



City Council Report

City Council Meeting: July 23, 2019
Agenda Item: 3.O

To: Mayor and City Council
From: David Martin, Director, City Planning
Subject: Annual Review of Development Agreement Compliance

Recommended Action

Staff recommends that the City Council:

1. Review the status of Development Agreement compliance; and
2. Determine good faith compliance for those that are in compliance and listed as such in Table 1.

Summary

This report provides an annual summary of the status of compliance for each of the 33 Development Agreements that are currently in effect and subject to annual compliance report submittals. Council last reviewed the status of Development Agreement compliance at its April 10, 2018 meeting. Since the passage of an ordinance establishing the City's Development Agreement framework in 1982, 33 Development Agreements have been enacted that are still in effect:

Project Status	Count
Completed	23
Under Construction	7
Not Commenced	3
TOTAL	33

Based on staff's review of each of the 30 projects already built or under construction, staff recommends Council determine that all of these agreements are in good faith compliance with requirements specified for each property. A summary of the 33 projects is below in Table 1.

While defined as being in good faith compliance, this report also summarizes staff's work with Colorado Center that is, consistent with Development Agreement

requirements, implementing additional transportation demand management measures to achieve the numeric peak-hour AVR targets identified in each Agreement. The AVR targets specified in Colorado Center's amended Development Agreement are structured as goals and not requirements. More specifically, the owner's inability to achieve the AVR target for the peak periods shall not constitute a default within the meaning of the Agreement, provided that the owner is taking all reasonable and feasible steps to achieve compliance, including implementing additional single-occupancy trip reduction measures as specified by the City.

Background

Chapter 9.60 of the Municipal Code establishes the processes and requirements for the City to enter into a Development Agreement. One of the provisions is annual review by the City Council of each approved Development Agreement to determine good faith compliance with the terms and conditions of the Agreements. In accordance with the Municipal Code statute governing Development Agreements, the applicant or successor ("Developer") must demonstrate good faith compliance with the terms of the Agreement. The term "good faith compliance" generally means the following: (a) compliance by Developer with the requirements of existing regulations, except as otherwise modified by the Development Agreement; and (b) compliance by Developer with the terms and conditions of the Development Agreement, subject to the existence of any specified excusable delays (as defined in the Development Agreement) which prevented or delayed the timely performance by Developer of any of its obligations under the Development Agreement. If, as a result of the periodic review, the City Council finds and determines, on the basis of substantial evidence, that the applicant or successor has not complied in good faith with the terms or conditions of the agreement, the City Council may commence proceedings to enforce, modify, or terminate the Development Agreement.

Each Development Agreement contains unique time frames, obligations, and requirements. The obligations can be one-time or ongoing; some are fees, some are actual physical improvements, and some are ongoing services. Planning staff works closely with other City departments and divisions to confirm compliance with agreement

terms that fit within those departments' areas of expertise. For example, Housing and Economic Development performs the annual compliance review of affordable housing obligations in Agreements, while Community and Cultural Services performs the review of child care program obligations.

Each development agreement includes an effective date and term that the contract is in effect. The term of a development agreement varies, for instance, from 10 to 55 years. Following expiration of the term of the development agreement, rights and responsibilities set forth in the agreement would terminate. However, if there are specific requirements or obligations that the City and developer agree will survive or remain in effect following termination of the agreement and remain binding to the developer and successors in interest for the life of the project, the current practice is to memorialize those specific items in the agreement as binding for the life of the project. These could include certain conditions of approval, mitigation measures, or community benefits. In addition, the current practice is to require separate recordation of a covenant for requirements and obligations that will survive the terms of the agreement and remain in effect for the life of the project.

Notwithstanding these specific requirements that remain in effect for the life of the project, following termination of the agreement, if the project does not comply with the development standards applicable to the property at that time, the building(s) and/or uses would be considered legal non-conforming structures and/or uses. As such, the property would be subject to the current Zoning Ordinance, with respect to regulations for non-conforming buildings and uses. Today's Zoning Ordinance (SMMC Chapter 9.27) contains provisions for legal non-conforming buildings and uses, including proposed expansion or rebuilding of a non-conforming building; removal of non-conforming features of a building; restoration of a damaged legal, non-conforming building, and continuation of legal, non-conforming uses.

Early Development Agreements Not Subject to Annual Reporting

As explained in the compliance reports submitted to Council in 2010-2018, there are also five very early Development Agreements that do not include annual reporting and other monitoring requirements:

- Lincoln Property/Phase II of the Ocean Park Redevelopment Area
- 1426 California Avenue
- 2823-2825 Santa Monica Boulevard
- 1040 4th Street (Dorchester)
- 701 Santa Monica Boulevard

In general, these early Development Agreements required certain street improvements and, in some cases, the payment of fees. For example, the Agreement for 701 Santa Monica Boulevard required the payment of an Arts and Social Service Fee and an In-Lieu Housing Fee. Such fee obligations were satisfied when the projects were completed. Thus, compliance and monitoring have not, in general, been an issue.

The Dorchester at 1040 4th Street, which was one of the City's earliest efforts to create affordable housing, is the only project in the City that includes affordable units that are condominiums, instead of apartments. The model proved to be problematic in several ways. There were problems with recordation and notification of the affordability requirement. Some of the unit owners purchased intending to live there themselves or house a family member. Many purchased with arguably insufficient notice of the restrictions. Most had no experience in property management, much less the management and financing of a lone affordable unit. While annual compliance reports are not required by the terms of the Agreement, the City's Housing Division continues to conduct its annual review of affordable housing requirements. For the Housing Division's monitoring period in 2018, of the fifteen units, ten of the owners filed compliance reports pursuant to the Development Agreement. Four of the unaccounted units are part of settlement agreements with the City. The City Attorney's Office filed a first-of-its-kind lawsuit (City of Santa Monica v. Chiang Sung) against one of the

Dorchester owners who attempted an owner-occupancy eviction of a low-income tenant and that litigation is pending.

Discussion

As a result of staff's review of all 33 Development Agreements subject to compliance reporting, staff has determined that all 23 constructed projects and all seven under-construction projects are in good faith compliance. The remaining three Development Agreements do not require monitoring at this time. Attachment A summarizes all Agreements where annual compliance reports are required and have been submitted for the current review period, and provides a brief status update on the projects under construction and those properties where construction has not yet commenced. As summarized below and detailed more fully in Attachment A, one property is working to increase its AVR results through continued implementation of its TDM plan during the annual reporting cycle and is implementing updated measures to reduce single-occupancy vehicle (SOV) trips in compliance with its Development Agreement.

The amended Colorado Center Development Agreement specifies that the 1.6 AVR during the peak-periods is a target, rather than a requirement. Per the amended Development Agreement, the owner's inability to achieve the AVR target for the peak periods shall not constitute a default within the meaning of the Agreement, provided that the owner is taking all reasonable and feasible steps to meet these targets, including implementing additional transportation demand management measures designed to achieve these stipulated AVR targets. Colorado Center management collects survey data for both large and small employers to determine its site-wide average vehicle ridership during the AM and PM peak periods. This expanded survey effort includes employers with more than 30 employees, as well as employers with fewer than 30 employees; the latter are not currently required to perform employee trip surveys per the City's Transportation Demand Management Ordinance. Due in part to some shifts in employment for a large tenant, Colorado Center data shows the property as a whole yielded a 1.37 AVR during the AM peak period (down slightly from the 1.40 AVR reported in 2017) and a 1.38 AVR during the PM peak period (down from the 1.42 AVR reported in 2017).

Throughout 2018, Colorado Center implemented the additional TDM measures required by the City following last year’s annual compliance review. Colorado Center continued its “Evolve Your Commute” campaign to all tenants to promote green commuting options to and from the property. The marketing campaign reaches small and large tenants via memos, e-newsletters, a website, and electronic directories. The topics include rideshare promotional events, bike-to-work challenges, and trip planning assistance and coordination. Colorado Center’s Employee Transportation Coordinator works with CommuteSM (Ride Amigos), which provides employees access to carpool opportunities and the GoSaMo Transportation Management Organization (TMO) to assist tenants and employees and promote the use of the Expo, Big Blue Bus, biking, walking, and new mobility options such as electric scooters, on-demand carpool matching services and microtransit services.

As detailed more fully on pages 1-4 of Attachment A, Colorado Center is implementing measures focused on restructuring its carpool incentive program, and continuing full implementation of its Evolve Your Commute marketing and incentive program for the property. Colorado Center management will also be required to work with tenants’ Employee Transportation Coordinators to quantify the SOV trip reduction necessary for each employer and to structure tenant-specific incentives to achieve the site-wide AVR peak period targets.

Attachments B and C also provide a summary of TDM program measures that have been incorporated in newly-approved or amended Development Agreements since 2010 in conjunction with the City’s Land Use and Circulation Element (LUCE) implementation.

Development Agreements (33)				
Recommended Finding:	Good Faith Compliance	Not in Good Faith Compliance	Good Faith Compliance	Construction Has Not Commenced
	Completed Projects (23)	Completed Projects (0)	Under Construction (7)	(3)

Development Agreements (33)				
Recommended Finding:	Good Faith Compliance	Not in Good Faith Compliance	Good Faith Compliance	Construction Has Not Commenced
	Completed Projects (23)	Completed Projects (0)	Under Construction (7)	(3)
2401-2525 Colorado Avenue - Colorado Place II & II (Colorado Center) (1981)	•			
1541 Ocean Ave - Paseo Del Mar (1982)	•			
2700 Colorado Ave - National Medical Enterprise (Viacom) (1982)	•			
530 Pico Blvd - Bayview CA Unlimited Partnership (Le Meridien Delfina) (1983)	•			
2000-2200 Colorado Ave - Arboretum (AO Santa Monica) (1987)	•			
1620 26th Street & 2425 Olympic Blvd - Water Garden (1988)	•			
1733 Ocean Ave - Maguire Thomas (1990)	•			
2221 Santa Monica Blvd - Providence Saint John's Health Center (1998)	•			
1776 Main Street - Rand (2000)	•			
3030 Olympic Blvd - Lantana East (2004)	•			
3030 Olympic Blvd - Lantana South (2004)	•			
1725 Ocean Ave - The Village (2008)	•			
725 California Avenue - Saint Monica's Catholic Community (2010)	•			
1800 Stewart St - Agensys (2010)	•			
2834 Colorado Avenue - Colorado Creative Studios (2011)			•	
702 Arizona Avenue (2011)	•			
1317 7 th Street (2011)	•			
710 Wilshire Boulevard (2012)			•	
1548 6 th Street (2012)	•			
2930 Colorado Avenue (2013)			•	
1318 2 nd Street (2013)	•			
1731 20 th Street - Crossroads School (2013)	•			
1554 5 th Street - Courtyard by Marriott (2013)	•			
501 Colorado Avenue - Hampton Inn & Suites (2013)	•			
315 Colorado Avenue - Arclight Cinemas at Santa Monica Place (2014)	•			
1402 Santa Monica Blvd - Mini Automobile Dealership (2014)	•			
1112-1122 Pico Blvd (2014)			•	

Development Agreements (33)				
Recommended Finding:	Good Faith Compliance	Not in Good Faith Compliance	Good Faith Compliance	Construction Has Not Commenced
	Completed Projects (23)	Completed Projects (0)	Under Construction (7)	(3)
1415 5 th Street (2015)				•
1560 Lincoln Blvd (2015)			•	
1601 Lincoln Blvd (2016)			•	
500 Broadway (2016)			•	
1325 6 th Street (2017)				•
1430 Lincoln Blvd (2017)				•
1333-1337 Ocean Avenue - Hill Street Partners III (2007)	Expired in 2012			
1900 Pico Blvd - Santa Monica College Parking & Pool (1989)	Expired in 2014			
401 Broadway (2011)	Zoning code-compliant project built			

Public Outreach

The Municipal Code requires that that the City provide at least 10 days' notice to the Developer of the City Council's scheduled meeting to review Development Agreement compliance. This notice has been provided.

Next Steps

Staff will continue its ongoing Development Agreement compliance review. Although this year's report to Council was scheduled in the summer due to staffing constraints, future reports will be made to Council annually during the first quarter of the calendar year, consistent with past practice. The next report will be made in the first quarter of 2020.

Financial Impacts & Budget Actions

There is no immediate financial impact or budget action necessary as a result of the recommended action to determine good faith compliance for developers who have complied with agreement terms.

Prepared By: Roxanne Tanemori, Principal Planner

Approved

Forwarded to Council



David Martin, Director

7/17/2019



Rick Cole, City Manager

7/18/2019

Attachments:

- A. DA Monitoring Report Property Summaries (7-23-19)
- B. DA Monitoring Report TDM (7-23-19)
- C. DA Monitoring Report AVR (7-23-19)
- D. PowerPoint Presentation

Attachment "A"

Summary of Compliance for Projects Subject to Annual Development Agreement Monitoring

Recommended Finding of Good Faith Compliance: Completed Projects

<u>Colorado Place I & II (Colorado Center)</u>
2401-2525 Colorado Avenue and 2500 Broadway
Agreement Effective: 10/27/1981
Expires: 9/15/2036
Amended: 4/1984; 7/1984; 5/1985; 12/1987; 6/2011
Reporting Period: 10/27/2017 to 10/27/2018
Good Faith Compliance Confirmed

The project was approved for approximately 900,000 SF of office uses along with a daycare center, park, health club, food services and community rooms. Building heights range from 65' to 80'. On-site parking structures currently contain 3,085 parking spaces.

Community Benefits Summary

- Child care center (Hill 'N Dale)
- Public park with tennis courts, children's play structure, basketball court, and public gathering space
- 51 units of affordable housing located off-site which per an agreement between the City Housing Authority and the County, are monitored by the County and a contribution of \$2,652,909 to the City's Affordable Housing fund
- Community rooms open to the public and available free of charge for community & neighborhood groups
- Nearly \$3 million worth of art and social service benefits through Park & Community room maintenance
- TDM Program (enhanced by Amendment No. 5)
- Off-site traffic signal, street lighting, and turn lane improvements

Status of Compliance

The required annual compliance report for Colorado Center was received from Boston Properties on November 30, 2018. Based on staff's review, the property owner has been determined to be in good faith compliance with all Development Agreement fee

payments and community benefits associated with requirements in effect during the October 2017 to October 2018 reporting period.

Transportation Demand Management

The property owner has undertaken the enhanced Transportation Demand Management Program that was approved by Council on June 28, 2011 as a requirement of the Fifth Amendment to the Development Agreement that permits leasing of up to 1,035 parking spaces to off-site parties. Some of these measures include establishing baseline Average Vehicle Ridership data for the entire site by conducting annual commute surveys and collecting data from both large and small employers, creating a transit/rideshare information center and website, and increasing on-site bicycle parking. The Fifth Amendment identifies a 1.6 Average Vehicle Ridership (AVR) target for both the AM and PM peak periods upon completion of Phase II of the Expo line to Santa Monica. Attachment “B” to this staff report provides the previous years’ AVR data for reference.

The amended Colorado Center Development Agreement specifies that the 1.6 AVR during the peak-periods is a target, rather than a requirement. Per the amended Development Agreement, the owner’s inability to achieve the AVR target for the peak periods shall not constitute a default within the meaning of the Agreement, provided that the owner is taking all reasonable and feasible steps to meet these targets, including implementing additional transportation demand management measures designed to achieve these stipulated AVR targets.

Colorado Center management collects survey data for both large and small employers to determine its site-wide average vehicle ridership during the AM and PM peak periods. This expanded survey effort includes employers with more than 30 employees, as well as employers with fewer than 30 employees; the latter are not currently required to perform employee trip surveys per the City’s Transportation Demand Management Ordinance. Currently, Colorado Center data shows the property yielded a 1.37 AVR during the AM peak period (down slightly from the 1.40 AVR reported in 2017) and a 1.38 AVR during the PM peak period (down from the 1.42 AVR reported in 2017).

TDM Plan Enhancements

Throughout 2018, Colorado Center implemented the additional TDM measures required by the City following last year’s annual compliance review. Colorado Center continued its “Evolve Your Commute” campaign to all tenants to promote green commuting options to and from the property. The marketing campaign reaches small and large tenants via memos, e-newsletters, a website, and electronic directories. The topics include rideshare promotional events, bike-to-work challenges, and trip planning assistance and coordination. Colorado Center’s Employee Transportation Coordinator works with CommuteSM (Ride Amigos), which provides employees access to carpool opportunities and the GoSaMo Transportation Management Organization (TMO) to assist tenants and employees and promote the use of the Expo, Big Blue Bus, biking, walking, and new mobility options such as electric scooters, on-demand carpool matching services and microtransit services.

Colorado Center continues to provide a bike storage for employees to use free of charge. The bike storage is secured, CCTV monitored and can only be accessed via an individual's employee access card. The bike storage can hold up to 77 bikes and includes air pump and service station for basic repairs and maintenance. In addition, the Bike Shower Club began to provide toiletries including shampoo, conditioner, body wash and lotion to its members.

In this past reporting cycle, Colorado Center hosted rideshare/bicycle/commuter events and challenges for all tenants; held individual strategic planning meetings with each tenant's ETC and a GoSaMo TMO member; and hosted a town hall meeting for tenants to discuss Waze carpool and courtesy parking options for Parking Cash Out participants. Additionally, as a result of the 2017 plan review process the Colorado Management staff raffled TAP cards and one-year Breeze memberships; had a team member join the TMO Advisory Board; re-vamped their carpool program incentive; and hosted quarterly raffles for rideshare participants.

To address this year's survey results, Colorado Center management and staff have identified new single-occupancy vehicle trip reduction measures to implement at Colorado Center during the next reporting cycle in order to reach the property's AVR targets. The Colorado Center 2019 Plan will focus, at a minimum, on the following:

- Enhance the carpool/vanpool program with incentives for both tenant participation and employee participations inclusive of a parking program that supports dynamic ridesharing between tenants with the goal of reaching a 20% carpool/vanpool mode split.
- Explore the provision of a property-wide transit program that would allow all employees working at Colorado Center to access transit fare-free. Employers would be charged for employee use of the program on a per trip basis and Colorado Center would coordinate the provision and promotion of the service. In addition to an enhanced transit benefit, Colorado Center will host a minimum of four "try transit" outreach and encouragement events with the goal of reaching a 15% transit mode split.
- Enhance the active transportation program offerings to include outlets for e-bike charging, horizontal bicycle parking racks in the bicycle storage club, towel service or a secure place to store towels for drying, and basic bicycle maintenance services provided free of charge on an annual basis with the goal of reaching a 5% bike mode split and a 1% walk mode split.
- Implement a property-wide program to allow employees occasional access to parking (at a cost no greater than the monthly parking rate divided by 20) in support of the Parking Cash Out requirement and all green commute programs.
- Work with tenants to survey employees and identify existing barriers to green commuting and implement measures to address existing barriers.
- Increase the frequency of the Employee Transportation Coordinator/TMO

coordination meetings from quarterly to bimonthly to ensure timely and adequate implementation of the Colorado Center TDM plan enhancements.

Boston Properties has worked with City staff to update and expand its TDM plan in during the first and second quarters of 2019 in anticipation of its next annual survey for fall 2019 reporting and implementation is underway. City staff will continue its monthly discussions with Colorado Center to monitor TDM plan implementation.

Community Outreach

In accordance with the Fifth Amendment, the property owner held its annual community meeting on September 12, 2018 to discuss Development Agreement compliance with residents near the project site. Since the current reporting period ended in October 2018,

The ownership continues to collaborate with Santa Monica Mid-City Neighbors on annual community events hosted at the property. Mid-City Neighbors worked with Colorado Center management and hosted Mid-City Neighbors’ second annual Fall Family Festival at the Colorado Center fountain courtyard on October 30, 2017 and held its fourth annual Make Music Day at the Colorado Center park on June 21, 2018. While outside of the reporting 2017-2018 reporting period, Mid-City Neighbors’ recently hosted the fifth annual Make Music Day at Colorado Center on June 21, 2019.

Over the past year, staff received two inquiries to clarify how the community room is reserved by non-profit organizations and to confirm that validated free parking for community room users is provided as an additional benefit. Boston Properties responded quickly to these inquiries and is committed to ensuring that community room rules are properly handled through their property management staff.

<u>Paseo Del Mar</u>
1541 Ocean Avenue
Agreement Effective: 1/26/1982
Expires: 10/1/2031
Reporting Period: 1/26/2018 to 1/26/2019
Good Faith Compliance Confirmed

The project consists of approximately 54,000 SF in two buildings ranging in height from 28 to 36 feet. Uses include restaurant, office, retail, and 10 units of low, median, and moderate income housing. The subterranean parking garage contains 72 spaces.

Community Benefits Summary

- 10 deed-restricted affordable housing units at a prime oceanfront location
- \$75,000 Art and Social Service fee or in-kind provision of art on-site

- Parking, Carpool, and Transit Incentive Program

Status of Compliance

The required annual compliance report was received by Planning staff on April 3, 2019 with additional annual documentation provided to the Housing and Economic Development Department as part of its work performed to confirm compliance with inclusionary housing obligations. Both Planning and Housing Division staff reviewed the information for the 2018 reporting period and verified that the property owner is in good faith compliance with Agreement requirements, including affordable housing obligations.

National Medical Enterprise (Viacom)
2700 Colorado Avenue
Agreement Effective: 4/16/1982
Expires: 4/16/2037
Amended: 1/1987; 4/1987; 5/1988
Reporting Period: 4/16/2017 to 4/16/2018
Good Faith Compliance Confirmed

The project consists of a five-story, 312,000 square foot building with creative offices. The site also contains a child care center, a public park, and a 1,000 space subterranean parking garage.

Community Benefits Summary

- Provision of 30 affordable rental units, later amended to require the payment of a \$1,500,000 in lieu fee
- On-site child care center
- Payment of \$25,000 to Santa Monica Arts Foundation
- Park of approximately 7,200 square feet to be open to the public during reasonable hours

Status of Compliance

The required annual compliance report was received on April 23, 2018. Staff has verified compliance with all Development Agreement requirements for the 2017-2018 reporting period. In addition, the child care facility has continued their outreach efforts by hosting an open house for tenant employees to ensure the facility continues to provide child care programming that meets the needs of children of employees who work at the project site. Accordingly, staff’s review of the Agreement indicates that the property is in good faith compliance with all requirements.

Bayview CA Unlimited Partnership (Le Méridien Delfina Hotel)
530 Pico Boulevard
Agreement Effective: 6/29/1983
Expires: 12/1/2022
Reporting period: 6/29/2017 to 6/29/2018
Good Faith Compliance Confirmed

This Agreement allowed for the 72,400 square foot expansion of an existing Holiday Inn hotel. The development included the addition of 134 hotel rooms and 282 parking spaces. The hotel is currently operated by the Le Méridien Delfina.

Community Benefits Summary

- Hiring priority to Ocean Park and Pico neighborhood residents, and then to other City residents
- Job Training Program, with priority given to Santa Monica High School Students and City residents (requirement expired in 2011)
- Hotel Room Voucher Program (requirement expired in 1996)
- Free Hotel Parking with sign denoting this in parking area
- Valet parking tipping prohibition with sign denoting this in parking area
- Relocation of on-site, rent-controlled apartment buildings (five of these units were subsequently converted through the TORCA process)
- \$50,000 annual contribution to the Big Blue Bus for the Tide Shuttle operation (expired in 2011)
- Six rent controlled units added to the existing building at 1920 6th Street
- Installation of public art piece approved by the Arts Commission

Status of Compliance

The required annual compliance report was received on December 3, 2018. Staff has reviewed the annual report and determined that the property owner is in good faith compliance with all reporting year requirements, including provisions addressing operational requirements, community benefits, and fees. During the reporting year, the hotel continued its commitment to both its Job Training Program and local employment recruitment goal through partnerships, participation in job fairs, and outreach with organizations such as Santa Monica High School, Santa Monica College, the Art Institute of Los Angeles (Culinary School), Chrysalis, Los Angeles Hotel Training Academy with Local 11 Union and HTA, and the Santa Monica Chamber of Commerce. Le Méridien Delfina continued its participation in the Santa Monica College and Santa Monica Chamber of Commerce Job Fairs and implements its own colleague referral

program by providing incentives to current employees for referring new employees who are Santa Monica residents. There are currently 15 Santa Monica residents employed by the hotel (as of Fall/Winter 2018). Although outside the reporting period, during Fall 2018, staff and the hotel ownership resolved an issue that arose and installation of previously-approved signage for its offering of complimentary parking in accordance with the development agreement has been verified.

AO Santa Monica - Previously Colorado Place III (Arboretum)
2000-2200 Colorado Avenue
Agreement Effective: 12/16/1987
Expires: 1/1/2042
Amended: 12/1988; 2/1995
Reporting Period: 12/16/2017 to 12/16/2018
Good Faith Compliance Confirmed

This Development Agreement involves the construction of Phase III of Colorado Place, a 12.7-acre parcel located on Colorado Avenue. The Agreement initially allowed for the construction of 1,040,490 square feet of floor area, with a Floor Area Ratio of 1.85, and allowed 25,000 square feet of restaurant space, 10,000 square feet of retail, 35,000 square feet medical office, 20,000 square feet for banks, up to 720,490 square feet for commercial office space, a 270,000 square foot hotel, and 60,000 square feet for a health club. However, subsequent modifications to the Development Agreement removed the hotel as a permitted use, and allowed a general market/grocery use, and multi-family residential development that includes 97 affordable units.

Community Benefits Summary

- TDM Program/Traffic Emission Abatement Program
- \$721,318 Housing Parks Mitigation Fee
- \$5,000,000 Traffic Improvement Fee
- On-site art installation
- \$250,000 child care contribution

Status of Compliance

After reviewing Agreement terms and all of the supporting documentation provided to the City for the 2017-2018 reporting period, staff has determined that the AO Santa Monica is in good faith compliance with Development Agreement fee payments, remaining community benefits, and operational requirements. Housing and Economic Development Department staff monitors the property’s compliance with affordable housing requirements and confirmed that the property complies with its inclusionary housing obligations.

<u>Water Garden</u>
1620 26th Street and 2425 Olympic Boulevard
Agreement Effective: 3/23/1988
Expires: 3/23/2043
Reporting Period: 3/23/2017 to 3/23/2018
Good Faith Compliance Confirmed

The project was constructed in two phases and consists of four, six-story buildings, totaling approximately 1,259,577 SF. The development contains commercial office, medical office, retail space, restaurants, health club, child care facility, and subterranean parking for 4,035 vehicles. The development also includes an open space area and man-made lake.

Community Benefits Summary

- \$3,811,307 Housing and Parks Mitigation Fee payment
- On-site child care facility for 54 children
- \$6,408,486 Traffic Improvement Fee payment
- Annual preferential Parking District fee payment to cover permit and district administration costs
- \$150,000 fee payment to the Santa Monica Arts Foundation
- \$300,000 fee payment to the City for homeless services

Status of Compliance

After reviewing Agreement terms and all supporting documentation provided to the City on April 26, 2018, staff has determined that the Water Garden is in compliance with all Agreement fee payments, community benefits, and operational requirements.

<u>Maquire Thomas</u>
1733 Ocean Avenue
Agreement Effective: 10/18/1990
Expires: 10/18/2045
Amended: 12/1995
Reporting Period: 07/01/2017 to 07/01/2018
Good Faith Compliance Confirmed

The Agreement for the property at 1733 Ocean Avenue authorizes construction of a

four-story, 56 foot tall commercial development. It allows for a 68,040 square foot building, including a maximum 5,983 square foot/250 seat restaurant and a maximum of 8,040 square feet of retail space. Three levels of subterranean parking provide 267 parking spaces.

Community Benefits Summary

- \$250,000 contribution to the Civic Center/Oceanfront Improvement Special Fund
- \$403,399 Housing and Parks Impact Mitigation Fee
- \$820,854 Affordable Lodging Mitigation Fee

Status of Compliance

In accordance with their Development Agreement, Section 19.2, City staff received the annual Development Agreement Monitoring Report from Maguire Thomas for the reporting period July 1, 2017 to June 30, 2018 on February 14, 2019. On October 26, 2016, Maguire Thomas received approval of a minor Development Agreement Amendment in order to permit a bank with retail banking services (Bank of the West) as a permitted ground floor use. It was determined by the Zoning Administrator that retail banking services are active commercial uses and substantially similar to the retail uses permitted by the Agreement. Based on staff’s review of the Agreement and owner’s annual report, the property is in good faith compliance with the provisions of its Development Agreement.

<u>Providence Saint John’s Health Center</u>
1328 22nd Street / 2121 Santa Monica Blvd
Agreement Effective: 7/9/1998
Amended: 7/12/2011
Expires: 7/9/2053
Reporting Period: 1/1/2016 to 12/31/2017 (submittal to the City due per the DA on July 1, 2018)
Good Faith Compliance Confirmed

Project Summary: Phase One

As amended in July 2011, the Saint John’s Health Center Development Agreement grants approval for construction of new hospital facilities that would occur in two phases. Phase One consists of vested rights, subject to extension, for the construction of a new 475,000 square foot hospital and was completed by the end of the Phase One vesting period on January 31, 2014:

- Below-grade central plant
- Inpatient Center (205,000 SF & maximum height of 75 feet)
- Outpatient and Diagnostic & Treatment Center (265,000 SF & maximum height

of 58 feet) with ambulance entrance and North Lawn

- Provide on- and off-site parking to meet peak facility demand and construct an Entry Plaza on Santa Monica Boulevard

Project Summary: Phase Two

The Phase Two Project was originally established by the 1998 Development Agreement to implement a South Campus health center master plan with sufficient floor area for health care-related uses and parking as outlined in the Agreement. The Agreement specified a 17-year vested rights term, subject to extension and requirements for timely submittal of certain applications to maintain vested rights beyond the July 2015 term.

Shortly after Providence Health & Services' acquisition of Saint John's Health Center in March 2014, applications for a South Campus Master Plan and Development Review Permits for associated buildings were timely submitted prior to the Phase Two vesting deadline in July 2015 as outlined below.

In response to Providence's request for an extension of time to complete the Phase Two Project, Council provided its Phase Two Project community benefit recommendations, and approved a staff-recommended procedural amendment to the Development Agreement to permit Providence to construct the Phase Two Project over an approximately 20 year timeframe. The Second Amendment also established requirements for preparation of a comprehensive Phase Two Project Master Plan for the north and south campuses and Phasing Plan with Council authorized to review and take action on the Master Plan.

- Up to 799,000 SF of Phase Two development authorized by the original Development Agreement approved in July 1998
 - Up to 396,500 SF on South Campus and 402,500 SF on North Campus
- All Phase Two buildings on the north and south campuses require City review and approval of Development Review (DR) Permit Applications
- CEQA environmental review is required for Phase Two development
- South Campus Master Plan Application filed on 2/5/2015
- DR Permit Applications for eight Phase Two buildings filed on 3/31/2015
- Development Agreement Amendment Application filed on 3/31/2015
- Alternative Development Agreement Amendment filed by City on 4/25/2016
- Council approved the staff-recommended procedural amendment on 3/28/2017
- Environmental review for the Phase Two Project commenced in 2017; the Draft EIR is anticipated for release summer 2019.

It is anticipated that the Phase Two Project Master Plan, Phasing Plan, and forthcoming substantive Development Agreement Amendment to establish community benefits and a revised vesting deadline for the Phase Two Project will be scheduled for public

hearings at Planning Commission and City Council in 2020 after environmental review and project negotiations are completed for the Phase Two Project.

Phase One Community Benefits Summary

2017 Community Benefit Program and Annual Plan

Each year, Providence submits an Annual Community Benefit Program Report to both the State of California and the City for review. The program supports the health and well-being of Santa Monica residents and community. The annual report summarizes the type of community benefits provided and the economic valuation of those services based on. The following are summary points from the annual report that documents activities that the Health Center has undertaken in the reporting year to address community needs. The Annual Community Benefit Program Report also contains the information on the Health Center's implementation of the Santa Monica Community Access Plan.

2017 calendar year: Providence Saint John's Health Center (PSJHC) provided services and cash support equal to **\$30,988,791** in 2017 (this sum does not include unreimbursed Medicare costs).

- **2017 Santa Monica Community Access Plan**: The Santa Monica Community Access Plan is requirement of the Development Agreement and is a *subcomponent* of Providence's annual Community Benefit Program. Annual minimum level of support required by the Development Agreement is \$732,000 dollar value subject to 1.5% compounded annual adjustment (\$970,313 required for calendar year 2017 per the Development Agreement).

Providence Saint John's Health Center provided health services valued at **\$11,881,891** (this sum does not include unreimbursed Medicare costs) during calendar year 2017 through its Santa Monica Community Access Plan, an amount that is significantly greater than its annual requirement for 2017.

The Development Agreement requires the Santa Monica Community Access Plan to provide the following health service activities:

- *In-kind and cash support to local non-profit agencies that service Santa Monica residents and to the Santa Monica Malibu Unified School District;*
- *Charitable medical and mental health services provided to patients that are clients of and directly referred by local non-profit organizations;*
- *Charitable medical and mental health services provided to patients that are students and directly referred by the School District;*
- *Free community services available to the general Santa Monica community that promote health education and preventative health services.*

The following table is an excerpt from Providence's 2016 Annual Community Benefit Program Report summarizing implementation of the 2016 Santa Monica Community Access Plan as a subset of the Health Center's overall Community Benefit Program.

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[SANTA MONICA COMMUNITY BENEFIT PROGRAM AND COMMUNITY ACCESS
PLAN SUMMARY TABLES ON PAGE 13-14]

Estimated Economic Value of Programs/Services Provided by Providence Saint John's Health Center 2017 Santa Monica Community Benefit Program

Table 9.1: Estimated Economic Value of Programs/Services Provided by Providence Saint John's Health Center January 1, 2017 through December 31, 2017 ^a

Development Agreement category	Reported costs attributed to the City of Santa Monica	January 1 through December 31, 2017
Cash support to the Santa Monica-Malibu Unified School District	School Nursing Program \$50,000	T=\$50,000
Cash grants and support to local non-profit organizations. List of grants reported in Appendix C	Grants and Financial Support ^b \$583,100	T=\$583,100
Cost of charitable medical and mental health services provided to patients based on referrals from local non-profit organizations	Traditional Charity ^c \$893,894 Medi-Cal \$6,881,449 CFDC \$1,780,159 Cleft Palate Clinic \$28,449 Lab & Radiology services \$203,009 Medications \$128,563 Post-acute care – homeless \$160,200	T= \$10,075,723
Cost of charitable medical and mental health services provided to patients referred by SM-MUSD to Saint John's CFDC	At Risk Youth & Children's Services \$487,074	T= \$487,074
Community services available to the general Santa Monica community that promote health education and preventive health services ^e	35% of responding attendees at Community Health Ed classes list SM addresses \$ 83,848 SM based nursing & health profession interns \$602,146	T= \$685,994
	GRAND TOTAL	\$11,881,891

Source: Providence Saint John's Health Center coordinating departments.

^a All values are determined using the same methodology as Table 8.1; b, c and d on page 32 of this report

^b Includes cash grants to all agencies listed in Appendix C, and in-kind services for patients referred by Venice Family Clinics and Westside Family Health Center.

^c Includes the percentage of charity care provided to residents of Santa Monica and homeless persons and other non-reimbursed costs, such as the percent of costs attributed to Santa Monica residents for the following programs: Medi-Cal, Saint John's Child & Family Development Center Child Abuse Prevention & Treatment, Child & Family Mental Health Services, Mental Health services for the Deaf, Intensive Day Treatment pre-school, and Mental Health for the Developmentally Disabled. Also includes medication costs for homeless charity care patients.

^d Includes the unreimbursed costs of Saint John's Child & Family Development Center At-Risk-Youth services.

^e Includes educational programs available to Santa Monica residents, and education of nursing and other health professional students either attending colleges and schools in Santa Monica or students and/or interns living in Santa Monica

**Providence Saint John's Health Center
2017 Santa Monica Community Access Plan
Requirements and Actuals**

Appendix C: PSJHC's Cross-Year Comparison CAP Plan Actuals

Line		2014	2015	2016	2017
1	Actuals provided in annual report				
2	In-kind & cash support to SM residents	5,476,037	18,029,941	13,869,215	10,658,823
3	In-kind & cash support to SMMUSD	234,382	569,251	463,046	537,074
4	Charitable mental & medical services Unreimbursed costs for services to SM residents	4,888,337 Incl. in Line 2	16,387,711 Incl. in Line 2	12,594,873 Incl. in Line 2	10,075,723 Incl. in Line 2
5	Charitable mental & medical services to SMMUSD students	184,382 (reported in line 3 above)	514,251 (reported in line 3 above)	413,046 (reported in line 3 above)	487,074 (reported in line 3 above)
6	Free health education, training, support groups to the community	166,186	688,902	1,177,649	685,994
7		T=5,876,605	T=19,288,094	T=15,509,910	T=11,881,891
8	Minimum amount required per the Development Agreement	928,898	942,831	955,973	970,313
9	Detail of Actuals: In-kind and Cash				
10	Support to Santa Monica Residents: In-kind	4,888,337	16,387,711	12,594,873	10,075,723
11	Support to Santa Monica Residents: Cash	587,700	1,642,230	1,274,342	583,100
12	Support to SMMUSD: In-kind	184,382	514,251	413,046	487,074
13	Support to SMMUSD: Cash	50,000	55,000	50,000	50,000
14	Total Cash (includes SM-MUSD)	637,700	1,697,230	1,324,342	633,100
15	Total In-kind (includes SM-MUSD)	5,072,719	16,901,962	13,007,919	10,562,797
16	Cash Gifts to Santa Monica Non-Profit Agencies (In-Kind NOT included)				
17	Venice Family Clinic Total (Nurse Practitioner clinic and Respite Program Support)	175,000	684,598	445,000	175,000
18	SMMUSD Total (School Nursing)	50,000	55,000	50,000	50,000
19	OPCC Total (Respite Wellness Program)	150,000	359,643	334,325	150,000
20	Westside Family Health Center (Peds & OB Care)	85,000	301,000	123,517	50,000
21	St Joseph Center (Bread and Roses and Case Mgt)	50,000	51,600	50,000	24,500
22	Pico Youth & Family Center (Violence Reduction Program)	17,500	15,000	25,000	10,000
23	WISE & Healthy Aging (Seniors at Risk)	50,000	31,000	185,000	69,300
24	St Anne School (School Nurse/Health Program)	50,000	50,000	50,000	40,000
25	Upward Bound Hose Annual Total (Case Mgt.)	10,000	20,000	15,000	15,000
26	Boys & Girls Clubs of Santa Monica	0	31,000	15,000	10,000
27	Santa Monica College Foundation	0	15,000	0	0
28	Step Up On Second	0	30,000	0	10,000
29	Westside Coalition	0	2,300	2,500	1,000
30	Safe Place for Youth	0	25,000	14,000	5,500
31	Meals on Wheels West	0	26,089	15,000	10,000
32	Achievable Foundation Clinic	0	0	0	7,800
33	Santa Monica Family YMCA	0	0	0	5,000
34	TOTAL CASH TO SM AGENCIES - SHOULD MATCH Line 14	637,700	1,697,230	1,324,342	633,100

In addition to Providence's annual Community Benefit Program, the following are the other Phase One community benefits required by the Development Agreement:

- **Child Care Program:** Non-therapeutic child care for 64 children provided, comprised of 21 infant and toddler spaces and 47 full-time pre-school spaces in 2017. Families with economic need are subsidized. The program follows National Association for Education of Young Children curriculum.
- **North Lawn:** 41,000 SF public open space, including landscaping and walkways.
- **Off-site public works improvements:** payment of \$641,000 in fees to the City to construct sidewalks, curbs, streetlights, and street paving in the project area; payment made in July 1998.
- **Transportation Demand Management Program:** enhanced by First Amendment.
- **Light rail shuttle:** 15-month requirement to operate shuttle to/from Memorial Park light rail station starting within six months of the Expo light rail opening (required by First Amendment) unless duplicative public transit service is provided by the City.
- **Off-site transit improvements:** \$100,000 contribution for Memorial Park light rail station upgrades paid to the City in December 2012 (required by First Amendment).
- **Neighborhood protection measures:** eleven requirements including establishing a community Ombudsperson, providing a reduced valet rate for parking 90 minutes or less, and payment of \$30,000 for installation of a crosswalk at 21st Street/Arizona Avenue and payment of \$15,000 for a pedestrian safety study (required by First Amendment; both amounts paid to the City in Spring 2013; City installation of the crosswalk completed in 2016).

Status of Compliance

With respect to compliance with Development Agreement terms for the January 1, 2017 to December 31, 2017 review period, the annual compliance report was received from PSJHC on June 27, 2018.

Phase One Completion

The new Health Center Entry Plaza on Santa Monica Boulevard opened to the public in October 2013 with ancillary repaving and signage installation in and nearby the Entry Plaza completed in January 2014.

Annual Community Meeting

The hospital held its annual community meeting to discuss Development Agreement compliance on June 28, 2018. The Health Center's Community Ombudsperson provided the City with a summary of the issues and questions discussed at the meeting, the annual Ombudsperson record of calls/correspondence from community members, and a summary of the Health Center's responses to those inquiries.

Transportation Demand Management

With respect to compliance with vehicle trip reduction measures, staff has verified that Saint John's Health Center is implementing its TDM program in accordance with Agreement terms, including the additional measures and incentives required by the First Amendment in 2011 and by City staff in 2014, 2015, 2016, and 2017. The First Amendment identifies a 1.5 Average Vehicle Ridership (AVR) standard for both the AM and PM peak periods starting in November 2013. Per the First Amendment, the AVR standard increased to 1.6 AVR on May 20, 2017 (12 months after the date the Metro Expo Line was complete and operating).

The Health Center's 2018 AVR survey was conducted between August 6-10, 2018. This year's AVR survey reported that the Health Center achieved a 1.69 AVR for the AM Peak Period and a 1.68 AVR for the PM Peak Period, exceeding Development Agreement requirements.

TDM Plan Enhancements

Since adoption of the First Amendment in 2011, the Health Center has been required to implement a series of additional measures and incentives to increase the effectiveness of its TDM program which, in conjunction with existing TDM measures, were designed to achieve the AVR standard established by the amended Agreement. Over the past year, City staff worked with PSJHC on a quarterly basis to discuss TDM plan enhancements and review implementation status. The following additional trip-reduction incentives were implemented subject to City staff approval in 2015/2016 and remain in operation at the Health Center:

- 100% free vanpool for all caregivers outside 15-mile radius. Increased internal marketing provided for this enhanced incentive.
- Increased financial incentive to \$3/day for all employees reporting they use a non-single-occupancy-vehicle (SOV) mode as their primary commute method.
- The PSJHC Green Commute marketing plan to Health Center employees was redesigned and improved to feature the new incentives.
- A 90-day trial for all new employees to receive \$3/day financial incentive to use non-SOV mode even if they have not committed to non-SOV mode as their primary commute method.
- Provided all Health Center employees with a Big Blue Bus TAP cards for use at any time and conducted marketing and outreach to staff about this benefit.
- Executed contract with Big Blue Bus to change Route 41 and establish Route 42 to create a better connection to/from the Memorial Park/17th Street Expo Station and the Health Center.
- Hosted events and conducted marketing and outreach for the opening of the Expo Light Rail and the connections via Big Blue Bus.
- Retained a transportation consultant to prepare a user-friendly summary of the Health Center's TDM Program to assist with outreach, marketing, and education

to Health Center employees.

- Developed an online survey tool to collect information about commute methods and shift schedules, with approval from the City and the Air Quality Management District in advance of its use.

AVR Survey Methodology

As discussed previously, the standard AVR form can be challenging for hospitals due to the nature of their shifts. Furthermore, employees who arrive or depart outside of the peak periods are not counted in the calculation of the site's Average Vehicle Ridership. Therefore, the data reported to the City does not reflect the full range of commute trips associated with the Health Center. Additionally, due to the wording of the questions on the survey, many caregivers report their days off as "regular days off" rather than "compressed work week," which artificially deflates the Health Center's AVR.

The Health Center's 2018 AVR survey documented that about 55 more caregivers took the bus, biked, walked, or carpoled in the PM peak period compared to the previous period. This demonstrates substantial progress towards reducing PM peak period trips.

As part of the Phase Two Master Plan review process, the City will be working with the Health Center on a comprehensive revision to its TDM Plan to document the additional TDM Plan measures that have been implemented since the First Amendment's adoption in 2011 as well as new measures to reduce peak period single-occupancy vehicles to and from the Health Center.

Parking Obligations

The Health Center provided its annual Parking Management Plan in February 2018 for the previous reporting year. Staff has reviewed the documentation and periodically monitored changes in the Health Center's overall parking supply during the reporting year. City staff determined that the facility's effective parking supply of approximately 1,721 spaces as of December 2017 is sufficient to meet the 940-space peak parking demand for the Health Center based on survey data at the end of 2017.

Walker Report is consistent with the Health Center's previous annual submittal from 2017, which estimated a peak parking demand of approximately 1,011 spaces. The current data is also consistent with the parking demand assessments previously submitted during the years 2008-2013 which includes the time-period following the 2009 completion of the In-Patient Suites and Diagnostic and Treatment Center on the North Campus. The City also requires a minimum of 948 spaces that are either owned or deemed functionally-equivalent leased spaces, per the amended Agreement, which are provided.

Therefore, in accordance with Section 2.2 of the First Amendment, PSJHC has met its requirement to provide sufficient parking to meet the peak parking demand of its various user groups and has met its requirement to provide parking that is functionally-equivalent to the originally approved North Subterranean Parking Structure.

Summary of Compliance

In summary, staff has reviewed the amended Development Agreement, all of the supporting documentation provided to the City for the January 1, 2017 to December 31, 2017 reporting year, including current 2018 AVR data. Accordingly, staff has determined that Providence Saint John's Health Center is in good faith compliance with the terms and conditions of its Development Agreement, including its annual and ongoing Community Benefit Program and Santa Monica Community Access Plan obligations, and Phase One construction obligations and fee payments for neighborhood protection measures approved with the First Amendment in 2011.

<u>Rand Corporation</u>
1776 Main Street
Agreement Effective: 11/23/2000
Amended: 08/14/2012
Expires: 11/23/2055
Reporting Period: 11/23/2017 to 11/23/2018
Good Faith Compliance Confirmed

The Rand Corporation Agreement involved the demolition and remediation of the existing buildings on the 3.7 acre project site located at 1776 Main Street and the construction of a 308,869 SF headquarters for Rand Corporation. The new five-story, 69' tall building houses research-related facilities, management, staff cafeteria, fitness room, and meeting/conference rooms. Parking is provided in a four-level, 825-space subterranean parking garage.

Community Benefits Summary

- Land dedication and construction of Vicente Terrace
- Land dedication for Main Street Circle should this be constructed
- TDM Program implementation
- Policy Analysis Partnership on Childhood Development and Education including pursuing research funding for early childhood development
- Early Childhood Development Research, including organizing conferences and maintaining a child policy website
- \$500,000 contribution to Early Childhood Development Programs/Early Child care Education in the Civic Center

Status of Compliance

The required annual compliance report was received on November 20, 2018. Based on staff's review of Rand's Development Agreement, including the ongoing compliance with its Transportation Demand Management Program and activities relating to early childhood programs, the project has been determined to be in good faith compliance with all requirements.

<u>Lantana East</u>
3030 Olympic Boulevard
Agreement Effective: 10/28/2004
Expires: 10/28/2024
Amended: 08/2008
Reporting Period: 10/28/2017 to 10/28/2018
Good Faith Compliance Confirmed

Lantana East consists of a 3-story, 64,105 SF building with entertainment production/post-production studio space and 433 subterranean and surface parking spaces.

Community Benefits Summary

- \$356,200 joint use improvement fee for capital improvements to Edison Language Academy, plus \$35,600 paid annually for five years (requirement shared with Lantana South)
- \$266,650 child care contribution
- \$90,000 arts contribution
- New public restrooms at Stewart Park
- Construction of neighborhood traffic protection & off-site roadway improvements

Status of Compliance

The annual Development Agreement Compliance Report was submitted on August 9, 2018 for the 2017-2018 reporting year. Based on staff's review of the Agreement, the project has been determined to be in good faith compliance with all Development Agreement fee payments, community benefits, and operational requirements.

<u>Lantana South</u>
3131 Exposition Boulevard
Agreement Effective: 10/28/2004
Expires: 10/28/2024
Amended: 8/2008
Reporting Period: 10/28/2017 to 10/28/2018
Good Faith Compliance Confirmed

Lantana South consists of a 3-story, 130,000 SF building for entertainment production/post-production studio space with a total of 456 subterranean and surface parking spaces.

Community Benefits Summary

- \$356,200 joint use improvement fee for capital improvements to Edison Language Academy, plus \$35,600 paid annually for five years (requirement shared with Lantana East)
- \$133,350 child care contribution
- \$60,000 arts fee
- Off-site roadway improvements

Status of Compliance

The annual Development Agreement Compliance Report was submitted in on August 9, 2018 for the 2017-2018 reporting year. Based on staff's review of the Agreement, the project has been determined to be in good faith compliance with all Development Agreement fee payments, community benefits, and operational requirements.

<u>The Village</u>
1725 Ocean Avenue
Agreement Effective: 5/27/2008
Expires: 12/31/2028
Reporting Period: 10/1/2017 to 10/1/2018
Good Faith Compliance Confirmed

The Village development provides six residential buildings with approximately 324 residences, and approximately 20,000 square feet of commercial retail on three separate development sites. The following summarizes key project components:

Site A:

- Two condominium buildings, with ground floor retail on Ocean Avenue
- Olympic Drive and Main Street frontages with approximately 66 residences
- Maximum 65' building height
- 109,346 gross square feet (GSF) of residential and 9,930 GSF of retail uses
- 180 parking spaces

Site B:

- Four affordable apartment buildings with ground-floor live/work space
- Approximately 28 one-bedroom, 56 two-bedroom, and 66 three-bedroom units
- 10 affordable units of live/work space intended for artists
- Maximum 60' building height
- 191,549 GSF
- 197 parking spaces

Site C:

- One condominium building (96' height) with ground floor retail
- Approximately 98 one-bedroom and 98 two-bedroom residences
- 159,288 GSF of residential and 7,400 GSF of retail uses
- 237 parking spaces

Community Benefits Summary

- 160 affordable units, including 10 units of live/work space intended for artists
- LEED Silver certified buildings
- Completion of the Olympic Drive Extension, including signalization at the intersections of Olympic Drive with Main Street and with Ocean Avenue, with new sidewalks and landscaping
- \$500,000 toward design, construction, operation and/or maintenance of a Civic Center Child Care Facility prior to issuance of a Certificate of Occupancy for project buildings
- \$700,000 Transit Service Enhancement Fund payable in two installments prior to issuance of a Certificate of Occupancy for project buildings
- Provide two public art pieces on site, valued at approximately \$920,000 with a minimum value of \$460,000 for the art work itself and pay an in-lieu Private Developer Cultural Arts contribution for a portion of the site's square footage prior to issuance of a Certificate of Occupancy

Status of Compliance

Based on staff's review of the Agreement and the owner's annual report, the project has been determined to be in good faith compliance with Agreement requirements. Examples of these requirements include public infrastructure improvements, payment of the Transit, Cultural Arts, and Child care contributions outlined above, public art pieces, and operational requirements such as allocating 50% of the retail square footage to neighborhood-serving uses and providing a minimum of two spaces on site for a carshare service available to the public.

In accordance with Agreement terms, the City has contracted with a third party independent consultant to monitor compliance with performance targets related to average vehicle ridership and peak period auto trips to the project site. This analysis is in progress will be conducted every two years.

<u>Saint Monica's Catholic Community</u>
725 California Avenue
Agreement Effective: 5/27/2010
Expires: 5/27/2030
Reporting Period: 5/27/2017 to 5/27/2018
Good Faith Compliance Confirmed

The Saint Monica's Catholic Community Development Agreement consists of construction of a single-phase Campus enhancement and parking improvement plan on St. Monica's property. The project includes the following key components:

- Demolition of existing Pastoral Center
- Construction of a new Community Center (27,500 SF) with three levels of subterranean parking (154 parking spaces)
- Construction of a 7,700 SF addition to the High School East building
- Renovation of the existing auditorium, gymnasium and other facilities

Community Benefits Summary

- TDM Program for students, employees, and parishioners
- Shared parking allowing neighborhood use of 15 parking spaces located at the off-site surface parking lot at 1140 7th Street during off-peak hours
- Availability of a community meeting space to city departments, community groups, and nonprofit organizations
- Public use of the Bookstore/Coffee Bar during all operating hours

Status of Compliance

Pursuant to the Development Agreement, Saint Monica's completed interior renovations to the gymnasium and interior/minor exterior improvements to the Trepp Center located on-site. In the past, Saint Monica's has met with City staff to review its TDM Plan and implemented additional measures to achieve its AVR goal of 1.5 for both the AM and PM peak periods.

In the most recent 2018 survey, St. Monica's Catholic Community has reached compliance with Development Agreement requirements with respect to their AVR targets. Saint Monica's consultant conducted their employee vehicle survey during the week of 9/10/18 to 9/14/18 with a 91% response rate. This survey indicates an AVR of 1.6, and an Adjusted AVR of 1.71, factoring in credit for trips outside the peak period. Both AM and PM AVR exceeded the 1.5 AVR target. This represents a significant improvement over last year's AVR of 1.35. St. Monica's continues its outreach efforts and basic support strategies as required.

Saint Monica's also reaches out to its students to reduce trips, holding Safe Routes to Schools events, sharing zip code information with parents to encourage carpool formation, providing personalized trip planning assistance to high school students during registration, and discussing options with parents through a number of forums. Saint Monica's did not provide updated data on student ridesharing.

Saint Monica's has also complied with DA requirements to make fifteen (15) parking spaces available for neighborhood use during the night time hours in the parking lot located at 1140 7th Street. Their required community meeting space was utilized by 50 organizations for a total of 554 community meetings in the past year. Furthermore, Saint Monica's is required to have a bookstore and coffee bar that is open to the public. This facility, known as Holy Grounds at Saint Monica continues to be open for regular hours and is utilized by the public as intended.

Staff review concludes that Saint Monica's Catholic Community has demonstrated good faith compliance with all Development Agreement requirements.

In November 2018, Saint Monica's filed a proposed Development Agreement Amendment to provide additional public benefits to offset the removal of the neighborhood parking public benefit implemented at the surface lot located at 1140 7th Street due to limited utilization of the parking lot during the night time hours. Saint Monica's proposal is to eliminate the parking public benefit and enhance the opportunity for the public to hold meetings and events at the Saint Monica's campus. Per the proposed amendment application, eliminating the parking public benefit would also facilitate converting the surface parking lot to housing in the future, consistent the City's housing policies. This application is pending and is anticipated to be scheduled for public hearings before Council at the end of the year.

1548 6th Street
Agreement Effective: November 22, 2012
Expires: November 22, 2022
Reporting Period: 11/22/2017 to 11/22/2018
Good Faith Compliance Confirmed

The 1548 6th Street Development Agreement was approved by Council on October 23, 2012 and authorizes the conversion of 3,038 square feet of non-usable space into four residential units within an existing mix-use, market-rate rental housing project.

Community Benefits Summary

- One one-bedroom deed-restricted very low income unit
- TDM Plan with measures that include a 1.75 AVR by the second year after Certificate of Occupancy issuance
- \$75,000 contribution towards transit and circulation infrastructure in the Downtown area prior to issuance of a Certificate of Occupancy
- Residential tenant bicycle repair station and bicycle racks

Status of Compliance

Construction for this project is completed. A Minor Amendment to the Development Agreement was approved on February 14, 2014, to reduce the number of publicly-accessible bicycle racks from 28 to 24. The bicycle racks and required residential tenant bicycle repair station have been installed. The final inspection on the building permit was completed on September 24, 2014. Compliance has been verified for the requirement to provide one one-bedroom deed-restricted, very-low income residential unit and the applicant has paid the \$75,000 contribution towards transit and circulation infrastructure in the Downtown area. City staff will immediately work with the ownership to ensure that a baseline AVR is established for the retail/commercial component of the project for reporting in the 2018-2019 reporting cycle. This survey will need to be conducted by the developer if tenant(s) have fewer than 30 employees. After reviewing this data, additional TDM measures may be required to achieve the AVR goal of 1.75 for both the AM and PM peak periods. Staff has determined the property to be in good faith compliance with Development Agreement requirements for the 2017-2018 reporting year.

1800 Stewart Street (Kite Pharma, Inc., formerly Agensys, Inc.)
1800 Stewart Street
Agreement Effective: 10/28/2010
Expiration: at termination of ground lease
Reporting Period: 10/28/2017 to 10/28/2018
Recommended Finding: Good Faith Compliance Confirmed

The 1800 Stewart Street Development Agreement (formerly Agensys, Inc. facility) permits a project including the following key components:

- 24,625 square feet for administration offices and entry lobby
- 45,590 square feet for manufacturing of new cancer treatments
- 72,050 square feet for research and development
- 11,390 square feet of meeting rooms, employee amenities including a cafeteria open to the public during lunchtime hours
- 5,140 square-feet of publicly accessible open space
- Publicly-accessible pedestrian path to allow access to the Bergamot Station site and future Expo Line light rail station
- Surface parking for 200-220 cars

Community Benefits Summary

- Publicly-accessible pedestrian path
- Publicly-accessible passive open space along Stewart Street
- Widened sidewalk along Stewart Street
- Café open to pedestrians during limited daytime hours
- TDM Program geared to the project site’s location within a “Higher Goal” District designated by the Land Use and Circulation Element (LUCE)
- Sculpture garden with up to 10 sculptures adjacent to the pedestrian path
- Local hiring program including a job fair and a local hiring policy
- Student internship program
- Student tours
- Signage and way-finding system
- Shared parking for events at Bergamot Station
- Continued community outreach
- Transit contribution toward improved transit infrastructure focused on bicycle access at the light rail station

Background

Construction for the Agensys project began in Spring 2011 and was completed in January 2013. Staff received the facility's annual compliance report on November 4, 2016. All of the site community benefits such as the pedestrian path linking Bergamot Station to Stewart Street, the Sculpture Garden, Pedestrian Café (LIME), public open space, and widened sidewalk were complete with the construction of the project site.

Since the facility opened, Agensys had consistently been in compliance with its operational community benefits such as a local hiring program; internship program for Santa Monica College students or Santa Monica residents; Santa Monica-Malibu Unified School District student tours; and providing shared parking for special events at Bergamot Station are on-going benefits. In particular, Agensys has continued its efforts with student tours, lectures, and programs with Santa Monica High School and hosts an annual Family Science Day for elementary, middle school, and high school students in Santa Monica. Financial payments of \$70,350 for the project's required Bergamot Station Transit Infrastructure Contribution and \$20,000 for bicycle access improvements in the area were verified in January 2014.

As outlined in staff's annual report to Council in April 2018, the 1800 Stewart Street Agreement requires to achievement of a 1.6 AVR rate for the a.m. and p.m. peak-hour periods due to the project site's location within a "higher goal" LUCE District for achieving vehicle trip reduction. The issues of non-compliance with the AVR requirement has been presented to Council during the compliance review cycles for 2014, 2015, and 2016. At that time, staff reported that Agensys had not made a consistent and good faith commitment to develop a comprehensive TDM Program that includes implementation of the City staff recommended program enhancements designed to help achieve its AVR requirements.

As reported during last year's annual compliance review, on July 26, 2017, it was announced by Astellas, owner of Agensys, Inc., that operations at the 1800 Stewart Street facility would wind down, effective immediately. As a result, over 100 employees were released immediately following the announcement. Additionally employees left the organization in August, November, and December 2017 with research lab activities expected to conclude at the site by mid-March 2018.

Concurrent with closure announcement, Agensys implemented its third on-site sculpture exhibit during the reporting period. Works of art were fabricated and installed in Summer 2017. This new exhibit was reviewed by the Santa Monica Arts Commission and its Public Art Committee in a special joint meeting in September 2016. The exhibit features works by Lynn Aldrich, Jeremy Kidd, Bertil Peterssen & Pontus Willfors.

Status of Compliance

On April 12, 2018, Agensys, Inc., assigned the development agreement to Kite Pharma, Inc., for the continued use and operation of the facility for medical research and development, subject to all Development Agreement obligations. The annual report submitted by Kite Pharma, Inc., on October 18, 2018 reports a portion of the annual

review period from April 12, 2018 to October 28, 2018. Since acquiring the property, Kite Pharma has worked proactively and consistently with City staff to review the terms of the Agreement, with particular attention given to community benefits and the facility's TDM Program.

City staff and Kite Pharma have reviewed relevant terms and agreed on how the timing of certain community benefits would be implemented in light of the timing of the site acquisition, on site tenant improvement construction, and the partial annual review period. These community benefits include the internship program, student tours, and community outreach which are currently being implemented for the October 2018 to October 2019 annual review period. City staff is pleased with the work Kite Pharma did to begin implementing the required TDM Program for 1800 Stewart Street during the 2017-2018 reporting period. Kite Pharma continues to work closely with staff on various aspects of its TDM Program as part of its ongoing obligations during 2018-2019 reporting period. Accordingly, staff review concludes that Kite Pharma, Inc. has demonstrated good faith compliance with all Development Agreement requirements for the 2017-2018 annual review period.

<u>Arclight Cinemas at Santa Monica Place</u>
315 Colorado Avenue
Agreement Effective: May 23, 2014
Expires: May 23, 2034
Reporting Period: 5/23/2015 to 5/23/2016
Good Faith Compliance Confirmed

The Arclight Cinemas at Santa Monica Place project consists of conversion of approximately 50,000 square feet of existing entitled, vacant retail space on the third level of the Bloomingdale's building located on the property into a multi-screen movie theater complex with up to 13 screens, up to 1500 seats (including stadium-style seating), related ticketing, lobby and concession space. The approved project does not include new floor area. The project includes bar/café/retail space and/or a lounge area each with food and beverage service, including alcoholic beverages. Alternatively, the lounge area could be used for additional theater space or theater concession areas, depending upon the needs of the theater operator. To accommodate the theater, the existing roof of the Bloomingdale's building was raised by up to approximately 36 feet, from a current height of 48 feet, to up to approximately 84 feet above existing grade. The project was approved by Council in April 2014.

Project and Community Benefits Summary

- \$140,820 Colorado Esplanade Contribution for design and physical improvements
- \$100,000 Downtown Wayfinding Metro Grant project Contribution

- Minimum LEED Gold certification per the LEED Rating System
- Theater Operator to make up to three movie screens available to the American Film Market during its annual film festival
- Local Hiring Provision: job fair targeted toward recruitment of local residents for theater services employment
- Transportation Demand Management Program including a 2.0 AVR target commencing one year after opening theater to public (or 1.75 AVR until the Fourth Street Expo Station is fully operational), and transit subsidies

Status of Compliance

The Arclight Cinemas Project completed construction and opened to the public in November 2015. All community benefits and construction-related requirements have been met. The Colorado Esplanade contributions (\$140,820) and wayfinding program contribution (\$100,000) were paid to the City as stipulated by the Agreement and prior to commencement of construction. The required wayfinding signs in Santa Monica Place to direct members of the public to areas outside Santa Monica Place, including Santa Monica Pier and the Third Street Promenade were installed prior to opening the theater in 2015.

Arclight submitted its required local hiring plan to the Director of Planning in August 2015. This plan was approved and Arclight implemented its outreach and on-site job fair targeted towards recruitment of local resident candidates for employment at the theater. On October 15, 2018, the Theater Operator's Employee Transportation Coordinator (ETC) submitted Arclight's 2018 Emission Reduction Plan (ERP) to the City, with the results of their most recent employee ridership survey. The employee vehicle survey was conducted during the week of 10/11/18 to 10/15/18, with a 91% response rate (32 out of 35 employees). The results showed an A.M. AVR of 2.6, up from 2.07 the previous year, and a P.M. AVR of 2.05. The Arclight's Developer AVR target is 2.0. Thus, the target was exceeded in both the A.M and P.M periods, thus they are in full compliance with the target AVR. Arclight continues to offer TDM incentives, and has committed to support strategies (Good Faith Effort) in their ERP. Based on staff's review of the Agreement, the project has been determined to be in good faith compliance with its Development Agreement requirements.

<u>702 Arizona Avenue</u>
Agreement Effective: 12/8/2011
Expires: 12/8/2021
Reporting Period: 12/8/2017 to 12/8/2018
Good Faith Compliance Confirmed

The Development Agreement for 702 Arizona Avenue authorizes construction of a new, four-story mixed-use building with approximately 6,276 SF of neighborhood-serving commercial space on the ground floor, 49 residential units on the upper floors, and two levels of subterranean parking.

Community Benefits Summary

- TDM Program that includes secure bicycle storage for residents, employees, and visitors
- \$50,000 contribution towards transit infrastructure in the Downtown area
- Infrastructure for potential future installation of electric vehicle charging stations
- Achievement of a minimum LEED Silver certification or a demonstrated equivalent sustainable design status
- Local hiring program
- Urban design features including a small pedestrian courtyard and walkway

Status of Compliance

The required annual compliance report was received on May 3, 2019. Residential and commercial occupancy of the building has begun with one of the two ground floor commercial spaces occupied to date. Requirements including Transit (\$50,000), Cultural Arts (\$66,030), and Child care (\$5,873.12) contributions were paid to the City in August 2012. Some of the community benefits that have been provided during the last reporting period include the following:

- Transportation information center is located in the lobby of the leasing office, and transportation information welcome packets are provided to all new residents
- On-site transportation coordinator is located on site
- Residents will be charged for unbundled parking on site with future leases
- Transit passes are offered to employees and residents in lieu of parking
- Secure bicycle storage and shower and locker facilities are provided on site
- Property owner has been marketing the residential component of the project to Downtown employers as well as employers throughout the City to encourage those that work in the area to consider residing in the project
- AVR requirement of 1.75 is required for the employees of the commercial tenant

spaces by the third year after the issuance of the Certificate of Occupancy for the project; AVR for one of the two occupied tenant spaces is 1.3 AVR with eight employees. AVR calculations will provided for 2018-2019 annual review period.

Based on staff's review of the property, the 702 Arizona Avenue project has been determined to be in good faith compliance with its Development Agreement requirements.

<u>1317 7th Street</u>
Agreement Effective: 12/8/2011
Expires: 12/8/2021
Reporting Period: 12/8/2017 to 12/8/2018
Good Faith Compliance Confirmed

This Development Agreement authorizes construction of a new, five-story mixed-use building with approximately 2,929 SF of neighborhood-serving commercial space on the ground floor, 57 residential units, and two levels of subterranean parking.

Community Benefits Summary

- One extra on-site affordable housing unit
- TDM Program with secure bicycle storage for residents, employees, and visitors
- \$50,000 contribution towards transit infrastructure in the Downtown area
- Infrastructure for potential future installation of electric vehicle charging stations
- Achievement of a minimum LEED Silver certification or a demonstrated equivalent sustainable design status
- Local hiring program
- Urban design features including a small pedestrian courtyard and walkway

Status of Compliance

Residential and commercial occupancy of the building has begun with both ground floor commercial spaces occupied to date. The required annual compliance report was received on May 3, 2019. Requirements including Transit (\$50,000), Cultural Arts (\$77,524), and Child care (\$6,807.48) contributions were paid to the City in August 2012. The following are some of the community benefits that have been provided during the last reporting period:

- Transportation information center is located in the lobby of the leasing office, and transportation information welcome packets are provided to all new residents
- On-site transportation coordinator is located on site

- Residents are charged for unbundled parking on site
- Transit passes are offered to employees and residents in lieu of parking
- Secure bicycle storage and shower and locker facilities are provided on site
- Property owner has been marketing the residential component of the project to Downtown employers as well as employers throughout the City to encourage those that work in the area to consider residing in the project
- AVR requirement of 1.75 is required for the employees of the commercial tenant spaces by the third year after the issuance of the Certificate of Occupancy for the project. An AVR of 1.78 was achieved with 30 employees. AVR calculations will be provided for 2018-2019 annual review period.

Based on staff’s review of the property, the 1317 7th Street project has been determined to be in good faith compliance with its Development Agreement requirements.

<u>Crossroads School</u>
1731 20th Street
Agreement Effective: August 8, 2013
Expires: August 8, 2033
Reporting Period: 8/8/2017 to 8/8/2018
Good Faith Compliance Confirmed

The Crossroads School Science Learning Center project permits development of a new three-story (41’), 23,856 SF science learning center and temporary modular classrooms and 50 bicycle parking spaces. The project was approved on June 25, 2013.

Community Benefits Summary

- Development of an educational facility that provides enhanced educational opportunities for students
- Bicycle Path Easement Agreement with for establishing a public bicycle path
- Photovoltaic Panels and Photovoltaic Panel-Ready Roof
- Pico Neighborhood Outreach and Prioritization for Summer Program

Status of Compliance

Project construction was completed for the beginning of the 2015-2016 school year. The school operated in full compliance with Agreement requirements for project’s construction phase. The required annual compliance report was received from Crossroads School on February 11, 2019. The property owner is in good faith

compliance with Development Agreement requirements. The following are some of the community benefits that have been provided during the last reporting period:

- Outreach activities for 2018 included information sessions at Virginia Avenue Park with the Parent Connection Group and Las Familias Unidas along with other members of the Pico community. Presentations were made by the heads of Elementary, Middle and Upper School admissions at Crossroads. Materials were circulated in English and Spanish.
- Pico Neighborhood potential applicants were also invited to financial aid information sessions offered in both English and Spanish. Crossroads' summer program staff attended the Virginia Avenue Park Summer Camp Fair on April 25, 2018. Families were able to meet with Crossroads staff and review details about enrollment and financial assistance. Summer programs staff worked with City staff at Virginia Avenue Park to continue a joint summer program for students in grades K-8.
- Summer at Crossroads hosted a camp fair on April 15, 2018 at the Elementary School campus where Pico neighborhood families were offered an opportunity to tour the ES and meet with teachers and staff about the summer programs.
- The Crossroads Admissions office tracks all applicants affiliated with the Pico neighborhood and prioritizes them for both enrollment and financial aid, as do the summer programs staff. The School enrolled 2 new Pico students for the 2018-2019 school year.
- Crossroads continues to prioritize residents of the Pico neighborhood for both enrollment and financial aid and offers some free enrollment for Pico neighborhood residents to classes that are not fully enrolled
- Employees and students are required to pay for parking, and employees who ride a bike, walk, or take public transit to Crossroads receive financial and other incentives (parking cash out, bus passes, TAP cards, gift certificates, etc.)
- Crossroads maintains a full time employee transportation coordinator and transportation information center.

Crossroads School is in compliance with its TDM Plan and exceeded its AVR goal of 1.6 for both the AM and PM peak periods. Their latest report indicates an AM AVR of 1.64 and PM AVR of 1.65.

1318-1320 2nd Street
Agreement Effective: July 25, 2013
Expires: July 25, 2023
Reporting Period: 7/25/2017 to 7/25/2018
Good Faith Compliance Confirmed

The 1318 2nd Street project consists of a four-story (45') and 46,421 SF mixed-use development with 6,664 SF of commercial space; 53 residential units, 6,664 SF of retail space, 66 subterranean parking spaces, and 132 bicycle parking spaces. The project was approved by Council on June 25, 2013.

Community Benefits Summary

- \$125,493 Transportation Infrastructure contribution
- \$125,000 Colorado Esplanade contribution
- \$225,000 Open Space contribution
- \$25,000 Big Blue Bus contribution
- \$25,000 Historic Preservation contribution
- TDM Plan that exceed Zoning Ordinance requirements
- 24 Solar panels
- Five electric vehicle charging stations
- Local Hiring Provision to facilitate the hiring of local workers during construction and for permanent commercial employees

Status of Compliance

The project was completed in October 2016 and a LEED Gold Certification and the building’s Certificate of Occupancy were issued for the building during the reporting period. Tenant improvement permits were also completed for the ground floor commercial tenant spaces for restaurant uses. The project has been determined to be in good faith compliance with Development Agreement requirements for the 2016-2017 reporting year. Required Development Agreement contributions towards Historic Preservation (\$25,000), Transportation Infrastructure (\$125,493), Colorado Esplanade \$125,000, Big Blue Bus \$25,000, and Open Space (\$225,000) were paid to the City prior to building permit issuance.

<u>MINI of Santa Monica Automobile Dealership</u>
1402 Santa Monica Boulevard
Agreement Effective: August 22, 2014
Expires: August 22, 2024
Reporting Period: August 22, 2017 to August 22, 2018
Good Faith Compliance Confirmed

The project at 1402 Santa Monica Boulevard consists of the construction of a 33,400 square foot, 35-foot tall automobile (MINI) dealership that would include a 6,144 square-

foot sales floor and offices, 507 square-foot café, 21 service bays, and 135 parking spaces within an enclosed surface parking area and a two-level subterranean parking garage. The project was approved by Council on July 22, 2014.

Community Benefits Summary

- \$20,000 Historic Preservation contribution
- \$189,424.74 Transportation Infrastructure contribution
- Minimum LEED Platinum certification as established by the LEED Rating system
- Photovoltaic solar panels
- Two electric vehicle charging stations and two conduits for charging stations
- Local hiring provision
- Internship program
- TDM Program including a 1.6 AVR target (1.75 AVR with Memorial Park Station fully operational for at least one year), bicycle parking, employee transportation allowance and parking cash out, free on-site shared bicycles for employees, etc.
- Café at corner of the project site open to the public during hours no less than 8:30 a.m. to 4:00 p.m., Monday through Saturday, with a minimum of 10 seats

Status of Compliance

Based on staff’s review of the developer’s annual compliance report for the Mini of Santa Monica automobile dealership provided on September 27, 2018, the property owner is operating in good faith compliance with all Agreement requirements. Infrastructure contribution (\$189,424.74) and Historic Preservation contribution (\$20,000) were paid prior to the issuance of a building permit in September 2015. Construction of the facility was completed in Summer 2017. Mini of Santa Monica submitted its annual Employee Reduction Plan on March 20, 2018 which includes AVR survey results of a 1.87 AM Peak Period AVR and 1.89 PM Peak Period AVR, which both exceed the AVR requirements specified by the development agreement.

<u>Courtyard by Marriott Hotel</u>
425 Colorado Avenue / 1554 5th Street
Agreement Effective: December 26, 2013
Expires: December 26, 2038
Reporting Period: 10/31/2017 to 10/31/2018
Good Faith Compliance Confirmed

The Courtyard by Marriott Hotel project consists of development of a new six-story, 78,750 SF hotel with 136 guest-rooms, and 78 subterranean parking spaces. The project was approved by Council on November 26, 2013.

Community Benefits Summary

- Permanent Historic Commemorative Installation on the property in a publicly accessible location
- Artistic Exhibition Program for the purpose of showcasing different forms of art in periodic exhibitions at the hotel, including art sourced from professional galleries, local artists, and Santa Monica students
- Community access to on-site meeting space
- Physical space dedicated for a future bicycle sharing program station
- \$294,000 Colorado Esplanade contribution
- \$50,000 Hospitality Training Academy contribution
- \$75,000 Historic Preservation contribution
- Fourth Court Alley Improvement contribution (or if not implemented, contribution would become a Parks & Recreation/Open Space contribution of \$210,000)
- Affordable Housing contribution of \$21,000
- Minimum LEED Gold certification as established by the LEED Rating System
- Solar energy systems including photovoltaic solar panels
- One electric vehicle charging station and seven stub-outs for charging stations
- Minimum 30% water reduction for the hotel's total water use
- Local Hiring provision: internship program, job fair, and 40% hiring goal
- TDM Program including a 2.0 AVR target, bicycle parking, bicycle rentals, car-share spaces, transit subsidies, etc.
- Physical Improvements consisting of expanded sidewalks
- Shared parking provision

Status of Compliance

The Courtyard by Marriott project construction is complete and the hotel a Certificate of Occupancy was issued on April 30, 2018 following installation and inspection of the required Historic Commemorative feature and final inspection by the Fire Department for a repair to a Radio Repeater System that the developer voluntarily agreed to install at the property. LEED Gold Certification was issued in August

2017. Required contributions towards Historic Preservation, Colorado Esplanade, Fourth Court Alley Improvements, Affordable Housing Linkage, and the Hospitality Training Academy were provided to the City prior to building permit issuance. The facility's TDM Program was approved by the City on April 19, 2018. Finally, in April 2019, a Minor Modification was approved by the Director of Planning and Community Development to allow for a fitness use on the ground floor after demonstrating sustained effort to retain a food service use in the leasable space detailed in the Development Agreement

Based on staff's review of the property and annual compliance report submitted on December 26, 2018, the Courtyard by Marriott hotel project has been determined to be in good faith compliance with its Development Agreement requirements.

<u>Hampton Inn & Suites Hotel</u>
501 Colorado Avenue
Agreement Effective: December 26, 2013
Expires: October 31, 2035
Reporting Period: 10/31/2017 to 10/31/2018
Good Faith Compliance Confirmed

The Hampton Inn & Suites Hotel project consists of development of a new six-story, 78,750 SF hotel with 143 guest rooms, and 78 subterranean parking spaces. The project was approved by Council on November 26, 2013.

Community Benefits Summary

- \$294,000 Colorado Esplanade contribution
- \$50,000 Hospitality Training Academy contribution
- \$25,000 Historic Preservation contribution
- \$69,343 Transportation Impact contribution
- \$196,657 Parks & Recreation/Open Space contribution
- Minimum LEED Gold certification as established by the LEED Rating system
- Solar energy systems including photovoltaic solar panels
- One electric vehicle charging station and seven stub-outs for charging stations
- Minimum 30% water reduction for the hotel's total water use
- Artistic Exhibition Program showcasing different forms of art in periodic exhibitions at the hotel, including art sourced from professional galleries, local artists, and Santa Monica students
- Community access to on-site meeting space
- Local hiring provision: internship program, job fair, and 40% hiring goal
- TDM Program including a 2.0 AVR target, bicycle parking, bicycle rentals, car-share spaces, transit subsidies, etc.
- Physical Improvements consisting of expanded sidewalks
- Shared parking provision

Status of Compliance

The Hampton Inn and Suites and the Courtyard by Marriott Hotel were developed and are currently under the same ownership. The Hampton Inn and Suites project was issuance of a Certificate of Occupancy on April 30, 2018 following final inspection by the Fire Department for a repair to a Radio Repeater System that the developer voluntarily agreed to install at the property. LEED Gold Certification was issued in 2017. Required contributions towards Historic Preservation, Colorado Esplanade, Fourth Court Alley Improvements, Affordable Housing Linkage, and the Hospitality Training Academy were provided to the City prior to building permit issuance. The facility's TDM Program was approved by the City on April 19, 2018.

Based on staff's review of the property and annual compliance report submitted on December 26, 2018, the Hampton Inn hotel project has been determined to be in good faith compliance with its Development Agreement requirements.

Recommended Finding of Good Faith Compliance: Projects Under Construction

<u>Colorado Creative Studios</u>
2834 Colorado Avenue
Agreement Effective: 9/22/2011
Expires: 9/22/2026
Reporting Period: May 9, 2016 to May 9, 2017
Project Under Construction

This Development Agreement authorizes construction of a four-story, 191,982 square foot mixed-use creative arts/entertainment production building over a three-level subterranean parking garage with up to 640 parking spaces. The site includes landscaping and seating areas and the building features ground floor neighborhood serving uses.

Community Benefits Summary

- Dedicated 62-foot wide surface easement for the extension of Pennsylvania Avenue and construction of roadway, curb, and gutters
- Contribution to Expo station enhancement at Bergamot of approximately \$363,000
- Widened sidewalks along Stewart Street to enhance the pedestrian environment
- Community café
- Internships to Santa Monica College students or Santa Monica residents

- Shared parking program
- TDM Program implementation
- Local hiring program for construction-related jobs

Status of Compliance

The required annual compliance report was received on January 22, 2019. A building permit for the development of the project was issued on July 1, 2015, and is currently under construction. Compliance with the construction-related requirements of the Development Agreement are ongoing and continually monitored by the Building & Safety Division, Public Works Department, Mobility Division and City Planning Division throughout the duration of construction. The payment of the contribution to the 26th Street/Bergamot Expo Station enhancement is required prior to the issuance of a final Certificate of Occupancy. The project is expected to be completed in 2019. Staff will provide an update on the status of compliance during construction as part of its 2020 annual report to Council.

<u>710 Wilshire Boulevard</u>
Agreement Effective: May 11, 2012
Expires: May 11, 2032
Reporting Period: May 11, 2017 to May 11, 2018
Project Under Construction

This Development Agreement was approved by Council on April 10, 2012 and authorizes adaptive re-use of a six-story Landmark building located at 710 Wilshire Boulevard for a new hotel with 55 rooms and 6,950 SF of ground floor retail/restaurant space. The project also includes construction of new six-story hotel building on site with 230 rooms; 8,700 SF of ground floor retail/restaurant; a ground floor, open-air paseo; and up to 325 subterranean parking spaces. The project also includes a living wage provision, including health benefits, for covered hotel workers.

Community Benefits Summary

- Preservation and rehabilitation of a City Landmark building
- TDM Program that includes a 1.75 AVR target for employees of the project achieved by the third year after the City’s issuance of a certificate of occupancy, bicycle parking for employees and guests, shared bicycles for guest use, and transit subsidies for employees
- \$244,000 transportation infrastructure fee
- Bicycle sharing area
- Electric vehicle infrastructure in parking garage for 30 electric vehicles

- Provide meeting space for non-profits and community organizations on a reduced cost basis at least 12 times a year
- Paid internship program for at least two Santa Monica residents who attend Santa Monica High School or Santa Monica College
- Local hiring for permanent and construction employees

Status of Compliance

The 710 Wilshire Boulevard project building permits were issued for construction of the subterranean parking garage, including shoring, excavation, foundation and structural work, and mechanical/electrical/plumbing work. Building permits for above-grade improvements to the Landmark building and the above-grade improvements associated with the new hotel building were issued during the 2017 reporting period. The project design was reviewed by the Joint Design Review Body (JDRB), a single-purpose body created by the development agreement and consisting of members from the Architectural Review Board and Landmarks Commission and the JDRB's approval was issued on March 30, 2016.

The \$244,000 Transportation Infrastructure fee was paid on September 15, 2015 during the previous reporting cycle as a prerequisite to issuance of permit for foundation permit. The project sponsor indicates that the lead project contractor posted the availability of job opportunities in the Santa Monica Daily Press, notified Chrysalis Santa Monica, and New Directions for Veterans. These local hiring efforts led to the hiring of two local individuals for construction jobs.

Proposed modifications to the previously-approved design were presented to the JDRB on October 12, 2017 and a Certificate of Appropriateness (17ENT-0195) was issued on October 23, 2017 approving modifications include changes to building colors, front canopy, landscape and hardscape, configuration of 2nd floor terrace and rooftop area, exterior lighting, and signage. Several minor modifications to the Development Agreement were also approved by the City during the reporting period, including maximum building height (2/15/17), slab on-grade rebar spacing (5/2/17), and relocation of approved food service and alcohol service areas (10/6/17).

The project sponsor's Historic Preservation Consultant and Structural Engineer have met with staff to review its quarterly reports provided to the City in compliance with mitigation measures to protect the existing Landmark building. These reports include a summary of the vibration monitoring that includes real-time sensors to measure construction activities to respond to any events that may trigger ground acceleration greater than specified in project mitigation measures. The quarterly reports also provide information periodic building walkthroughs conducted to ensure that construction activities are not affecting the Landmark building.

Based on staff's periodic review project during construction and the developer's annual compliance report provided to the City, the project has been determined to be in good

faith compliance with Agreement requirements at this current phase of the development during the 2017-2018 reporting period. Although outside of the annual review period for this report, a Temporary Certificate of Occupancy was issued in May 2019 following extensive City review of requirements during construction as set forth in the Development Agreement. It is anticipated that a final Certificate of Occupancy will be issued Summer/Fall 2019. Staff will provide an update on the status of compliance following completion of the project as part of its 2020 annual report to Council.

<u>1112-1122 Pico Boulevard</u>
Agreement Effective: December 26, 2014
Expires: December 26, 2024
Reporting Period: December 26, 2017 to December 26, 2018
Project Under Construction

The 1112-1122 Pico Boulevard project consists of construction of a 32,088 square-foot, 45-foot-tall residential building consisting of 32 two-bedroom rental units and a two-level subterranean parking garage with 64 parking spaces, Four of the residential units are deed-restricted as affordable for occupancy by 50% Income Households and 11 additional units are price-restricted. The project was approved by Council on November 25, 2014.

Community Benefits Summary

- Four residential units deed-restricted as affordable for occupancy by 50% Income Households
- 11 price-regulated residential units
- \$77,453.55 Transportation Infrastructure contribution
- \$149,980.50 Parks and Open Space contribution
- Minimum LEED Platinum certification as established by the LEED Rating system
- Photovoltaic solar panels
- Two electric vehicle conduits for charging stations
- Local hiring provision
- TDM Program including a 2.0 AVR target, carshare parking space, long- and short-term bicycle storage/parking, bicycle rentals, two free on-site shared bicycles for resident and visitor use, car-share spaces, transit subsidies, etc.
- Physical Improvements consisting of expanded sidewalks
- Shared parking provision

Status of Compliance

The project is currently under construction with permits issued for demolition, foundation, excavation, shoring, and the building. In July 2017, the developer completed its requirement to record a deed restriction for the project's on-site affordable and price regulated units. It is anticipated that construction will be complete by the end of Summer 2019. Staff will provide an update on the status of compliance during construction and following project completion as part of its 2020 annual report to Council.

<u>2930 Colorado Avenue</u>
Agreement Effective: May 9, 2013
Expires: May 9, 2028
Reporting Period: May 9, 2017 to May 9, 2018
Project Under Construction

The 2930 Colorado Avenue project consists of an approximately 341,290 SF total Mixed-use development with approximately 24,940 SF of commercial space, 377 residential units, including 38 affordable units, and 705 subterranean parking spaces. The project was approved on April 9, 2013.

Community Benefits Summary

- Two new streets (Pennsylvania Avenue and New Road) that will be dedicated to the City as surface easements
- \$1,650,000 Transportation Infrastructure Fee
- \$179,000 contribution to trust fund to be used for child care subsidies for low income families (includes voluntary assignment of required child care linkage fee)
- \$350,000 contribution to trust fund to be used for services for seniors, disabled persons, and families with minor children with priority given to entities who are providing services to Village Trailer Park residents
- Approximately 27,000 SF of general public open space including expanded sidewalks for outdoor dining and gathering on Colorado Avenue, smaller on-site plazas, pedestrian pathways, and green space at the intersection of New Road and Pennsylvania Avenue
- Approximately 15,000 SF of residential public open space including pedestrian pathways and courtyards
- Local hiring program for construction
- Local hiring program for permanent employment for commercial uses greater than 1,500 SF

Status of Compliance

The project is currently under construction with permits issued for demolition, foundation, excavation, shoring, and the main building with completion anticipated in 2019/2020. Per the Development Agreement, ten trailer pads remain on the Residual Parcel with upgraded water and gas services provided to all residents currently living on the Residual Parcel.

As noted in the previous reporting cycle, the required \$350,000 contribution for Senior and Disabled Services was paid on May 12, 2015. The funds are being disbursed as part of the Community Cultural Services Department - Human Services Division grant cycle. These funds will be distributed over a four-year period to the following agencies:

- Meals on Wheels West - More than a Meal: Home Delivered Meals
- OPCC - Interim Housing and Wellness Program
- Westside Center for Independent Living - Independent Living Services
- WISE & Healthy Aging - Care Management
- Federal Transit Administration - New Freedom Program (Cash Match)
- Human Services Division - Senior Housing Task Force

Staff will provide an update on the status of compliance during construction as part of its 2020 annual report to Council.

<u>1601 Lincoln Boulevard</u>
Agreement Effective: February 12, 2016
Expires: February 12, 2026
Reporting Period: February 12, 2018 to February 12, 2019
Project Under Construction

The 1601 Lincoln Boulevard project was reviewed by Council on December 8, 2015 and the project was approved on second reading of the ordinance on January 12, 2016. The project consists of a new five-story, 77,758 square-foot mixed-use project consisting of 90 residential units, 10,617 square feet of ground floor commercial space, and 168 parking spaces within a two-level subterranean parking garage. Architectural Review Board approval was obtained for the project design, colors, and materials during the reporting period.

Community Benefits Summary

- 21% On-Site affordable housing: 19 residential units
 - 50% income households: 11 one-bedroom units, 2 two-bedroom units, and 1 three-bedroom unit

- 80% income households: 2 one-bedroom units & 2 two-bedroom units
- Moderate income households: 1 studio unit
- Enhanced Impact Fees
 - Transportation Impact Fee: \$820,000
 - Parks and Recreation Fee: \$600,000
 - Affordable Housing Commercial Linkage Fee: \$175,000
- Early Childhood Initiatives contribution: \$150,000
- Historic Preservation contribution: \$50,000
- Big Blue Bus contribution: \$80,000
- Transportation Management Association contribution: \$50,000
- Transportation Demand Management Plan including a 2.2 AVR target, short and long-term bike parking, and a 100% transportation allowance
- Sustainability elements
 - LEED® for Homes Platinum Certification
 - Solar panels
 - 15% less energy than required by California Energy Code
 - Interior building water usage 30% below CALGreen baseline standards
 - Non-potable water for landscape irrigation and exterior water usage of 50% below CALGreen baseline standards
 - Water Conservation contribution of \$300,000
- Electric vehicle parking for 20% of the parking spaces (i.e. 34 spaces)
- Shared parking for City use: 15 parking spaces
- Local hiring program

Status of Compliance

Building permits authorizing the start of construction were issued in January 2018. Compliance with local hiring provisions and construction-related requirements of the Development Agreement has been verified at this step and will be continually monitored by the Building & Safety Division, Public Works Department, and City Planning Division throughout the duration of construction. Construction is anticipated to be completed in December 2019.

The following Development Agreement fee payments were paid prior to issuance of building: Transportation Management Association contribution (\$50,000); Enhanced Transportation Impact Fee (\$820,000); Enhanced Parks and Recreation Fee (\$600,000); Affordable Housing Linkage Fee (\$175,000); Early Childhood Initiatives

contribution (\$150,000); Big Blue Bus contribution (\$80,000); Historic Preservation contribution (\$50,000); and Water Conservation Program contribution (\$300,000).

The developer submitted its annual update on compliance during construction on April 4, 2019. Staff will provide an update on the status of compliance during construction as part of its 2020 annual report to Council.

1560 Lincoln Boulevard
Agreement Effective: November 27, 2015
Expires: November 27, 2018
Reporting Period: November 27, 2017 to November 27, 2018
Compliance Not Required at this Time

The 1560 Lincoln Boulevard project was approved by Council on October 13, 2015 for a new five-story, 102,500 square-foot mixed-use project consisting of 100 residential units, 13,800 square feet of ground floor commercial space, and 232 parking spaces within a three-level subterranean parking garage.

Community Benefits Summary

- 20% On-Site affordable housing: 20 residential units
 - 50% income households: 10 one-bedroom units & 5 two-bedroom units
 - 80% income households: 5 two-bedroom units
- Enhanced impact fees
 - Transportation Impact Fee: \$750,000
 - Parks and Recreation Fee: \$745,000
 - Affordable Housing Commercial Linkage Fee: \$175,000
- Early Childhood Initiatives contribution: \$150,000
- Historic Preservation contribution: \$50,000
- Big Blue Bus contribution: \$80,000
- Transportation Management Association contribution: \$50,000
- Transportation Demand Management Plan including a 2.2 AVR target, short and long-term bike parking, and a 100% transportation allowance
- Sustainability elements
 - LEED® for Homes Platinum Certification
 - Solar panels

- 15% less energy than required by California Energy Code
- Interior building water usage 30% below CALGreen baseline standards
- Non-potable water for landscape irrigation and exterior water usage of 50% below CALGreen baseline standards
- Water Conservation contribution of \$300,000
- Bioswale infiltration system that would capture, treat, and infiltrate stormwater along Lincoln Boulevard
- Electric vehicle parking
- Shared parking for City use: 20 parking spaces
- Community meeting space
- Local hiring program

Status of Compliance

The developer obtained a building permit for improvements to the 1560 Lincoln Boulevard site on April 16, 2018. Demolition and construction of the project commenced on April 23, 2018, and is currently ongoing, with work starting for excavation and construction of the subterranean parking garage. The applicant is currently working with Public Works to finalize the public street improvement plan and sidewalk easement agreement. The developer is currently in for the second round of review for permit revisions to 16BLD-4373. Staff will provide an update on the status of compliance during construction as part of its 2020 annual report to Council.

500 Broadway
Agreement Effective: June 24, 2016
Expires: June 24, 2026
Reporting Period: n/a
Compliance Not Required at this Time

The 500 Broadway project was approved by Council in May 2016 for a new seven-story, 301,830 SF mixed-use project consisting of 249 residential units, 35,428 SF of ground floor commercial space, and 524 parking spaces within a four-level subterranean parking garage. On August 21, 2017, the Architectural Review Board approved the project’s design, color, materials, and landscaping (16ARB-0374). A permit application for the construction of the foundation (17BLD-5144) was submitted on December 4, 2017, and was issued in May 2018. Site work under this permit recent commenced. The project’s building permit for above grade work is anticipated to be issued by mid-July, 2019. Additionally, the 100% Affordable Housing Project located at 1626 Lincoln Boulevard (Development Agreement Community Benefit) received its final Certificate of Occupancy (“The Arroyo”), on December 24, 2018. In accordance with 500 Broadway’s

Agreement, nonprofit affordable housing provider Community Corporation of Santa Monica both owns and operates this 100% Affordable Housing Project.

Community Benefits Summary

- Off-Site 100% Affordable Housing Project: 64 Residential Units
 - 29 one-bedroom units
 - 18 two-bedroom units
 - 17 three-bedroom units
- Publicly Accessible Open Space
- LEED Platinum Certification
- Water Conservation Measures
 - Use of Non-Potable Water for Landscaping and Toilet Use
- Energy Conservation Measures
- Transportation Demand Management Plan
- Electric Vehicle Parking
- Local Hiring Program
- Unreserved Commercial Parking
- Community Meeting Space
- Enhanced Impact Fees
 - Enhanced Transportation Impact Fee: \$1.65 M
 - Enhanced Parks and Recreation Fee: \$1.7 M
 - Enhanced Affordable Housing Commercial Linkage Fee: \$325,000
 - Early Childhood Initiatives Contribution: \$1.1 M
 - Historic Preservation Contribution: \$150,000
 - Big Blue Bus Contribution: \$240,000
 - Transportation Management Association Contribution: \$150,000
 - Recycled Water Infrastructure Program Improvements & Contribution: \$1.1 M

Status of Compliance

Final plan check review is nearing completion and it is anticipated that a building permit for the above-grade work will be issued by in July 2019, therefore, an update on compliance will be provided for the 2018-2019 review period during first quarter of 2020.

Update on Projects Not Under Construction

1415 5th Street
Agreement Effective: November 27, 2015
Expires: November 27, 2018
Reporting Period: November 27, 2016 to November 27, 2017
Compliance Not Required at this Time

The 1415 5th Street project mixed-use project involving construction of a six-story (84 feet) building consisting of approximately 52,545 total square feet: 6,345 square-feet of ground floor commercial space, 64 residential units, and 105 parking spaces within a three-level subterranean parking garage. The project was approved by Council on October 13, 2015.

Community Benefits Summary

- 14 deed-restricted affordable units
- Minimum LEED Platinum certification as established by the LEED Rating System
- Water conservation requirement fifty percent (50%) below the CALGreen (Title 24) baseline for exterior water use and landscaping, and (ii) 30% below the CALGreen (Title 24) baseline for interior building water use
- Energy conservation designed to use and shall achieve 15% less energy than required by the California Energy Code
- TDM Program including a Transformation Information Center, employee secure bicycle storage, employee showers and locker facilities, short-term bicycle parking, unbundled parking, AVR target of 2.2, parking cash out and 100% transportation allowance
- \$20,000 Transportation Management Association contribution
- \$40,000 Big Blue Bus contribution
- \$90,000 Enhanced Transportation Impact Fee
- \$280,000 Enhanced Parks and Recreation Fee
- \$100,000 Early Childhood Initiatives contribution
- \$50,000 Historic Preservation contribution
- \$300,000 Water Conservation Program contribution
- Local hiring provision
- Shared parking provision
- Local preference marketing plan

Status of Compliance

The project has not advanced to issuance of a building permit, therefore, community benefits have yet to be realized and there are no compliance issues to report.

1325 6th Street
Agreement Effective: 1/11/2018
Expires: 1/11/2028
Reporting Period: n/a
Compliance Not Required at this Time

This Development Agreement authorizes the construction of a six-story, 60-foot tall, building totaling 64 residential units, 4,860 square feet of indoor commercial space, 1,697 square feet of outdoor ground floor commercial space, and 138 parking spaces within four levels of subterranean parking. The site includes landscaping and seating areas and the building also features ground floor neighborhood serving uses.

Community Benefits Summary

Off-Site Affordable Housing

The project would provide a total of 16 units (25% of the total 64 units) with the following breakdown:

- Four 1 bedroom units at 30% (extremely low income)
- Three 2 bedroom units at 30% (extremely low income)
- Five studio units at 100% (Moderate)
- Four 1 bedroom units at 100% (Moderate)

Affordable Housing Disability Marketing & Outreach

Developer shall inform local disability advocacy organizations of the availability of the affordable units and the mechanism for applying to be placed on the City's Affordable Housing waiting list administered by the City's Housing Division. Within the existing preferences adopted by the City Council in the Administrative Guidelines for the Affordable Housing Production Program (AHHP), marketing and outreach to disability advocacy organizations shall occur to inform disability organizations of the availability of affordable units.

WISE and Healthy Aging

Annual contribution of \$5,400 or amount necessary to provide a minimum of 12 hours monthly for on-site visits and case management.

Transportation Allowance

Developer shall pay 100% of the monthly regional transit pass of the resident's choice for the residents of the 100% senior affordable housing project at 711 Colorado Ave.

Enhanced Impact Fees

Enhanced impact fees representing a 90% increase above maximum permitted fees determined by a nexus study for the incremental development above Tier 1, consistent with community benefits required as part of Chapter 9.10.70 of the DCP for Tier 2 projects:

- Enhanced Transportation Impact Fee: A monetary contribution of \$444,000.
- Enhanced Parks and Recreation Fee: A monetary contribution of \$624,000 towards parks and recreation programs.
- Affordable Housing Commercial Linkage Fee: A monetary contribution of \$600,000 towards development of affordable housing units in the City.
- Early Childhood Initiatives Contribution: A monetary contribution of \$56,000 that would support early childhood initiatives (in lieu of Childcare Linkage Fee).

Shared Vehicle Parking

The development agreement supports maximizing the amount of publicly available parking for visitors and employees by requiring that:

- All parking shall be unbundled, which means that the parking space must be leased separately from the residential unit; and
- The developer must charge for parking at rates not competitive with comparable transit fares.

Local Hiring

The project would include local hiring provisions for construction-related and permanent employment. The Developer and commercial tenants would be required to follow certain steps to ensure that the greatest opportunity for interviewing local residents and employees is provided. All hiring decisions would continue to remain at the discretion of the Developer and commercial tenants. The local hiring for permanent employment provisions have been updated in coordination with Community and Cultural Services staff in light of recent experiences with implementation of local hiring. The requirements include more specificity with respect to efforts made to hold employment outreach (e.g. job fairs) in places accessible to targeted job applicants, expands the type of organizations that must be contacted during the advanced recruitment period, requires advertisements to be in English, Spanish, and other languages necessary to reach the targeted job applicants, and requires consultation with the City's Human Services Division. Further, there is more specificity required in annual reporting with respect to reporting on outcomes of the local hiring program.

Cultural Arts Contribution

The developer will contribute \$117,000 to support cultural arts in the City, as required by SMMC Chapter 9.30.

Historic Preservation Contribution

The developer will contribute \$75,000 to support the City's historic preservation efforts.

Wi-Fi Access

Developer shall pay 100% percent of the cost of wi-fi access for the residents at the 100% senior housing project at 711 Colorado Avenue.

Status of Compliance

The Development Agreement was approved by Council on December 12, 2017. Architectural Review Board approval will be required prior to issuance of a building permit to commence construction. The project has not advanced to issuance of a building permit, therefore, community benefits have yet to be realized and there are no compliance issues to report.

1430 Lincoln Boulevard
Agreement Effective: 1/11/2018
Expires: 1/11/2028
Reporting Period: n/a
Compliance Not Required at this Time

This Development Agreement authorizes the construction of consists of a five-story, 50-foot tall building totaling 100 residential units, 5,830 square feet of commercial space on the ground floor, and 296 parking spaces within four levels of subterranean parking. The site includes landscaping and seating areas and the building also features ground floor neighborhood serving uses.

Community Benefits Summary

Off-Site Affordable Housing

The project would provide a total of 30 units (30% of the total 100 units) with the following breakdown:

- 10 units for 30% income households (extremely low):
 - Six 1-BR units
 - Four 2-BR units
- 20 units for 100% income households:
 - Ten Studio units
 - Ten 1-BR

Affordable Housing Disability Marketing & Outreach

Developer shall inform local disability advocacy organizations of the availability of the affordable units and the mechanism for applying to be placed on the City's Affordable Housing waiting list administered by the City's Housing Division. Within the existing preferences adopted by the City Council in the Administrative Guidelines for the Affordable Housing Production Program (AHHP), marketing and outreach to disability

advocacy organizations shall occur to inform disability organizations of the availability of affordable units.

WISE and Healthy Aging

Annual contribution of \$5,400 or amount necessary to provide a minimum of 12 hours monthly for on-site visits and case management.

Transportation Allowance

Developer shall pay 100% of the monthly regional transit pass of the resident's choice for the residents of the 100% senior affordable housing project at 711 Colorado Avenue.

Enhanced Impact Fees

Enhanced impact fees representing a 90% increase above maximum permitted fees determined by a nexus study for the incremental development above Tier 1, consistent with community benefits required as part of Chapter 9.10.70 of the DCP for Tier 2 projects:

- Enhanced Transportation Impact Fee: A monetary contribution of \$326,000.
- Enhanced Parks and Recreation Fee: A monetary contribution of \$911,000 towards parks and recreation programs.
- Early Childhood Initiatives Contribution: A monetary contribution of \$62,000 that would support early childhood initiatives (in lieu of Childcare Linkage Fee).

Shared Vehicle Parking

The development agreement supports maximizing the amount of publicly available parking for visitors and employees by requiring that:

- All parking shall be unbundled, which means that the parking space must be leased separately from the residential unit; and
- The developer must charge for parking at rates not competitive with comparable transit fares.

Local Hiring

The project would include local hiring provisions for construction-related and permanent employment. The Developer and commercial tenants would be required to follow certain steps to ensure that the greatest opportunity for interviewing local residents and employees is provided. All hiring decisions would continue to remain at the discretion of the Developer and commercial tenants. The local hiring for permanent employment provisions have been updated in coordination with Community and Cultural Services staff in light of recent experiences with implementation of local hiring. The requirements include more specificity with respect to efforts made to hold employment outreach (e.g. job fairs) in places accessible to targeted job applicants, expands the type of organizations that must be contacted during the advanced recruitment period, requires advertisements to be in English, Spanish, and other languages necessary to reach the targeted job applicants, and requires consultation with the City's Human Services

Division. Further, there is more specificity required in annual reporting with respect to reporting on outcomes of the local hiring program.

Cultural Arts Contribution

The developer will contribute \$180,000 to support cultural arts in the City, as required by SMMC Chapter 9.30.

Wi-Fi Access

Developer shall pay 100% percent of the cost of wi-fi access for the residents at the 100% senior housing project at 711 Colorado Avenue.

Status of Compliance

The Development Agreement was approved by Council on December 12, 2017. Architectural Review Board approval will be required prior to issuance of a building permit to commence construction. The project has not advanced to issuance of a building permit, therefore, community benefits have yet to be realized and there are no compliance issues to report.

Attachment B: Sample of TDM Program elements included in Development Agreements since 2010

Development Agreements	Average Vehicle Ridership Peak Hour (AVR)	Bicycle Parking & Amenities	Transit/ Infrastructure Contribution	Light Rail Shuttle	Transportation Management Association (TMA)	Shared Parking Facility	Employee Parking Cashout / Financial Incentives <i>-and-</i> Transit Coordinator/ Information Center
2401-2525 Colorado Avenue (Colorado Center Amendment) (2011)	<ul style="list-style-type: none"> • 1.5 AVR starting in 2013 • 1.6 AVR with Light Rail 	<ul style="list-style-type: none"> • 117 bicycle parking spaces 	n/a		<ul style="list-style-type: none"> • Establish and operate facility-wide TMA 	Provides shared parking facility	<ul style="list-style-type: none"> • Yes • Yes
2121 Santa Monica Boulevard (Providence Saint John's Health Center Amendment) (2011)	<ul style="list-style-type: none"> • 1.5 AVR starting 2013 • 1.6 AVR with Light Rail 	<ul style="list-style-type: none"> • 90 bicycle parking spaces • Shower & locker • Space for future bicycle sharing station 	\$100,000 for Memorial Park Expo Station improvements	Required 15-month shuttle operation	<ul style="list-style-type: none"> • Co-lead TMA formation in Healthcare District • Fund TMA study • Participate in Healthcare District TMA 	Utilizes off-site shared parking facility	<ul style="list-style-type: none"> • Yes • Yes
725 California Avenue (Saint Monica's Catholic Community) (2010)	<ul style="list-style-type: none"> • 1.5 AVR for employees within two years of Cert. of Occupancy issuance (2014) 	<ul style="list-style-type: none"> • 50 bicycle parking spaces • Shower & locker 	n/a		<ul style="list-style-type: none"> • Assist in formation of geographic-based TMA if City requires • Participate in future geographic-based TMA 	Provides shared parking facility	<ul style="list-style-type: none"> • Yes • Yes

Development Agreements	Average Vehicle Ridership Peak Hour (AVR)	Bicycle Parking & Amenities	Transit/ Infrastructure Contribution	Light Rail Shuttle	Transportation Management Association (TMA)	Shared Parking Facility	Employee Parking Cashout / Financial Incentives -and- Transit Coordinator/ Information Center
1800 Stewart Street (Agensys) (2010)	Requirement: • 1.6 AVR • 1.75 AVR with Light Rail	<ul style="list-style-type: none"> • 25 bicycle parking spaces • Shower & locker 	\$70,350 Bergamot Station infrastructure contribution \$20,000 for bicycle access improvements		<ul style="list-style-type: none"> • Participate in future geographic-based TMA 	Permitted to share parking	<ul style="list-style-type: none"> • Yes • Yes
2834 Colorado Avenue (Colorado Creative Studios) (2011)	<ul style="list-style-type: none"> • 1.6 AVR • 1.75 AVR with Light Rail 	<ul style="list-style-type: none"> • 64 bicycle parking spaces • Shower & locker • Space for future bicycle sharing station 	\$363,200 for Bergamot Station enhancements		<ul style="list-style-type: none"> • Participate in future geographic-based TMA 	Provide shared parking facility	<ul style="list-style-type: none"> • Yes • Yes
702 Arizona Avenue (2011)	1.75 AVR by third year of occupancy	<ul style="list-style-type: none"> • 63 bicycle parking spaces • Shower & locker 	\$50,000 transit infrastructure contribution for Downtown area		<ul style="list-style-type: none"> • Participate in future geographic-based TMA 	Permitted to share parking	<ul style="list-style-type: none"> • Yes • Yes
1317 7th Street (2011)	1.75 AVR by third year of occupancy	<ul style="list-style-type: none"> • 67 bicycle parking spaces • Shower & locker 	\$50,000 transit infrastructure contribution for Downtown area		<ul style="list-style-type: none"> • Participate in future geographic-based TMA 	Permitted to share parking	<ul style="list-style-type: none"> • Yes • Yes
401 Broadway (2012 & 2013 Amendment)	2.0 AVR by third year of occupancy	<ul style="list-style-type: none"> • 89 bicycle parking spaces (including secure spaces for employees and residents, and publically assessable for commercial and residential visitors) • Shower & locker 	\$125,000 contribution for transit/circulation infrastructure in the Downtown area		<ul style="list-style-type: none"> • Participate in future geographic-based TMA 	Required to unbundle parking	<ul style="list-style-type: none"> • Yes • Yes
710 Wilshire Boulevard (2012)	1.75 AVR by third year of occupancy	<ul style="list-style-type: none"> • 64 secure bicycle parking spaces (employees) and bicycle check for hotel guests • 16 guest bicycle parking spaces • 20 bicycles for shared use by guests (or provide vouchers) 	\$244,000 Transportation infrastructure fee		<ul style="list-style-type: none"> • Assist in formation of geographic-based TMA if City requires 	Permitted to share & unbundle parking	<ul style="list-style-type: none"> • Yes • Yes

Development Agreements	Average Vehicle Ridership Peak Hour (AVR)	Bicycle Parking & Amenities	Transit/ Infrastructure Contribution	Light Rail Shuttle	Transportation Management Association (TMA)	Shared Parking Facility	Employee Parking Cashout / Financial Incentives -and- Transit Coordinator/ Information Center
1548 6th Street (2012)	1.75 AVR by second year of occupancy	<ul style="list-style-type: none"> • 108 secure bicycle parking spaces for residents • 28 publically accessible spaces • Residential tenant bicycle repair station 	\$75,000 contribution towards transit and circulation infrastructure in the Downtown area		<ul style="list-style-type: none"> • Participate in future geographic-based TMA 	Permitted to share & unbundle parking	<ul style="list-style-type: none"> • Yes (transit information center)
2930 Colorado Avenue (2013)	<ul style="list-style-type: none"> • 1.5 AVR for commercial tenants • PM peak-hour vehicle trip cap established 	<ul style="list-style-type: none"> • 64 bicycle parking spaces for visitors • 5 secure bicycle parking spaces (employees) • 377 spaces for residents • Residential tenant bicycle repair station • Shower & locker • Space for future bicycle sharing station 	\$1,650,000 Transportation infrastructure fee		<ul style="list-style-type: none"> • Participate in future geographic-based TMA • Fund \$50,000 toward area TMA formation 	Requirement to share portion of parking & permitted to unbundle parking	<ul style="list-style-type: none"> • Yes • Yes
1318 2nd Street (2013)	2.0 AVR by the third year of occupancy	<ul style="list-style-type: none"> • 7 short-term bicycle parking spaces for commercial patrons • 6 short-term bicycle spaces for resident visitors • 4 secure bicycle parking spaces (employees) • One bicycle parking space per residential unit • 53 additional bicycle parking spaces for residents • Shower & locker 	<p>\$125,493 transit infrastructure contribution</p> <p>\$125,000 Colorado Esplanade public improvements</p> <p>\$25,000 Big Blue Bus contribution</p>		<ul style="list-style-type: none"> • Participate in future geographic-based TMA 	Required to unbundle parking	<ul style="list-style-type: none"> • Yes • Yes

Development Agreements	Average Vehicle Ridership Peak Hour (AVR)	Bicycle Parking & Amenities	Transit/ Infrastructure Contribution	Light Rail Shuttle	Transportation Management Association (TMA)	Shared Parking Facility	Employee Parking Cashout / Financial Incentives -and- Transit Coordinator/ Information Center
<p>1731 20th Street (Crossroads School – Science Building)</p> <p>(2013)</p>	<ul style="list-style-type: none"> • 1.6 AVR until the second year after opening of Light Rail • 1.75 AVR by the third year after opening of Light Rail 	<ul style="list-style-type: none"> • Execute an easement agreement granting to the City a ten-foot wide surface easement across the southerly portion of the property for purposes of establishing a public bike path • 50 bicycle parking spaces for employees, students, visitors (and increase as needed) 	n/a		<ul style="list-style-type: none"> • Participate in the formation of a geographic-based TMA 		<ul style="list-style-type: none"> • Yes • Yes
<p>1554 5th Street (Courtyard by Marriott Hotel)</p> <p>(2013)</p>	<ul style="list-style-type: none"> • 2.0 AVR from one year after the City's issuance of final certificate of occupancy 	<ul style="list-style-type: none"> • 31 long-term bicycle parking spaces for employees and hotel guests • 12 short-term bicycle parking spaces for visitors • 10 bicycles available for rental by hotel guests • Shower & locker 	<p>\$294,000 Colorado Esplanade contribution</p> <p>\$210,000 for 4th Court alley bicycle improvements OR parks and recreation contribution if 4th Court project not pursued</p>		<ul style="list-style-type: none"> • Participate in establishment of future geographic-based TMA 	Permitted to share parking	<ul style="list-style-type: none"> • Yes • Yes
<p>501 Colorado Avenue (Hampton Inn & Suites Hotel)</p> <p>(2013)</p>	<ul style="list-style-type: none"> • 2.0 AVR from one year after the City's issuance of final certificate of occupancy 	<ul style="list-style-type: none"> • 33 long-term bicycle parking spaces for employees/hotel guests • 12 short-term bicycle parking spaces for visitors • 10 bicycles available for rental by hotel guests • Shower & locker • Space for future bicycle sharing station 	<p>\$69,343 for Downtown area transportation infrastructure improvements</p> <p>\$294,000 Colorado Esplanade contribution</p>		<ul style="list-style-type: none"> • Participate in formation of future geographic-based TMA 	Permitted to share parking	<ul style="list-style-type: none"> • Yes • Yes

Development Agreements	Average Vehicle Ridership Peak Hour (AVR)	Bicycle Parking & Amenities	Transit/ Infrastructure Contribution	Light Rail Shuttle	Transportation Management Association (TMA)	Shared Parking Facility	Employee Parking Cashout / Financial Incentives -and- Transit Coordinator/ Information Center
<p>315 Colorado Avenue (Arclight Theater at Santa Monica Place) (2014)</p>	<ul style="list-style-type: none"> • 1.75 AVR if Light Rail is not fully operational at that time • 2.0 AVR from one year after the City's issuance of certificate of occupancy or theater open to public if Light Rail is operational 		<p>\$120,000 Colorado Esplanade contribution</p> <p>\$20,820 Colorado Avenue design costs</p> <p>\$100,000 Downtown Wayfinding</p>		<ul style="list-style-type: none"> • Participate in formation of future geographic-based TMA 		<ul style="list-style-type: none"> • Yes • Yes
<p>1402 Santa Monica Blvd (Mini Dealership) (2014)</p>	<ul style="list-style-type: none"> • 1.6 AVR commencing from issuance of Certificate of Occupancy • 1.75 AVR by the first year after the City's issuance of certificate of occupancy if the Light Rail has been fully operational for at least one year 	<ul style="list-style-type: none"> • 10 secure long-term employee bicycle parking spaces • 10 convenient short-term customer/visitor parking spaces on ground floor • Free on-site shared bicycles (unless Bikeshare is within two blocks) • Shower & locker 	<p>\$189,424.74 for transportation infrastructure improvements</p>		<ul style="list-style-type: none"> • Participate in the formation and activities of TMA 		<ul style="list-style-type: none"> • Yes • Yes

Development Agreements	Average Vehicle Ridership Peak Hour (AVR)	Bicycle Parking & Amenities	Transit/ Infrastructure Contribution	Light Rail Shuttle	Transportation Management Association (TMA)	Shared Parking Facility	Employee Parking Cashout / Financial Incentives -and- Transit Coordinator/ Information Center
1112 Pico Blvd (2014)		<ul style="list-style-type: none"> • 4 short-term bicycle parking spaces • Long-term bike parking spaces provided on site (one space per bedroom) • Bicycle tools and repair stand • 2 free on-site shared bicycles (unless Bikeshare is within two blocks) 	\$77,453.55 for transportation infrastructure improvements		<ul style="list-style-type: none"> • Participate in the formation and activities of TMA 	Unbundled parking	<ul style="list-style-type: none"> • Yes • Yes
1560 Lincoln Blvd (2015)	<ul style="list-style-type: none"> • 2.2 AVR 	<ul style="list-style-type: none"> • Short-term bicycle parking spaces provided on site • Long-term bike parking spaces provided on site • Lockers and showers provided on site 	\$750,000 Transportation Impact Fee \$80,000 Big Blue Bus contribution		<ul style="list-style-type: none"> • Fund \$50,000 toward area TMA formation 	Unbundled parking Shared parking for City use	<ul style="list-style-type: none"> • Yes • Yes
1415 5th Street (2015)	<ul style="list-style-type: none"> • 2.2 AVR 	<ul style="list-style-type: none"> • Short-term bicycle parking spaces provided on site • Long-term bike parking spaces provided on site • Lockers and showers provided on site 	\$90,000 Transportation Impact Fee \$40,000 Big Blue Bus contribution		<ul style="list-style-type: none"> • Fund \$20,000 toward area TMA formation 	Unbundled parking Shared parking	<ul style="list-style-type: none"> • Yes • Yes

Development Agreements	Average Vehicle Ridership Peak Hour (AVR)	Bicycle Parking & Amenities	Transit/ Infrastructure Contribution	Light Rail Shuttle	Transportation Management Association (TMA)	Shared Parking Facility	Employee Parking Cashout / Financial Incentives -and- Transit Coordinator/ Information Center
1601 Lincoln Blvd (2016)	<ul style="list-style-type: none"> • 2.2 AVR 	<ul style="list-style-type: none"> • Short-term bicycle parking spaces provided on site • Long-term bike parking spaces provided on site 	\$820,000 Transportation Impact Fee \$80,000 Big Blue Bus contribution		<ul style="list-style-type: none"> • Fund \$50,000 toward area TMA formation 	Unbundled parking Shared parking for City use	<ul style="list-style-type: none"> • Yes • Yes
500 Broadway (2016)	<ul style="list-style-type: none"> • 2.2 AVR within two years after the City's issuance of a Certificate of Occupancy 	<ul style="list-style-type: none"> • 112 Short-term bicycle parking spaces provided on site for commercial (75) and residential (37) • 432 Long-term bike parking spaces provided on site for commercial (64) and residential (368) • 2 employee showers and locker facilities • On-site shared bikes for employees and residents. • Free bike valet • Bicycle tool and repair facility on-site 	\$1,650,000 Transportation Impact Fee \$240,000 Big Blue Bus contribution		<ul style="list-style-type: none"> • Participate in the formation and activities of TMA. • \$150,000 contribution toward area TMA formation 	Unbundled parking Unreserved/ shared commercial parking	<ul style="list-style-type: none"> • Yes, parking cash out, transportation allowance (res + com). • Yes

Development Agreements	Average Vehicle Ridership Peak Hour (AVR)	Bicycle Parking & Amenities	Transit/ Infrastructure Contribution	Light Rail Shuttle	Transportation Management Association (TMA)	Shared Parking Facility	Employee Parking Cashout / Financial Incentives -and- Transit Coordinator/ Information Center
1325 6 th Street (2017)	<ul style="list-style-type: none"> 2.0 AVR within two years after the City's issuance of Certificate of Occupancy 	<ul style="list-style-type: none"> Bicycle tool and repair facility on-site Short-term bicycle parking spaces provided on site for residential and commercial Long-term bike parking spaces provided on site for residential and commercial Lockers and showers provided on site On-site shared bicycles for commercial tenant employees 	\$444,000 Transportation Impact Fee		<ul style="list-style-type: none"> Participate in the formation and activities of TMA 	Unbundled parking Specified parking pricing	<ul style="list-style-type: none"> Developer shall pay 100% of the monthly regional transit pass of the resident's choice for the residents of the 100% senior affordable housing project at 711 Colorado Ave Parking cash out Transportation allowance Customer/visitor incentive program Transportation information center and Transportation Coordinator
1430 Lincoln Blvd (2017)	<ul style="list-style-type: none"> 2.0 AVR within two years after the City's issuance of Certificate of Occupancy 	<ul style="list-style-type: none"> Bicycle tool and repair facility on-site Short-term bicycle parking spaces provided on site for residential and commercial Long-term bike parking spaces provided on site for residential and commercial Lockers and showers provided on site On-site shared bicycles for commercial tenant employees 	\$326,000 Transportation Impact Fee		<ul style="list-style-type: none"> 	Unbundled parking Specified parking pricing	<ul style="list-style-type: none"> Developer shall pay 100% of the monthly regional transit pass of the resident's choice for the residents of the 100% senior affordable housing project at 711 Colorado Ave Parking cash out Transportation allowance Customer/visitor incentive program Transportation information center and Transportation Coordinator

Attachment C: Regulated Average Vehicle Ridership Data - Development Agreements 2010-2018

Development Agreements	Average Vehicle Ridership Peak Hour (AVR) Agreement terms:	2011	2012	2013	2014	2015	2016	2017	2018	Comments
725 California Avenue (Saint Monica's Catholic Community) (2010)	Goal/Target: • 1.5 AVR for employees within two years of Certificate of Occupancy issuance in 2014	n/a	n/a	n/a	n/a	1.34 AM AVR 1.32 PM AVR	1.51 AM AVR 1.5 PM AVR In compliance for both AM and PM Peak Periods	1.44 AM AVR 1.38 PM AVR Survey Week: September 11, 2017	1.6 AM AVR 1.6 PM AVR In compliance for both AM and PM Peak Periods Survey Week: September 10, 2018	
1800 Stewart Street (Kite Pharma – formerly Agensys) (2010)	Requirement: • 1.6 AVR • 1.75 AVR within one year of Light Rail opening	n/a	n/a	1.26 AM AVR 1.28 PM AVR	1.35 AM AVR 1.36 PM AVR	1.48 AM AVR* 1.54 PM AVR* *Data resulting from a required re-survey conducted in February 2016	1.57 AM AVR 1.58 PM AVR Survey Week: October 17, 2016	Survey not conducted due to Agensys facility closure beginning July 2017	Survey not conducted during reporting period due to Kite Pharma acquisition of property in April 2018 and transition time necessary to occupy facility	Agensys assigned the Development Agreement to Kite Pharma in April 2018 and began its work to move into the facility over the remainder of the annual reporting period (October 28, 2017 to October 28, 2018). Kite Pharma has worked diligently to prepare for the 2018-2019 reporting period and has staff dedicated solely to transportation demand management.
2401-2525 Colorado Avenue (Colorado Center) (5th Amendment 2011)	Goal/Target: • 1.5 AVR starting in November 2013 • 1.6 AVR once Expo is open and operating as anticipated	n/a	n/a	1.40 AM AVR 1.35 PM AVR	1.44 AM AVR 1.43 PM AVR	1.27 AM AVR 1.26 PM AVR	1.37 AM AVR 1.36 PM AVR Survey Weeks: June-October 2016	1.4 AM AVR 1.42 PM AVR Survey Weeks: Variable June-October 2017	1.37 AM AVR 1.38 PM AVR Survey Weeks: Variable June-October 2018	Ownership is responsible for surveying small employers (tenants) at the property and gathering data prepared by large employers (tenants) to determine AVR for the property as a whole.

Development Agreements	Average Vehicle Ridership Peak Hour (AVR) Agreement terms:	2011	2012	2013	2014	2015	2016	2017	2018	Comments
2121 Santa Monica Boulevard (Providence Saint John's Health Center Amendment) (First Amendment 2011)	Goal/Target: <ul style="list-style-type: none"> 1.5 AVR starting 2013 1.6 AVR within one year of Light Rail opening (May 20, 2016) 	n/a	n/a							
		1.35 AM AVR	1.4 AM AVR	1.42 AM AVR	1.36 AM AVR	1.34 AM AVR	1.5 AM AVR	1.5 AM AVR	1.69 AM AVR	
		1.34 PM AVR	1.27 PM AVR	1.41 PM AVR	1.31 PM AVR	1.36 PM AVR	1.45 PM AVR	1.39 PM AVR	1.68 PM AVR	
							In Compliance for AM Peak Period		In Compliance for both AM and PM Peak Periods	
						With AQMD trip credits & weekend compressed schedule:	With AQMD trip credits & weekend compressed schedule:	With corrected of employee PM Peak Period data:		* With AQMD trip credits for employees who depart/arrive outside of peak hours; also factors in compressed week schedule trips that occur on Sat/Sun
						1.45 AM AVR*	1.76 AM AVR*	1.51 PM AVR**		** With corrected PM Peak Period employee data and mode that shows 55 more employees using non-SOV modes during the PM Peak Period compared to 2016.
						1.48 PM AVR*	1.83 PM AVR*			

Development Agreements	Average Vehicle Ridership Peak Hour (AVR) Agreement terms:	2011	2012	2013	2014	2015	2016	2017	2018	Comments
702 Arizona Avenue (2011)	Goal/Target: 1.75 AVR by the third year after Certificate of Occupancy issuance	n/a	n/a	n/a	n/a	n/a	n/a	Baseline AVR TBD	1.3 AVR with eight employees	
1317 7 th Street (2011)	Goal/Target: 1.75 AVR by the third year after Certificate of Occupancy issuance	n/a	n/a	n/a	n/a	n/a	n/a	Baseline AVR TBD	AVR of 1.78 with 30 employees	
1548 6 th Street (2012)	Goal/Target: 1.75 AVR by the second year after Certificate of Occupancy issuance	n/a	n/a	n/a	n/a	Baseline AVR TBD*	Baseline AVR TBD*	Baseline AVR TBD*	Baseline AVR needs to be collected for 2018-2019 reporting period	*Baseline AVR not required until commercial tenant spaces are occupied
710 Wilshire Blvd (2012)	Goal/Target: 1.75 AVR by third year of occupancy	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	AVR data to be collected starting with the 2018-2019 report year; AVR target to be achieved by 2022

Development Agreements	Average Vehicle Ridership Peak Hour (AVR) Agreement terms:	2011	2012	2013	2014	2015	2016	2017	2018	Comments
1318-1320 2 nd Street (2013)	Goal/Target: 2.0 AVR by the second year after Certificate of Occupancy issuance	n/a	n/a	n/a	n/a	n/a	n/a	n/a	AVR data to be collected during 2018-2019 reporting period	
1731 20 th Street (Crossroads School – Science Building) (2013)	Goal/Target: <ul style="list-style-type: none"> 1.6 AVR until the second year after opening of Light Rail 1.75 AVR by the third year after opening of Light Rail 	n/a	n/a	n/a	n/a	1.54 AM AVR 1.50 PM AVR	1.53 AM AVR 1.5 PM AVR Survey Week: May 23, 2016	1.84 AM AVR 1.81 PM AVR In Compliance for both AM and PM Peak Periods Survey Week: March 2017	1.64 AM AVR 1.65 PM AVR In Compliance for both AM and PM Peak Periods Survey Week: March 2018	
315 Colorado Avenue (Arclight Theater at Santa Monica Place) (2014)	Goal/Target: <ul style="list-style-type: none"> 1.75 AVR if Light Rail is not fully operational at that time 2.0 AVR from one year after the City's issuance of a final certificate of occupancy or theater open to public if Light Rail is operational 	n/a	n/a	n/a	n/a	n/a	1.89 AM AVR 1.89 PM AVR In Compliance for both AM and PM Peak Periods Survey Week: September 14, 2016	2.07 AM AVR 10.81 PM AVR In Compliance for both AM and PM Peak Periods Survey Week: October 25, 2017	2.6 AM AVR 2.07 PM AVR In Compliance for both AM and PM Peak Periods Survey Week: October 15, 2018	

Development Agreements	Average Vehicle Ridership Peak Hour (AVR) Agreement terms:	2011	2012	2013	2014	2015	2016	2017	2018	Comments
1554 5 th Street (Courtyard Marriott) (2013)	Goal/Target: <ul style="list-style-type: none"> 2.0 AVR by first year after Certificate of Occupancy issuance on April 30, 2018 	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	AVR data to be collected during 2018-2019 reporting year
501 Colorado Avenue (Hampton Inn & Suites) (2013)	Goal/Target: <ul style="list-style-type: none"> 2.0 AVR by first year after Certificate of Occupancy issuance on April 30, 2018 	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	AVR data to be collected during 2018-2019 reporting year
1402 Santa Monica Boulevard (Mini Automobile Dealership) (2014)	Goal/Target: <ul style="list-style-type: none"> 1.75 AVR by first year after Certificate of Occupancy issuance and with Memorial Park Station fully operational for at least one year 	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1.87 AM AVR 1.89 PM AVR In Compliance for both AM and PM Peak Periods	AVR data to be collected during 2018 reporting year



Santa Monica City Council

July 23, 2019

Annual Development Agreement
Compliance Review

Development Agreement Compliance Review

Annual Review

33 Development Agreements

- 23 properties – construction complete
 - good faith compliance recommended for all
 - Seven properties – under construction
 - Three properties – construction has not begun
-

Development Agreement Compliance Review

AVR Compliance – Transportation Demand Management

AVR Compliance Achieved

- Arclight Theater at Santa Monica Place
- Crossroads School
- Providence Saint John's Health Center
- Saint Monica's Catholic Community

- Kite Pharma – new owner – review in current reporting period

TDM Plan Modifications Required

- Colorado Center
-

Development Agreement Compliance Review

AVR Compliance – Transportation Demand Management

TDM Plan Modifications Required

- Review AVR data, mode-split, employee base
 - Survey methodology
 - New measures focus on non-SOV modes & travel behavior
 - Ø Citywide TMO, employee outreach
 - Ø Parking cash-out
 - Ø Evaluate Micro-Transit commuter shuttle service routes
 - partner w/other sites
-

Development Agreement Compliance Review

Annual Review

Next Steps

- TDM Plan modifications and periodic review
 - Annual report to Council – First quarter 2020
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