

Sports and Entertainment Complex Design Guidelines and Infrastructure Plan (SEC Development Guidelines)

PART 1 IMPLEMENTATION AND ADMINISTRATION

Section 1. Introduction

The Sports and Entertainment Complex Design Guidelines and Infrastructure Plan (the “SEC Development Guidelines”) provide the framework for design review for the development of the Sports and Entertainment Complex, as defined in the Sports and Entertainment Overlay Zone (the “SE Overlay Zone”), adopted by Ordinance No. ____, and as established in Article 17.5 of the Inglewood Municipal Code (“IMC”), and for review of the infrastructure improvements required to serve the Sports and Entertainment Complex (“Infrastructure”), within the SE Overlay Zone and right-of-way in the vicinity. The Sports and Entertainment Complex and associated Infrastructure shall be developed in accordance with and within the limitations established in these SEC Development Guidelines.

1.1 Organization and Content

The SEC Development Guidelines consists of three Parts.

Part I establishes the processes and procedures to implement the SEC Development Guidelines, including application requirements, review process, and modification processes, applicable to both the SEC Design Guidelines (Part II) and the SEC Infrastructure Plan (Part III).

Part II contains the SEC Design Guidelines. The SEC Design Guidelines establish both required development standards, and other design guidelines and design options for the development of a Sports and Entertainment Complex within the SE Overlay Zone.

Part III contains the SEC Infrastructure Plan. The SEC Infrastructure Plan describes the Infrastructure improvements (wet and dry utilities, fire safety and street right of way improvements required to serve the Sports and Entertainment Complex. No other Infrastructure is required except as described in the SEC Infrastructure Plan.

1.2 Applicability

The SE Overlay Zone establishes particular controls that apply to the Spots and Entertainment Complex (Project), in lieu of corresponding or conflicting provisions of the Planning and Zoning Code. The SEC Development Guidelines replace and supersede any corresponding or conflicting provisions of the IMC or City of Inglewood Development Standards and Guidelines or any other corresponding or conflicting design, development or infrastructure standards adopted by the City of Inglewood. In the case of a conflict between the applicable rules governing development in the Inglewood Municipal Code and the spirit, intent, or requirements of the SE Overlay Zone or the SEC Development Guidelines, the SE Overlay Zone and the SEC Development Guidelines shall control. In the event of a conflict between the SE Overlay Zone and the SEC Development Guidelines, the SEC Development Guidelines shall control. In the case of regulations for which the Design Guidelines are silent, the IMC regulations shall apply.

The SEC Development Guidelines are to be read and applied in conjunction with and implement the Project Approvals (as defined in the Development Agreement By and Between The City of Inglewood and Murphy's Bowl LLC, adopted by Ordinance No. __, the "Development Agreement"), including the SE Overlay Zone and the Basic Site Plan Drawings for the Sports and Entertainment Complex ("Basic Site Plan Drawings"), attached as Attachment 6 to the Disposition and Development Agreement ("DDA"), approved pursuant to Resolution No. __. The Project Approvals, including the applicable provisions of the Mitigation Monitoring and Reporting Plan (the "IBEC MMRP"), adopted as part of the Project Approvals, control over conflicting provisions in the SEC Development Guidelines.

1.3 Interpretation

References herein to the Code or Planning and Zoning Code include the controls established under the SE Overlay Zone. The SEC Development Guidelines implement those controls with more detailed design standards and guidelines.

The Basic Site Plan Drawings were prepared by the Developer and approved by the City with the DDA. The City has determined that the Basic Site Plan Drawings conform to the requirements of the Project Approvals, including the SEC Development Guidelines.

Where noted, graphics, figures, and photographs provided in this document are conceptual and should be considered guidance to meet the intent of the SEC Development Guidelines. As the design process is iterative, changing and complex by nature, the guideline drawings leave room for necessary architectural creativity, flexibility and design evolution. This flexibility is structured, but not prescribed. Accordingly, actual design of the Sports and Entertainment Complex building/structures, and all supplementary treatments may be different from the images provided in the SEC Development Guidelines where not materially inconsistent with the Project Approvals, the Basic Site Plan Drawings, the SEC Development Guidelines or previously obtained Subsequent Approvals (as defined the Development Agreement). Variations of specific design conditions or features, where proposed by Developer, may be considered where they provide an equal or higher level of design quality as determined by the Economic and Community Development Director or Public Works Department Director, as applicable.

Required standards in the SEC Development Guidelines are preceded by the words such as "must" "shall" or identified as "prohibited". SEC Development that are more subjective, and set forth general design intent, design expectations, and are considered to be generally preferred, encouraged or discouraged features, are preceded by the words such as "should" "encouraged", "preferred", "recommended", or "appropriate". Inclusion in these elements in the design is considered voluntary. The design should consider such guidelines in good faith, recognizing that achieving consistency with many (though not all) such encouraged guidelines may be subjective or subject to external conditions or factors, or may be achieved through a variety of

strategies. Items that include one or more criteria or elements that are qualified with the words "discouraged", "inappropriate" or "should not" be included, are acceptable if they are not materially inconsistent with the Project Approvals. Other design elements that are considered to be allowed, but not specifically encouraged or discouraged, are preceded by the word "may" or identified as "allowed" or "allowable". Accordingly, specific treatments, materials, or design details may vary from the SEC Development Guidelines where the standards of the SE Overlay Zone and the intent of the SEC Development Guidelines are met. Design options have been provided to allow for a range of solutions that meet the larger vision of the Project and should be used as reference for the design intent specified in the caption or section.

1.4 Consultation

During the preparation of any materials to be submitted to the City under these SEC Development Guidelines as set forth below, the City and Developer shall, at the request of and as deemed necessary by the City, hold regular progress meetings to coordinate the preparation of, submission to, and review of the application by the City. The City and Developer shall communicate and consult informally as frequently as is necessary to ensure that the formal submittal of any application to the City can receive prompt and speedy consideration.

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Section 2. SEC Design Review

Compliance with Part II of the SEC Development Guidelines, the SEC Design Guidelines, shall be achieved through the SEC Design Review process set forth in this Section.

2.1 SEC Design Review

The SEC Design Review process shall assure that development of a Sports and Entertainment Complex within the SE Overlay Zone is not materially inconsistent with the intent, policies and requirements of, the Project Approvals, including the SE Overlay Zone, the SEC Design Guidelines and the Basic Site Plan Drawings, recognizing that the SEC Design Guidelines provide for the further evolution of the Project Design in accordance herewith.

2.1.1 Authority

SEC Design Review shall be conducted by the Director of the City of Inglewood Economic and Community Development Department (the "Director").

2.1.2 SEC Design Review Required

SEC Design Review and approval pursuant to the SEC Design Guidelines shall be required prior to the issuance of a building permit for the construction of any Sports and Entertainment Complex structure, facility, fence, wall, or installation of any sign.

SEC Design Review is not required for the repair or replacement with the same or comparable type of structure element or material to any portion of an existing building, or the installation of interior partition within an existing building provided that there is no concurrent exterior alternation, building enlargement, or increase in parking needs.

2.2 SEC Design Review Application

2.2.1 Application Requirements

- (A) An application for SEC Design Review shall include the following SEC Design Drawings, as applicable:
- (i) Design drawings, which shall include: Architectural drawings, drawn to scale, including site plan, floor plans, all elevations of the proposed structures as they will appear upon completion, roof plan, sections, and landscape/hardscape plan. The drawings shall include a well-defined architectural concept, showing vehicular circulation and access points, amounts and location of parking, location and size of all buildings (including height and perimeter dimensions), pedestrian circulation, and architectural character.
 - (ii) Landscape plans, drawn to scale, showing the location and design of landscaped areas and the varieties and sizes of plant materials to be planted therein, and other landscape features.
 - (iii) Scale drawings of all signs and graphic displays showing the sign type, size, location, material, colors, and illumination, if any, total signage area, and any other information necessary to demonstrate compliance with the SE Overlay Zone or the SEC Design Guidelines.
 - (iv) A completed SEC Design Review Checklist, in the format described in Section 2.2.2.
- (B) The Director may reasonably request additional information if necessary to determine that proposed development is not materially inconsistent with the SEC Design Guidelines and other Project Approvals or may authorize omission of any generally required materials if they are not necessary to the purpose or scope of the particular SEC Design Review.
- (C) All application materials shall be filed in duplicate, with an electronic copy provided in the format requested by the City.

2.2.2 SEC Design Review Checklists

The SEC Design Review Checklists for each section specify how the SEC Design Drawings respond to where applicable SEC Design Guidelines are identified as either required, encouraged, or where design options or considerations are permitted or allowed.

SEC Design Review Checklists for each section of the SEC Design Guidelines are attached to the SEC Development Guidelines as Appendix A. The items on the checklist may be modified, augmented, or omitted, or the format of the checklist may be modified, to improve the SEC Design Review process, on initiation of the Director in consultation with the Developer, or by Developer submitting proposed changes to the Director for review and approval.

2.3 SEC Design Review Process

2.3.1 Review

The Director, or designee, shall review any SEC Design Review request (or resubmitted request) and shall make a determination of whether the application is complete within ten (10) City business days after the date an application is submitted. If no determination of completeness or incompleteness is made within said 10-day period, the application shall be deemed complete.

2.3.2 Approval

The Director shall review and approve or approve with required modifications an application for SEC Design Review within fifteen (15) City business days of notice of submittal of a complete application, or the date the application is deemed complete as provided above.

The Director's review shall be limited to a determination that the SEC Design Drawings are not materially inconsistent with the Project Approvals, including the SE Overlay Zoning, the SEC Design Guidelines and Basic Site Plan Drawings, any Developer proposed and approved changes to the Project Approvals or SEC Design Guidelines, or

previously approved SEC Design Drawings or other previously approved Subsequent Approvals (as defined in the Development Agreement).

No other City of Inglewood permits or approvals shall be required other than final grading, building and improvement permits or as may be required under the IBEC MMRP.

2.3.3 Disapproval

Any design review disapproval of the SEC Design Drawings shall state in writing with specificity the reasons for disapproval and any changes which the Director requests to be made. Such reasons and such changes must be consistent with the Approvals (as defined in the Development Agreement), including the SE Overlay Zoning and these SEC Design Guidelines, and such approval shall not be withheld if such changes logically evolve from the Basic Site Plan Drawings or any previously approved SEC Design Drawings or previously approved Subsequent Approvals. Developer, upon receipt of a disapproval based upon powers reserved by the Director hereunder, shall revise and resubmit the SEC Design Drawings to the City consistent with the overall Schedule of Performance, Attachment 4 to the DDA.

2.3.4 Appeals

In the event the Developer does not concur with the disapproval of the SEC Design Drawings, or a condition imposed upon the approval of the SEC Design Drawings, the Developer may appeal the determination, interpretation or condition, by filing a written notification of appeal with the Director. The City Council shall consider the appeal at its next regular meeting held not less than thirty (30) calendar days after the filing of the appeal.

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Section 3. SEC Infrastructure Plan Review

Compliance of Infrastructure improvement plans ("SEC Improvement Plans") with the SEC Infrastructure Plan, Part III of this SEC Development Guidelines, shall be achieved through the SEC Infrastructure Improvement Plans review process set forth in this Section.

3.1 Infrastructure Plan Review

The City shall approve the SEC Improvement Plans that are not materially inconsistent with the SEC Infrastructure Plan. No Infrastructure improvements shall be required in addition to or that are inconsistent with those described in the SEC Infrastructure Plan.

3.1.1 Authority

Review and approval of SEC Improvement Plans under the SEC Infrastructure Plan shall be conducted by the City of Inglewood Department of Public Works Director and/or the Director, as appropriate to their applicable jurisdiction.

3.2 SEC Infrastructure Plan Application

3.2.1 Application Requirements

An application for SEC Infrastructure Plan review shall include the following:

- (A) SEC Improvement Plans drawings.
- (B) The Department of Public Works Director (or the Director, if applicable) may reasonably request additional information if necessary to determine that proposed development is not materially inconsistent with the SEC Infrastructure Plan and Project Approvals, including previously approved SEC Improvement Plans or previously approved Subsequent Approvals, or may authorize omission of any generally required materials if they are not necessary.

- (C) All application materials shall be filed in duplicate, with an electronic copy provided in the format requested by the City.

3.3 SEC Infrastructure Plan Review Process

3.3.1 Application and Completeness

The Public Works Director (and/or the Director, if applicable) shall review any application or submittal for review of SEC Improvement Plans, submitted under the SEC Infrastructure Plan, and shall determine whether the application is complete within ten (10) City business days after the date an application is submitted. If no determination of completeness or incompleteness is made within said 10-day period the application shall be deemed complete.

3.3.2 Review and Approval

The Director of Public Works (and/or the Director, if applicable) shall review and approve submittals of SEC Improvement Plans within twenty (20) City business days of notice of submittal of a complete application, or the date the application is deemed complete as provided above unless the Director of Public Works (or the Director, if applicable) determines that the SEC Improvement Plans or other materials are materially inconsistent with the Project Approvals, including the SEC Infrastructure Plan and Basic Site Plan Drawings, proposed and approved changes to the Project Approvals, including to the SEC Infrastructure Plan, or previously approved SEC Improvement Plans or other Subsequent Approvals. No public hearing shall be required in connection with the Director of Public Works' review and determination.

3.3.3 Disapproval

Any disapproval shall state in writing with specificity the reasons for disapproval and any changes which the Director of Public Works (or Director, if applicable) requests to be made. Such reasons and such changes must be consistent with the Project Approvals, including the SEC Infrastructure Plan and shall not be withheld if such

changes logically evolve from the Basic Site Plan Drawings or any previously approved SEC Improvement Plans or other previously approved Subsequent Approvals.

Section 4. Amendment and Modification

4.1 Revisions to SEC Design Drawings or SEC Improvement Plans

4.1.1 Revisions to approved SEC Design Drawings or SEC Improvement Plans

Revisions to the SEC Design Drawings or to SEC Improvement Plans may be requested by the Developer and shall be reviewed and approved in the same manner as the approved SEC Design Drawings and SEC Improvement Plans. Amendments to SEC Design Drawings and SEC Improvement Plans that are not materially inconsistent with the SEC Design Guidelines or SEC Infrastructure Plan, as applicable, or other Project Approvals, including any previously approved amendments thereto, shall not require an amendment to the SEC Development Guidelines.

4.1.2 Amendments to SEC Design Guidelines and SEC Infrastructure Plan

The Developer may desire to further specify, modify, or expand the plans described in the SEC Design Guidelines or SEC Infrastructure Plan, after their adoption, based upon more precise planning, changes in market demand, and other factors. In such event, the City shall cooperate with Developer to expeditiously review and take final action on such requested changes consistent with the Approvals as defined in the Development Agreement, including the SE Overlay Zone.

4.1.3 Substantive Amendment

A "Substantive Amendment" means any proposed change to the SEC Design Guidelines or SEC Infrastructure Plan that would substantially alter the rights, benefits or requirements of the Project Approvals or substantially alter the maximum height, intensity of use, bulk or size of the Sports and Entertainment Complex.

A Substantive Amendment to the SEC Design Guidelines shall be approved by the City Council after review and recommendation by the Director. The Director shall seek

the review and recommendation of the Director of Public Works prior to submitting a SEC Infrastructure Plan amendment to the City Council.

4.1.4 Minor Amendment

A "Minor Amendment" is any amendment other than a Substantive Amendment, provided that the Director (or Director of Public Works as to a Minor Amendment to the SEC Infrastructure Plan) finds that, on the basis of substantial evidence, there are practical reasons or benefits of improved design which justify the prescribed changes, the changes, including any conditions to such amendment, are substantially equivalent to, more effective than, will provide substantially equal or greater benefit to the Project, or will expand on the intent of the SEC Development Guidelines, and will not cause harm or prejudice to adjacent properties, and is not otherwise in conflict with the objectives or intent of the SEC Design Guidelines or SEC Infrastructure Plan, as applicable.

A Minor Amendment to the SEC Design Guidelines shall be approved by the Director without a public hearing. A Minor Amendment to the SEC Infrastructure Plan shall be approved by the Director of Public Works, without a public hearing.

A proposed minor amendment to the SEC Design Guidelines, or proposed minor amendment to the SEC Infrastructure Plan shall be expeditiously reviewed and approved by the Director within ten (10) City business days of filing. A determination by the Director with respect to a proposed Minor Amendment may be appealed by the Developer to the City Council.

With regards to any change that is approved by City, the references in the SEC Development Guidelines shall be deemed to refer to the SEC Development Guidelines as so changed.

A Substantive Amendment to this Part I of the SEC Development Guidelines shall be approved by the City Council on recommendation of the Director. A Minor Amendment to this Part I may be approved by the Director without a public hearing.

4.2 Cooperation

If any revisions or corrections to the SEC Design Guidelines, or to SEC Design Drawings or to the SEC Infrastructure Plan or SEC Improvement Plans reviewed or approved by the City, shall be required to conform to the requirements of any other government official, agency, department, or bureau having jurisdiction over the development of the Sports and Entertainment Complex or required SEC Infrastructure, or portion thereof, Developer and the City shall cooperate in efforts to (i) revise or correct the SEC Design Guidelines or SEC Infrastructure Plan, or the applicable SEC Design Drawings or SEC Improvement Plans, in order to comply with the required revision or correction of such government official, agency, department, or bureau, (ii) obtain a waiver of such requirements, or (iii) to develop a mutually acceptable alternative. Any such changes shall not be materially inconsistent with the Project Approvals, including the SE Overlay Zone and Basic Site Plan Drawings, and previously approved Subsequent Approvals, unless Developer, in the exercise of its sole discretion, otherwise agrees.