


SUBJECT. ORDINANCE NO. 10-844 (2ND READING), APPROVING DEVELOPMENT AGREEMENT 2008-001 IN CONJUNCTION WITH THE PROPOSED MIXED-USE DEVELOPMENT LOCATED AT 7300-7328 SANTA MONICA BOULEVARD

INITIATED BY: CITY CLERK'S DIVISION
(Thomas R West, City Clerk) 
(Corey Schaffer, Assistant City Clerk) CS -

STATEMENT ON THE SUBJECT:

The City Council will waive further reading and adopt Ordinance No. 10-844, a proposed ordinance approving Development Agreement 2008-001 in conjunction with the proposed mixed-use development located at 7300-7328 Santa Monica Boulevard

RECOMMENDATION

Waive further reading and adopt Ordinance No. 10-844, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING DEVELOPMENT AGREEMENT 2008-001 IN CONJUNCTION WITH THE PROPOSED MIXED-USE DEVELOPMENT LOCATED AT 7300-7328 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA"

BACKGROUND:

On February 16, 2010, the City Council introduced on first reading Ordinance No 10-844

Ayes: Councilmember Duran, Councilmember Horvath, Councilmember Prang, Mayor Pro Tempore Heilman, and Mayor Land
Noes: None.
Absent: None.

CONFORMANCE WITH VISION 2020

This item is consistent with the Primary Strategic Goal of **Institutional Integrity**.

OFFICE OF PRIMARY RESPONSIBILITY:

Office of the City Clerk

EVALUATION:

N/A

ENVIRONMENTAL SUSTAINABILITY AND HEALTH:

N/A

FISCAL IMPACT

None

ORDINANCE NO 10-844

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING DEVELOPMENT AGREEMENT 2008-001 IN CONJUNCTION WITH THE PROPOSED MIXED-USE DEVELOPMENT LOCATED AT 7300-7328 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA

The City Council of the City of West Hollywood hereby ordains as follows:

SECTION 1 An application for a new Development Agreement (DVA) 2008-001 was filed by Casden Movietown LLC on November 27, 2007, in conjunction with a proposal to develop a mixed use project at 7300-7328 Santa Monica Boulevard, West Hollywood, California. The required neighborhood meeting was held on October 8, 2007. The application was deemed complete on February 26, 2008.

SECTION 2 A public hearing was duly noticed for the City Council meeting of February 16, 2010 in compliance with the Municipal Code.

SECTION 3. An Environmental Impact Report (EIR) was prepared for the project. The Planning City Council certified the Final EIR, adopted a Mitigation Monitoring Plan and adopted a Statement of Overriding Considerations (for short-term construction air quality, noise and vibration impacts and operational traffic impacts)

SECTION 4. In accordance with Section 19.66 030.E (Required Findings) of the West Hollywood Municipal Code, the City Council makes the following findings of fact regarding Development Agreement (DVA) 2008-001:

- a. The development agreement is in the best interests of the City, promoting the public interest and welfare, the terms of the agreement have been found by the City to be fair, just and reasonable, and prompted by the unique planning considerations presented by the Proposed Project including its landmark design, affordable senior housing, and monetary benefits, which will accrue to the City thereby.
- b. The development agreement is consistent with all applicable provisions of the General Plan and the Zoning Ordinance, specifically in that the proposed mixed use project with 294 market rate condominium units, 76 affordable senior rental units, and 32,200 square feet of retail space are part of a landmark building with development standards that further the goals and objectives of the General Plan.

- c. The development agreement does not:
 - 1 Adversely affect the comfort, health, peace, or welfare, or valuation of property, of persons residing or working in the vicinity of the proposed project and because the project has been appropriately designed for the project site, will be subject to the numerous construction and operational provisions and conditions in the development and conditional use permits, and will be subject to the mitigation measures in the Mitigation Monitoring Program to reduce and minimize impacts; or
 - 2. Endanger, jeopardize, or otherwise constitute a menace to the public convenience, health, interest, safety or general welfare because the project has been appropriately designed for the site, will be subject to the numerous construction and operational provisions and conditions in the development and conditional use permits, and will be subject to the mitigation measures in the Mitigation Monitoring Program to reduce and minimize impacts.
- d The development agreement is in compliance with the conditions, requirements, restrictions, and terms of Sections 19.66.040 A (Mandatory Contents) and 19.66.040.B (Permissive contents), because the agreement contains all the mandatory provisions and permissive content required by Government Code Section §65865 2.

PASSED, APPROVED AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 1st day of March, 2010 by the following vote.

AYES.	Councilmember:	Duran, Horvath, Prang, Mayor Pro Tempore Heilman, and Mayor Land
NOES	Councilmember:	None
ABSENT	Councilmember:	None.
ABSTAIN.	Councilmember:	None.

ABBE LAND, MAYOR

ATTEST.

THOMAS R WEST, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF WEST HOLLYWOOD)

I, THOMAS R. WEST, City Clerk of the City of West Hollywood, do hereby certify that the foregoing Ordinance No. 10-844 was duly passed, approved and adopted by the City Council of the City of West Hollywood at a regular meeting held on the 1st day of March, 2010, after having its first reading at the regular meeting of said City Council on the 16th day of February, 2010.

I further certify that this ordinance was posted in three public places as provided for in Resolution No. 5, adopted the 29th day of November, 1984

WITNESS MY HAND AND OFFICIAL SEAL THIS 2nd DAY OF MARCH, 2010

Thomas R. West, City Clerk