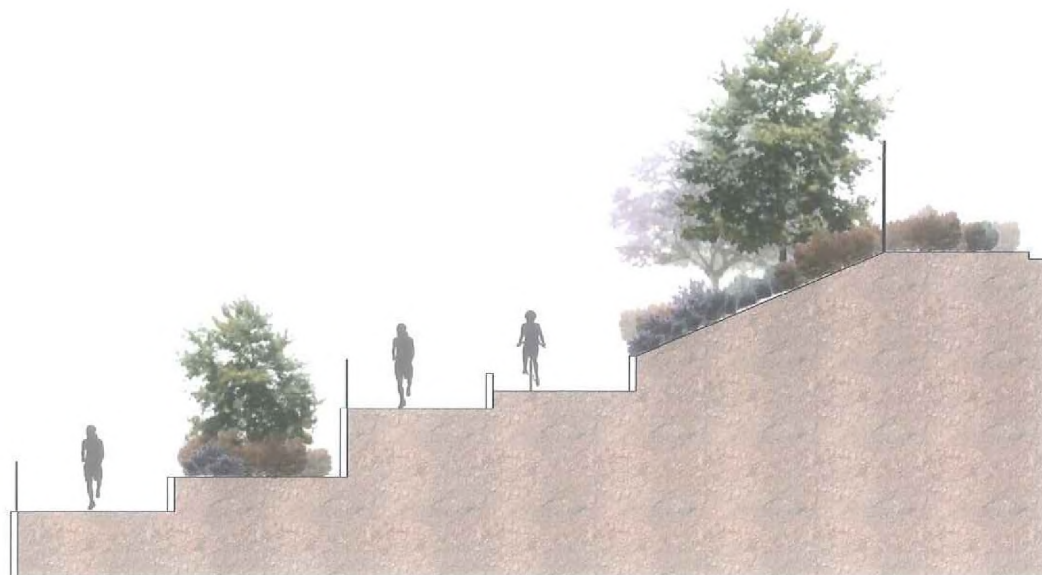
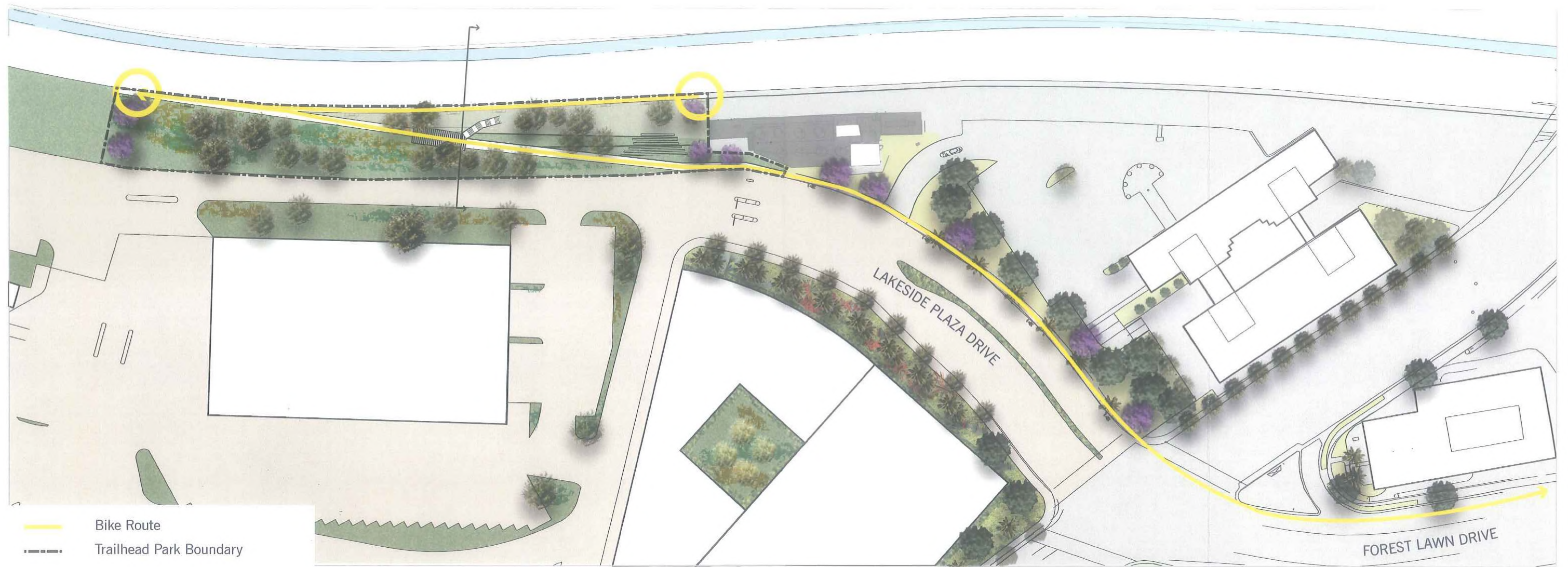
Public Benefits List from Section 3.1.3. of draft Development Agreement:

3. Creation of a 0.92 acre trailhead park to provide a recreation amenity to the employees, tourists and residents. Prior to the issuance of any final Certificate of Occupancy, the Property Owner or its successor shall provide a plan for the park in substantial conformance with the Trailhead Park Conceptual Design dated October 2012 [Attachment C] to the satisfaction of the Director of City Planning, in consultation with the Urban Design Studio.
- ~~10. Off Site Signs. Notwithstanding the Standards for Specific Types of Signs set forth in Section 7 of the Universal City Sign District (Ordinance _____), the following types of Off Site Signs shall be limited to signs that display a message directing attention to a business, product, service, profession, commodity, activity, event, person, institution or any other commercial message, which is generally conducted, sold, manufactured, produced, offered or occurs within the combined boundaries of the Universal City Zone and the Universal Studios (County) Specific Plan Area: Animated Signs, Billboards, Blade Signs, Digital Display Signs, Tenant Identification Signs, Monument Signs, Pillar Signs, Protected Image Signs, Projecting Signs, Roof Signs, Supergraphic Signs and Wall Signs. [to be reviewed further by City Attorney] [see Section 3.3 below]~~
- ~~11.10.~~ Provide funding in the amount of \$3,000,000.00 to the Los Angeles County Flood Control District River Construction Trust Fund to be used by the County Flood Control District for construction of the regional river bikeway between the existing Griffith Park and Whitsett Avenue/Studio City on the County land adjacent to the Project Site. The amount shall be contributed by the Applicant within 90 days following receipt of notification by the Director of Planning of the completion of the design and approval by the City and County of a Los Angeles of a regional river bikeway plan between the existing bikeway at Griffith Park and at Whitsett Avenue/Studio City, including any required compliance with CEQA and NEPA, but in no event shall such contribution be required prior to June 30, 2016.

Proposed Section 3.3 to Development Agreement:

3.3 Special On-Site Sign Limitation. Pursuant to the Universal City Sign District (City of Los Angeles Ordinance No. _____) the "on premises" designation for On-Site signs has been expanded to include all of the property within the boundaries of the map attached as Exhibit _____ to the Sign District. The Property Owner, however, has proposed a narrower use of those On-Site signs so that those signs will enhance Universal City as a unique entertainment, visitor, and motion picture, television and media studio destination. Therefore, at the Property Owner's request, the Parties agree that any messages on the new On-Site signs permitted in the Universal City Sign District may only display advertisements directing attention to: (1) media and entertainment industry products of NBCUniversal or its affiliates, (2) products related to the media and entertainment industry that are produced or sold on the premises, and (3) businesses, services, activities, or events located or conducted on the premises.

6.9. Assignment. The Property, as well as the rights and obligations of Property Owner under this Agreement, may be transferred or assigned in whole or in part by Property Owner without the consent of the City, which shall not be unreasonably withheld, and upon such assignment the assignor shall be released from obligations so assigned. The failure of any successor-in-interest to perform the obligations assigned to it may result, at the City's option, in a declaration that this Agreement has been breached with regards to that specific successor-in-interest, and an election to terminate this Agreement as provided for in Section 5.1 hereof, as it relates to that successor-in-interest's holding. This partial termination is severable from the entire Agreement, and shall not affect the remaining entirety of the Agreement.



NBCUNIVERSAL EVOLUTION PLAN - TRAILHEAD PARK CONCEPTUAL DESIGN

OCTOBER 2012

ATTACHMENT C

Trailhead Park Conceptual Design – October 2012

ATTACHMENT D

Requested Changes to Draft MMRP

Mitigation Measure B-44 (Ci/Co): The Project Applicant or its successor shall prepare construction traffic management plans, including but not limited to street closure information, detour plans, haul routes, and staging plans, satisfactory to the affected jurisdictions. The construction traffic management plans shall be based on the nature and timing of the specific construction and other projects in the vicinity of the Project Site, and shall include the following elements as appropriate:

...

16. During construction, lane closures on Forest Lawn Drive shall be limited in terms of scope and duration to the extent feasible. A minimum of one lane of through traffic shall be maintained on Forest Lawn Drive in each direction at all times.

Mitigation Measure C-1 (Ci/Co): When Project construction staging occurs within 500 feet of an occupied residential structure that is located outside of the combined boundaries of the Universal Studios Specific Plan and the City jurisdiction or along the frontage of Forest Lawn Memorial-Park, Hollywood Hills, the contractor shall:

- Locate stationary construction equipment away from the occupied residential structure or install temporary acoustic barriers around stationary construction noise sources; and
- Shut off construction equipment that is not in use.

Mitigation Measure C-2 (Ci/Co): Project construction or grading activity shall be permitted during the following times:

- Monday through Friday (non-legal Holidays) between 7:00 A.M. and 7:00 P.M.;
- Saturdays between 8:00 A.M. and 6:00 P.M., except that no hauling shall occur along Forest Lawn Drive during this time.

...

Mitigation Measure C-7 (Ci): Prior to issuance of a haul route permit for hauling on Forest Lawn Drive, the Applicant shall have provided notice to Forest Lawn Memorial-Park Association 10 days in advance of any hearing on a haul route permit for Project hauling on Forest Lawn Drive.

Project Design Feature D-4 (Ci): Appropriate screening shall be provided so that retaining walls are visually compatible with the hillside through one or more of the following methods:

1. Wall facade treatments, such as treated, textured, designed, colored, or decorated walls.
2. Landscaping, including a variety of plant materials, such as cascading plants or vines, trees, shrubs, and groundcover.

3. Drainage devices shall be treated to closely blend into the surrounding materials and shall be placed to conceal the drain from public view.

Project Design Feature F-4 (Ci): A total of 300,000 cubic yards of import or export of earth shall be permitted to/from the City portions of the Project Site. Movement of earth within the combined boundaries of the City and County portions of the Project Site shall not count toward this total.

ATTACHMENT E

Requested Edits to Draft Findings

ZONE CHANGE FINDINGS

1. Existing General Plan Land Use Designation.

The subject property is located within the area covered by the Sherman Oaks – Studio City – Toluca Lake – Cahuenga Pass Community Plan, a portion of the Land Use Element of the City's General Plan, which was adopted by the City Council on May 13, 1998 (Case No. CPC 1995-0536-CPU). The Plan map designates different portions of the subject property Regional Commercial consistent with the CR, C1.5, C2, C4, RAS3, RAS4, R3, R4 and R5 Zones; Community Commercial consistent with the CR, C2, C4, RAS3, RAS4, P, and PB Zones; Limited Commercial consistent with the C1, RAS3, RAS4, and P Zones; Medium Density Residential consistent with the R3 Zone; Minimum Density Residential consistent with the OS, A1, A2, and RE40 Zones; and Very Low Density Residential consistent with the RE20, RA, RE15, and RE11 Zones.

2. General Plan Text.

The project includes the re-designation of the subject property located within the City from Open Space, Minimum Density Residential, Very Low Density Residential, Medium Density Residential, Limited Commercial, Community Commercial, and Regional Center Commercial to Regional Commercial, and to also pre-designate those areas that are proposed for annexation into the City of Los Angeles from the unincorporated County of Los Angeles also to Regional Commercial, with the [Q]C2-1-SN zone as a corresponding zone. The requested actions are consistent with the following relevant provisions of the City's General Plan text:

Framework Element

The subject property is designated as a Regional Center on the Long Range Land Use Diagram for the San Fernando Valley (Figure 3-4). The requested actions reinforce and implement that designation consistent with Objectives 3.10 and 3.14 of the Framework Element by allowing the development of the project:

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

Objective 3.14: Provide land and supporting services for the retention of existing and attraction of new industries.

The requested actions and establishment of the [Q]C2-1-SN zone with corresponding Regional Commercial designation implements Framework Element Policy 3.10.1 by providing a consistent Regional Commercial land use designation that will support the range of uses and activities planned on the property, including outdoor studio production, entertainment attractions, warehouses, bus and truck storage/parking.

Policy 3.10.1: Accommodate land uses that serve a regional market in areas designated as "Regional Center" in accordance with [Framework Element] Tables 3-1 and 3-6. Retail uses and services that support and are integrated with the primary uses shall be permitted. The range and densities/intensities of uses permitted in any area shall be identified in the community plans.

Table 3-1 includes the following for typical uses in a Regional Commercial center: corporate and professional offices, retail commercial (including malls), offices, personal services, eating and drinking establishments, telecommunications centers, entertainment, major cultural facilities (libraries, museums, etc.), commercial overnight accommodations, and similar uses.

The requested actions and designation of the [Q]C2-1-SN zone implements Framework Element Policy 3.14.2 by providing zoning to enhance the existing studio and entertainment related uses. The Municipal Code does not currently contain a zone that would allow the range of uses characteristic of a studio and entertainment area. The requested actions and establishment of the [Q]C2-1-SN zone would provide flexible zoning as contemplated by Framework Element Policy 3.14.2 to allow the unique range of uses characteristic of a studio and entertainment area by including the ~~three most desirable components for studio operation: Outdoor~~ studio production filming, entertainment attractions, warehouses and bus and truck storage/parking.

Policy 3.14.2: Provide flexible zoning to facilitate the clustering of industries and supporting uses, thereby establishing viable "themed" sectors (e.g., movie/television/media production, set design, reproductions, etc.).

The requested actions and establishment of the [Q]C2-1-SN zone are consistent with Framework Element Urban Form and Neighborhood Design Objective 5.2 and Policy 5.2.2 by allowing and fostering development in an existing regional center served by transit.

Objective 5.2: Encourage future development in centers and in nodes along corridors that are served by transit and are already functioning as centers for the surrounding neighborhoods, the community or the region.

Policy 5.2.2: Encourage the development of centers, districts, and selected corridor/boulevard nodes such that the land uses, scale, and built form allowed and/or encouraged within these areas allow them to function as centers and support transit use, both in daytime and nighttime[.]

Sherman Oaks – Studio City – Toluca Lake – Cahuenga Pass Community Plan

By establishing the appropriate General Plan land use designation and zoning, and establishing the [Q]C2-1-SN zone for the enhancement and expansion of the existing facilities and operations in Universal City including those areas proposed for annexation into the City, the requested actions and project are consistent with Objectives 2-1 and 3-1 of the Community Plan:

Objective 2-1: To conserve and strengthen viable commercial development.

Objective 3-1: To provide for existing and future industrial uses which contribute job opportunities for residents and which minimize environmental and visual impacts to the community.

The requested actions and establishment of the [Q]C2-1-SN zone address and implement Community Plan Policies 2-1.1 and 3-1.1 as the project includes a unique combination of commercial and industrial (studio) uses:

Policy 2-1.1: New commercial uses shall be located in existing established commercial areas or existing shopping centers

Policy 3-1.1: Designate lands for the continuation of existing entertainment industry uses and development of new production, post production, research and development use which provide employment opportunities.

3. Charter Findings — City Charter Sections 556 and 558

- a. The proposed General Plan amendment/designation complies with Los Angeles City Charter Section 556 in that they are in substantial conformance with the purposes, intent, and provisions of the General Plan and all of its elements.***

The General Plan sets forth goals, objectives and programs that provide a guideline for day-to-day land use policies to meet the existing and future needs and desires of the communities within the City of Los Angeles, while integrating a range of state-mandated elements, including Transportation, Noise, Safety, and Conservation. The General Plan amendment I designation will be compatible with the General Plan's objectives and policies because the requested actions recognize are consistent with the [Q]C2-1-SN zone and reflect the actions necessary to facilitate the development of the project. These changes will allow commercial (entertainment-related), production-related facilities, studio, studio office, and studio support uses in support of the objectives and policies of the General Plan, as detailed below.

Framework Element

The Framework Element for the General Plan provides guidance regarding policy issues for the entire City of Los Angeles, including the subject property located within the City. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services.

By enabling the construction of additional commercial, entertainment, and studio-related uses in close proximity to existing housing and services, the zone change and associated General Plan amendment/designation, will be consistent with several goals and policies of the Framework Element. For instance, the project will further the Framework Element's goal of targeting regional centers for higher-density growth, as it will support new development in a regional , center and existing major economic activity area. The requested actions will allow the enhancement of entertainment and studio-related uses and will support the policy to reinforce existing regional centers that accommodate a broad range of uses that provide job opportunities, are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles. The project also will allow studio office, production-related facilities, and studio support uses within the City's jurisdiction of the project site. By further supporting the media and entertainment uses occurring in Universal City, these studio-related uses also will provide additional business opportunities and increase opportunities for jobs in close proximity to existing residential and commercial areas.

The Land Use chapter of the Framework Element identifies additional objectives and supporting policies relevant to the subject property. The studio and entertainment related uses will be compatible with several of the Framework Element's objectives and policies as such uses will reinforce the media and entertainment uses on the property, will cluster development so as to create an activity center, and will provide for the efficient provision of infrastructure. Further, the General Plan amendment/designation will allow additional development in close proximity to the Universal City Metro Red Line Station that supports the Framework Element objective to focus commercial, retail, and employment opportunities around urban transit stations.

The requested actions will allow development supporting the Framework Element Open Space chapter's policies to maximize the use of the City's open space network and recreational facilities by

providing connections to existing and proposed on-site bicycle paths and pedestrian trails. Such connections will provide connectivity to existing and proposed off-site bicycle trails under both City and County Transportation Plans and connectivity to the Griffith Park open space area.

The requested actions will meet the Housing chapter's goal of providing adequate transitions and buffers between higher intensity development and surrounding lower density residential neighborhood (the existing Hollywood Manor residential area) with a 100-foot setback from any single-family homes. In addition, the production-related facilities, studio office, and studio support uses on the subject property will be compatible with the existing commercial and entertainment development in that area, and the property is further physically separated from other uses by intervening facilities, including the Los Angeles River Flood Control Channel to the north, the Hollywood Freeway to the south, and Lankershim Boulevard and the Universal City Metro Red Line Station to the west.

Land Use Element

The requested actions will allow development of the project consistent with several of the purposes, intent, and provisions of the Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan.

The proposed General Plan Amendment/designation with the corresponding zone change to [Q]C2-1-SN zone and conditions of approval, will establish development standards and guidelines to ensure compatibility with surrounding uses, and will be consistent with the General Plan. The General Plan seeks to assure that new development is compatible with the natural and man-made environment by implementing appropriate locational controls and design standards. The proposed land use designation with [Q]C2-1-SN zone and conditions of approval will be consistent with this policy, as they will ensure that new development is compatible with the surrounding environment and implement appropriate controls and design standards for the project site. For example, the property will be separated from the existing Hollywood Manor residential uses by a 100-foot setback. Furthermore, the production-related facilities, studio office, and studio support uses will be compatible with the existing commercial and entertainment development, and the property is further physically separated from other uses by intervening facilities, including the Los Angeles River Flood Control Channel to the north, the Hollywood Freeway to the south, and Lankershim Boulevard and the Universal City Metro Red Line Station to the west. The [Q]C2-1-SN zone and conditions of approval, will implement other development restrictions including lighting restrictions, height limits, and floor area limitations to ensure new development's compatibility with surrounding uses.

Additionally, the [Q]C2-1-SN zone project conditions will permit the Applicant, or its successor, to utilize outdoor studio production, warehouse uses and bus storage/parking. These uses are an important component of the business function of the site. ~~The project site warrants this variation due to the site's multi-jurisdictional situation. This creates a unique hardship for the Applicant.~~ Allowing the aforementioned uses will not be detrimental to the General Plan since the project site is basically self-contained and as described herein, the uses are consistent with the General Plan.

The requested actions will also allow new development that will support the Community Plan's Commercial Land Use goals of a strong and competitive commercial sector which best serves the needs of the community by providing a greater range of commercial and entertainment services. The studio-related uses will support the media and entertainment uses already existing on the property. Such development will result in the revitalization and expansion of commercial uses within the area that help support a diversity of uses for the City's existing and future residents.

Additionally, the requested actions will support the Community Plan's Recreation, Parks, and Open Space goals to expand needed local parks throughout the community through the development of the Trailhead Park.

Lastly, the requested actions will support the Community Plan's Transportation Land Use goals, as the project will be located within an area served by the Universal City Metro Red Line Station. Shuttle service and an on-site Transit Information Center will be provided.

The General Plan amendment/designation will comply with Los Angeles City Charter Section 556 in that they are in substantial conformance with the purposes, intent, and provisions of the General Plan and all of its elements. As discussed above, the requested actions are compatible with the goals, objectives and policies of the General Plan as set forth in the General Plan Framework and the Community Plan.

b. The proposed General Plan amendment/designation will comply with Los Angeles City Charter Section 558 in that they are in substantial conformance with public necessity, convenience, general welfare and good zoning practice.

Public Necessity, Convenience and General Welfare

The requested actions will allow and facilitate the development of new studio-related, production-related, and entertainment-related uses that will support the current media and entertainment uses on the site, substantially conform with public necessity, provide for the public's convenience and general welfare, and will result in the revitalization and expansion of existing commercial uses within the area.

The additional studio and entertainment uses will enhance the existing adjacent studio and entertainment related uses, which are a significant part of the City and County's valued entertainment industry. The requested actions will allow new development located in proximity to mass transit, and will provide convenient access to the nearby Universal City Metro Red Line Station at Lankershim Boulevard.

The requested actions are necessary because the current land use designations do not currently permit the range of studio, commercial and entertainment uses contemplated for the property. Furthermore, the requested actions will facilitate the development of much needed production-related facilities, studio office, and studio support uses that will strengthen the existing media and entertainment center on the site. Accordingly, the General Plan amendment/designation and specific plan amendment will allow the planned development, which will contribute to the public necessity, convenience and general welfare by permitting the development of commercial, entertainment and studio-related uses.

Good Zoning Practice

The requested actions are necessary to accommodate the studio office, studio-related, and entertainment-related uses on the subject property within the City and to allow establishment of the [Q]C2-1-SN zone, in conjunction with the conditions of approval, which will establish development standards for future development.

Production-related facilities and studio office uses will be located in areas of the property well-established with similar existing uses, and will be compatible with the existing commercial, entertainment, and studio-related development in that area. The requested actions will allow the anticipated uses and facilitate development of the project.

Furthermore, as set forth in the Land Use/Transportation Policy for the City of Los Angeles and the Los Angeles County Metropolitan Transportation Authority, transit-oriented development is an important goal in Los Angeles, and among the Land Use/Transportation Policy's objectives are to focus future growth of the City around transit stations, increase land use intensity in transit station areas where appropriate, accommodate additional development. The property, which is situated in

close proximity to the Universal City Metro Red Line Station, furthers these objectives by locating commercial, entertainment-related, and studio-related uses in a transit station area.

~~Mulholland Scenic Parkway Specific Plan: The Mulholland Scenic Parkway Specific Plan serves as the implementing tool for properties within the specific plan boundaries. These boundaries include sites within the Inner and Outer Corridor as defined in the Specific Plan. Granting an amendment to the Specific Plan boundaries would establish a negative precedent. The current boundaries were established after years of citizen participation. The initial disruption of maintaining the integrity of specific plan boundaries would be detrimental to the community. Thus, maintaining the boundaries of the Mulholland Scenic Parkway Specific Plan area represents good zoning practice. Accordingly, the Mulholland Scenic Parkway Specific Plan amendment is in substantial conformance with public necessity, convenience, general welfare, and good zoning practice and is therefore recommended for disapproval.~~

As the requested actions are consistent with the City's plans and policies as set forth in the General Plan and its Elements as discussed above, the requested General Plan amendment/designation and specific plan amendment are consistent with good zoning practice. Accordingly, the requests comply with Los Angeles City Charter Section 558 in that they are in substantial compliance with public necessity, convenience, general welfare and good zoning practice.

4. Transportation Element

The Transportation Element of the General Plan serves as a guide that furthers the development of a citywide transportation system to provide for the efficient movement of people and goods. The Transportation Element recognizes that primary emphasis must be placed on maximizing the efficiency of existing and proposed transportation infrastructure through advanced transportation technology, reduction of vehicle trips, and focused growth in proximity to public transit.

With the requested actions, the project will meet or exceed many goals and policies contained in the Transportation Element. For example, the requested actions will be consistent with Transportation Element Policy 3.13 to enhance pedestrian circulation in regional centers and promote direct pedestrian linkages between transit portals/platforms and adjacent commercial development through facilities orientation and design. The requested actions will allow the development and enhancement of production-related facilities, studio office, and studio support uses that will also meet the stated purpose of the Transportation Element by encouraging increased use of public transit since such uses will be located in an area served by the Universal City Metro Red Line Station and local and regional bus lines. A shuttle service will be provided to enhance accessibility to other areas of interest within the vicinity of the project site. In addition, an on-site Transit Information Center will be provided to facilitate and encourage the use of public transit.

5. Zone Change and Code Amendment

- a. The zone change and code amendment are is consistent with the General Plan.*

Framework Element

The Framework Element for the General Plan provides guidance regarding policy issues for the entire City of Los Angeles, including the subject property located within the City. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services.

By enabling the construction of additional commercial, entertainment, and studio-related uses in close proximity to existing housing and services, the zone change, establishment of the [Q]C2- 1-SN

zone and associated General Plan amendment/designation will be consistent with several goals and policies of the Framework Element. For instance, the project will further the Framework Element's goal of targeting regional centers for higher-density growth, as it will support new development in a regional center and existing major economic activity area. The requested actions will allow the enhancement of entertainment and studio-related uses and will support the policy to reinforce existing regional centers that accommodate a broad range of uses that provide job opportunities, are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles. The project also will allow studio office, production-related facilities, and studio support uses within the [Q]C2-1-SN zone. By further supporting the media and entertainment uses occurring in Universal City, these studio-related uses also will provide additional business opportunities and increase opportunities for jobs in close proximity to existing residential and commercial areas.

The Land Use chapter of the Framework Element identifies additional objectives and supporting policies relevant to the subject property. The studio office and studio-related uses will be compatible with several of the Framework Element's objectives and policies as such uses will reinforce the media and entertainment uses on the property, will cluster development so as to create an activity center, and will provide for the efficient provision of infrastructure. Further, the requested actions will allow additional development in close proximity to the Universal City Metro Red Line Station that supports the Framework Element objective to focus commercial, retail, and employment opportunities around urban transit stations.

The requested actions will allow development supporting the Framework Element Open Space chapter's policies to maximize the use of the City's open space network and recreational facilities by providing connections to existing and proposed on-site bicycle paths and pedestrian trails. Such connections will provide connectivity to existing and proposed off-site bicycle trails under both City and County Transportation Plans and connectivity to the Griffith Park open space area.

The requested actions will meet the Housing chapter's goal of providing adequate transitions and buffers between higher intensity development and surrounding lower density residential neighborhood (the existing Hollywood Manor residential area). A 100-foot setback will be provided between the project development and any single-family homes. In addition, the production-related facilities, studio office, and studio support uses on the subject property will be compatible with the existing commercial and entertainment development in the area, and the property is further physically separated from other uses by intervening facilities, including the Los Angeles River Flood Control Channel to the north, the Hollywood Freeway to the south, and Lankershim Boulevard and the Universal City Metro Red Line Station to the west.

Land Use Element

The requested actions will allow development of the project consistent with several of the purposes, intent, and provisions of the Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan.

The [Q]C2-1-SN zone and conditions of approval, which set forth development standards and guidelines to ensure compatibility with surrounding uses, will be consistent with the General Plan. The General Plan seeks to assure that new development is compatible with the natural and man-made environment by implementing appropriate locational controls and design standards. The [Q]C2-1-SN zone and conditions of approval will be consistent with this policy, as both elements will ensure that new development is compatible with the surrounding environment and implement appropriate controls and design standards for the project site. For example, the property will be separated from the existing Hollywood Manor residential uses by a 100-foot setback. Furthermore, the production-related facilities, studio office, and studio support uses will be compatible with the existing commercial and entertainment development, and the property is further physically separated

from other uses by intervening facilities, including the Los Angeles River Flood Control Channel to the north, the Hollywood Freeway to the south, and Lankershim Boulevard and the Universal City Metro Red Line Station to the west. The [Q]C2-1-SN zone and conditions of approval, will implement other development restrictions including lighting restrictions, height limits, and floor area limitations to ensure new development's compatibility with surrounding uses.

The requested actions will also allow new development that will support the Community Plan's Commercial Land Use goals of a strong and competitive commercial sector which best serves the needs of the community by providing a greater range of commercial and entertainment services. The studio-related uses will support the media and entertainment uses already existing on the property. Such development will result in the revitalization and expansion of commercial uses within the area that help support a diversity of uses for the City's existing and future residents.

Additionally, the requested actions will support the Community Plan's Recreation, Parks, and Open Space goals to expand needed local parks throughout the community through the development of the Trailhead Park.

Lastly, the requested actions will support the Community Plan's Transportation Land Use goals, as the project will be located within an area served by the Universal City Metro Red Line Station. Shuttle service and an on-site Transit Information Center will be provided.

As discussed above, the requested zone change is compatible with the goals, objectives and policies of the General Plan set forth in the General Plan Framework and Community Plan. The zone change and code amendment to create the [Q]C2-1-SN zone will permit development of the project that will be compatible with the existing surrounding uses, while incorporating development and operational regulations for the property currently within or proposed for annexation into the City. Furthermore, the zone change and code amendment will facilitate the development of new production-related facilities, studio office, studio support, and entertainment-related uses that will result in the revitalization and expansion of existing commercial uses within the area. Accordingly, the requested actions are consistent with the General Plan.

b. The zone change/designation and code amendment are in conformity with public necessity, convenience, general welfare and good zoning practice.

Public Necessity, Convenience and General Welfare

The requested actions will allow and facilitate the development of new studio-related, production-related, and entertainment-related uses that will support the current media and entertainment uses on the site, substantially conform with public necessity, provide for the public's convenience and general welfare, and will result in the revitalization and expansion of existing commercial uses within the area.

The additional studio and entertainment uses will enhance the existing adjacent studio and entertainment-related uses on the property, which are a significant part of the City and County's valued entertainment industry. The requested actions will allow new development located in proximity to mass transit, and will provide convenient access to the nearby Universal City Metro Red Line Station at Lankershim Boulevard.

The requested actions are necessary because the current land use designations do not currently permit the range of studio, commercial and entertainment uses contemplated for the property. Furthermore, the requested actions will facilitate the development of much needed production-related facilities, studio office, and studio support uses that will strengthen the existing media and entertainment center on the site. Accordingly, the General Plan amendment/designation and specific plan amendment will allow the planned development, which will contribute to the public necessity,

convenience and general welfare by permitting the development of commercial, entertainment and studio-related uses.

Good Zoning Practice

The requested actions are necessary to accommodate the studio office, studio-related, and entertainment-related uses on the subject property within the City and to allow establishment of the [Q]C2-1-SN zone and conditions of approval, establish development standards and design guidelines for future development.

Production-related facilities and studio office and entertainment related uses will be located in areas of the property well-established with similar existing uses, and will be compatible with the existing commercial, entertainment, and studio-related development in that area. The requested actions will allow the anticipated uses and facilitate development of the project.

Furthermore, as set forth in the Land Use/Transportation Policy for the City of Los Angeles and the Los Angeles County Metropolitan Transportation Authority, transit-oriented development is an important goal in Los Angeles, and among the Land Use/Transportation Policy's objectives are to focus future growth of the City around transit stations, increase land use intensity in transit station areas where appropriate, accommodate additional development. The property, which is situated in close proximity to the Universal City Metro Red Line Station, furthers these objectives by locating commercial, entertainment-related, and studio-related uses in a transit station area.

As the requested actions are consistent with the City's plans and policies as set forth in the General Plan and its Elements as discussed above, the requested General Plan amendment/designation and ~~specific plan amendment~~ zone change are consistent with good zoning practice. Accordingly, the requests comply with Los Angeles City Charter Section 558 in that they are in ~~substantial compliance~~ conformity with public necessity, convenience, general welfare and good zoning practice.

6. Supplemental Findings

- a. The requested actions and proposed development are consistent with the provisions of Southern California Association of Governments, City of Los Angeles, and County of Los Angeles land use plans, and would not preclude the attainment of the primary intent of those land use plans or policies for the project site.
- b. The proposed development will implement a number of key land use and transportation policies by locating future growth proximate to a regional transportation hub and regional freeway system and furthering the existing character of the site as a major regional employment center.
- c. The establishment of the [Q]C2-1-SN zone is appropriate in that it reflects the unique combination and variety of commercial (C), and industrial (M) zone uses that are proposed to occur on the property in the [Q]C2-1-SN zone. The Municipal Code does not currently contain a zone that would allow all of the uses that are proposed within the [Q]C2-1-SN zone. The intent of the [Q]C2-1-SN zone is to provide a clear list of uses that will be allowed within the City of Los Angeles' jurisdictional portions of the subject project site and provide consistency of regulation across the property. Some of the proposed uses such as, but not limited to, offices, restaurants, and parking structures are allowed by the Municipal Code in both commercial and industrial zones, while some uses such as, but not limited to, hotel, child care facility, educational facilities, are allowed in the commercial zone, but not the industrial zone. Some uses such as, but not limited to, outdoor movie, media and television sets and production, bus and commercial vehicle storage, are allowed in the industrial zone.

Although some proposed uses such as street performances and parades, premieres, and outdoor special lighting effects currently are not expressly allowed in any zone, the code is silent on their prohibition, permitting for their use. For example, as a major movie and television studio, the Applicant requires various communication facilities. In order to accommodate the unique attributes of the site, the commercial zone as conditioned, would allow outdoor filming and production activities. The proposed [Q]C2-1-SN zone would allow a hotel. Rather than having multiple different zones across the property, the proposed [Q]C2-1-SN zone will allow all of these, for example, outdoor studio production, entertainment attractions, warehouses, bus and truck parking, and the other proposed uses pursuant to code regulations thus promoting a cohesive development across the large and complex site.

- d. The establishment of the [Q]C2-1-SN zone will remove ambiguity and uncertainty regarding the uses that will be allowed on the property by providing a comprehensive list of permitted uses and cohesive development regulation across the property.
- e. The requested actions will establish eligible uses and activities in the [Q]C2-1-SN zone, and provide a mechanism for implementing the appropriate operational requirements, regulations and other requirements for those uses.
- f. The regulations contained in the [Q]C2-1-SN zone and conditions of approval provide the necessary flexibility to accommodate future development while also achieving compatibility between land uses in the area.
- g. The [Q]C2-1-SN zone will provide a comprehensive planning tool that will guide development and set forth principles, standards and general procedures assuring the orderly development of the Los Angeles' jurisdictional area of the project site including allowing the establishment of a Sign District with unique signage appropriate for a world class, world renowned business, entertainment, cultural and visitor center.
- h. The Municipal Code accommodates the establishment of Sign Districts in regional commercial zones as the City has identified this land use designation as appropriate for the flexibility and unique characteristics allowed and required by a Sign District. ~~As demonstrated by the findings above, the proposed [Q]C2-1-SN zone will be an amalgam of the commercial (C) and industrial (M) by allowing the variety of uses allowed in those zones.~~ Accordingly, the [Q]C2-1-SN zone is similarly an appropriate zone for the establishment of a Sign District and it is appropriate that the Los Angeles Municipal Code include a provision that allows the establishment of a Sign District in the [Q]C2-1-SN zone.
- i. The large project site is unique in that it encompasses property that while under common ownership and operation, is located within the City as well as unincorporated Los Angeles County. The proposed development is intended to create a cohesive attractive development regulated separately by the City and County by means of a County specific plan and the City of Los Angeles' [Q]C2-1-SN zone; the [Q]C2-1-SN zone for those properties within or proposed through annexation to be within the City, and the Universal Studios Specific Plan for those properties within or proposed to be located in unincorporated Los Angeles County. Although separated by City and County jurisdictional boundaries, the site is physically contiguous and intended to be developed as a unified development with similar development regulations including signage regulations. To achieve the desired intent of similar regulations across the entire site, it is desirable to allow the establishment of a [Q]C2-1-SN zone and Sign District in the City to complement the regulations in the County's Universal Studios Specific Plan. Accordingly, it is appropriate for the [Q]C2-1-SN zone to include a provision that will allow the establishment of a Sign District that while separated by the jurisdictional boundaries are nonetheless contiguous in ownership, development, operation, and proposed

signage regulations such that the site will be for all practical purposes a unified sign district across the entire site, while nonetheless, meeting the unique sign needs of both jurisdictions.

- j. The [Q]C2-1-SN zone will allow the establishment of the a Sign District which will enhance the character of the Universal City area including the regulation of the location, number, square footage, height, light illumination, hours of illumination, duration of signs, visibility of Signs, design and types of Signs permitted, treatment of existing Signs, as well as other Sign characteristics, and may include animated, billboard, digital display, projected image, supergraphic, and other on-site and off-site Signs that will contribute in a positive way overall to Universal City's visual environment as part of a cohesive and integrated development.
- k. The [Q]C2-1-SN and project conditions of approval will establish a set of general procedures by which the City can verify that proposed projects comply with all regulations in the [Q]C2-1-SN and conditions of approval.
- l. The requested actions and establishment of the [Q]C2-1-SN zone recognize the relationship between the regulations of the [Q]C2-1-SN zone within the City's jurisdiction and the Universal Studios Specific Plan located in those unincorporated areas of the County, and other uses surrounding the Universal City area such as residences, other studios, and other commercial enterprises.
- m. The requested actions will allow a maximum development within the project site under the City's jurisdiction of ~~633,547~~ 583,527 square feet of new Studio Office Floor Area, 50,020 square feet of new Studio Use Floor Area, and a 500 room Hotel, which includes ~~up to the~~ retention of 253,527 square feet of existing Studio Office Floor Area and 20 square feet of existing Studio Use Floor Area.

DEVELOPMENT AGREEMENT FINDINGS

1. State Government Code Sections 65864 through 65869.5 authorize municipalities to enter into binding development agreements with the persons having legal or equitable interest in real property for the development of such property.
2. The City of Los Angeles (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). In addition, on November 19, 1992, the City Planning Commission adopted new guidelines for the processing of development agreement applications (CPC No. 86-404 MSC).
3. Universal City Studios LLC (the "Applicant") has requested that the City consider entering into a development agreement (the "Development Agreement"). The development agreement process was initiated by the Applicant, and all proceedings have been taken in accordance with the City's adopted procedures.
4. The proposed Development Agreement is consistent with the objectives, policies and programs specified in the General Plan. With approval of the project and adoption of the General Plan amendment/designation, plan amendment, and establishment of the [Q]C2-1-SN Zone change, ~~and code amendment~~, the subject property is regulated under the Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan, a component of the Land Use Element of the General Plan. The Development Agreement, which will vest the development rights of the project will be consistent with the General Plan and the Community Plan in that the Development Agreement would allow the development within the City's jurisdiction of the Project Site 583,527 of 312,546 square feet of net new Studio Office Floor Area, 50,000 square feet of new Studio Use Floor Area, and 450,000 square feet of new Hotel Floor Area with up to 500 guestrooms and the retention of 253,527 square feet of existing Studio Office Floor Area and 20 square feet of existing Studio Use Floor Area. The new development will support the Community Plan's Commercial Land Use goals of a strong and competitive commercial sector which best serves the needs of the community by providing a greater range of commercial and entertainment services. The studio-related uses will support the media and entertainment uses already existing on the property. Such development will result in the revitalization and expansion of commercial uses within the area that help support a diversity of uses for the City's existing and future residents.
5. The Development Agreement will not be detrimental to the public health, safety and general welfare as the Development Agreement vests the proposed concurrent land use actions including ~~establishment of the Universal City Zone~~ the zone change that includes rules and regulations as necessary to protect public health and safety. The proposed land use actions that will be vested by the Development Agreement will allow and facilitate the development of new studio-related, production-related, and entertainment-related uses that will support the current media and entertainment uses on the site and will result in the revitalization and expansion of existing commercial uses within the area. The new development will be located in proximity to mass transit, and will provide convenient access to the nearby Universal City Metro Red Line Station at Lankershim Boulevard.
6. The proposed Development Agreement vests the Applicant's rights to develop the property as delineated in the discretionary approvals requested concurrently herewith. The Development Agreement provides assurances that the project will proceed in accordance with all applicable rules, regulations and conditions, and strengthens the public planning process by encouraging private participation in comprehensive planning and reducing the economic costs of development to the Applicant and the public. The proposed Development Agreement provides assurance of a comprehensive development plan that is consistent with

all applicable provisions of the City's Municipal Code as well as the proposed amendment to the General Plan.

7. The proposed Development Agreement will ensure the orderly development of the subject property in accordance with good land use practice. As discussed above, the project is consistent with the policies and provisions of the General Plan, and after giving effect to the requested approvals the project complies with all applicable provisions of the Code. Accordingly, the proposed Development Agreement is consistent with good land use practice.
8. The proposed Development Agreement complies in form and substance with all applicable City and State regulations governing development agreements. The proposed Development Agreement further complies with the guidelines adopted by the City:
 - A. When to use. As a project with multiple buildings to be built over a period of several years, the proposed project could be exposed to a substantial hardship if its implementation was to be governed by changing and different rules, ordinances and policies.
 - B. Term. The recommended 25-year term provides a reasonable time frame to permit the development of the project and to accommodate potential changes in the development built out time frame caused by market conditions.
 - C. Processing. The proposed Development Agreement is being processed concurrently with the General Plan amendment/designation, establishment of the [Q]C2-1-SN zone change and other applications which will regulate the property.
 - D. Public Benefits. The proposed Development Agreement sets forth the additional public benefits to be provided.
9. The proposed Development Agreement contains all of the provisions, terms and conditions which, in addition to those required by law, are deemed to be necessary and or desirable in order to implement the City's General Plan.
10. The proposed Development Agreement will provide public benefits not otherwise obtainable, and for which no nexus exists under the project's environmental clearance, that will benefit the surrounding residents of the site and the City as a whole.
11. Based upon the above findings, the recommended Development Agreement action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

NBCUniversal EVOLUTION

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Existing Boundaries



NBC Universal



City of Los Angeles



Los Angeles County

NBCUniversal

EVOLUTION

EVOLUTION PLAN





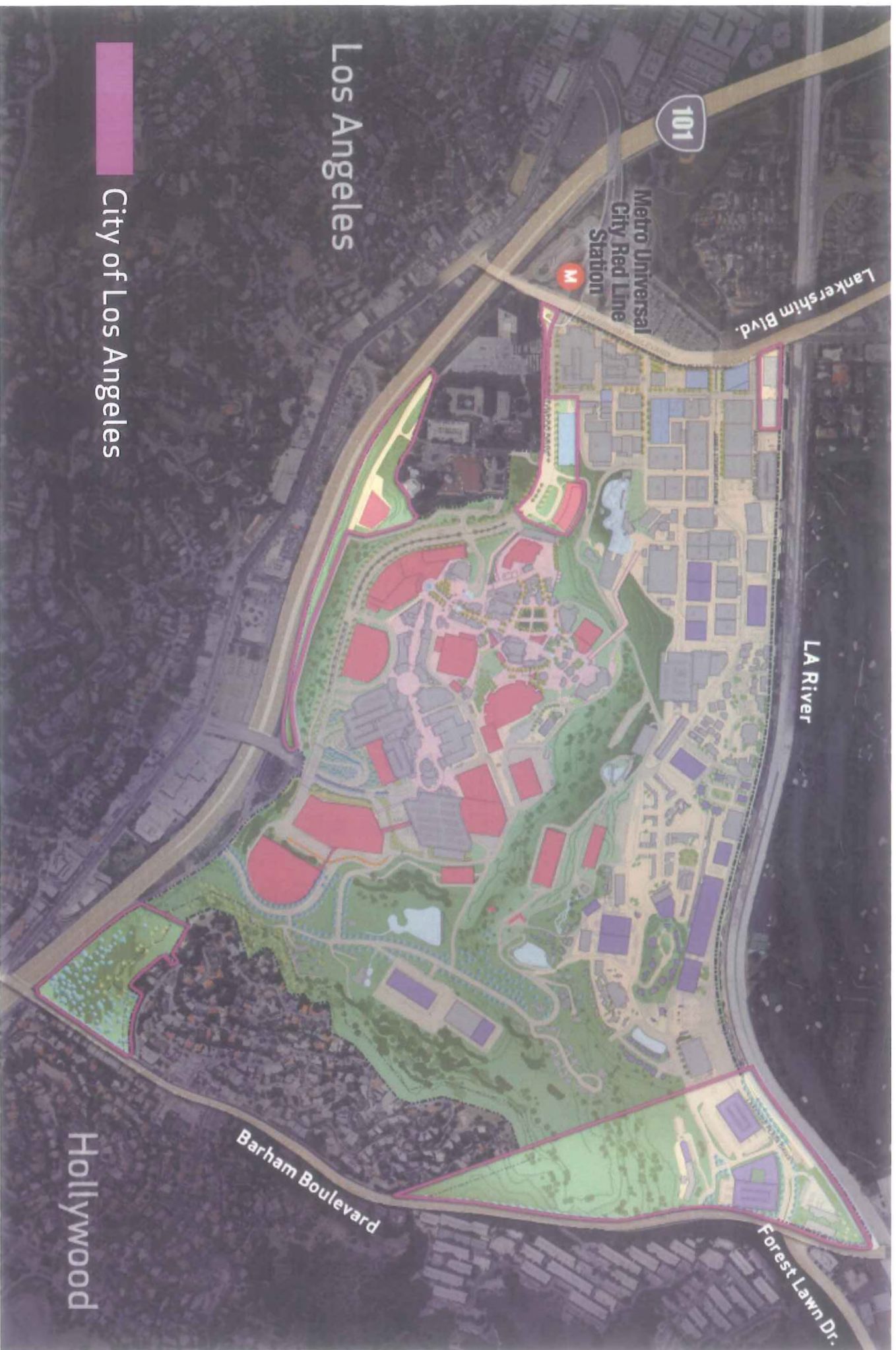
- Studio Area
- Business Area
- Entertainment Area
- Existing Universal Facilities

Evolution Plan: No Residential Alternative

| LAND USE | TOTAL | CITY | COUNTY |
|---|----------------------|---------------------|----------------------|
| STUDIO (PRODUCTION FACILITIES, PRODUCTION SUPPORT AND STUDIO OFFICE) | 1.45 MILLION SQ. FT. | 363,000 SQ. FT. | 1.09 MILLION SQ. FT. |
| ENTERTAINMENT (THEME PARK ATTRACTIONS, RETAIL AND DINING) | 327,000 SQ. FT. | <24,000 SQ. FT. > * | 351,000 SQ. FT. |
| HOTEL | TWO 500-ROOM HOTELS | 500-ROOM HOTEL | 500-ROOM HOTEL |
| RESIDENTIAL & SUPPORTING COMMERCIAL, RETAIL AND COMMUNITY-SERVING USES | 0 | 0 | 0 |

* DUE TO DEMOLITION OF EXISTING ENTERTAINMENT RETAIL
USES FOR PROPOSED 500-ROOM HOTEL

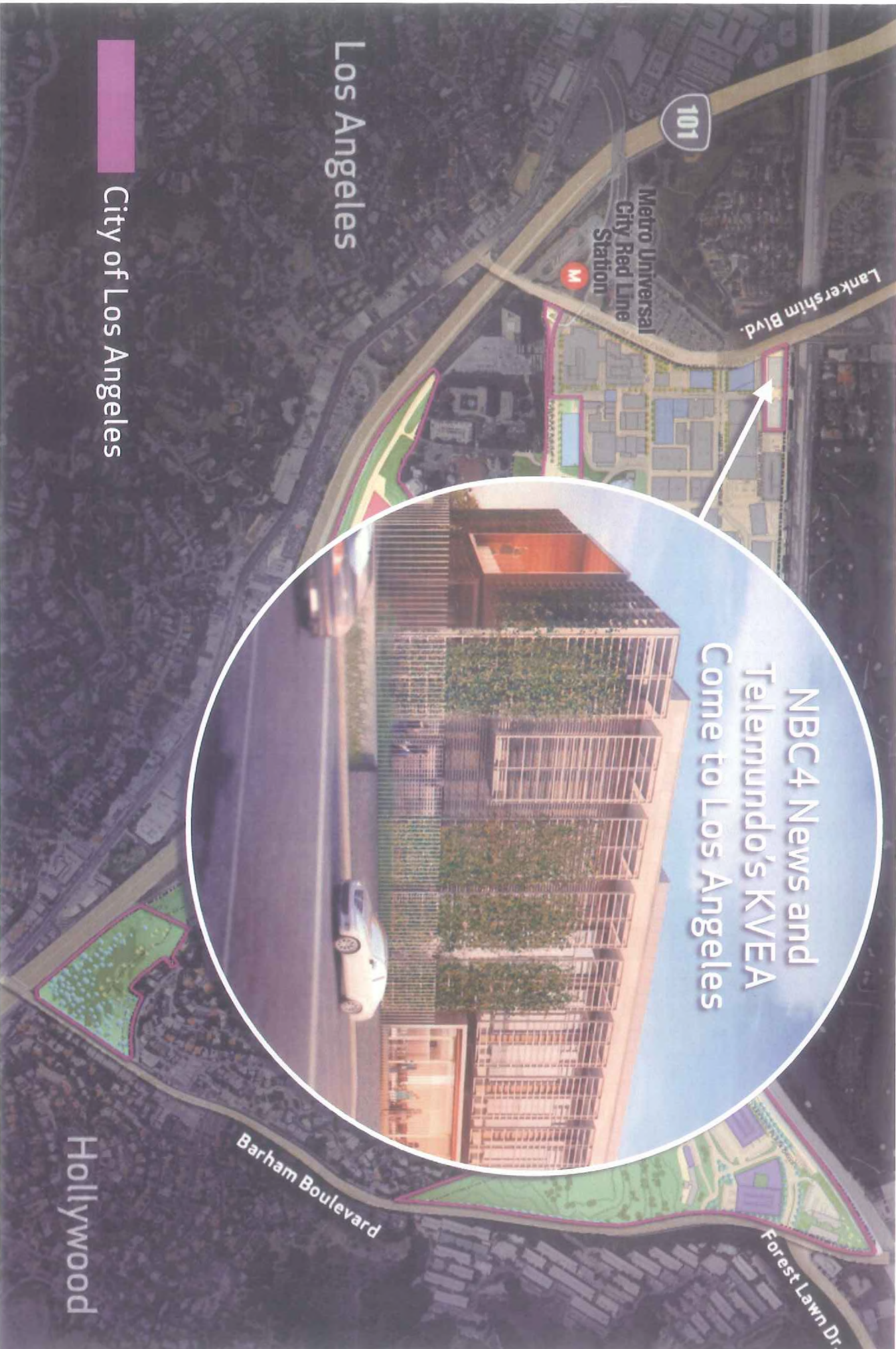
NBCUniversal EVOLUTION



Los Angeles

City of Los Angeles

Hollywood



Los Angeles

City of Los Angeles

NBC4 News and
Telemundo's KVEA
Come to Los Angeles

Hollywood

Barham Boulevard

Forest Lawn Dr.

101

Metro Universal
City Red Line
Station

Lankershim Blvd.



City of Los Angeles

Hollywood



Los Angeles

City of Los Angeles

Hollywood

Barham Boulevard

Forest Lawn Dr.

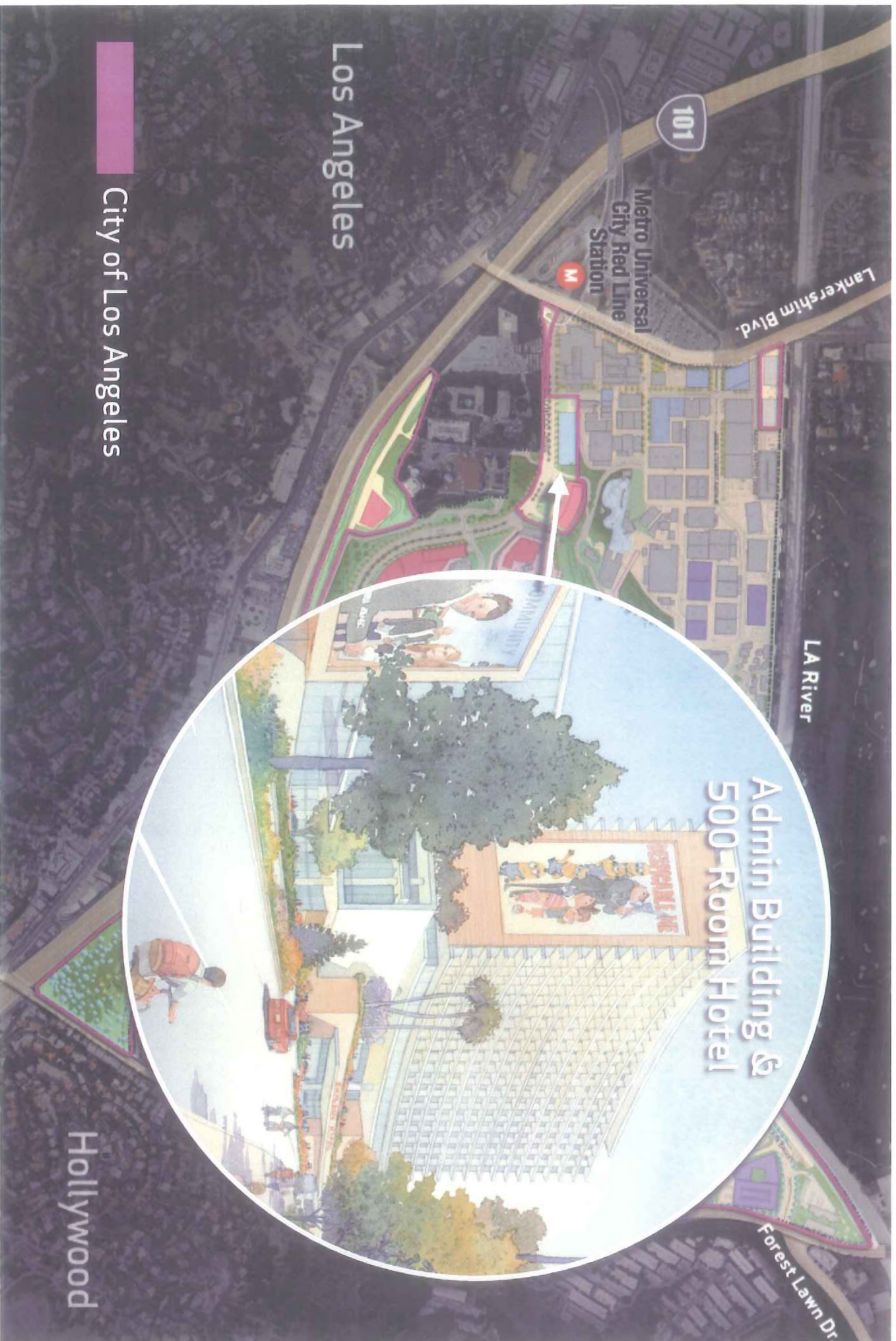
101

Metro Union
City Red
Station

Lankershim Blvd.

San Diego River

Sign & Infrastructure
Support



Los Angeles

City of Los Angeles

Hollywood

101

Metro Universal
City Red Line
Station

Lankershim Blvd.

Los Angeles

Studio Office, Parking &
Expanded Child Care Center

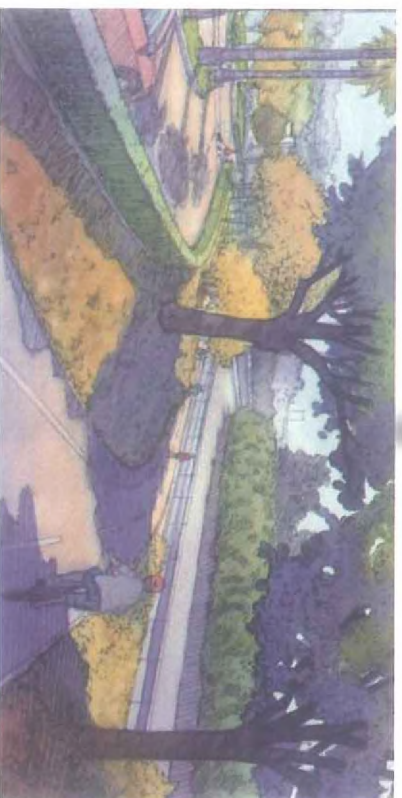
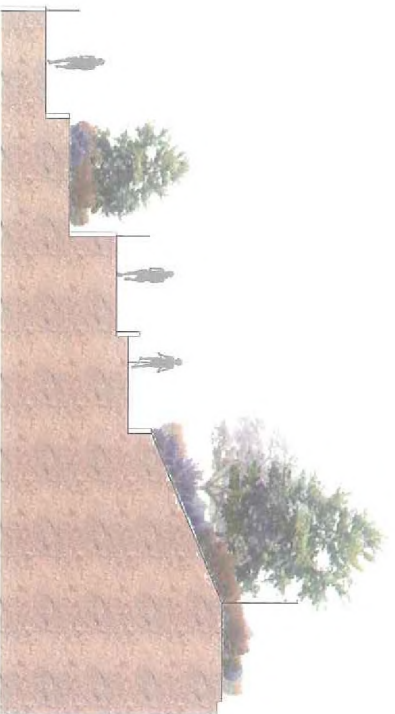
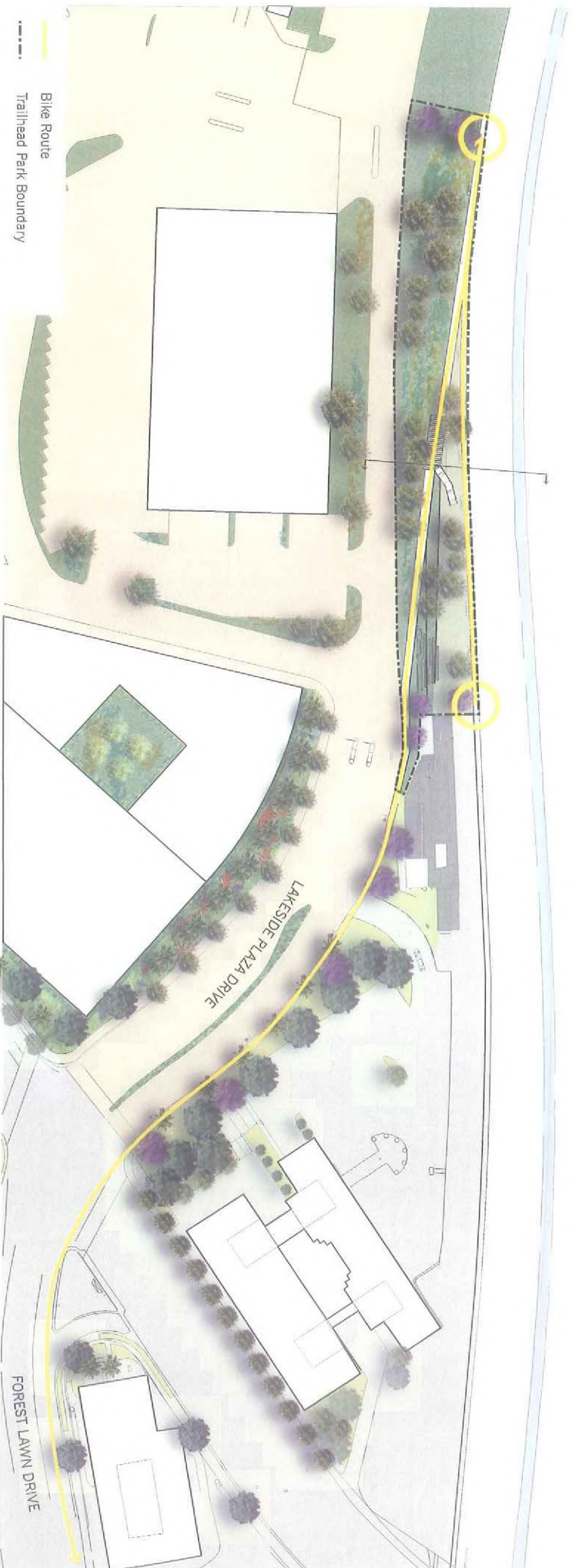
Barham Boulevard

Forest Lawn Dr.

Hollywood

City of Los Angeles

Trailhead Park



River & Bike Investments

- OVER \$3.875 MILLION INVESTMENT IN RIVER AND BIKE IMPROVEMENTS
- \$3 MILLION TO CONSTRUCT BIKE PATH ALONG COUNTY PORTION OF THE RIVER EDGE
- \$500,000 FOR PLANNING/DESIGN OF RIVER BIKEWAY
- \$375,000 TO CITY FOR BIKE IMPROVEMENTS ON NEARBY ROADWAYS
- DESIGN AND CONSTRUCT AN APPROXIMATELY ONE-ACRE TRAILHEAD PARK

Community Benefits

- MORE THAN **\$100 MILLION** INVESTED IN TRANSPORTATION AND TRANSIT IMPROVEMENTS
 - \$200,000 IN ADDITIONAL FUNDING FOR THE NEIGHBORHOOD TRAFFIC MANAGEMENT PLAN PROCESS TO INCLUDE HOLLYWOOD KNOLLS, TOLUCA LAKE, AND CAHUENGA PASS (THIS IS IN ADDITION TO \$300,000 PREVIOUSLY COMMITTED FOR NEIGHBORHOOD PROTECTION PROGRAMS IN THE AREA).
- **\$330,000** IN FUNDING FOR COMMUNITY DESIGN AND LOCAL COMMUNITY ORGANIZATIONS
 - \$50,000 EACH TO CAMPO DE CAHUENGA HISTORICAL MEMORIAL ASSOCIATION, GREATER LOS ANGELES ZOO ASSOCIATION, AND TRAVEL TOWN MUSEUM FOUNDATION
 - \$180,000 TO CITY TO PREPARE COMMUNITY DESIGN OVERLAY DISTRICTS FOR TOLUCA LAKE, CAMPO DE CAHUENGA, AND LANKERSHIM
- PROJECT LABOR AGREEMENT FOR CONSTRUCTION
- ANCHOR THE ENTERTAINMENT AND TOURISM INDUSTRIES IN LOS ANGELES COUNTY, PROTECTING AND CREATING JOBS

CREATE MORE THAN **30,000** JOBS
DURING CONSTRUCTION & OPERATIONS

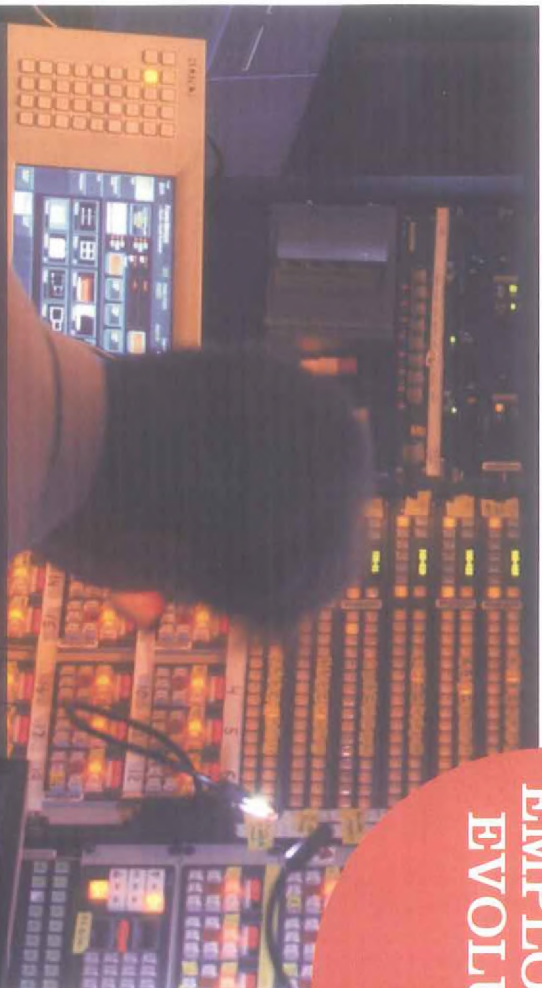


ECONOMIC &
EMPLOYMENT
EVOLUTION

\$2.7 BILLION OF ECONOMIC
ACTIVITY DURING CONSTRUCTION



\$2 BILLION OF ECONOMIC
ACTIVITY DURING OPERATIONS



\$1.6 BILLION INVESTED IN
LOS ANGELES



NBCUniversal EVOLUTION

Labor Unions on the Property



LIUNA!

THE OFFICE & PROFESSIONAL EMPLOYEES
INTERNATIONAL UNION



SAG-AFTRA ONE UNION

Community Outreach



**Greater Los Angeles
African American
Chamber of Commerce**



**OVER 6,500
COMMUNITY
SUPPORTERS**



LAHQ
Los Angeles Headquarters Association



**Los Angeles Area
Chamber of Commerce**



NBCUniversal EVOLUTION

CREATE MORE THAN **30,000** JOBS
DURING CONSTRUCTION & OPERATIONS

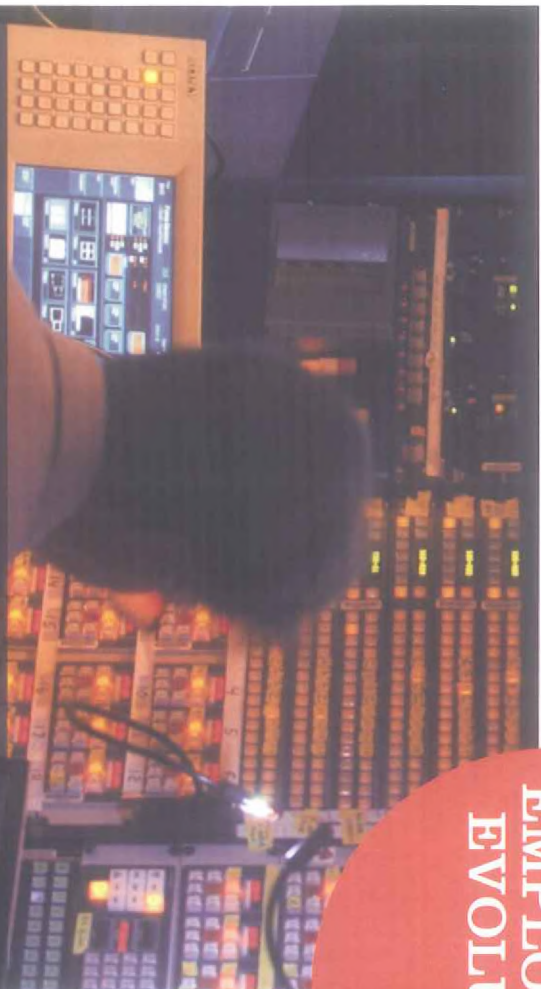


ECONOMIC &
EMPLOYMENT
EVOLUTION

\$2.7 BILLION OF ECONOMIC
ACTIVITY DURING CONSTRUCTION



\$2 BILLION OF ECONOMIC
ACTIVITY DURING OPERATIONS



\$1.6 BILLION INVESTED IN
LOS ANGELES



NBCUniversal EVOLUTION

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