



LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012, (213) 978-1300
www.lacity.org/PLN/index.htm

RE-ISSUED Determination Mailing Date: AUG 04 2014

CASE: CPC-2013-210-SPP-SPR-MS
CPC-2009-817-DA-M1
CEQA: ENV-2004-6269-EIR-SUP1
SCH#2005051145

Location: 1950 Avenue of the Stars
Council District: 5 – Koretz
Plan Area: West Los Angeles
Zone: C2-2-O

Applicant: Century City Realty, LLC

Representative: George Muhlsten, Esq., DJ Moore – Latham & Watkins, LLP

At its meeting on June 12, 2014, the following action was taken by the City Planning Commission:

1. Pursuant to Section 12.36 of the Los Angeles Municipal Code (LAMC), the City Planning Commission concurrently acts on requests 2 through 7 as follows:
2. **Approved** the proposed Alternative Calculation of Trip Generation Factor for the project as 4.97 per 1,000 square feet of floor area.
3. **Approved a Modified Project Permit** associated with Alternative 9 (enhanced retail).
4. **Adopted** the attached modified **Conditions of Approval**.
5. **Adopted** the attached **Findings**.
6. **Certified** the Environmental Impact Report (No. **ENV-2004-6269-EIR-SUP1**) and **adopted** the Findings and Statements of Overriding Considerations as provided in the environmental evaluation of the Environmental Impact Report. Also, pursuant to **Section 21082.1(c)(3)**, **adopted** the proposed Mitigation Monitoring and Reporting Program (MMRP).
7. **Advised** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption may be required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination ("NOD") filing.

Recommendations to City Council:

1. **Recommend** that the City Council **approve** the proposed amendments to the previously approved Development Agreement between Century City Realty, LLC and the City of Los Angeles subject to the additional modifications as proposed by the City Planning Commission. The Development Agreement is attached hereto as Exhibit A.

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

This action was taken by the following vote:

Moved: Dake-Wilson
Seconded: Mack
Ayes: Ambroz, Cabildo, Choe, Mack, Perlman, Segura
Absent: Ahn, Katz
Vote: 7 - 0


James K. Williams, Commission Executive Assistant II
City Planning Commission

Appeals: This action of the City Planning Commission will be final within 15 days from the mailing date on this determination unless an appeal is filed within that time to the City Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 North Figueroa Street, 4th Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys. Forms are also available on-line at <http://planning.lacity.org/>

AUG 19 2014

FINAL APPEAL DATE: _____

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

City Planner: Nicholas Hendricks

CONDITIONS OF APPROVAL

At its June 12, 2014 hearing, the Planning Commission approved Alternative 9 (enhanced retail) (the "Enhanced Retail Alternative") in lieu of the Modified Project. The Enhanced Retail Alternative involves slight changes to the Modified Project that include a slight decrease in the total office square footage proposed for the Modified Project, and a slight increase in the retail square footage proposed for the Modified Project to further activate the Transit Plaza around the proposed portal for the Century City Westside Subway Extension station. Accordingly, these Conditions of Approval reflect the Enhanced Retail Alternative as approved by the City Planning Commission.

A. Entitlement Conditions (Project Permit)

1. Site Plan

The use and development of the subject property shall be in substantial conformance with the site plan (Exhibit A) and elevations attached to the subject case file and as approved by the City Planning Commission. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code and the Conditions of Approval. All signage shall be implemented in accordance with the Los Angeles Municipal Code and any applicable regulations of the Specific Plan. The project shall be constructed consistent with the following project description:

- One 37-story building containing approximately 700,000-square feet of office space;
- Approximately 10,338 square feet of low-rise, one- and two-story office space;
- An approximate 2,389-square-foot Mobility Hub;
- Transit Plaza;
- Approximately 17,102 square feet of ancillary retail, and a partially subterranean parking structure;
- The parking structure shall feature an approximate 2.14-acre (approximately 93,000 square feet) landscaped green roof deck open to members of the public between 6:00 a.m. – 8:00 p.m., seven days per week, subject to reasonable rules and regulations, including the allowance for periodic use of the deck by the Applicant for private, non-public events; and
- Approximately 39,037 square feet of additional public open space on the project site.

The Enhanced Retail Alternative shall also be designed to achieve a Leadership in Energy and Environmental Design (LEED) Platinum rating or equivalent green building standard. In total, the Enhanced Retail Alternative shall not exceed 729,829 square feet of floor area.

2. **Landscape Plan.** See Environmental Conditions.
3. **Lighting.** See Environmental Conditions.
4. **Specific Plans.** The project shall comply with all applicable provisions of the Century City North Specific Plan and the West Los Angeles Transportation Mitigation Specific Plan, unless otherwise granted herein.
5. **Community Plan.** The project shall comply with all applicable provisions of the West Los Angeles Community Plan.
6. **Use.** The use of the subject property shall be limited to those uses permitted in the C2 Zone as defined in Section 12.14 of the Los Angeles Municipal Code ("L.A. M.C.").
7. **Height/Floor Area Ratio/Trips.** The project shall be limited to a height of 570 feet or approximately 849 feet above mean sea level. The Century City North Specific Plan restricts the Floor Area Ratio (FAR) to a maximum of 6:1 for the subject site. However, the maximum total Floor Area is further limited to the number of Trips allocated to the site and therefore is limited to a 3.03:1 FAR. This approval exhausts all Phase II Trips allocated to the project site.

8. **Vehicular and Bicycle Parking.**

a. Vehicular Parking. Vehicular parking shall be provided pursuant to the Los Angeles Municipal Code and further restricted as follows:

- The maximum number of parking spaces provided for the project shall be equal to the minimum number of parking stalls required by the Los Angeles Municipal Code (surplus parking is prohibited).

Note: Additional parking stalls may be allowed to accommodate flex cars and/or be utilized for bicycle parking spaces only.

- 20 percent of the minimum parking spaces required by the Los Angeles Municipal Code shall be constructed to accommodate the future placement of facilities for the recharging of electric vehicles.

b. Bicycle Parking. Long Term and Short Term bicycle racks and parking devices shall be provided pursuant to the Los Angeles Municipal Code. Bicycle racks shall be placed in convenient locations for tenants and guests.

9. **Solid Waste.** See Environmental Conditions.

B. Environmental Conditions (Environmental Impact Report)

10. **Compliance Measure LU-1**

Compliance with CCNSP. To ensure consistency with Century City North Specific Plan Sections 3(C)(2)-(4), the proposed Enhanced Retail Alternative shall have sufficient Trips under the Specific Plan to be developed. If the Project site requires additional Trips in order to permit the development of the proposed Enhanced Retail Alternative, the applicant shall acquire such Trips from any source that is permissible under the Specific Plan prior to Enhanced Retail Alternative construction. Total Trips assigned to the site are currently limited to 4,114.957 Trips.

11. **Project Design Feature TRA-1**

Construction Staging and Traffic Management Plan. A Construction Staging and Traffic Management Plan shall be prepared for approval by the Los Angeles Department of Transportation and other appropriate agencies and implemented during proposed Enhanced Retail Alternative construction. The Construction Staging and Traffic Management Plan shall also include the name and phone number of a contact person who can be reached 24 hours a day regarding construction traffic complaints or emergency situations. In addition, the Construction Staging and Traffic Management Plan shall take into account and be coordinated with other Construction Staging and Traffic Management Plans that are in effect or have been proposed for other projects in Century City. The Construction Staging and Traffic Management Plan shall include, but not be limited to, the following:

- Provisions for temporary traffic control during all construction activities adjacent to public right-of-way to improve traffic flow on public roadways (e.g., flag person);
- Scheduling construction activities to reduce the effect on traffic flow on arterial streets;
- Rerouting construction trucks to reduce travel on congested streets;
- Prohibiting construction-related vehicles from parking on public streets;
- Providing safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers;
- Requiring contractors to participate in a common carpool registry during all periods of contract performance monitored and maintained by the general contractor;
- Scheduling construction-related deliveries, other than concrete and earthwork-related deliveries, so as to reduce travel during peak travel periods as identified in this study;
- Coordination with other construction projects in the vicinity to minimize conflicts;

- Obtaining the required permits for truck haul routes from the City of Los Angeles prior to the issuance of any permit for the proposed Enhanced Retail Alternative;
- Obtaining a Caltrans transportation permit for use of oversized transport vehicles on Caltrans facilities;
- Submitting a traffic management plan to Caltrans for review and approval;
- All emergency access to the Project site and adjacent areas shall be kept clear and unobstructed during all phases of demolition and construction;
- Flag persons in adequate numbers shall be provided to minimize impacts to traffic flow and to ensure the safe access into and out of the site;
- Flag persons shall be trained to assist in emergency response by restricting or controlling

12. **Project Design Feature TRA-2**

Participation in and Contribution to the Century City Transportation Management Organization (CCTMO). The Applicant shall participate in and contribute to the CCTMO to support its existing programs which include:

- Guaranteed Ride Home program
- Rideshare matching
- Administrative and financial support for formation of vanpools and/or carpools
- Bike and walk to work promotions
- Preferential load/unload or parking location for high-occupancy vehicles (HOV)
- Promotion of Internal Revenue Code Section 132(f), which allows for employers to arrange pre-tax dollar transit commute expense accounts to provide transportation fringe benefits to eligible employees.

13. **Project Design Feature TRA-3**

Transportation Demand Management (TDM) Program. The TDM program outlined in Chapter 4.2, Traffic and Circulation, of this Subsequent EIR is a set of strategies proposed for the proposed Enhanced Retail Alternative that shall encourage proposed Enhanced Retail Alternative employees to reduce vehicular traffic on the streets and freeway system during the most congested time periods of the day by promoting non-auto travel, travel outside of traditional peak commute hours, or telecommuting. The proposed Enhanced Retail Alternative shall develop and implement a TDM program containing features that are as stringent as existing programs at Constellation Place (10250 Constellation Boulevard) and the SunAmerica building (1999 Avenue of the Stars), by including Project Design Features TRA-4, TRA-5, TRA-6, and TRA-7, as well as one or more of the following:

- Providing resources and/or incentives to building tenants to encourage and implement flexible work schedules and telecommuting programs
- Providing resources and/or incentives to building tenants to encourage and implement alternative work schedules
- Pedestrian-friendly environment
- Bicycle amenities (bicycle racks, lockers, showers etc.)
- Rideshare/carpool/vanpool promotion and support
- Education and information on alternative transportation modes
- Guaranteed Ride Home (GRH) program

In addition to these strategies, the proposed Enhanced Retail Alternative is designed to integrate with the proposed Westside Subway Extension station portal at the northeast corner of Constellation Boulevard and Avenue of the Stars if the portal is ultimately placed in this location when the subway is built.

14. **Project Design Feature TRA-4**

Mobility Hub. The 2,389 square-foot Mobility Hub, provided at the Project site, shall help to provide first-mile and last-mile service for transit users. The first mile/last mile problem is characterized by the situation where bus stops and mass transit stations are often located too far from a commuter's origin or final destination to make walking to or from

that destination practical or convenient. The Mobility Hub shall help to get transit users the first mile from their origin to a transit hub or the last mile from a transit hub to their destination by providing amenities such as bicycle parking and rentals, shared vehicle rentals, and transit information (including commuter applications).

15. **Project Design Feature TRA-5**

Transportation Information Center. A Transportation Information Center (TIC) is a centrally-located commuter information center where a building's employees, residents, and patrons can obtain information regarding commute programs, and individuals can obtain real-time information for planning travel without using an automobile. A TIC shall be provided in the proposed Enhanced Retail Alternative and shall include orientations for new employees and residents as well as providing information about transit schedules, commute planning, rideshare, telecommuting, and bicycle and pedestrian plans.

16. **Project Design Feature TRA-6**

Transit Passes. All eligible employees, which shall include all employees who do not park at the Project site, shall be provided with a discounted monthly transit pass giving them access to Metro rail and bus service. The Applicant shall coordinate with Metro to implement the discount program.

17. **Project Design Feature TRA-7**

The proposed Enhanced Retail Alternative shall provide unbundled leases for the office and ancillary retail space. The tenants shall have the option of leasing the parking spaces on a monthly or yearly basis separate from the building space. This shall provide tenants with the option of offering a parking cash-out allowance for those employees who choose to park at another location or take transit to work.

18. **Project Design Feature TRA-8**

Bicycle Safety Equipment. The proposed Enhanced Retail Alternative shall provide an audible buzzer system to indicate the approach of an exiting vehicle from the alley bordering the northern edge of the Project site at Avenue of the Stars and shall install convex mirrors at exit points where visibility is hindered.

19. **Mitigation Measure 4.2.1:**

This Mitigation Measure is applicable to all trip generation rates. The Applicant or its successor shall install or pay the Los Angeles Department of Transportation (LADOT) a fixed amount of \$750,000 to provide for design and installation of closed-circuit television (CCTV) cameras and the necessary infrastructure (including fiber optic and interconnect tubes) at key locations in the Study Area to be determined by LADOT. The CCTV cameras shall be located as necessary to provide visual monitoring of traffic conditions and to provide automated counts of traffic volumes. This provides LADOT with the ability to monitor traffic operations and, through modification of signal timing and phases using the Adaptive Traffic Control System (ATCS), respond instantly to incidents that delay vehicles and transit service. These improvements shall be implemented either by the Applicant through the B-permit process of the City of Los Angeles Bureau of Engineering, or through payment of the \$750,000 fixed fee amount to LADOT to fund the cost of these improvements. If LADOT selects the payment option, then the Applicant shall be required to pay up to \$750,000 prior to issuance of a certificate of occupancy and LADOT shall design and construct these improvements.

20. **Mitigation Measure 4.2.2:**

This Mitigation Measure is applicable to all trip generation rates. The Applicant shall work with the Century City Transportation Management Organization (CCTMO) to develop a high-quality mobile (cell phone) application for the use of residents, employees, and visitors to the Study Area, and Century City in particular. The application shall be developed fully at the Applicant's sole expense, and shall be maintained at the Applicant's sole expense for a period of ten (10) years. This application shall:

- Alert drivers of congestion on key routes serving Century City

- Identify alternate routes that bypass congestion
- Identify real-time visitor parking availability within Century City
- Identify transit options for travel to and from Century City

21. **Mitigation Measure 4.2.3:**

This Mitigation Measure is applicable to all trip generation rates. If the intersection of Merv Griffin Way and Santa Monica Boulevard (North [N]) is not signalized by the time the proposed Enhanced Retail Alternative is constructed, the Applicant shall pay to install the traffic signal with an agreement from the City of Beverly Hills that, should one of the two developments currently responsible for the improvement commence construction, the Applicant shall be reimbursed for the cost.

22. [DELETED]

23. **Mitigation Measure 4.2.5.1** is applicable to the Enhanced Retail Alternative under any trip generation scenario (Empirical Rate, Economy Adjustment, Published Rates) if the Westside Subway Extension is not operating in Century City in year 2021 or by the date that the Certificate of Occupancy is issued for the Enhanced Retail Alternative, whichever is earlier. In order to provide additional transportation capacity and mitigate traffic impacts, the Applicant shall pay to provide additional peak hour bus service for the Metropolitan Transportation Authority (Metro) Rapid Line 704 on Santa Monica Boulevard. A new articulated bus for Santa Monica Metro Rapid Line 704 shall be added that travels eastbound during the morning peak hour and westbound during the afternoon peak hour. The Applicant shall pay \$750,000 toward the procurement of a new 40-foot bus and an average of \$110,000 per year for 10 years (\$1,100,000 total) toward the operating and maintenance costs for morning and afternoon peak hour service. Farebox revenues and State and Federal transit subsidies shall be credited against operating and maintenance costs for the 10-year period. This bus shall no longer be required to be provided upon completion of the Westside Subway Extension to Century City.

(Note: DOT has determined that the 10-year period is necessary in order for the bus service to become self-sustaining)

24. **Mitigation Measure 4.2.5.2:**

The proposed Enhanced Retail Alternative shall be subject to on-going monitoring to ensure that the actual automobile trip generation is at or below the projected afternoon peak hour estimate for the Enhanced Retail Alternative with Economy Adjustment that would require the implementation of additional mitigation (392 afternoon peak hour automobile trips). LADOT has established this on-going monitoring program to determine if additional transit mitigation shall be required in the event that the Enhanced Retail Alternative exceeds 392 afternoon peak hour automobile trips. For this purpose, LADOT has established four afternoon peak hour automobile trip generation thresholds: (i) 392 trips; (ii) 451 trips; (iii) 510 trips; and (iv) 588 trips (together, the "Trip Generation Thresholds"), the exceedance of which shall require the Applicant to implement additional transit mitigation measures as provided below.

Monitoring of automobile trips to and from the Project site shall occur on a real-time basis using video cameras mounted above the Enhanced Retail Alternative's driveways. The cameras shall operate 24 hours a day, 7 days a week. The cameras and the count system shall be connected to the LADOT Traffic Management Center or another appropriate facility of LADOT's selection.

The Enhanced Retail Alternative's trip generation level shall be the weekly average of the Monday through Friday afternoon peak hour automobile trips in and out of the Enhanced Retail Alternative driveways (excluding any Federal, State or local holidays). The Enhanced Retail Alternative's building operator shall provide weekly reports of the average trip generation level to LADOT. LADOT shall review the weekly reports and compare the Enhanced Retail Alternative's weekly average trip generation level to the Trip Generation Thresholds.