



AGENDA REPORT

Meeting Date: November 29, 2016

Item Number: D-1

To: The Honorable Mayor & City Council

From: Laurence S. Wiener, City Attorney

Subject: AN ORDINANCE OF THE CITY OF BEVERLY HILLS APPROVING AN AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND WANDA BEVERLY HILLS PROPERTIES, LLC FOR CONSTRUCTION OF LUXURY RESIDENTIAL CONDOMINIUMS, A LUXURY HOTEL AND ANCILLARY USES, AND PUBLIC GARDENS, IN ACCORDANCE WITH THE AMENDED AND RESTATED 9900 WILSHIRE SPECIFIC PLAN FOR PROPERTY AT 9900 WILSHIRE BOULEVARD (THE FORMER ROBINSONS-MAY DEPARTMENT STORE SITE) AND REFERRED TO AS THE ONE BEVERLY HILLS PROJECT

Attachments:

1. Ordinance
2. Development Agreement

RECOMMENDATION

It is recommended that the City Council move to waive the full reading and adopt the ordinance entitled "AN ORDINANCE OF THE CITY OF BEVERLY HILLS APPROVING AN AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND WANDA BEVERLY HILLS PROPERTIES, LLC FOR CONSTRUCTION OF LUXURY RESIDENTIAL CONDOMINIUMS, A LUXURY HOTEL AND ANCILLARY USES, AND PUBLIC GARDENS, IN ACCORDANCE WITH THE AMENDED AND RESTATED 9900 WILSHIRE SPECIFIC PLAN FOR PROPERTY AT 9900 WILSHIRE BOULEVARD (THE FORMER ROBINSONS-MAY DEPARTMENT STORE SITE) AND REFERRED TO AS THE ONE BEVERLY HILLS PROJECT".

INTRODUCTION

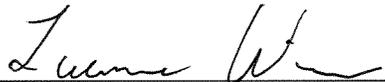
At its meeting of November 21, 2016, the City Council conducted a first reading of this ordinance and introduced it.

DISCUSSION

This ordinance implements the Development Agreement between the City and One Beverly Hills. Pursuant to the Development Agreement, One Beverly Hills will pay an additional \$30 million in public benefit contribution for a total of \$60 million, will pay 5% of the gross room revenue from the hotel as a Municipal Surcharge, and will pay an Environmental Mitigation and Sustainability fee of 1.25% of the sale price for the first sale of all or any portion of the project and 2% of the sale price for every sale thereafter. Also, this Agreement will vest the Developer's rights for 2 years plus any extensions of the vesting tentative map or for one year following the recording of the final map. After that, the developer can buy three years worth of extensions at \$500,000, \$750,000, and \$1 million, respectively.

FISCAL IMPACT

The fiscal impacts resulting from adoption of the attached ordinance were analyzed and provided in the Agenda Report for the November 7, 2016 City Council Special Meeting. No changes to the proposed Project's fiscal impact will result from the revisions made to the Development Agreement since that time.



Laurence S. Wiener, City Attorney