

TRANSMITTAL TO CITY COUNCIL

Case No.(s)	Planning Staff Name(s) and Contact No.	C.D. No.
CPC-2007-237-ZC-GPA-CU-SPR	TOM GLICK 818-374-5062	12

Items Appealable to Council:	Last Day to Appeal:	Appealed:
ZC, CU, SPR	June 11, 2009	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Location of Project (Include project titles, if any.)

 8401 N. FALLBROOK AVENUE

Name(s), Applicant / Representative, Address, and Phone Number.
 MULTI-EMPLOYER TRUST, WEST HILLS, LLC
 c/o JEFFER, MANGELS, BUTLER, MARMARO
 LLP
 1900 Ave of the Stars 7th Floor
 Los Angeles, CA 90067
 REP: KEVIN MCDONNELL 310-203-8080

Name(s), Appellant / Representative, Address, and Phone Number.

Final Project Description (Description is for consideration by Committee/Council, and for use on agendas and official public notices. If a General Plan Amendment and/or Zone Change case, include the prior land use designation and zone, as well as the proposed land use designation and zone change (i.e. "from Very Low Density Residential land use designation to Low Density land use designation and concurrent zone change from RA-1-K to (T)(Q)R1-1-K). In addition, for all cases appealed in the Council, please include in the description only those items which are appealable to Council.)

A project consisting of a change of use and new construction of approximately 466,000 square-feet. The project will involve a change in use of an existing 106,000 square-foot school (formerly *DeVry University*) to an office building, a new office building consisting of approximately 250,000 square-feet with a maximum height of 85 feet, a new office building approximately 110,000 square-feet with a maximum height of 45 feet, and a new parking structure to accommodate approximately 969 parking spaces with a total 5,705 parking stalls over the entire site. Total building area upon completion will be approximately 1,277,598 square-feet on an approximately 51 acre site (includes 466,000 square-feet of proposed project, 340,194 square-feet of existing buildings with no change proposed, and 471,404 square-feet of existing buildings in the M1-1 area, not a part of this request).

Fiscal Impact Statement <small>*Determination states administrative costs are recovered through fees.</small>	Environmental No. ENV-2006-10437-MND	Commission Vote: 5-0
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		

 JAMES WILLIAMS, Commission Executive Assistant I	Date: JUNE 15, 2009
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Los Angeles City Planning Commission

200 North Spring Street, Room 272, City Hall, Los Angeles, CA 90012

www.cityofla.org/PLN/index.htm

CORRECTED DETERMINATION (2ND CORRECTION)

Mailing Date: JUN 03 2009

City Council
200 N. Spring Street
Room 395

CASE NO. CPC 2007-237-ZC-GPA-CU-SPR

Location: 8401 N. Fallbrook Avenue

Council District: No. 12

Plan Area: **Chatsworth-Porter Ranch**

Request(s): General Plan Amendment, Zone Change,
Conditional Use, Site Plan Review

Applicant: Multi Employer Trust, West Hills,
LLC;
Representative: Kevin McDonnell

At its meeting on February 26, 2009 the following action was taken by the City Planning Commission:

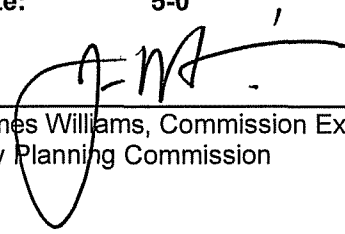
1. **Disapproved** the request, as filed.
2. **Approved** and recommend to the City Council, pursuant to LAMC Section 11.5.6, a General Plan Amendment to the Chatsworth-Porter Ranch Community Plan from Minimum Density Residential to Limited Manufacturing land use on the applicant's site at 8401 North Fallbrook Avenue, subject to the attached conditions of approval.
3. **Approved** and recommend to the City Council, pursuant to Section 12.32 of the LAMC, a Zone Change from A1-1 (Agricultural Zone) to [T][Q]M1-1 (Limited Industrial Zone) on the applicant's site at 8401 North Fallbrook Avenue, subject to the attached conditions of approval.
4. **Approved**, pursuant to LAMC Section 12.24 W. 27, a Conditional Use to permit a Commercial Corner Development which does not comply with the requirements as enumerated in LAMC Section Nos. 12.22.A.23(a)(3) and 12.22.A.23(b)(3), on the applicant's site at 8401 North Fallbrook Avenue, subject to the attached conditions of approval.
5. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review Approval for a project that will result in an increase of 50,000 square-feet or more of non-residential floor area, on the applicant's site at 8401 North Fallbrook Avenue, subject to the attached conditions of approval.
6. **Adopted** Mitigated Negative Declaration No. ENV-2006-10437-MND as an adequate environmental clearance for the project as recommended by City staff.
7. **Adopted** the attached Findings.
8. **Advised** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

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

This action was taken by the following vote:

Moved: Burton
Seconded: Hughes
Ayes: Cardoso, Kezios, Roschen
Absent: Freer, Montanez, Lara, Woo

Vote: 5-0



James Williams, Commission Executive Assistant I
City Planning Commission

Appeals: If the Commission has disapproved the Zone Change request, in whole or in part, the applicant may appeal that disapproval to the Council within 20 days after the mailing date of this determination. Any aggrieved party may appeal the Conditional Use or the Site Plan Review to the City Council within 20 days after the mailing date of this determination. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

FINAL APPEAL DATE _____ June 11, 2009 _____

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

Attachments: Conditions of Approval, Findings, Map(s), Ordinance(s)
City Planner: Tom Glick

**CONDITIONS OF APPROVAL FOR THE SITE PLAN REVIEW (LAMC SECTION 16.05) AND
THE CONDITIONAL USE APPROVAL TO PERMIT A COMMERCIAL CORNER
DEVELOPMENT WHICH DOES NOT COMPLY WITH THE FOLLOWING REQUIREMENTS
AS ENUMERATED IN LAMC SECTION 12.22.A.23(A)(3) AND LAMC 12.22.A.23(B)(3)**

In addition to the "Q" and "T" Conditions of this conditional approval, the applicant shall be required to adhere to the following conditions:

A. Site Plan Review – LAMC Section 16.05

1. **Landscaping.** Prior to the issuance of any permit, the applicant shall submit a revised landscape plan for review and approval by City Planning Department that includes all open areas not used for buildings, driveways, parking areas, recreational facilities or walk/path ways shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect. The revised landscape plan shall include only planting materials that are native and drought-tolerant. The applicant shall add water features on-site including fountains and streams. The applicant shall include pedestrian gathering areas or "focal points" at the entrances to the proposed buildings including the parking structure.
2. **Exterior Lighting.** All exterior light fixtures shall be shielded to minimize the illumination of adjacent properties and to reduce glare. Floodlighting of buildings and parking lot areas shall be prohibited.
3. **Roofs and Roof-Mounted Structures.** All new roofs shall be surfaced with non-glare material. With the exception of solar energy devices, all roof-mounted structures and equipment shall be completely screened from view from the ROW of the adjacent Scenic Highway. Screening materials shall be of a finish quality and shall be compatible with the materials and color of the building; chain link fencing shall not be used for screening purposes.
4. **Underground Utilities.** Any new utilities required of the project shall be placed underground.
5. **Pedestrian Access (Parking Areas).** Projects that require 20 or more surface parking spaces shall incorporate dedicated pedestrian pathways to facilitate ease of pedestrian travel from parking areas to business entrances. These pathways shall be distinguished from vehicle parking areas by the use of decorative paving materials and landscaping.
6. **Parking Lot Landscaping.** The applicant shall provide one (1) canopy tree for every four (4) net new surface, excluding those spaces located on the top a parking structure. These trees shall be shade producing trees at least 24-inch box size and a minimum of eight feet in height at the time of planting. At maturity, these trees shall be of a type expected to be least 20-30 feet in height with a minimum tree canopy diameter of 50% of its height. These trees may be located in groups or clusters.
7. **Articulated Facades.** All new buildings shall be designed with articulated facades (for example, facades that have architectural details, wall breaks, or other architectural features which provide at least 5 feet of relief to a minimum depth of 8 inches every 20 feet of the length of the building wall).
8. **Parking Structure.** Prior to the issuance of any building permit, the applicant shall submit a revised parking structure plan to the satisfaction of City Planning Department that adds

noise and aesthetic remediation measures which includes, but are not limited to, screens, design, artistic treatments, color treatments, and landscaping at the ground level, mid-level, and at the top level/parapet.

9. **Primary Entrances.** The new proposed buildings (8405 and 22951 Buildings on Exhibit B) shall have enhanced entrances fronting the new Parking Structure Building 22955. The intent of this provision is to provide convenient pedestrian linkages from the parking areas to the new buildings.

B. Conditional Use - Commercial Corner Exceptions from LAMC Sections 12.22.A23(a)(3) and 12.22.A23(b)(3).

1. The applicant shall be permitted an exception from the provisions of LAMC Sections 12.22.A23(a)(3) and 12.22.A23(b)(3). The applicant shall comply with all other development standards under LAMC Section 12.22.A23 including the execution of a separate covenant and agreement agreeing to comply with all the development standards. This covenant and agreement shall include agreement to the development standard under LAMC Section 12.22.A23.
2. **Hours of Operation.** The operating hours and days of the uses permitted in "Q" Condition Nos. A.1.a shall be 24 hours per day, seven days per week. The operating hours and days of each of those "accessory" commercial/retail uses listed in "Q" Condition No. A.1.c shall be as follows:
 - a. Automatic Teller Machine (Sunday through Saturday, 24-hour operation);
 - b. Bank and credit union (Monday through Saturday, 7:00 a.m. to 6:00 p.m.);
 - c. Drugstore (Monday through Saturday, 7:00 a.m. to 6:00 p.m.);
 - d. Gymnasium (Monday through Saturday, 6:00 a.m. to 10:00 p.m.);
 - e. Sundries shop (Monday through Saturday, 7:00 a.m. to 6:00 p.m.);
 - f. Cafeteria or other employee dining, including outdoor eating (Sunday through Saturday, 24-hour operation); and
 - g. Laundry/dry cleaner with drop-off and pick-up. No plant on site shall be permitted (Monday through Saturday, 7:00 a.m. to 6:00 p.m.).
3. Motor truck deliveries, distribution and similar operations shall be subject to the following hours and days: Monday through Friday: 6 a.m. to 7 p.m.; Saturday: 7 a.m. to 5 p.m.; and Sunday: 10 a.m. to 4:00 p.m. Primary access to and egress from the subject site for these operations shall be from the Roscoe Boulevard entrance. For the purposes of this approval, Motor trucks shall be defined per Section 34,000(a) of the California Vehicle Code as follows: Vehicles with three or more axles that are more than 10,000 pounds gross vehicle weight rating.
4. **Plan Approval – Hours of Operation Only.** At the beginning of the fifth year (i.e., 60 months) after the issuance of first building permit for the proposed project, the applicant shall be required to file for a Plan Approval (using Plan Approval forms) with the Office of Zoning Administration for the purpose of evaluating only the Project's compliance with the operating hours specified in "C" Condition Nos. B.1 through B.3. Upon review of the Plan Approval, the Zoning Administrator shall determine whether there will be need for additional conditions or measures, and state accordingly in his/her written determination. The Zoning Administrator may also require the applicant to submit additional for future Plan Approvals. If there is evidence that corrective measures are necessary, the Zoning Administrator may require modifications to these conditions or additional conditions of approval pursuant to the purpose, authority, and procedures set forth in Section 12.27.1 of the LAMC (Plan

Approval). The applicant shall submit as part of the Plan Approval application to assist the Zone Administrator in reviewing and evaluating permit compliance a record of any complaints received from the surrounding community about traffic, operations, noise, and measures undertaken to resolve legitimate community concerns. The Plan Approval application must be accompanied by the payment of appropriate fees and be accepted as complete by the Department of City Planning. The applicant's fee shall be determined on an actual cost basis for City staff review involved. The Plan Approval shall require a public hearing and be determined by the Zoning Administrator or the City Planning Commission on appeal. Public notice shall be made to owners and occupants of property within a radius of 500 feet.

**CONDITIONS FOR EFFECTUATING (T) OR [T]
TENTATIVE CLASSIFICATION REMOVAL**

Pursuant to Section 12.32 G of the Municipal Code, the (T) or [T] Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

1. Dedication(s) and Improvement(s). Prior to the issuance of any building permits, public improvements and dedications, if any, for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary), the following: (1) As part of early consultation, plan review, and/or project permit review, the Applicant shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the Applicant; and (2) Prior to issuance of sign offs for final site plan approval and/or project permits by the Planning Department, the Applicant shall provide written verification to the Planning Department from the responsible agency acknowledging the agency's consultation with the Applicant. The required dedications and improvements, if any, may necessitate redesign of the project. Any changes to project design required by a public agency shall be documented in writing and submitted for review by the Planning Department.

Additionally, in constructing any off-site improvements, the Bureau of Engineering should consider a street improvement plan which conforms to the following standards:

- a. At such time as the Department of Public Works determines it shall reconstruct sidewalks along Roscoe Boulevard and Fallbrook Avenue, the Bureau of Engineering should consider a sidewalk design incorporating features consistent with the City's Walkability Checklist, including features providing visual interest and ease of travel.
 - b. At such time as the Department of Public Works determines it shall reconstruct or restripe crosswalks at the intersections of Roscoe Boulevard and Fallbrook Avenue and Roscoe Boulevard and Lena Avenue, the Bureau of Engineering should consider a crosswalk design incorporating features consistent with the City's Walkability Checklist, including features which improve the visibility of the crosswalk by using white striping or color brightly contrasting with the adjoining asphalt, which may include stamped or decorative paving; and
 - c. At such time as the Department of Public Works determines it shall reconstruct pedestrian ramps at the intersections of Roscoe Boulevard and Fallbrook Avenue and Roscoe Boulevard and Lena Avenue, the Bureau of Engineering should consider a design leading from the sidewalk to the crosswalk directing the pedestrian across the street, not into the middle of the intersection.
2. Construction of necessary sewer facilities to the satisfaction of the Bureau of Engineering. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
 3. Construction of necessary drainage facilities to the satisfaction of the Bureau of Engineering.

4. The City's Department of Transportation (DOT) issued a revised Traffic Assessment for the proposed project dated July 10, 2008. DOT recommended the following Project Requirements be included in the conditions of approval of the project in order to mitigate the traffic impacts to less than significant levels. These conditions shall be included as follows:
- a. **Signal system upgrades.** Automated Traffic Surveillance and Control (ATSAC) with Adaptive Traffic Control Systems (ATCS). Intersections 4, 5, 8 and 9 will be mitigated to a less-than-significant level and intersection 2 will be partially mitigated by funding a proportionate share of the cost for the design and construction of the Canoga Park and Platt Ranch ATSAC/ATCS Systems. The Project's proportionate share of the cost for these systems is equal to the average cost per intersection, which currently is \$158,700 for a total of \$793,500 for all five locations. (The property owner has already made this payment in full to DOT.)
 - b. **Signal system upgrade.** Adaptive Traffic Control Systems (ATCS). Intersection 6, Fallbrook Avenue at Victory Boulevard will be mitigated to a less-than-significant level by funding a proportionate share of the cost for the design and construction of the Platt Ranch ATCS System. The Project's proportionate share of the cost for this system is equal to the average cost per intersection, which currently is \$55,000. (The property owner has already made this payment in full to DOT.)
 - c. **Mitigation Measures for Fallbrook Avenue and Roscoe Boulevard.** This intersection will be fully mitigated to a less-than-significant level by re-striping Fallbrook Avenue to provide dual left-turn lanes, two through lanes and one right-turn lane in the northbound direction, and dual left-turn lanes, one through lane and one through/right shared lane in the southbound direction. Signal modification is also required to provide left-turn signal phases in the northbound and southbound directions. Additionally, the owner shall install a raised landscaped median on Fallbrook Avenue north of Roscoe Boulevard to restrict vehicles from making southbound left turns onto either Schoenborn Street or Eccles Street. (See paragraph 4.g.)
 - d. **Mitigation Measures for Fallbrook Avenue and Saticoy Street.** This intersection will be fully mitigated to a less-than-significant level by re-striping Saticoy Street to provide an exclusive right-turn lane in the eastbound direction. A shift on the striping would be required along the north and south side of Saticoy Street, east and west of Fallbrook Avenue by approximately two feet. In the event that the re-striping mitigation measure turns out to be not feasible, the developer must provide an alternative mitigation to mitigate the project impact at this location.
 - e. **Mitigation Measures for Lena Avenue and Roscoe Boulevard.** This intersection will be fully mitigated to a less-than-significant level by re-striping the project driveway to provide one left-turn lane and one left/through/right shared lane in the southbound direction. Signal modification is also required to provide split signal phasing in the northbound and southbound direction.
 - f. **Transportation Demand Management (TDM).** The applicant is required to implement a TDM program for the project to reduce and manage employee commute-related trips in private vehicles. As part of the TDM, the applicant should maintain a membership in a Traffic Management Organization (TMO) for a minimum of three years. The applicant should consider providing public transportation ridership incentives, such as supplementing the costs for bus service and encouraging tenants to allow their

employees modified work hours for those using public transportation. The applicant should provide on-site shuttle service during project construction to provide visitors to the property a convenient means of access to all parts of the campus from the various parking areas. The applicant should work with the City Planning Department Urban Design Studio, DOT and BOE during the Project implementation phase to address design issues such as providing new bicycle racks in appropriate locations near the new parking structure and the 8405 and 22951 buildings, improving the visibility of the existing bicycle lane running along Roscoe Boulevard.

- g. **Neighborhood Traffic Impact Mitigation.** The applicant volunteers to install a raised landscaped median along Fallbrook Avenue north of Roscoe Boulevard to restrict vehicles from making southbound left-turns onto either Schoenborn Street or Eccles Street. Installation of the Fallbrook median will mitigate any potential neighborhood traffic impacts associated with neighborhood cut-through traffic from the project site, thus eliminating the need for a neighborhood traffic protection plan.
- h. **Highway Dedications and Improvements.** Fallbrook Avenue is a designated Secondary Highway in the Streets and Highways Element of the City's General Plan. Standard Plan S-470-0, effective November 10, 1999, dictates that the standard cross section for a Secondary Highway is a 35-foot half-roadway on a 45-foot half right-of-way. Fallbrook Avenue currently consists of a 50-foot half right-of-way; therefore, no dedication or widening is required. Roscoe Boulevard is a designated Major Highway in the Streets and Highways Element of the City's General Plan. Standard Plan S-470-0, effective November 10, 1999, dictates that the standard cross section for a Major Highway is a 40-foot half-roadway on a 52-foot half right-of-way. Roscoe Boulevard currently consists of a 40-foot half-roadway on a 50-foot half right-of-way; therefore, a 2-foot dedication is required along the entire project frontage on Roscoe Boulevard to bring the sidewalk up to the Major Highway Class II standard required by the General Plan. As an alternative to dedication, the owner may instead grant the City a 2-foot wide strip of land as a public easement for landscaping, utilities and pedestrian use.
- i. **Site Access and Internal Circulation.** This determination does not include final approval of the project's driveways, internal circulation, and parking scheme. Final DOT approval shall be obtained prior to issuance of any building permits. This should be accomplished by submitting a detailed site and/or driveway plan, at a scale of at least 1" = 40', to DOT's Valley Development Review Section at 6262 Van Nuys Boulevard, Suite 320, Van Nuys, 91401, prior to submittal of building plans for plan check to the Department of Building and Safety.

As part of the review of this plan by DOT, the applicant should continue working with the Urban Design Studio during the Project implementation phase to include the development of certain on-site amenities such as a walking/exercise pathway in proximity to the Project area. As an example, the applicant should consider restoring the exercise course, equipment, directional signage and exercise stations located near the southeasterly corner of the Property near the northwesterly corner of Roscoe and Fallbrook and expand the course with additional stations along Fallbrook Avenue. Additionally, the proposed walkways and roadways should be designed to double as walking and jogging paths available for use at any time. The new parking structure should include pedestrian linkages vertically (elevated walkways over grade differentials) and horizontally (on-grade walkways) and ample signage directing pedestrians and

vehicles to the various existing and proposed buildings.

5. That street lighting modifications be required at an intersection if there are improvements by the Department of Transportation (also for off site improvements).
6. Preparation of a plot plan to the satisfaction of the Fire Department.
7. Police Department: Preparation of a plot plan in conformance with the Design Out Crime Guideline Booklet and guidelines defined in the Crime Prevention Through Environmental Design (CPTED) handbook to mitigate impacts on police services. Police recommendations may include but are not limited to secured parking, security fencing, security lighting, information signs, building design and landscaping to reduce places of potential concealment. The plans shall be to the satisfaction of LAPD Crime Prevention Section Personnel.
8. Notice: Prior to issuance of a clearance letter by the Bureau of Engineering, all engineering fees pertaining to Ordinance No. 176,077 adopted by the City Council, must be paid in full at the Development Services Division office.
9. Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.
10. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.
11. Prior to the issuance of a building permit, the applicant shall consult with LADWP to identify feasible and reasonable measures that reduce water consumption. However, the applicant shall comply with the following conditions to reduce water consumption:
 - a. Any required connections or mains shall be designed by a registered civil engineer and approved by the Los Angeles Department of Public Works, Bureau of Engineering. Additionally, the project shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions.
 - b. In addition to the requirements of the Landscape Ordinance, the landscape plan should incorporate the following:
 - 1) Weather-based irrigation controller with rain shutoff;
 - 2) Matched precipitation (flow) rates for sprinkler heads;
 - 3) Drip/microspray/subsurface irrigation where appropriate;
 - 4) Minimum irrigation system distribution uniformity of 75 percent;
 - 5) Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials;
 - 6) Use of landscape contouring to minimize precipitation runoff; and
 - 7) A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for irrigated landscape areas totaling 5,000 sf. and greater, to the satisfaction of the Department of Building and Safety.

- c. The applicant shall install low-flow water fixtures and further encourage reduction of water consumption to minimize wastewater flow to the sewer system in accordance with City water conservation requirements. Specifically, the applicant shall install: High-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate, and restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- d. All restroom faucets shall be of a self-closing design.
- e. The project shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions.

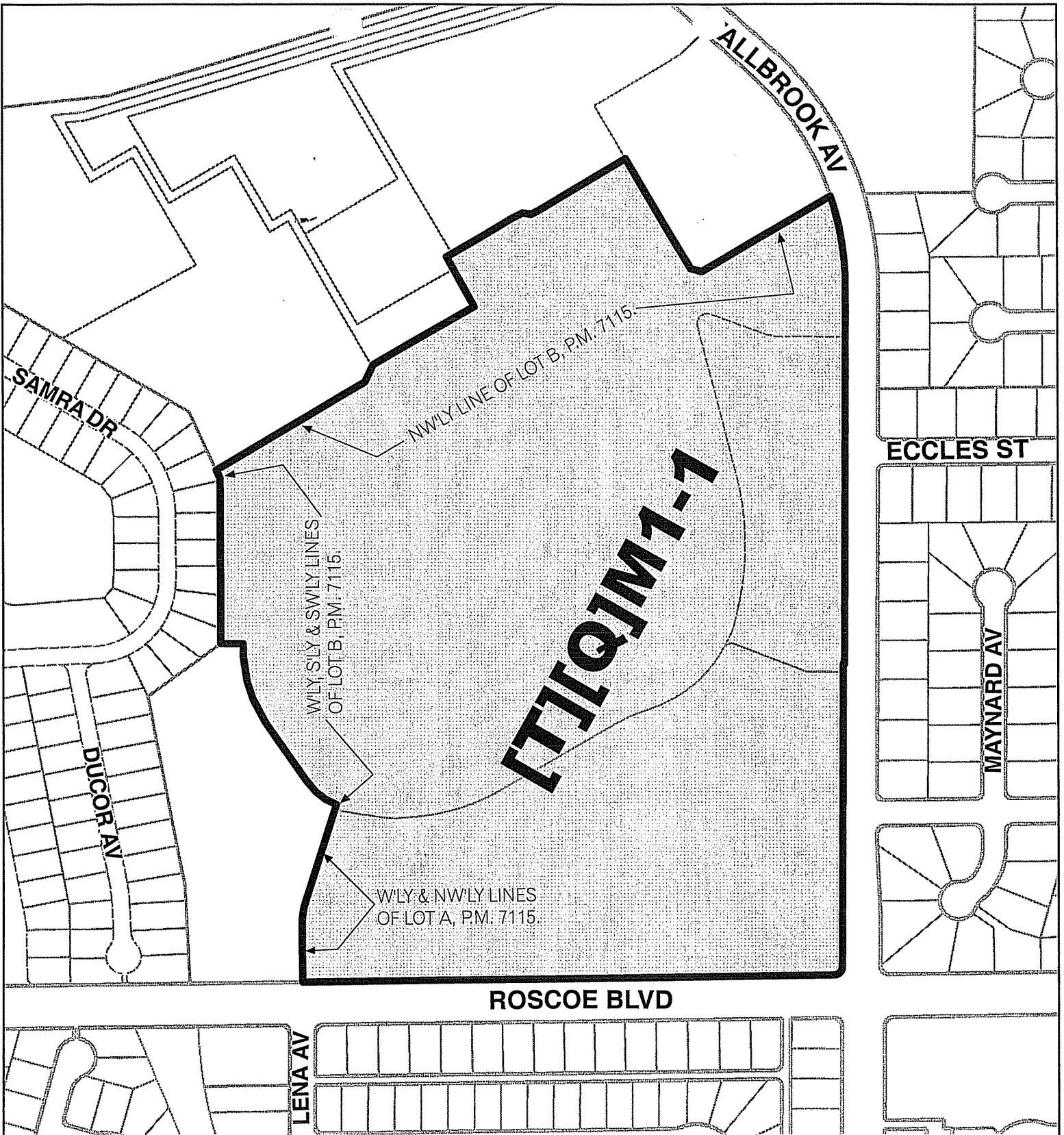
If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate. (**Environmental Mitigation**)

ORDINANCE NO. _____

An ordinance amending Section .12.04 of the Los Angeles Municipal Code by amending the zoning map.

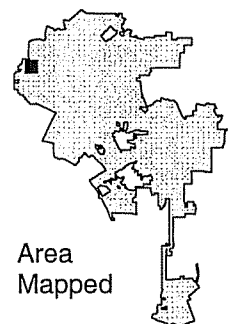
THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



NOT TO SCALE

D.M. 192 B 097	CPC 2007-0237 ZC GPA
AE/ L.H	031109



[Q] QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G of the Los Angeles Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

A. Development Conditions:

1. **Site Character.** The design and operation of all facilities on site shall contribute to a high quality, campus park-like, nuisance free environment for light manufacturing, assembly, research and development, advanced technology development and general office uses.
2. **Use Limitations.** All industrial and manufacturing uses shall be consistent with accepted principals of "light industrial" uses in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to, or will not adversely affect the amenity of the surrounding residential area by reason of the emission of light, noise, vibration, smell, fumes, smoke, vapor, steam, soot, ash, dust, waste water or other waste products.
3. **Use.** Allowable uses at the subject property (i.e., existing and proposed buildings per Exhibit B) shall be limited to the following:
 - a. The regulations of the M1 zone (LAMC Section 12.17.6) subject to the following use limitations:
 - (1) Advertising Studio;
 - (2) Broadcasting Studio;
 - (3) Child-care, nursery school, child-care center, adult day-care, or similar uses for on-site workers and their families or guests only;
 - (4) Community center;
 - (5) Computer component, parts, accessory manufacturing, and assembly
 - (6) Corporate Headquarters;
 - (7) Electric parts, assembly and manufacturing;
 - (8) Electric appliances assembly;
 - (9) Electric generator and motor manufacturing (small);
 - (10) Electric products assembly and manufacturing;
 - (11) Electric instruments and devices assembly and manufacturing;
 - (12) Engineering services office;
 - (13) Facilities for development and production and manufacture of computer equipment and media-related products and services, including hardware;
 - (14) Film developing; printing machines, or similar services as technology evolves;
 - (15) Film laboratory or similar services as technology evolves;
 - (16) Film and tape editing or similar editing services;
 - (17) Financial institution – administrative offices with only non-retail services;
 - (18) Insurance agency, office or company, including corporate headquarters
 - (19) Laboratory - experimental film, motion picture, research or testing;
 - (20) Laboratory – medical or dental;
 - (21) Laboratory – quality control, as an accessory to headquarters or branch offices of a manufacturer or as an independent facility;
 - (22) Laboratory – research and development;
 - (23) Mail order production (not used as a primary distribution center);
 - (24) Metal products x-ray inspection;
 - (25) Motion picture reconstruction;

- (26) Motion picture, radio, or television studio or station with no outdoor sets permitted;
 - (27) Office – business, medical, dental, institutional or professional with no walk-in patients;
 - (28) Optical good manufacturing;
 - (29) Parking areas (public) and parking buildings as accessory uses and loading space, as required or provided in connection with the permitted uses as provided in LAMC Section 12.21.A;
 - (30) Printing establishment – wholesale only;
 - (31) Publishing office with no wet printing permitted;
 - (32) Radio and television assembly and manufacturing;
 - (33) Recording studio;
 - (34) Research and development facility;
 - (35) School (other than "educational institution" as defined in Section 12.03 of the Los Angeles Municipal Code) -- offering professional, trade, vocational or occupational education and training, including associated administrative activities, subject to Site Character and Use Limitations of Development Conditions A.1 and A.2;
 - (36) Scientific instrument and equipment manufacturing;
 - (37) Software development;
 - (38) Stereo equipment assembly;
 - (39) Stereo equipment manufacturing;
 - (40) Storage: All materials stored on site shall be involved in operations or activities conducted on the premises. (Self-storage, self-service, storage of household goods, and public storage are not permitted);
 - (41) Warehouse, not used as a primary distribution center;
 - (42) Wholesale businesses with no direct public sales; and
 - (43) Wireless telecommunication facility subject to approval pursuant to the requirements of LAMC Section 12.24.G.
- b. No other uses otherwise permitted in the M1 zone shall be permitted except for those listed above in Development Condition No. A.1.a. The following uses, otherwise permitted in the M1 zone, shall be prohibited as volunteered by the applicant:
- (1) Hospital, sanitariums, medical and dental offices and similar uses and uses with walk-in patient care.
- c. Those C2 commercial uses permitted in the M1 zone shall be prohibited with the exception of the following provision:

The following uses shall be considered "accessory" commercial/retail uses and shall be allowed on the property as long as these uses serve as amenities exclusive to the site employees/workers, including visitors conducting business on the site with no signage visible from outside the property's boundaries. These uses shall be limited to the following list:

- (1) Automatic Teller Machine;
- (2) Bank, credit union or similar financial institution;
- (3) Drugstore;
- (4) Gymnasium;
- (5) Sundries shop;
- (6) Cafeteria or other employee dining, including outdoor eating; and

- (7) Laundry/dry cleaner with drop-off and pick-up. No plant on site shall be permitted.
2. **Site Plan.** The use of the subject property shall be developed in substantial conformance with the site and elevation plans labeled Exhibit "B" and dated December 22, 2008. This prohibition shall include all existing buildings. Any substantial changes to existing or proposed buildings shall require additional discretionary review pursuant to the requirements of LAMC Section 12.32. Prior to the issuance of any building permit, the applicant shall submit a revised Exhibit B that includes the conditions of approval including, but not limited to, floor area and height limitations on existing and proposed buildings.
3. **Floor Area.** The new development of the property shall be limited to the following floor area limitations: Building 8405 per Exhibit B shall be limited to a maximum floor area of 250,000 square-feet and Building 22951 shall be limited to a maximum floor area of 110,000 square-feet. This prohibition shall include the floor area of existing buildings. Any substantial changes in floor area to, or transfer of floor area from, an existing or proposed buildings shall require additional discretionary review pursuant to the requirements of LAMC Section 12.32. The total amount of floor area permitted on the subject property shall not exceed 806,000 square feet.
4. **Change of Use.** Building 22801 per Exhibit B shall be limited to remodeling and change of use. No increase in floor area or change in the building's footprint shall be permitted.
5. **Height:** The development of the property shall limited to the following maximum height limitations: Building 8405 per Exhibit B shall be limited to a maximum height of 85 feet and Building 22951 per Exhibit B shall be limited to a maximum height of 45 feet. The prohibition shall include a limitation on the height of existing buildings to each building's current height. Any substantial changes in height to existing or proposed buildings shall require additional discretionary review pursuant to the requirements of LAMC Section 12.32. Other than Building 8405 per Exhibit B, no other existing or proposed building on the subject site shall exceed a maximum height of 45 feet. The provisions for the allowances for additional height specified in LAMC Section 12.21.1 B.3 shall apply to both proposed and existing buildings.
6. **Parking Structure:** The development of the parking structure (i.e., Building 22955) shall be limited to the footprint and location in Exhibit B. The final plans shall incorporate in the height of the parking structure the LAMC requirements for Transitional Height in LAMC Section 12.21.1; however, no portion of the parking structure shall exceed a height of 45 feet.
7. **Parking.** Per Exhibit B, the applicant shall provide 619 new parking spaces on the subject site. (969 spaces in the new parking structure replacing 350 surface parking spaces in the same location.)
8. **Preferential Parking.** A minimum of ten percent (10%) of the new parking spaces on the subject site shall be set aside as Preferential Parking for High Occupancy Vehicle (HOV). For the purposes of this condition, HOV parking spaces are defined as a parking space reserved for vehicles with a driver and one or more passengers. These Preferential Parking Spaces are also known as carpool, commuter, or vanpool spaces.
9. **Security.** The applicant shall provide 24-hour security of the site, including the parking structure.

10. **Setbacks.** No building or structure on the subject property shall be located within 40 feet of the western, eastern and southern property lines.
11. **Signage.** The project's signage shall comply with the requirements of LAMC Section 14.4.
12. **Incidental Open Storage.** All activities other than incidental storage shall be conducted wholly within a completely enclosed building. Incidental storage shall be defined as the open storage of materials and equipment, including used material and equipment, when incidental to the uses permitted in "Q" Condition No. A.1.a of this approval provided that:
 - a. Such storage areas shall be confined to an area not to exceed three thousand (3,000) square feet each;
 - b. The storage area shall be completely enclosed by a solid wall or fence not less than six (6) feet in height with necessary solid gates of the same height; and
 - c. No material or equipment shall be stored to a height greater than that wall or fence enclosing the storage area.
13. **Transportation Management Organization.** Prior to the issuance of any building permit, the applicant shall join a Transportation Management Organization and maintain a status of member in good standing for a minimum period of three (3) years. (Volunteered by the applicant).
14. **Solid Waste.** Trash and recycling bins shall be provided at appropriate locations throughout the subject site, including the parking lot area, in order to promote cleanliness and the recycling of paper, metal, glass, and other recyclable material.
15. **Green Building Program – Ordinance No. 179,820.** The project shall comply with the requirements of Ordinance No. 179,820. In complying with this Ordinance, the applicant shall submit a signed declaration asserting that the project has been registered with the US Green Building Council and will be designed and constructed to the LEED standard for Gold or higher. The declaration (CP-4040) is a Planning Department General Form that can be accessed online at <http://cityplanning.lacity.org>.
16. **Graffiti.** Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91.8104.15. (Env'l)
17. **Emergency Assistance/Operations/Disaster Relief.** The subject site may be used for emergency operations and support. This use of the subject site shall be exempt from any conditions of this approval that may limit emergency assistance, operations or relief.
18. **Safety Hazards.** The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval. (Env'l)
19. **Community Relations.** A 24-hour "hot-line" phone number for the receipt of construction-related complaints from the community shall be provided to immediate

neighbors and the local neighborhood association, if any. The applicant shall be required to respond within 24 hours of any complaint received on this hotline.

B. Environmental Conditions:

On October 6, 2008, the proposed project was issued a Proposed Mitigated Negative Declaration (MND) under Case No. ENV-2006-10437-MND. The mitigations measures are included as conditions of this approval as follows:

1. Grading shall be kept to a minimum. **(Aesthetics)**
2. Natural features, such as prominent knolls or ridge lines, shall be preserved. **(Aesthetics)**
3. The project shall comply with the City's Hillside Development Guidelines. **(Aesthetics)**
4. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker. **(Aesthetics)**
5. An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 12, to the satisfaction of the Department of Building and Safety. **(Air Quality)**
6. Post-construction landscape treatment shall be implemented to insure preservation of habitat for wildlife. Where habitat has been preserved, use of native plant materials shall be required. **(Biological)**
7. **Nesting Native Birds** - The project will result in the removal of vegetation and disturbances to the ground and therefore may result in take of nesting native bird species. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86). If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat the applicant shall: Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work. If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, shall be postponed until the nest is vacated

and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. **(Biological Resources)**

8. Prior to the issuance of a grading permit or building permit, the applicant shall submit a tree report and landscape plan prepared by a Municipal Code-designated tree expert as designated by LAMC Ordinance No. 153,478, for approval by the decision maker and the Urban Forestry Division of the Bureau of Street Services. A minimum of two trees (a minimum of 48 inch box in size if available) shall be planted for each one that is removed. The canopy of the oak trees planted shall be in proportion to the canopies of the oak trees removed per Ordinance No. 153,478, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the decision maker. *Note:* All protected tree and street tree removals shall be approved by the Board of Public Works. Contact: Urban Forestry Division at 213-847-3077. **(Biological Resources)**
9. Prior to the issuance of a grading permit or building permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the decision maker and the Urban Forestry Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the decision maker. The genus or genera of the tree(s) shall provide a minimum crown of 30'- 50'. Please refer to City of Los Angeles Landscape Ordinance (Ord. No.170,978), Guidelines K - Vehicular Use Areas. *Note:* Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: 213-847-3077. **(Biological Resources)**
10. The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety. **(Geology and Soils)**
11. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent. **(Construction – Air Quality)**
12. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind. **(Construction – Air Quality)**
13. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust. **(Construction – Air Quality)**
14. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust. **(Construction – Air Quality)**

15. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust. **(Construction – Air Quality)**
16. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. **(Construction – Air Quality)**
17. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible. **(Construction – Noise)**
18. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday. **(Construction – Noise)**
19. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels. **(Construction – Noise)**
20. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. **(Construction – Noise)**
21. The project shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment. **(Construction – Noise)**
22. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity. **(Construction – Grading)**
23. Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. **(Construction – Grading)**
24. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting. **(Construction – Grading)**
25. Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life. **(General Construction)**
26. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site. **(General Construction)**
27. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains. **(General Construction)**

28. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible. **(General Construction)**
29. Dumpsters shall be covered and maintained. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting. **(General Construction)**
30. Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into streets. **(General Construction)** All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills. **(General Construction)**
31. The applicant shall implement a demolition and construction debris recycling plan, with the explicit intent of requiring recycling during all phases of site preparation and building construction. **(General Construction)**
32. In order to reduce the deposition of construction materials at solid waste landfills serving the City of Los Angeles, the grading contractor shall identify suitable private sites that accept all fill and earth materials for re-use. Sites in the City currently accepting construction and demolition debris include, but are not limited to California Waste Services, Inc. and Downtown Diversion, Inc. In the event a suitable private site has not been located by the contractor, the contractor shall consult with the Bureau of Engineering to identify an acceptable site, or demonstrate to the satisfaction of the Bureau of Engineering that an acceptable site could not be located. Documentation of which site(s) is used shall be provided to the Bureau of Engineering, prior to the issuance of haul route permits. **(General Construction)**
33. Primary collection bins shall be designed to facilitate mechanized collection of recyclable wastes for transport to on- or off-site recycling facilities. **(General Construction)**
34. All grading work shall be performed under the observation of a Geotechnical Engineer in order to achieve proper subgrade preparation, selection of satisfactory materials, and placement and compaction of all structural fill. **(Geology and Soils)**
35. The applicant shall comply with recommendations of the State of California Department of Toxic Substances Control, outlined in the letter dated August 5, 2008. **(Hazards and Hazardous Materials)**
36. The applicant shall comply with Ordinance No. 172,176 and Ordinance No. 173,494, Stormwater and Urban Runoff Pollution Control, which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board. **(Hydrology)**
37. Project building plans shall include the submittal of a plot plan for approval by the Los Angeles Fire Department either prior to the recordation of the final map or the approval of a building permit. The applicant shall consult with the Los Angeles Fire Department and incorporate fire prevention and suppression features appropriate to the design of the project. Definitive plans and specifications shall be submitted to the Los Angeles Fire Department and requirements for necessary permits satisfied prior to commencement of any portion of the project. Any required fire hydrants to be installed shall be fully operational and accepted by the Los Angeles Fire Department prior to any building

construction. Plot plans indicating access driveways and roads and turning areas shall be reviewed and approved by the Fire Department, prior to the issuance of a building permit. The proposed project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles (CPC 19708). All access roads, including fire lanes, shall be maintained in an unobstructed manner, removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the LAMC. **(Public Services – Fire)**

38. During the project's construction phase, the applicant shall ensure adequate through-access and emergency access to adjacent uses. **(Public Services – Fire)**
39. The applicant shall consult with the Los Angeles Police Department and comply with recommended security features for the construction site, including security fencing, locked entrances and lighting. Upon completion of the project, the applicant shall provide the Devonshire Division Commanding Officer with a diagram of each portion of the project site, including access routes and other information that might facilitate police response, as requested by the LAPD. The applicant shall provide project plans to the LAPD Crime Prevention Unit to determine any additional crime prevention and security features appropriate to the design of the project. Any additional design features identified by the LAPD Crime Prevention Unit shall be incorporated into the project's final design and to the satisfaction of LAPD. The project shall incorporate design guidelines relative to security, semi-public and private spaces, which may include, but not be limited to, access control to buildings, secured parking facilities, walls/fences with key systems, well illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas and provision of security guard patrol throughout the project site if needed. The applicant is referred to Design Out Crime Guidelines: Crime Prevention Through Environmental Design (CPTED) published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 North Los Angeles Street, Room 818, Los Angeles, (213) 485-3134. The CPTED operates on three key concepts: 1) Natural surveillance: The placement of physical features, activities, and people in a way that maximizes visibility; 2) Natural access control: Restricting or encouraging people to come into a space through the placement of entrances, exits, fencing, landscaping, and lighting; and 3) Territorial reinforcement: The use of physical attributes to define ownership and separate public and private space. **(Public Services – Police)**
40. The applicant shall comply with the provisions of City of Los Angeles Ordinance No. 171,687, specifying recycling space allocation requirements, with regard to all new structures constructed as part of the proposed project. **(Utilities)**

C. Administrative Conditions:

1. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
2. **Code Compliance.** Area, height and use regulations of the RE40-1-H zone classifications of the subject property shall be complied with, except where herein

conditions are more restrictive.

3. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
4. **Mitigation Monitoring.** The applicant shall identify mitigation monitors who shall provide periodic status reports on the implementation of the Environmental Conditions specified herein, as to area of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the Environmental Conditions.
5. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
6. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
7. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
8. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
9. **Utilization of the Grant.** The utilization of this approval shall be valid for a period of six (6) years from the effective date of this grant. Prior to the expiration of the time to utilize this grant, the applicant can file a written request to extend the term of this grant for a period of up to one additional year. Thereafter, this grant shall be deemed terminated. If a building permit is obtained during the initial term of the grant or during the extension period, but subsequently expires, this determination shall expire with the building permit.
10. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority

including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.

11. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard to the character of the surrounding district, and the right is reserved to the City Planning Commission, or if delegate to the Director of Planning, pursuant to LAMC Section 12.27.1 to impose additional corrective conditions, including the discontinuance of the use of the land if, in the Commission's or Director's opinion, such actions are proven necessary for the protection of persons in the surrounding neighborhood or occupants of the property directly adjacent to the subject site.
12. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.

FINDINGS

1. General Plan Land Use Designation and Consistency

The subject property is located within the area covered by the Chatsworth-Porter Ranch Community Plan, updated and adopted by the City Council on September 4, 1993. The Plan designates the subject property as Minimum Density Residential with corresponding zones of A1-1. The proposed plan amendment and zone change, as requested by the applicant, would designate the entire site as Limited Manufacturing.

Overall, implementation of the proposed project would not detract from the valued visual character of the community or area; nor introduce inappropriate contrast between proposed project elements and adjacent and nearby development; nor remove existing features that substantially contribute to the character of or image of the community; nor be materially inconsistent with the goals and policies of the Community Plan.

The Community Plan is also intended to promote an arrangement of land use, circulation, and services which will:

Encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the Community; guide the development, betterment, and change of the Community to meet existing and anticipated needs and conditions; contribute to a healthful and pleasant environment; balance growth and stability; reflect economic potentialities and limitations, land development and other trends; and protect investment to the extent reasonable and feasible.

The recommended project will meet the above goals, policies, and objectives of the Community Plan by providing an acknowledgement of the established use and character of the subject site operated and maintained as a industrial/commercial campus for more than 50 years.

The zone change and General Plan amendment would promote the general welfare by allowing the continued use, maintenance and improvement of the established research and development campus providing thousands of jobs over the years. Approval of the application would facilitate improving the self containment of the campus by allowing as a matter of right those kinds of upgrades that would mitigate any potential impacts on the surrounding properties.

Several conditions have been included to this approval to provide a better internal environment for both vehicular and pedestrian circulation, including internal shuttle service during construction and working with the Department of City Planning Urban Design Studio to improve vehicular and pedestrian circulation. These provisions are consistent with the General Plan/Community Plan policies, goals, programs, and objectives as follows:

OBJECTIVES 6. To make provisions for a circulation system coordinated with land uses and densities and adequate to accommodate traffic; and to encourage the expansion and improvement of public transportation service.

PROGRAMS – ENERGY. These programs establish a framework for guiding development of the Chatsworth-Porter Ranch Community in accordance with the objectives of the Plan. In general, they indicate those public and private actions which

should take place during the initial five years following adoption of the Plan. The described actions will require the use of a variety of implementation methods. The Plan encourages energy conservation through allocating and distributing the location and intensity of land uses so that higher densities, including new housing opportunities, should be supported in centers and transportation corridors. The Plan encourages efficient design and landscape techniques.

Finally, the zone change, plan amendment, Condition Use exceptions and Site Plan Review approval are all consistent with the Chatsworth-Porter Ranch Community Plan in that the proposed project will unify a site that has historically been used as an industrial facility (i.e., since 1958). The Community Plan and the City's Industrial Land Use Policy recognize that such proposal, if conditioned appropriately, will serve the interests of the City by providing a first-class industrial/commercial office project (ie Research and Development) which in turn will provide a wide range of jobs from construction-type jobs to professional research jobs. Industrially zoned lands in Los Angeles are occupied by active and productive businesses that provide employment and services to thousands of City residents, and are an essential component of the City's diversified economic base.

2. Charter Findings

Pursuant to Section 556 of the City Charter, the subject request, as conditioned, is in substantial conformance with the purposes, intent and provisions of the General Plan. Provided findings of fact are made herein for the subject case action, the decision maker may act appropriately. Consistent with the provisions of the Community Plan for the area, this approval, including its conditions of approval, is intended to assure mitigation of potential negative impacts generated by manufacturing uses when they are located in close proximity to residential neighborhoods and to encourage new industrial uses adjacent to residential neighborhoods to mitigate their impact on the residential neighborhoods to the extent feasible.

3. Zone Change, LAMC Section 12.32

The subject property was originally developed as a research and development campus for Hughes Aircraft for post World War II aviation research and development. It has been used generally for research and development purposes by various aviation, aerospace and other companies ever since. Since the subject site is zoned A1-1, every building improvement on the campus was approved through a discretionary review process.

This request is to change the zone from A1-1 to M1-1 and to change the general plan land use element from Minimum Residential to Limited Manufacturing. The request essentially moves the M1-1 Zone boundary south to cover the remaining southerly half of the industrial campus. The purpose of the proposed project is to bring the land uses, zoning and general plan in to consistency. All of the building improvements and industrial/commercial land uses on the subject site were approved through some kind of discretionary entitlement process. Even individual tenant improvements required some level of special zoning review. The General Plan amendment and zone change would acknowledge the established use and character of the subject site and maintain its industrial/commercial integrity on a campus designed, arranged and used as such for more than 50 years.

A review of the City's entitlements records indicates it is understood that the industrial nature of the subject site has long been established and should remain. The problem is, unlike other established industrial areas, every minor alteration or tenant improvement

project requiring a building permit cannot go ahead without enduring a lengthy and expensive entitlement process. This condition is contrary to the public necessity and convenience and chills projects that would otherwise be approved as a matter of right with a ministerial building permit review. Instead, reasonable maintenance and enhancements are put off for extended periods of time or even indefinitely because such onerous entitlement processes must be endured for even minor projects.

The zone change and General Plan amendment would promote the general welfare by allowing the continued use, maintenance and improvement of the established research and development campus providing thousands of jobs over the years. Approval of the application would facilitate improving the self containment of the campus by allowing as a matter of right those kinds of upgrades that would mitigate any potential impacts on the surrounding properties. Examples include, but are not limited to, providing additional on site parking and providing campus amenities including food service and sundry needs on site thereby reducing the need for employees to travel to and from the subject property during business hours.

The present zoning and planning condition is contrary to good zoning practice since, as a practical matter, such common sense improvements have not been done because the burden of enduring the procedural difficulties, expense and uncertainty of the various entitlements processes necessary to achieve them outweigh any immediate benefit. As an additional practical consideration, Minimum Residential density does not exist in any development anywhere near the subject site, nor can it be expected that any such developments will occur in the vicinity at any time in the future.

The applicant is being granted a zone change from A1-1 to [T][Q]M1-1. The use and area provisions of the M1 zone apply; however, this approval places further uses restrictions on the subject site by only allowing a fraction of those uses typically permitted in the M1 zone. Most of the "heavy" industrial uses are prohibited. The uses that are permitted under this approval are those "light" industrial and office commercial uses, most Research and Development types.

Additionally, commercial uses on the subject property are permitted only in a limited form. The M1 zone permits C2 uses. Most C2 uses however are prohibited and what is left is only a small fraction of uses and further these uses are limited to only serve the employees and workers of the property. In fact, the only commercial allowed cannot have exterior signage to the street and must have limited hours of operation.

The applicant has volunteered to the following conditions of approval as "public benefits" including:

- i. Membership in a Transportation Management Organization (TMO) for a minimum period of three (3) years.
- ii. Neighborhood Protection improvements consisting of installing a raised landscaped median in the Fallbrook Avenue right-of-way.

Several uses permitted in the M1 zone have been expressly prohibited because their use and operation is not consistent with the applicant request. These include hospitals, sanitariums and similar uses and schools, universities and similar uses. The applicant has agreed to (i.e., volunteered) to these prohibitions.

As stated in the Issues section, the height of the building, in this report, is limited to a maximum height of 85 feet for one proposed building and 45 feet for the other. Existing

buildings are limited to their current height. The proposed building limitation does allow for the height exceptions permitted under LAMC Section 12.21.1 B.3.

Finally, the proposed project has been conditioned with "Q" Conditions which include limitations on floor area, height, and use. Additionally, conditions have been included to insure the operation of the project has minimal impacts upon the surrounding areas. More importantly, the project has been conditioned to be developed consistent with the approved plans included in Exhibit B.

4. **Conditional Use, L.A.M.C. Section 12.22.A23**

LAMC Section 12.24 W 27 provides that the Zoning Administrator shall be the initial decision-maker for Conditional Use applications involving Commercial Corner Developments in the C, M1, M2 or M3 Zones where the uses do not comply with the requirements and conditions enumerated in LAMC Section 12.22 A 23. However, since the Project involves both quasi-judicial and legislative approvals, all the applications are considered by the City Planning Commission pursuant to LAMC Section 12.36 C. The subject site is located at the northwest corner of Fallbrook Avenue and Roscoe Boulevard, and the proposed zone change will result in M1-1 zoning for the entire 80 acre site. This request for Commercial Corner Development is based on the Project's compliance with all requirements and conditions of Section 12.22.A.23 except for the following: the proposed hours of operation, and, out of an abundance of caution, ground floor exterior walls consisting of at least 50 percent transparent windows.¹

The project has been conditioned to place hours of operation consistent with the operation of the subject property while protecting the interests of the surrounding neighborhoods. With regard to the exemption from the requirements of providing transparent windows, no conditions have been offered because of the fact that this requirement in the LAMC was truly designed to apply to commercial projects immediately adjacent to public roadways. Both proposed buildings will be located in the middle of this large campus site several hundred feet away from any public roadway. Additionally, a Plan Approval requirement has been provided as a condition specifying that after 5 years, the applicant must revisit the hours of operation of the site including those of the commercial uses. This Plan Approval requirement will give the City the opportunity to review the operating hours and refine them if necessary.

The Project satisfies the findings required by LAMC Section 12.24 E as follows:

A. **The Proposed Location Will Be Desirable to the Public Convenience or Welfare.**

This conditional use will allow the change of use of an existing approximately 106,000 square foot school building (formerly DeVry University) to an office building, adding a new office building consisting of approximately 250,000 square feet up to 85 feet high, and adding a new 45 foot high office building consisting of approximately 110,000 square feet. Also proposed to be included on site is a new parking structure to accommodate approximately 969 parking spaces, replacing 350 existing surface parking spaces.

The location is desirable to the public convenience because two streets provide convenient access to the site. The location will provide jobs for people living in the

¹ While the design of the building facade has not been finalized, this request by the applicant is intended to allow greater design flexibility.

vicinity and will provide amenities for the employees at the site. The proposed retail uses are planned to be service-oriented, intended to benefit on site employees and obviate the need for them to leave the site. Such uses shall serve as amenities exclusive to the site users, including visitors conducting business on site and may include dining, drugstore and/or sundries shop and other limited retail or service uses. The location is thus desirable to the public convenience and welfare.

B. The Proposed Location Is Proper in Relation to Adjacent Uses and the Development of the Community.

The entire campus site has been occupied by research and development/office buildings since the mid-1950s. Fallbrook Avenue and Roscoe Boulevard provide buffer area between the subject property and residential uses to the east and south. The substantial difference in grade between the subject site and the residential uses to the west, as well as a dense grove of trees located as a separation, provide buffer and screening for the protection of adjacent uses. Further, the Project will provide jobs greatly needed in the vicinity and is thus proper in relation to the development of the community.

C. The Proposed Location Will Not Be Materially Detrimental to the Character of Development in the Immediate Neighborhood.

As stated previously, the entire campus site has been occupied by research and development/office buildings since the mid-1950s, and has existed in harmony with the neighborhood. Fallbrook Avenue and Roscoe Boulevard provide buffer area between the subject site and residential uses to the east and south. The substantial difference in grade between the property and the residential uses to the west, as well as a dense grove of trees located as a separation, provide buffer and screening for the protection of adjacent uses.

D. The Proposed Development Will Be in Harmony with the Various Elements and Objectives of the General Plan.

The subject site is in the Chatsworth – Porter Ranch Community Plan Area of the City's General Plan. The proposed General Plan amendment will result in a land use designation of Limited Manufacturing. The proposed zone change will result in M1-1 zoning. The Community Plan includes as a stated objective: "To promote economic well-being and public convenience through...allocating and distributing commercial lands for retail, service, and other facilities in quantities and patterns based on...accepted planning principles and standards." (Community Plan, Objective 4.)

Approval of the application supports this objective by providing conveniently located job opportunities, and by improving the self containment of the campus. Examples include providing additional on site parking and providing campus amenities including food service and sundry needs on site, thereby reducing the need for employees to travel to and from the property during business hours.

E. The Commercial Corner Development Use Is Consistent with the Public Welfare and Safety.

The proposed project is consistent with and benefits the public welfare because it contributes to the office campus that has existed at the subject site for many years. The project will provide greatly needed job opportunities for the vicinity, and will provide amenities for the employees on site. Additionally, convenient and safe

access to the site is provided by Fallbrook Avenue, a 77-foot, 80-foot, and variable width Secondary Highway, and Roscoe Boulevard, a 100-foot wide Major Highway Class II.

4. **Site Plan Review Findings – LAMC Section 16.05**

The conditions of approval are designed to make the project site more efficient in terms of design, landscaping, access, circulation and walkability. The conditions of this approval reinforce that the subject property, and the northern 29 acre property, are a single campus and must flow in a unified and effective manner. The fact that the subject property is at an elevation higher than the surrounding areas makes its much more vital to establish a successful internal atmosphere. Additionally, there have been added to this approval several conditions related to the site's internal circulation. These conditions have been included in recognition that at the site is a large campus with many types and patterns of movements. The site has been developed incrementally over 50 years which has resulted in an internal situation which is not optimal in terms of internal circulation. The conditions imposed are to address the design of the Project area to be more efficient for both vehicular and pedestrian movements. Several conditions are included in the T conditions of this report under the DOT section to work with the Department of City Planning Urban Design Studio to improve internal circulation. Also proposed are landscaping features and focal points for the buildings and revisions to the parking structure to provide more of a natural design consistent with the topography of the site. All of this result in a product that is, when completed, more efficiently and effectively maintained and operated.

A. **The Project complies with all applicable provisions of the LAMC and any applicable Specific Plan.**

The project complies with all applicable provisions of the LAMC, including required yards, lot area, floor-area-ratio, and building height standards. Further, the Project provides off-street parking far in excess of Code requirements.

There is no applicable Specific Plan.

B. **The Project is consistent with the General Plan.**

As stated earlier, the subject site is in the Chatsworth--Porter Ranch Community Plan Area of the City's General Plan. The proposed General Plan amendment will result in a land use designation of Limited Manufacturing. The proposed zone change will result in M1-1 zoning. While the General Plan land use designation is currently Minimum Residential, the Property has been continuously in use since the 1950s as a light industrial research and development campus. The project will align the General Plan with the existing uses, and thus establish consistency.

The Community Plan includes as a stated objective: "To promote economic well-being and public convenience through:...allocating and distributing commercial lands for retail, service, and other facilities in quantities and patterns based on...accepted planning principles and standards." (Community Plan, Objective 4.)

The Project supports this objective by providing conveniently located shopping for employees and visitors and competitive wage job opportunities, and by improving the self containment of the campus. Examples include providing additional on-site parking and providing campus amenities including food service and sundry needs on site, thereby reducing the need for employees to travel to and from the Property during business hours.

C. The Project is consistent with any applicable adopted Redevelopment Plan.

The project is not located in an area with a Redevelopment Plan. Thus, this finding is not applicable to this project.

D. The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, which is or will be compatible with existing and future development on neighboring properties.

Fallbrook Avenue and Roscoe Boulevard, combined with landscaped berms, provide buffering between the subject property and uses to the east and south. The substantial difference in grade between the subject property and the residential uses to the west, as well as a dense grove of trees located as a separation, provide buffer and screening for the protection of adjacent uses.

Additionally, there have been added to this approval several conditions related to the site's internal circulation. These conditions have been included in recognition that at the site is a large campus with many types and patterns of movements. The site has been developed incrementally over 50 years which has resulted in an internal situation which is not optimal in terms of internal circulation. The conditions imposed are to address the design of the Project area to be more efficient for both vehicular and pedestrian movements. Several conditions are included in the T conditions of this report under the DOT section to work with the Department of City Planning Urban Design Studio to improve internal circulation. Also proposed are landscaping features and focal points for the buildings and revisions to the parking structure to provide more of a natural design consistent with the topography of the site. All of this results in a product that is, when completed, more efficiently and effectively maintained and operated.

E. The Project incorporates feasible mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would substantially lessen the significant environmental effects of the Project, and/or any additional findings as may be required by CEQA.

Mitigation measures related to traffic are specified in the updated letter dated July 10, 2008 from the Department of Transportation. Topography—the substantial difference in grade between the subject site and uses to the west—as well as a dense grove of trees located as a separation, provide buffer and screening and mitigate any aesthetic or noise impacts of the project. Further, the project will provide amenities for the employees at the subject property so as to reduce lunch hour traffic. The proposed retail uses are planned to be service-oriented, intended to benefit on site employees and obviate the need for them to leave the site. Such uses shall serve as amenities exclusive to the site users, including visitors conducting business on site and may include dining, drugstore and/or sundries shop and other limited retail or service uses.

F. That any project containing residential uses provides its residents with appropriate type and placement of recreational facilities and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties where appropriate.

Not Applicable.

5. **Additional Findings**

The conditions of approval have many conditions added based upon the review of the Department's Valley Urban Design team. This team proposed many conditions that will make the subject site more attractive in terms of design, landscaping, and especially pedestrian access and circulation. The goal of this team is the same goal as the applicant in making the site a first-class commercial development. The amenities proposed will achieve this goal including, for example, pedestrian/exercise pathway, revised landscaping to include focal points at buildings, revisions to the design of the parking structure, and pedestrian signage.

6. **CEQA Findings**

A Mitigated Negative Declaration (ENV-2006-10437-MND) was prepared for the proposed project. The Mitigated Negative Declaration No. ENV-2006-10437-MND is an adequate environmental clearance for the project as recommended by City staff. The environmental mitigations have been incorporated as "Q" Conditions in this report under the sub-hearing Environmental Conditions. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project could have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street. The subject environmental clearance has been corrected to eliminate redundant language.

Additionally, the Valley's Environmental Section reviewed the changes proposed by the applicant dated December 22, 2008 (i.e., the Revised Project Description described earlier) and stated that no additional environmental impacts are introduced to the proposed project as a result to the revised project and therefore the project's environmental clearance, as examined by the October 8, 2008, MND under ENV-2006-10437-MND, is still valid. (See **Exhibit J**)

RESOLUTION

WHEREAS, the subject property is located at 8401 North Fallbrook Avenue on Parcel A and B of Parcel Map 7115, is owned by Multi-Employer Property Trust (MEPT) and is part of an 80-acre campus which has been occupied by research and development/office buildings since the mid-1950's.

WHEREAS, the subject property is located within the area covered by the Chatsworth-Porter Ranch Community Plan, updated and adopted by the City Council on September 4, 1993.

WHEREAS, the subject property consists of approximately 51 acres of land area and is currently located in the A1-1 Zone and the Minimum Residential Density Plan land use category.

WHEREAS, the property is currently occupied by seven (7) low and mid-rise buildings totaling approximately 446,000 square feet and the proposed project will add two (2) buildings totaling 360,000 square feet and at the completion of the project, the subject property will contain approximately 806,000 square feet.

WHEREAS, under the applicant's request, the proposed plan amendment, as requested by the applicant, would designate the entire site under the Community Plan as Limited Manufacturing with a corresponding zone change to [T][Q]M1-1.

WHEREAS, the applicant's request is designed to unify the entire 80 acre campus into a single M1-1 zone is consistent with the development of the site since 1950's and, more to the point, consistent with the zone change to M1-1 allowed on the northern 29-acre portion of the subject site in 1997 under CPC-1997-94-ZC-GPA-SPR.

WHEREAS, the City Planning Commission at its meeting of February 26, 2009, approved the General Plan Amendment to re-designate the 51-acre site from Minimum Residential Density to Limited Manufacturing and recommended its adoption by City Council.

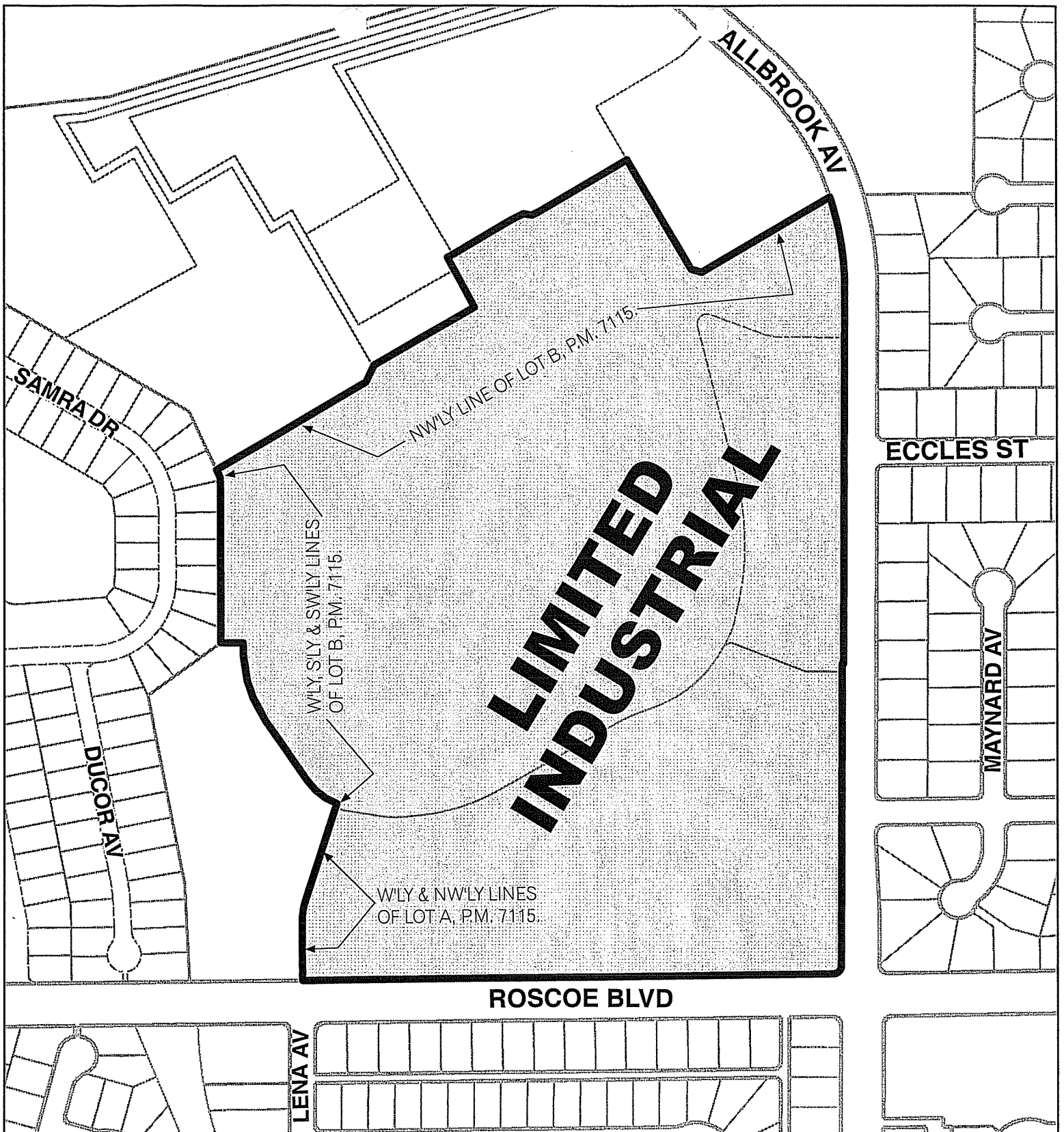
WHEREAS, pursuant to the provisions of the Los Angeles City Charter, the Mayor and the City Planning Commission have transmitted their recommendations.

WHEREAS, the requested General Plan Amendment is consistent with the intent and purposes of the adopted Chatsworth-Porter Ranch Community Plan by providing an acknowledgement of the established use and character of the subject site operated and maintained as a industrial/commercial campus for more than 50 years.

WHEREAS, the General Plan amendment, and corresponding zone change, would promote the general welfare by allowing the continued use, maintenance and improvement of the established research and development campus providing thousands of jobs over the years.

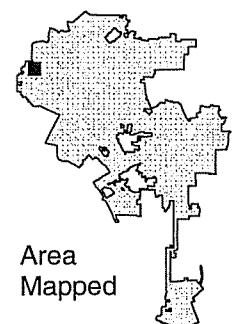
WHEREAS, the initial study prepared for the City Planning Department for the plan amendment indicates no significant impacts will result from implementation of the plan amendment. A proposed Mitigated Negative Declaration No. ENV-2006-10437-MND has been prepared in accordance with the City's Guidelines for implementation of the California Environmental Quality Act (CEQA).

NOW, THEREFORE, BE IT RESOLVED that the Chatsworth-Porter Ranch Community Plan be amended as shown on the attached General Plan Amendment Map.



NOT TO SCALE

D.M. 192 B 097	CPC 2007-0237 ZC GPA
AE/104	CHATSORTH
	031109





DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT



City Planning Commission

Date: February 26, 2009
Time: After 8:30 a.m. *
Place: Van Nuys City Hall
Council Chambers, Second Floor
14410 Sylvan Street,
Room 201, Council Chamber
Van Nuys CA 91401
Public Hearing: December 8, 2008 **
Appeal Status: Zone Change is appealable to City Council, if disapproved. Site Plan Review and Conditional Use are final, unless appealed to City Council. Plan Amendment is not appealable.
Expiration Date: June 5, 2009
Multiple Approval: Zone Change, General Plan Amendment, Conditional Use Permit, and Site Plan Review

Case No.: CPC-2007-237-ZC-GPA-CU-SP
CEQA No.: ENV-2006-10437-MND
Related Cases: CPC-9268; CPC-1996-340-CUP-CU; AA-1997-22-PMEX
CPC-1997-94-ZC-GPA-SPR
ZA-1997-208-ZV; ZA-1998-549-ZV; ZA-2002-1001-ZAI;
ZA-2002-2382-ZV; AND CPC
2005-4642-ZC-GPA-SPR; an
Parcel Map 7115
Incidental Cases: None
Council No.: Twelve (Smith)
Plan Area: Chatsworth-Porter Ranch
Specific Plan: None
Certified NC: West Hills
GPLU: Minimum Residential
Zoning: A1-1
Applicant: Multi-Employer Property
Trust (MEPT) West Hills LLC
Attn: Brad Cox, Trammel Cro
Kevin K. McDonnell, Esq.
Jeffer, Mangels, Butler,
Marmaro, LLP
Representative:
Hearing Officer: Thomas Glick, City Planner,
6262 Van Nuys Bl., Room 35
Van Nuys, CA 91401
818-374-5062

**** A Limited Public Hearing will be held by City Planning Commission on a revised project description, as described below.**

PROJECT

LOCATION: 8401 North Fallbrook Avenue, Chatsworth, California; (Legally Described as Lots A, B, and C of Parcel Map 7115)

PROPOSED

PROJECT: Proposed Project per December 8, 2008 Public Hearing Notice

A project consisting of a change of use and new construction of approximately 440,750 square-feet. The project will involve a change in use of an existing 106,000 square-foot school (formerly DeVry University) to an office building, a new office building consisting of approximately 210,000 square-feet with a maximum height of 100 feet, a new office building approximately 90,000 square-feet with a maximum height of 45 feet, approximately 35,000 square-foot of new retail use with a maximum height of 29 feet, 7 inches, and a new parking structure to accommodate approximately 969 parking spaces with a total 5,705 parking stalls over the entire site. Total building area upon completion will be approximately 1,252,348 square-feet on an approximately 80.80 acre site (includes 440,750 square-feet of proposed project, 340,194 square-feet of existing buildings with no change proposed, and 471,404 square-feet of existing buildings in the M1-1 area, not a part of this request).

Proposed Project Revised by Applicant Requiring a Limited Public Hearing

A project consisting of a change of use and new construction of approximately 440,750 ~~466,000~~ square-feet. The project will involve a change in use of an existing 106,000 square-foot school (formerly *DeVry University*) to an office building, a new office building consisting of approximately 240,000 ~~250,000~~ square-feet with a maximum height of ~~85~~ 100 feet, a new office building approximately 90,000 ~~110,000~~ square-feet with a maximum height of 45 feet, ~~approximately 35,000 square-foot of new retail use with a maximum height of 29 feet, 7 inches,~~ and a new parking structure to accommodate approximately 969 parking spaces with a total 5,705 parking stalls over the entire site. Total building area upon completion will be approximately ~~1,252,348~~ 1,277,598 square-feet on an approximately 51 acre site*** (includes 440,750 ~~466,000~~ square-feet of proposed project, 340,194 square-feet of existing buildings with no change proposed, and 471,404 square-feet of existing buildings in the M1-1 area, not a part of this request).

REQUESTED ACTION:

1. Pursuant to Los Angeles Municipal Code (LAMC) Section 11.5.6, a General Plan Amendment to the Chatsworth-Porter Ranch Community Plan from Minimum Density Residential to Limited Manufacturing land use.
2. Pursuant to LAMC Section 12.32, a Zone Change from A1-1 (Agricultural Zone) to [T][Q]M1-1(Limited Industrial Zone).
3. Pursuant to Section 12.24 W. 27, a Conditional Use to permit a Commercial Corner Development which does not comply with the following requirements as enumerated in LAMC Section 12.22.A.23(a)(3) and LAMC 12.22.A.23(b)(3):
 - a. **Exterior Windows** consisting of at least 50 percent transparent windows.
 - b. **Hours of Operation** limited to between 7:00 a.m. and 11:00 p.m.
4. Pursuant to LAMC Section 16.05, a Site Plan Review Approval for a project that will result in an increase of 50,000 square-feet or more of non-residential floor area.
5. Adopt the project's Mitigated Negative Declaration No. ENV-2006-10437-MND as an adequate environmental clearance.

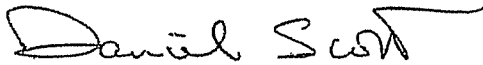
***** Please note: The northern portion of the existing campus, approximately 30 acres, is not part of this action and is not considered part of the "subject property."**

RECOMMENDED ACTIONS:

1. **Disapprove** the request, as filed.
2. **Approve and recommend** to the City Council, pursuant to LAMC Section 11.5.6, a General Plan Amendment to the Chatsworth-Porter Ranch Community Plan from Minimum Density Residential to Limited Manufacturing land use on the applicant's site at **8401 North Fallbrook Avenue**, subject to the attached conditions of approval.
3. **Approve and recommend** to the City Council, pursuant to Section 12.32 of the LAMC, a Zone Change from A1-1 (Agricultural Zone) to [T][Q]M1-1(Limited Industrial Zone) on the applicant's site at **8401 North Fallbrook Avenue**, subject to the attached conditions of approval.

4. **Approve**, pursuant to LAMC Section 12.24 W. 27, a Conditional Use to permit a Commercial Corner Development which does not comply with the requirements as enumerated in LAMC Section Nos. 12.22.A.23(a)(3) and 12.22.A.23(b)(3), on the applicant's site at **8401 North Fallbrook Avenue**, subject to the attached conditions of approval.
5. **Approve**, pursuant to LAMC Section 16.05, a Site Plan Review Approval for a project that will result in an increase of 50,000 square-feet or more of non-residential floor area, on the applicant's site at **8401 North Fallbrook Avenue**, subject to the attached conditions of approval.
6. **Adopt** Mitigated Negative Declaration No. ENV-2006-10437-MND as an adequate environmental clearance for the project as recommended by City staff.
7. **Adopt** the attached Findings.
8. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

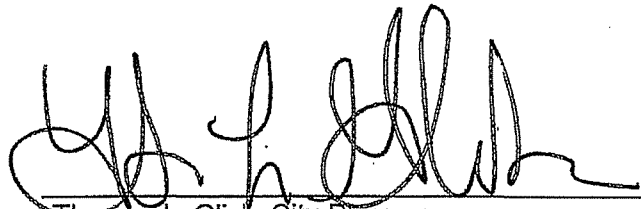
S. GAIL GOLDBERG, AICP
Director of Planning



Daniel Scott, Principal City Planner



Robert Duenas, Senior City Planner



Thomas L. Glick, City Planner
Telephone: (818) 374-5062

***ADVICE TO PUBLIC:** The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to this programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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PROJECT ANALYSIS

A. Project Summary and Request

The subject property is located at 8401 N. Fallbrook Avenue on Parcel B of Parcel Map 7115. The subject property is owned by Multi-Employer Property Trust (MEPT) and managed by Trammel Crow. The subject property is located within the Chatsworth – Porter Ranch Community Plan Area. The project area consists of approximately 51 acres of land area. The entire project area is currently located in the A1-1 Zone. The property is currently occupied by seven (7) low and mid-rise buildings totaling approximately 446,000 square feet. The proposed project will add two (2) buildings totaling 360,000 square feet. At the completion of the project, the subject property will contain approximately 806,000 square feet. Additionally, the proposed project site includes the development of a parking building with 969 stalls.

The subject property lies southerly of seven oddly shaped lots comprising approximately 29 acres that are a part of the same research and development/office campus. **This 29-acre portion of the campus is not included in this application and is not considered part of the subject property.** This northern portion of the site is composed of four (4) mid-rise buildings totaling 471,404 square feet. Additionally, an existing parking building is located on the northeast corner of the property.

The entire 80-acre campus site has been occupied by research and development/office buildings since the mid-1950's, the generalized land use element of the community plan for this portion of the subject site is currently designated Minimum Residential.

Finally, at the completion of entitlement of the proposed project on the subject property, the entire campus will be unified in terms of zoning, access, circulation, design, and parking.

Initial Applicant Request

As part of the applicant's initial filing which was the basis for the December 8, 2008, public hearing notice, the applicant requested the following project and entitlements:

The proposed project, as initially filed by the applicant, includes a change of use and new construction of approximately 440,750 square-feet. The project will involve a change in use of an existing 106,000 square-foot school (formerly *DeVry University*) to an office building, a new office building consisting of approximately 210,000 square-feet with a maximum height of 100 feet, a new office building approximately 90,000 square-feet with a maximum height of 45 feet, approximately 35,000 square-foot of new retail use with a maximum height of 29 feet, 7 inches, and a new parking structure to accommodate approximately 969 parking spaces with a total 5,705 parking stalls over the entire site. Total building area upon completion will be approximately 1,252,348 square-feet on an approximately 80.80 acre site (includes 440,750 square-feet of proposed project, 340,194 square-feet of existing buildings with no change proposed, and 471,404 square-feet of existing buildings in the M1-1 area, not a part of this request).

The discretionary requests by the applicant include:

- Pursuant to Los Angeles Municipal Code (LAMC) Section 11.5.6, a General Plan Amendment to the Chatsworth-Porter Ranch Community Plan from Minimum Density Residential to Limited Manufacturing land use.

- Pursuant to LAMC Section 12.32, a Zone Change from A1-1 (Agricultural Zone) to [T][Q]M1-1 (Limited Industrial Zone).¹
- Pursuant to Section 12.24 W. 27, a Conditional Use to permit a Commercial Corner Development which does not comply with the following requirements as enumerated in LAMC Section 12.22.A.23(a)(3) and LAMC 12.22.A.23(b)(3): 1) **Exterior Windows** consisting of at least 50 percent transparent windows and 2) **Hours of Operation** limited to between 7:00 a.m. and 11:00 p.m.
- Pursuant to LAMC Section 16.05, a Site Plan Review Approval for a project that will result in an increase of 50,000 square-feet or more of non-residential floor area.

Revised Applicant Request

As detailed above, the applicant made an initial application filing. The applicant's request and project perimeters were established in the public hearing notice for the public hearing held on December 8, 2008, in the Marvin Braude Constituent Service Center in Van Nuys. After that public hearing, the applicant submitted detailed changes to the project perimeters including:

- 1) Removal of the 35,000 square feet of retail along the Roscoe/Fallbrook frontage, and
- 2) Transference of that 35,000 square feet of retail into equivalent square feet up to 60,000 spread-out into two (2) of the proposed mid-rise buildings from 210,000 square feet to 250,000 square feet and 90,000 square feet to 110,000 square feet.
- 3) Lowering of the requested height in the office tower from 100 feet to 85 feet and in lowering the height, the building's footprint will be increased in order to accommodate the floor area requested.

These changes have been determined to be significant and therefore City Planning Commission at the February 26, 2009, meeting will hold a **Limited Public Hearing** to allow those from the public who may be concerned about these changes in the project to offer testimony to Commission.

Additionally, the applicant submitted a letter to the administrative file dated December 22, 2008 (see **Exhibit E**) which includes the revised project described above, a Project Alternative Trip Generation prepared by Crain and Associates dated December 22, 2008, and revised Development and Operating Conditions.

Finally, under the revised project, the applicant's entitlement requests remain the same.

B. Project Background for the Entire Campus/Site (Including the 30 Acre Northern Portion)²

1. **Site Analysis**

The property is a flat, gently downward sloping (westerly), irregular-shaped lot, with a driveway stem street frontage of approximately 22 feet at the northern terminus of

¹ The hearing notice incorrectly stated that the subject site's existing zoning is both A1-1 and [T][Q]M1-1. In fact, the existing zoning for the 51 acre site is only A1-1. The request has been revised to reflect this.

² For the purposes of the Site Analysis only, the entire 80-acre campus will be analyzed as a single entity.

Fallbrook Avenue. The lot has a varied width and depth.

On October 23, 1958, the City Council, on appeal, approved a Conditional Use Permit under City Planning Case No. 9268 permitting the establishment of a Scientific Research and Development Center on the 90-acre subject site which was entirely zoned A1-1. Over the past 50 years, the site has continued to evolve with entitlements (zone variances, Conditional Use Permits, zone changes and plan amendment) to allow for more commercial/industrial development, helicopter landing pad use, billboards, wireless telecommunication towers, etc. .

On July 30, 1997, the City Council adopted a zone change from A1-1 to [Q]M1-1 and a corresponding plan amendment Minimum to Light Manufacturing on the northern portion of the subject site.

In its current form, the Research and Development Park currently consisting of 11 lots totaling over 900,000 square feet of floor area. The properties within the industrial office park are zoned [Q]M1-1 and A1-1 and developed with two- and three-story office buildings and a 911 Dispatch Center was constructed in 1997 on its own 5 acre site donated to the City by the previous owners of the subject site.

2. Surrounding Zoning and Land Use

The property north of the subject site is zoned [Q]OS-1XL and consists of over 1,000 acres of the Chatsworth Reservoir Nature Preserve.

Across Fallbrook Avenue, the property to the northeast of the subject property is partly zoned A1-1, consisting of approximately 14 acres, and used as a recreation and meeting center for Boeing/Pratt and Whitney. The remainder of the properties directly to the east are zoned RE11-1 and developed with single-family homes.

Properties to the southwest and west of the subject site are zoned RS-1 and developed with single-family homes in a private subdivision known as Hidden Lake.

Properties to the south of the subject property, across Roscoe Boulevard, are zoned as RS-1 and developed with single-family homes.

All surrounding properties are located in the Chatsworth-Porter Ranch Community Plan with the exception of those properties to the south, across Roscoe Boulevard, which are located in the Canoga Park-West Hills-Winnetka-Woodland Hills Community Plan.

Properties immediately adjacent are detailed in the following table:

Direction	Land Uses/Improvements	Zones	General Plan Designation
North	Chatsworth Reservoir Nature Preserve	[Q]OS-1XL	Open Space
South	Single-family homes	RS-1	Low I Density Residential
East	Single-family homes; Private Park	RE-1; A1-1	Very Low II Density Residential
West	Single-family homes	RS-1	Low I Density Residential

5. Street Classifications

The following streets and freeway adjoin the subject property have the following General Plan Street Designation:

Roscoe Boulevard, fronting the subject property to the east, is designated as a Major Highway - Class II. It is currently improved to a variable width of 100 to 124 feet. It is partially improved with curbs, sidewalks, and gutters.

Fallbrook Avenue, fronting the subject property to the east, is designated as a Secondary Highway. It is currently improved to a width of 90 feet. It is fully improved with curbs, sidewalks, and gutters.

6. Related Cases

Case No. CPC-9268: On October 15, 1958, the City Council, on appeal, adopted the City Planning Commission report of September 18, 1958, permitting the establishment of a Scientific Research and Development Center on the approximately 90-acre site. Over the next 30 years, the City through Plan Approvals allowed for the expansion of the site including:

- **January 15, 1965:** Approval of plans for the construction and maintenance of a Thermotron Enclosure and take-off/landing simulator.
- **January 7, 1971:** Approval of plans for the construction of three (3) rooftop structures on Building 265.
- **June 20, 1971:** Approval of plans to permit temporary trailers.
- **December 7, 1978:** Approval of plans to permit a two-story lab building.
- **July 31, 1980:** Approval of plans to permit a roof addition to Building 265.
- **March 25, 1982:** Approval of plans for the construction of a one-story recreational building and jogging track.
- **August 10, 1983:** Approval of plans for three (3) permanent one-story office buildings.
- **July 26, 1984:** Approval of a plot plan for the construction and maintenance of a two-story, 85,500 square-foot office building and a three-story, 33,000 square-foot research and development building.
- **January 24, 1985:** Approval of plans for the construction of two (2) water cooling towers, an automobile repair garage, and a gasoline pumping station.
- **January 27, 1987:** Conditional Use Permit to allow the use of a temporary trailer for a period to exceed three (3) years.
- **June 11, 1987:** Conditional Use approval for the expansion to an existing one-story building for bathroom facilities.

Case No. ZA 94-0595(ZV): On September 15, 1994, the Zoning Administrator approved a zone variance at 8433 Fallbrook Avenue to permit a change of use and reutilization of existing facilities and structures from a scientific research and development center granted under City Plan Case No. 9268 to an administrative office/computer operations center, and to allow the maintenance of a 2-foot side yard setback adjacent to the northwesterly boundary of the project site on a 46- acre portion of a 90-acre site in the A1-1 zone.

Case No. CPC-1996-340-CU: On February 14, 1997, the Zoning Administrator approved a Conditional Use Permit to permit a 50,000 square-foot Los Angeles Police Department dispatch center.

Case No. ZA 96-0894(CUZ): On January 8, 1997 the Zoning Administrator approved a conditional use at 22801 Roscoe Boulevard to permit the establishment and maintenance of a private technical business school in the A1-1 Zone.

Case No. AA-1997-22-PMEX: A Parcel Map Exemption was granted to allow the creation of Lot D of Parcel Map 7115 for governmental purposes. The property was parceled off and sold to the City of Los Angeles in 1997 for a Police Dispatch Center.

Case No. CPC 1997-94-GPA-ZC-SPR: On September 15, 1997, Ordinance No. 171,685 became effective changing the zone from A1 -1 to [Q]MI-1 with 15 "Q" Conditions of which the following Q-condition is applicable to the subject request: Condition No. 4 Height: "No building or structure located on the subject property shall exceed 3 stories in height, as defined by Municipal Code Section 12.21.1.B-3.a. and b. Any structures on the roof, such as air conditioning units and other equipment shall be fully screened from view of any nearby single family residential properties."

Case No. ZA-1997-208-ZV: On June 13, 1997, as part of an Early Start permit, the Zoning Administrator approved a zone variance on the northern 30-acre portion of the site to allow a change of use from the Research and Development Center, originally permitted in 1958 under CPC-9268, to limited manufacturing including Research and Development.

Case No. ZA 98-0549(ZV): On September 16, 1998, the Zoning Administrator granted a variance from a "Q" Condition of Ordinance No. 171,685 to permit the construction, use, and maintenance of a four-story office building in lieu of a three-story office building as otherwise restricted by the "Q" Condition for the east adjoining property at 8501 Fallbrook Avenue.

Case No. ZA-2002-1001-ZAI: On April 24, 2002, the Zoning Administrator issued a Zoning Administrator's Interpretation allowing the applicant, MEPT, to construct a 52,000 square-foot office building to replace 52,000 square feet of buildings previously demolished on the subject property in reliance on previous approvals by the City of Los Angeles Office of Zoning Administration.

Case No. ZA-2002-2382-ZV: On September 6, 2002, the Zoning Administrator approved the addition of a 15,000 square-foot medical lab and a 15,000 square-foot accessory supply storage building.

Case No. CPC-2005-4642-ZC-GPA-SPR: This case was a precursor case to the instant case and was terminated on September 26, 2006.

Parcel Map No. 7115. On October 26, 1994, the City's Advisory Agency approved a Parcel Map which divided the southern portion of the site (i.e., that portion of the campus zoned A1-1) into three separate parcels. Parcel A is the portion of the site fronting both Fallbrook Avenue and Roscoe Boulevard, approximately 15.7 acres and currently occupied by one building totaling approximately 106,000 square feet and surface parking. Parcel B is the portion of the site has no street frontage, is approximately 30 acres and currently occupied by a four buildings totaling approximately 300,000 square feet. Parcel C is the portion of the site fronting only Fallbrook Avenue, approximately 4.7 acres and currently occupied by a parking structure. Parcel D was created by a Parcel Map Exemption granted under AA-1997-22-PMEX as an approximately 5 acre site occupied by the 50,000 square-foot Los Angeles City Police Dispatch Center building.

7. Departmental Reports Received

Two (2) departmental reports have been received to the hearing officer at the time of the preparation of this recommendation report: Bureau of Engineering letter dated April 11, 2007; and Department of Transportation letter dated July 10, 2008. Additionally, a letter was received from Council District 12 and Council District 3 dated December 8, 2008 (see **Exhibit F**).

a. Bureau of Engineering Letter Dated April 11, 2007

The City's Engineering Bureau, in an Inter-Departmental letter dated April 11, 2007 (in file), has required the following for the project:

- No Dedication required for Fallbrook Avenue.
- Dedication on Roscoe Boulevard of a 2-foot wide strip of land along the property frontage to complete a 52-foot half right-of-way in accordance with Major Highway – Class II Standards, including a 20-foot radius property line return at the intersection with Fallbrook Avenue.
- No Improvements required for Fallbrook Avenue.
- Improvements required for Roscoe Boulevard to construct additional concrete sidewalk in the dedicated area to complete a 12-foot full width concrete sidewalk.
- Installation of tree wells with root barriers and plant street trees satisfactory to the City Engineer and Urban Forestry Division of the Bureau of Street Services.
- Street lighting may be required.
- No major drainage problems are involved.
- Sewer line exists on Fallbrook Avenue. All Sewerage Facilities charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
- Submit a parking area and driveway plan to the Valley District Office and the Department of Transportation for review and approval.

b. Department of Transportation letter dated July 10, 2008.

The City's Department of Transportation (DOT) issued a revised Traffic Assessment for the proposed project dated July 10, 2008 (in file). DOT recommended the following Project Requirements be included "in detail" in the "T" Conditions of this project approval in order to mitigate the traffic impacts to less than significant levels. These conditions are summarized as follows:

- **Signal system upgrades.** Funding of Automated Traffic Surveillance and Control (ATSAC) with Adaptive Traffic Control Systems (ATCS) at Intersections 4, 5, 8 and 9 of the Canoga Park and Platt Ranch ATSAC/ATCS Systems.
- **Signal system upgrade.** Funding of Adaptive Traffic Control Systems (ATCS). Intersection 6, Fallbrook Avenue at Victory Boulevard of the Platt Ranch ATCS System.
- **Mitigation Measures for Fallbrook Avenue and Roscoe Boulevard.** Funding of re-stripping Fallbrook Avenue to provide for greater capacity. Also, signal modification is also required to provide left-turn signal phases in the northbound and southbound directions. And, developer volunteered median on Fallbrook Avenue north of Roscoe Boulevard to restrict vehicles from making southbound left-turn onto either Schoenborn Street or Eccles Street.
- **Mitigation Measures for Fallbrook Avenue and Saticoy Street.** Funding of re-stripping Saticoy Street to provide an exclusive right-turn lane in the eastbound direction.
- **Mitigation Measures for Lena Avenue and Roscoe Boulevard.** Funding of re-stripping the project driveway to provide one left-turn lane and one left/through/right shared lane in the southbound direction. Signal modification is also required.
- **Transportation Demand Management (TDM).** The applicant is required to implement a TDM program for the project to reduce and manage employee commute-related trips in private vehicles.
- **Neighborhood Traffic Impact Mitigation.** The applicant volunteers to install a raised landscaped median along Fallbrook Avenue north of Roscoe Boulevard to restrict vehicles from making southbound left-turns onto either Schoenborn Street or Eccles Street.
- **Highway Dedications and Improvements.** No dedication and improvement of Fallbrook Avenue is required; however, dedication and improvement of Roscoe Boulevard is required.
- **Site Access and Internal Circulation.** This determination does not include final approval of the project's driveways, internal circulation, and parking scheme. Final DOT approval shall be obtained prior to issuance of any building permits.

c. Councilmen Greig Smith and Dennis P. Zine Letter dated October 25, 2007.

Councilman Greig Smith and Councilman Dennis Zine submitted a joint letter dated December 8, 2008 (attached as **Exhibit F**), stating support for the proposed project subject to the following comments:

- The request for the additional new construction is reasonable, given the amount of land available. However, one of the two new buildings is proposed to be 100 feet high. Although the line of site studies I saw indicate that this will not severely impact the adjacent residential, it does impact it to an extent. I would therefore request that the building be lowered to both insure that the neighborhood is not impacted, and that the new building is compatible with the other components on the site. I have therefore asked the developer to lower the building to 85 feet and provide line of site studies to validate the effectiveness of the change.
- There was a lot of discussion involving the pros and cons of the retail/commercial component. I have never envisioned that kind of use of property, and agree with those who believe this to be detrimental. I object to its inclusion, and would like it eliminated. However, I would not object to the square footage being absorbed into the office buildings proposed.
- I am always concerned about traffic, and look for ways to mitigate impacts that may be created when new development occurs. The mitigations included in this project will be very helpful in protecting the surrounding community. I am especially pleased that median I suggested as a means to discourage cut-through traffic will be constructed on Fallbrook Avenue.
- Reducing the parking structure from five levels to two levels above ground and adding the dense landscaping and sound attenuations was another change done in response to community concerns. This change re-enforces the developer's commitment to minimize impacts on the community, while providing a viable project.
- When I learned the community was concerned about the requested zone change, I suggested the possibility introducing an MR zone on this portion, even though the property to the north is already M1 with restrictions on allowed uses. After looking into the matter further, I have come to the conclusion that the best way to protect the community from kinds of uses they do not want is to change the zone to M1, and again put conditions on it that will prohibit the objectionable uses.
- Protecting the environment is another area of concern I have. It is now widely recognized and acknowledged that sustainably designed buildings are key to reducing global warming and its negative effects on the environment. I am pleased that the new construction on this project is designed to meet the USGBC Gold Leed specifications.
- I am aware that some are concerned about the safety of continuing construction on this property. I believe the necessary actions to insure safety have been taken under the auspices of the DTSC and Regional Water Quality Board, and I fully support the ongoing involvement of these two agencies to continue to insure the safety of this site and the surrounding area.

- Included in the material submitted is a list of development and operating conditions for Corporate Pointe. This document will need to be revised to reflect the changes caused by eliminating the retail/commercial component. Also, some of the uses listed are vague and need to be better defined.

The Councilmen concluded by stating that no one can dispute the dire economic conditions we are all currently facing and yet we have a developer willing to go forward with this project during a time of uncertainty. The proposed project will provide much needed jobs to the City of Los Angeles.

D. Issues and Analysis

This request by the applicant is extremely controversial. The surrounding communities have weigh in both at the public hearing on December 8, 2008, and in subsequent e-mail/letters against the project as submitted. Their concerns will be detailed below. The recommendations contained in this report are based upon the fundamental issue that the applicant has no by-right ability to develop this portion of the property beyond what is allowed in the A1-1 zone, one of the most restrictive zones in the LAMC. The applicant is requesting what amounts to a 180 degree change in zoning to M1-1 zoning, one of the least restrictive zones in the LAMC. The A1-1 zone is by-right. The M1-1 zone is an entitlement only allowed by discretion.

The applicant has stated that their current request to unify the entire 80 acre campus into a single M1-1 zone is consistent with the development of the site since 1950's and, more to the point, consistent with the zone change to M1-1 allowed on the northern portion of the subject site in 1997 under CPC-1997-94-ZC-GPA-SPR. In fact, the applicant has submitted in their request a list of (Q) conditions that include land uses permitted in the M1-1 zone that are not what was anticipated by the community and nonetheless are consistent with the uses permitted on the northern portion of the lot.

In referring to the applicant's request and even its website, the **Project Vision** that has been represented to the community as follows:

"Trammell Crow Company, on behalf of property owner MEPT, is proposing to enhance the Corporate Pointe at the West Hills campus and surrounding community by upgrading and building environmentally-friendly and sustainable office space and retail options designed to a Gold LEED standard. The proposal includes 300,000 square feet of new office space, and the renovation of the existing 106,000 square foot DeVry Building. This 441,000 square feet of office space will attract high-wage jobs for employees seeking live/work employment in close proximity to attractive residential housing. The 35,000 square feet of retail will offer campus-related and walk able amenities such as a bank or a coffee shop for employees and neighbors. The project also includes re-landscaping and beautifying the perimeter of the campus facing neighbors, undergrounding the utility poles surrounding the campus, and providing the community with a public par course for neighbors to exercise around the perimeter of the campus."

There is every indication by this and other information provided to the community and in the applicant's submittal under this entitlement request that the project was to be environmentally-friendly and sustainable industrial office space with high paying jobs. However, the applicant wants the flexibility to allow for changing future technologies. In fact, the applicant has submitted a revised list of conditions, dated December 22, 2008, which include the use and area provisions of the M1-1 zone with many proposed uses that are supportive of this. The applicant is respective of not proposing uses that will be environmentally unfriendly and may lead to a

continued degradation of the site and the surrounding communities in terms of toxic contamination of the air and the soils.

However, this in no way minimizes the several communications and issues were at the public hearing and/or in written correspondences. In fact, over 40 persons testified at the public hearing in opposition to the request and over 150 written correspondences (i.e., mostly emails) were received opposing the request as filed either in part or in whole. In general, the issues raised center on four (4) primary issues related to the applicant's project: 1) the height of the commercial/industrial office tower; 2) the location and height of the parking structure; 3) the proposed request to an industrial zoning permitting a board range of industrial uses; and 4) the toxic waste clean-up of the site. **Note that the 35,000 square feet of retail proposed was a major concern as well; however, the applicant has removed this from the proposed project request, as stated earlier.**

These four (4) issues can be summarized into the following major points and a corresponding response:

- **The height of the proposed Office Tower is out of scale with the surrounding buildings.**

Comment: The applicant proposal at the public hearing was to allow a 100-foot high building. The height of the building is much higher than any other building on the entire complex. The next highest building is 60 feet. An increase to 100 feet would be 40 feet higher. The height of the proposed building in relation to the topography of the site is a major impact.

Response: Since the public hearing on December 8, 2008, the applicant has reduced the proposed height from 100 feet to 85 feet as part of the revision to the project which will be subject to the Limited Public Hearing at CPC on February 26, 2009. The reduction of 15 feet, or effectively 2 stories, will lessen the impact; however, even at 100 feet, the building is situated in the middle of the site and will not have any kind of significant shadow/shade impact on the surrounding neighborhood. This building's footprint will be larger than originally proposed in order to accommodate the increase in square footage requested resulting from the removal of the 35,000 square feet of retail from the proposed project. Regardless, the reduction of height by 15 feet will have a less than significant impact on aesthetics regardless of the topographic conditions as was determined in the project environmental clearance for a 100-foot high building. As Councilmen Smith and Zine stated in their 12/8/08 letter: "Although the line of site studies I saw indicate that this will not severely impact the adjacent residential, it does impact it to an extent. I would therefore request that the building be lowered to both insure that the neighborhood is not impacted, and that the new building is compatible with the other components on the site. I have therefore asked the developer to lower the building to 85 feet and provide line of site studies to validate the effectiveness of the change."

- **The height and location of the parking structure at the eastern corner of the lot immediately adjacent to single-family homes.**

Comment: The applicant is proposing a new parking structure to accommodate approximately 969 parking spaces. The parking structure is proposed at the worst location on the 80 acre site immediately adjacent to single-family homes in a neighborhood known as Hidden Lake Estates. The applicant has plenty of space of the

site to relocate the parking structure to a location less intrusive and impacting upon the neighboring sensitive uses.

Response: Many persons have expressed concerns about the location of this large parking structure. They have stated that it would be better that this parking structure be located at another part of the site not adjacent to single-family homes because of the noise and light impacts of this use, as well as the aesthetic impacts. The parking structure has been reduced in height by the applicant from 5 stories to 2 stories. Additionally, since the building is adjacent to single family zones, the structure's height will be governed by Section 12.21.1 (Transitional Height).

Additionally, the parking structure, in its current form per Exhibit B, is designed to conform to the natural site contours. There is no doubt that those homes to the west immediately adjacent to the subject parking structure will experience a greater impact in terms of the parking structure's location and operation. However, the applicant has done a significant effort in terms of lowering its height to lessen the impacts on these several homes to a less than significant level. The project will also be required to provide landscape screening of the parking building.

- **Toxic Clean-up and Safety.**

Comment: A large number of comments both at the public hearing and in correspondences stated an overwhelming concern for the toxicity of the site. In specific, the comments centered upon past activities related to the toxicity of the soil of the site and the impact of the surrounding uses all of which are sensitive including single-family homes to the east, west and south and the Chatsworth Nature Preserve to the north. In fact, a preponderance of the comments stated echo what Christina Rowe submitted in a letter dated December 22, 2008:

"The community is already concerned about the contamination from the last 50 years of this site's use. When it was first used, it was remote, and the Hidden Lake community did not exist on its western border. Now it does. The developer assures the community that they want to bring in high end corporate clients like the existing Countrywide. The developer states that Boeing is only doing design engineering on the site – no R and D. So despite the historic use of this facility that started 50 years ago, the current use is corporate – not industrial. A variance has obviously been given for Quest Diagnostics under the A1 zone – they can be grandfathered and given a variance under a new zone. Since this property will never be agricultural again, nor should it be residential, the appropriate zone, in my opinion would be a CR designation.... My concern for a zoning change to M is that it will allow for Green R and D that is toxic in nature, or Top Secret Government projects that again would utilize toxic chemicals or radio-nuclides on site."

Or, what Jack and Shirley Lazor stated in a letter dated December 7, 2008:

"The change to encompass the entire property to M1 (manufacturing) zoning will lower the standard to which contamination is to be cleaned up. Needless to say, since we have lived at this residence for over 40 years (8051 Woodlake Avenue) we have heard of numerous cases of neighbors dying of cancer which many believe was attributable from chemicals washed into the ground from the Rocketdyne testing facility. Relaxing the cleanup standards will continue to

prolong and stealth this problem that has been around the community for the past 40 plus years."

Or, what Nicole Flessati stated in a letter dated December 8, 2008:

"THIS PROJECT CAN NOT BE APPROVED WITHOUT FIRST DEMANDING A FULL ENVIRONMENTAL IMPACT REPORT. The site in discussion is less than 5 miles away from one of the worst nuclear meltdowns in US history. In March 1959, the Santa Susanna Field Lab (SSFL) experienced a meltdown that released 458 times the radiation into the environment than that of the Three Mile Island reactor meltdown, which resulted in the shut down of an entire town. Because the SSFL was an experimental site, there was no requirement for the reactor to be housed in a safer containment unit. The standard practices of the lab exposed the surrounding communities and environs to many different kinds of radiated materials. There is also evidence that Rocketdyne leased facilities on the site mentioned in the variance application. There nuclear research and development was conducted. I've been researching this now for only a couple months now and have found more than enough compelling evidence to demand that the developer of the site have a FULL ENVIRONMENTAL IMPACT REPORT done."

Or, finally what Hank Zaghi stated in a letter dated December 8, 2008:

"FLOW OF WATER AND CONTAMINATION: There was a concern about the plume of chemical and radiological contamination will flowing toward Hidden Lake area. Their environmental expert indicated: This can not happen because the elevation of Hidden Lake is above Corporate Pointe. The facts are that hidden lake is lower than Corporate Pointe. As the matter of fact Hidden Lake is only 14 feet above the ground water level as measured in a well on Samra Drive's. Corporate Pointe is above Roscoe Boulevard from all vantage points. Corporate Pointe is more than a house above streets in Hidden Lake."

Response: The concern over the past contamination of the site cannot be understated. Since the original development of this site as a Research and Scientific Center in 1958, a multitude of aerospace companies have occupied the site (i.e., Hughes Aircraft, Raytheon, Rocketdyne, and Pratt Whitney). These businesses operated using wide range of toxic substances including nuclear isotopes. Over 50 years of occupation of this site has led to its contamination with a wide variety of toxins. However, as stated by Councilmen Zine and Smith in their letter dated December 8, 2008, the issue of the clean-up of the site is not germane to this request and the "...necessary actions to insure safety have been taken under the auspices of the DTSC and Regional Water Quality Board and I fully support the ongoing involvement of these two agencies to continue to insure the safety of this site and the surrounding area."

The two State agencies referenced by the Councilmen, both the Department of Toxic Substance Control (DTSC) and the Regional Water Quality Board, have jurisdiction over this site in terms of all aspects of toxics and hazardous wastes. In fact, this issue of the contamination of the site was expressed by many from the community during the project's environmental review. Their main concerns were addressed by the applicant in a letter from Environ dated October 15, 2008, (see Exhibit G). The report/letter addressed all the community concerns and stated the following conclusion regarding the clean-up of the site:

"As a Resource and Recovery Act (RCRA) facility, the site must undergo and is undergoing a rigorous and scripted process for investigation and closure, as mandated in 40 CFR Part 264, Subpart G, Closure and Post-Closure. The purposes of the RCRA facility closure process are to ensure that a site is adequately characterized and potential areas of environmental concern are identified based on historical and current uses of the site, that risks are assessed, and that a plan of action is developed to mitigate the identified hazards with the goal of protecting human health and the environment. As a result, the Department of Toxic Substance Control directs and oversees all aspects of the RCRA facility closure process."

Finally, the DTSC in a letters dated August 5, 2008 and February 11, 2009 (see **Exhibits H and I**) to the City of Los Angeles related to the instant request states clearly that any issues related to the remediation of the site is under their jurisdiction. The DTSC emphasizes that they have primary jurisdiction over the subject site related to past, present and future activities related to the storage, handling, containment, remediation, etc. of toxic/hazardous substances.

- **The proposed request to an industrial zoning permitting a board range of industrial uses.**

Comment: Much of the concern was expressed that the past activities of the businesses that contaminated the site would be replicated by this action in the form of allowing an M1 zone over the entire site and this zoning would permit future uses which would continue the contamination legacy.

Response: The community's concern is valid in this regard. The past activities on this site have resulted in a significant contamination below the campus of both the ground and the ground water table. As stated in the previous comment, the communities have the right to protection from past activities by the responsible State agencies in terms of the remediation of the site from past activities. Conversely, these communities have the right to expect the responsible City agencies to protect them from future uses continuing "the legacy of the contamination of the site." In that regard, the applicant's requested "use list" in Exhibit F and incorporated into the conditions of approval does not allow for the possibility of easily occur. The applicant is being granted a zone change from A1-1 to [T][Q]M1-1. The use and area provisions of the M1 zone apply; however, this approval places further uses restrictions on the subject site by only allowing a fraction of those uses typically permitted in the M1 zone. Most of the "heavy" industrial uses are prohibited. The uses that are permitted under this approval are those "light" industrial and office commercial uses, mostly Research and Development types.

Additionally, commercial uses on the subject property are permitted only in a limited form. The M1 zone permits C2 uses. Most C2 uses however are prohibited and what is left is only a small fraction of uses. Furthermore, these uses are limited to only serve the employees and workers of the property. In fact, the only commercial allowed cannot have exterior signage to the street and must have limited hours of operation.

Also, the City's Industrial Land Use policy and the LAMC lack the flexibility within the existing industrial zones (i.e., CM, MR1, M1, MR2, and M2) to allow for those "light" industrial uses specified by the applicant. The M1 zone, without any use limitations, allows for a board range of heavy, medium, and light industrial uses, an even larger range of commercial uses as well. The City's Industrial Land Use Policy calls for revising the industrial zoning in the LAMC to allow for industrial zones more representative of those "green and clean" industries specified by the applicant.

Conclusion

The zone change, as recommended in this report, allows the applicant a wide latitude of uses that while provide for high paying jobs and will still give the neighboring communities the assurance that the site will be operated and managed by a set of conditions that protect their interest. The utmost importance is to provide the assurance to all that the proposed development will not further create the erosion and degradation of the site and its surrounding by allowing environmental unfriendly companies and uses. Consistent with the Community Plan, good and environmentally friendly industries are mandated.

Therefore, the project has been recommended for disapproval as filed by the applicant; however, recommended for approval as conditioned by the City staff. The applicant does not lose floor area, height or location of buildings under the recommended approval and conversely, the applicant will be permitted to provide for the type of development envisioned in their Project Vision. The zone change will unify the entire site into a single zone with similar development restrictions. Moreover, the applicant will be allowed the flexibility to attract a wide range of businesses and uses to the site and the surrounding communities will have the assurances that the development and future operation of the subject site will not replicate the mistakes of the past in terms of contamination of the site.

Finally, this approval will be the test for the applicant to develop and operate this site respectful of both the surrounding communities and the environment. There is a high probability that this will not be the last entitlement request on this site. This approval restricts the applicant to existing and proposed development as shown in Exhibit B. Any changes or increases will require additional discretionary review including public hearings and decision meetings. So, the applicant has a vested interest in making this project work.

(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G of the Los Angeles Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

A. Development Conditions:

1. **Use.** The subject property (i.e., existing and proposed buildings per Exhibit B) shall be limited to the following:
 - a. The regulations of the M1 zone (LAMC Section 12.17.6) subject to the following use limitations:
 - (1) Advertising Studio;
 - (2) Broadcasting Studio;
 - (3) Child-care, nursery school, child-care center, adult day-care, or similar uses for on-site workers and their families or guests only;
 - (4) Community center;
 - (5) Computer component, parts, accessory manufacturing, and assembly, as long as the operation has no smoke stacks or similar functions which result in toxic or noxious impacts;
 - (6) Corporate Headquarters;
 - (7) Electric parts, assembly and manufacturing, as long as the operation has no smoke stacks or similar functions which result in toxic or noxious impacts;
 - (8) Electric appliances assembly;
 - (9) Electric generator and motor manufacturing (small), only as long as the operation has no smoke stacks or similar functions which result in toxic or noxious impacts;
 - (10) Electric products assembly and manufacturing, as long as the operation has no smoke stacks or similar functions which result in toxic or noxious impacts;
 - (11) Electric instruments and devices assembly and manufacturing, as long as the operation has no smoke stacks or similar functions which result in toxic or noxious impacts;
 - (12) Engineering services office;
 - (13) Facilities for development and production of computer equipment;
 - (14) Film developing; printing machines, or similar services as technology evolves;
 - (15) Film laboratory or similar services as technology evolves;
 - (16) Film and tape editing or similar editing services;
 - (17) Financial institution – administrative offices with only non-retail services;
 - (18) Insurance - office or corporate headquarters with only non-retail services;
 - (19) Laboratory - experimental film, motion picture, research or testing;
 - (20) Laboratory – medical or dental;
 - (21) Laboratory – quality control only as an accessory to headquarters or branch offices of a manufacturer;
 - (22) Laboratory – research and development;
 - (23) Mail order production (not used as a primary distribution center);
 - (24) Metal products x-ray inspection;
 - (25) Motion picture reconstruction;
 - (26) Motion picture, radio, or television studio or station with no outdoor sets permitted;

- (27) Office – business, medical, dental, institutional or professional;
 - (28) Optical good manufacturing as long as the operation has no smoke stacks or similar functions which result in toxic or noxious impacts;
 - (29) Parking areas (public) and parking buildings as accessory uses and loading space, as required or provided in connection with the permitted uses as provided in LAMC Section 12.21.A;
 - (30) Printing office – wholesale only;
 - (31) Publishing office with no wet printing permitted;
 - (32) Radio and television assembly and manufacturing as long as the operation has no smoke stacks or similar functions which result in toxic or noxious impacts;
 - (33) Recording studio;
 - (34) Research and development facility;
 - (35) Scientific instrument and equipment manufacturing as long as the operation has no smoke stacks or similar functions which result in toxic or noxious impacts;
 - (36) Software development;
 - (37) Stereo equipment assembly;
 - (38) Stereo equipment manufacturing as long as the operation has no smoke stacks or similar functions which result in toxic or noxious impacts;
 - (39) Storage building (self-storage, self-service, storage of household goods, and public storage are not permitted);
 - (40) Warehouse, not used as a primary distribution center;
 - (41) Wholesale businesses with no direct public sales; and
 - (42) Wireless telecommunication facility subject to approval pursuant to the requirements of LAMC Section 12.24.G).
- b. No other uses otherwise permitted in the M1 zone shall be permitted except for those listed above in Development Condition No. A.1.a. The following uses, otherwise permitted in the M1 zone, shall be prohibited as volunteered by the applicant:
- (1) Schools, colleges, universities, trade schools, and similar educational institutions; and
 - (2) Hospital, sanitariums, and similar uses and uses with walk-in patient care.
- c. Those C2 commercial uses permitted in the M1 zone shall be prohibited with the exception of the following provision:

The following uses shall be considered "accessory" commercial/retail uses and shall be allowed on the property as long as these uses serve as amenities exclusive to the site employees/workers, including visitors conducting business on the site with no signage visible from outside the property's boundaries. These uses shall be limited to the following list:

- (1) Automatic Teller Machine;
- (2) Bank, credit union or similar financial institution;
- (3) Drugstore;
- (4) Gymnasium;
- (5) Sundries shop;
- (6) Cafeteria or other employee dining, including outdoor eating; and
- (7) Laundry/dry cleaner with drop-off and pick-up. No plant on site shall be permitted.

2. **Site Plan.** The use of the subject property shall be developed in substantial conformance with the site and elevation plans labeled Exhibit "B" and dated December 22, 2008. This prohibition shall include all existing buildings. Any substantial changes to existing or proposed buildings shall require additional discretionary review pursuant to the requirements of LAMC Section 12.32. Prior to the issuance of any building permit, the applicant shall submit a revised Exhibit B that includes the conditions of approval including, but not limited to, floor area and height limitations on existing and proposed buildings.
3. **Floor Area.** The new development of the property shall be limited to the following floor area limitations: Building 8405 per Exhibit B shall be limited to a maximum floor area of 250,000 square-feet and Building 22951 shall be limited to a maximum floor area of 110,000 square-feet. This prohibition shall include the floor area of existing buildings. Any substantial changes in floor area to, or transfer of floor area from, an existing or proposed buildings shall require additional discretionary review pursuant to the requirements of LAMC Section 12.32. The total amount of floor area permitted on the subject property shall not exceed 806,000 square feet.
4. **Change of Use.** Building 22801 per Exhibit B shall be limited to remodeling and change of use. No increase in floor area or change in the building's footprint shall be permitted.
5. **Height:** The development of the property shall limited to the following maximum height limitations: Building 8405 per Exhibit B shall be limited to a maximum height of 85 feet and Building 22951 per Exhibit B shall be limited to a maximum height of 45 feet. The prohibition shall include a limitation on the height of existing buildings to each building's current height. Any substantial changes in height to existing or proposed buildings shall require additional discretionary review pursuant to the requirements of LAMC Section 12.32. Other than Building 8405 per Exhibit B, no other existing or proposed building on the subject site shall exceed a maximum height of 45 feet. The provisions for the allowances for additional height specified in LAMC Section 12.21.1 shall apply to both proposed and existing buildings.
6. **Parking Structure:** The development of the parking structure (i.e., Building 22955) shall be limited to the footprint and location in Exhibit B. The final plans shall incorporate in the height of the parking structure the LAMC requirements for Transitional Height in LAMC Section 12.21.1; however, no portion of the parking structure shall exceed a height of 45 feet.
7. **Parking.** Per Exhibit B, the applicant shall provide at least 969 new parking spaces on the subject site.
8. **Preferential Parking.** A minimum of ten percent (10%) of the new parking spaces on the subject site shall be set aside as Preferential Parking for High Occupancy Vehicle (HOV). For the purposes of this condition, HOV parking spaces are defined as a parking space reserved for vehicles with a driver and one or more passengers. These Preferential Parking Spaces are also known as carpool, commuter, or vanpool spaces.
9. **Security.** The applicant shall provide 24-hour security of the site, including the parking structure.
10. **Setbacks.** No building or structure on the subject property shall be located within 40 feet of the western, eastern and southern property lines.

11. **Signage.** The project's signage shall comply with the requirements of LAMC Section 14.4.
12. **Incidental Open Storage.** All activities other than incidental storage shall be conducted wholly within a completely enclosed building. Incidental storage shall be defined as the open storage of materials and equipment, including used material and equipment, when incidental to the uses permitted in "Q" Condition No. A.1.a of this approval provided that:
 - a. Such storage shall be confined to an area not to exceed three thousand (3,000) square feet;
 - b. The storage area shall be completely enclosed by a solid wall or fence not less than six (6) feet in height with necessary solid gates of the same height; and
 - c. No material or equipment shall be stored to a height greater than that wall or fence enclosing the storage area.
13. **Transportation Management Organization.** Prior to the issuance of any building permit, the applicant shall join a Transportation Management Organization and maintain a status of member in good standing for a minimum period of three (3) years. (Volunteered by the applicant).
14. **Solid Waste.** Trash and recycling bins shall be provided at appropriate locations throughout the subject site, including the parking lot area, in order to promote cleanliness and the recycling of paper, metal, glass, and other recyclable material.
15. **Green Building Program – Ordinance No. 179,820.** The project shall comply with the requirements of Ordinance No. 179,820. In complying with this Ordinance, the applicant shall submit a signed declaration asserting that the project has been registered with the US Green Building Council and will be designed and constructed to meet the LEED standard for Gold or higher and will obtain formal certification. The declaration (CP-4040) is a Planning Department General Form that can be accessed online at <http://city.planning.lacity.org>.
16. **Graffiti.** Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91.8104.15. (Env'l)
17. **Emergency Assistance/Operations/Disaster Relief.** The subject site may be used for emergency operations and support. This use of the subject site shall be exempt from any conditions of this approval that may limit emergency assistance, operations or relief.
18. **Safety Hazards.** The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval. (Env'l)
19. **Community Relations.** A 24-hour "hot-line" phone number for the receipt of construction-related complaints from the community shall be provided to immediate neighbors and the local neighborhood association, if any. The applicant shall be required to respond within 24 hours of any complaint received on this hotline.

B. Environmental Conditions:

On October 6, 2008, the proposed project was issued a Proposed Mitigated Negative Declaration (MND) under Case No. ENV-2006-10437-MND. The mitigations measures are included as conditions of this approval as follows:

1. Grading shall be kept to a minimum. (**Aesthetics**)
2. Natural features, such as prominent knolls or ridge lines, shall be preserved. (**Aesthetics**)
3. The project shall comply with the City's Hillside Development Guidelines. (**Aesthetics**)
4. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker. (**Aesthetics**)
5. Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties. The parking lot security lighting shall be shielded and aimed directly at the parking lot to minimize spillover effects to the surrounding area. (**Aesthetics**)
6. An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 12, to the satisfaction of the Department of Building and Safety. (**Air Quality**)
7. Post-construction landscape treatment shall be implemented to insure preservation of habitat for wildlife. Where habitat has been preserved, use of native plant materials shall be required. (**Biological**)
8. **Nesting Native Birds** - The project will result in the removal of vegetation and disturbances to the ground and therefore may result in take of nesting native bird species. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86). If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat the applicant shall: Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work. If a protected native bird is found, the applicant shall delay all clearance/construction

disturbance activities within 300 feet of suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. **(Biological Resources)**

9. Prior to the issuance of a grading permit or building permit, the applicant shall submit a tree report and landscape plan prepared by a Municipal Code-designated tree expert as designated by LAMC Ordinance No. 153,478, for approval by the decision maker and the Urban Forestry Division of the Bureau of Street Services. A minimum of two trees (a minimum of 48 inch box in size if available) shall be planted for each one that is removed. The canopy of the oak trees planted shall be in proportion to the canopies of the oak trees removed per Ordinance No. 153,478, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the decision maker. *Note:* All protected tree and street tree removals shall be approved by the Board of Public Works. Contact: Urban Forestry Division at 213-847-3077. **(Biological Resources)**
10. Prior to the issuance of a grading permit or building permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the decision maker and the Urban Forestry Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the decision maker. The genus or genera of the tree(s) shall provide a minimum crown of 30'- 50'. Please refer to City of Los Angeles Landscape Ordinance (Ord. No.170,978), Guidelines K - Vehicular Use Areas. *Note:* Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: 213-847-3077. **(Biological Resources)**
11. The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety. **(Geology and Soils)**
12. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent. **(Construction – Air Quality)**
13. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind. **(Construction – Air Quality)**

14. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust. **(Construction – Air Quality)**
15. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust. **(Construction – Air Quality)**
16. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust. **(Construction – Air Quality)**
17. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. **(Construction – Air Quality)**
18. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible. **(Construction – Noise)**
19. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday. **(Construction – Noise)**
20. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels. **(Construction – Noise)**
21. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. **(Construction – Noise)**
22. The project shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment. **(Construction – Noise)**
23. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity. **(Construction – Grading)**
24. Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. **(Construction – Grading)**
25. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting. **(Construction – Grading)**
26. Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life. **(General Construction)**
27. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non recyclable materials/wastes

shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site. **(General Construction)**

28. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains. **(General Construction)**
29. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible. **(General Construction)**
30. Dumpsters shall be covered and maintained. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting. **(General Construction)**
31. Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into streets. **(General Construction)** All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills. **(General Construction)**
32. The applicant shall implement a demolition and construction debris recycling plan, with the explicit intent of requiring recycling during all phases of site preparation and building construction. **(General Construction)**
33. In order to reduce the deposition of construction materials at solid waste landfills serving the City of Los Angeles, the grading contractor shall identify suitable private sites that accept all fill and earth materials for re-use. Sites in the City currently accepting construction and demolition debris include, but are not limited to California Waste Services, Inc. and Downtown Diversion, Inc. In the event a suitable private site has not been located by the contractor, the contractor shall consult with the Bureau of Engineering to identify an acceptable site, or demonstrate to the satisfaction of the Bureau of Engineering that an acceptable site could not be located. Documentation of which site(s) is used shall be provided to the Bureau of Engineering, prior to the issuance of haul route permits. **(General Construction)**
34. Primary collection bins shall be designed to facilitate mechanized collection of recyclable wastes for transport to on- or off-site recycling facilities. **(General Construction)**
35. All grading work shall be performed under the observation of a Geotechnical Engineer in order to achieve proper subgrade preparation, selection of satisfactory materials, and placement and compaction of all structural fill. **(Geology and Soils)**
36. The applicant shall comply with recommendations of the State of California Department of Toxic Substances Control, outlined in the letter dated August 5, 2008. **(Hazards and Hazardous Materials)**
37. The applicant shall comply with Ordinance No. 172,176 and Ordinance No. 173,494, Stormwater and Urban Runoff Pollution Control, which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board. **(Hydrology)**
38. Project building plans shall include the submittal of a plot plan for approval by the Los Angeles Fire Department either prior to the recordation of the final map or the approval

of a building permit. The applicant shall consult with the Los Angeles Fire Department and incorporate fire prevention and suppression features appropriate to the design of the project. Definitive plans and specifications shall be submitted to the Los Angeles Fire Department and requirements for necessary permits satisfied prior to commencement of any portion of the project. Any required fire hydrants to be installed shall be fully operational and accepted by the Los Angeles Fire Department prior to any building construction. Plot plans indicating access driveways and roads and turning areas shall be reviewed and approved by the Fire Department, prior to the issuance of a building permit. The proposed project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles (CPC 19708). All access roads, including fire lanes, shall be maintained in an unobstructed manner, removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the LAMC. **(Public Services – Fire)**

39. During the project's construction phase, the applicant shall ensure adequate through-access and emergency access to adjacent uses. **(Public Services – Fire)**
40. The applicant shall consult with the Los Angeles Police Department and comply with recommended security features for the construction site, including security fencing, locked entrances and lighting. Upon completion of the project, the applicant shall provide the Devonshire Division Commanding Officer with a diagram of each portion of the project site, including access routes and other information that might facilitate police response, as requested by the LAPD. The applicant shall provide project plans to the LAPD Crime Prevention Unit to determine any additional crime prevention and security features appropriate to the design of the project. Any additional design features identified by the LAPD Crime Prevention Unit shall be incorporated into the project's final design and to the satisfaction of LAPD. The project shall incorporate design guidelines relative to security, semi-public and private spaces, which may include, but not be limited to, access control to buildings, secured parking facilities, walls/fences with key systems, well illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas and provision of security guard patrol throughout the project site if needed. The applicant is referred to Design Out Crime Guidelines: Crime Prevention Through Environmental Design (CPTED) published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 North Los Angeles Street, Room 818, Los Angeles, (213) 485-3134. The CPTED operates on three key concepts: 1) Natural surveillance: The placement of physical features, activities, and people in a way that maximizes visibility; 2) Natural access control: Restricting or encouraging people to come into a space through the placement of entrances, exits, fencing, landscaping, and lighting; and 3) Territorial reinforcement: The use of physical attributes to define ownership and separate public and private space. **(Public Services – Police)**
41. The applicant shall comply with the provisions of City of Los Angeles Ordinance No. 171,687, specifying recycling space allocation requirements, with regard to all new structures constructed as part of the proposed project. **(Utilities)**

C. Administrative Conditions:

1. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or

verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.

2. **Code Compliance.** Area, height and use regulations of the RE40-1-H zone classifications of the subject property shall be complied with, except where herein conditions are more restrictive.
3. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
4. **Mitigation Monitoring.** The applicant shall identify mitigation monitors who shall provide periodic status reports on the implementation of the Environmental Conditions specified herein, as to area of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the Environmental Conditions.
5. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
6. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
7. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
8. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
9. **Utilization of the Grant.** The utilization of this approval shall be valid for a period of six (6) years from the effective date of this grant. Prior to the expiration of the time to utilize this grant, the applicant can file a written request to extend the term of this grant for a period of up to one additional year. Thereafter, this grant shall be deemed terminated. If a building permit is obtained during the initial term of the grant or during the extension period, but subsequently expires, this determination shall expire with the building permit.
10. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of

Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.

11. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard to the character of the surrounding district, and the right is reserved to the City Planning Commission, or if delegate to the Director of Planning, pursuant to LAMC Section 12.27.1 to impose additional corrective conditions, including the discontinuance of the use of the land if, in the Commission's or Director's opinion, such actions are proven necessary for the protection of persons in the surrounding neighborhood or occupants of the property directly adjacent to the subject site.
12. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.

**CONDITIONS FOR EFFECTUATING (T) OR [T]
TENTATIVE CLASSIFICATION REMOVAL**

Pursuant to Section 12.32 G of the Municipal Code, the (T) or [T] Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

1. Dedication(s) and Improvement(s). Prior to the issuance of any building permits, public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary), the following: (1) As part of early consultation, plan review, and/or project permit review, the Applicant shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the Applicant; and (2) Prior to issuance of sign offs for final site plan approval and/or project permits by the Planning Department, the Applicant shall provide written verification to the Planning Department from the responsible agency acknowledging the agency's consultation with the Applicant. The required dedications and improvements may necessitate redesign of the project. Any changes to project design required by a public agency shall be documented in writing and submitted for review by the Planning Department.

Additionally, in approving the off-street improvements, the Bureau of Engineering should consider an approving a street improvement plan which conforms to the following standards:

- a. The sidewalks along Roscoe Boulevard and Fallbrook Avenue meander at a gentle rate, providing visual interest, but also ease of travel;
 - b. The crosswalks at the intersections of Roscoe Boulevard and Fallbrook Avenue and Roscoe Boulevard and Lena Avenue be stamped with a decorative paving; and
 - c. The pedestrian ramps leading from the sidewalk to the crosswalk direct the pedestrian across the street, not into the middle of the intersection.
2. Construction of necessary sewer facilities to the satisfaction of the Bureau of Engineering. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
 3. Construction of necessary drainage facilities to the satisfaction of the Bureau of Engineering.
 4. Construction of tree wells and planting of street trees and parkway landscaping to the satisfaction of the Street Tree Division of the Bureau of Street Maintenance. In providing this landscape plan, the Street Tree Division should consider the following:
 - a. No palm trees be planted;
 - b. Only native, drought-tolerant plant materials, and a minimal amount of grass area be planted; and
 - c. Groundcover, shrubs, trees and rocks be used to help dictate the path of any meandering sidewalk installed.
 5. The City's Department of Transportation (DOT) issued a revised Traffic Assessment for the proposed project dated July 10, 2008. DOT recommended the following Project

Requirements be included in the conditions of approval of the project in order to mitigate the traffic impacts to less than significant levels. These conditions shall be included as follows:

- a. **Signal system upgrades.** Automated Traffic Surveillance and Control (ATSAC) with Adaptive Traffic Control Systems (ATCS). Intersections 4, 5, 8 and 9 will be mitigated to a less-than-significant level and intersection 2 will be partially mitigated by funding a proportionate share of the cost for the design and construction of the Canoga Park and Platt Ranch ATSAC/ATCS Systems. The Project's proportionate share of the cost for these systems is equal to the average cost per intersection, which currently is \$158,700 for a total of \$793,500 for all five locations.
- b. **Signal system upgrade.** Adaptive Traffic Control Systems (ATCS). Intersection 6, Fallbrook Avenue at Victory Boulevard will be mitigated to a less-than-significant level by funding a proportionate share of the cost for the design and construction of the Platt Ranch ATCS System. The Project's proportionate share of the cost for this system is equal to the average cost per intersection, which currently is \$55,000.
- c. **Mitigation Measures for Fallbrook Avenue and Roscoe Boulevard.** This intersection will be fully mitigated to a less-than-significant level by re-striping Fallbrook Avenue to provide dual left-turn lanes, two through lanes and one right-turn lane in the northbound direction, and dual left-turn lanes, one through lane and one through/right shared lane in the southbound direction. Signal modification is also required to provide left-turn signal phases in the northbound and southbound directions. Additionally, the developer is proposing to install a median on Fallbrook Avenue north of Roscoe Boulevard to restrict vehicles from making southbound left-turn onto either Schoenborn Street or Eccles Street.
- d. **Mitigation Measures for Fallbrook Avenue and Saticoy Street.** This intersection will be fully mitigated to a less-than-significant level by re-striping Saticoy Street to provide an exclusive right-turn lane in the eastbound direction. A shift on the striping would be required along the north and south side of Saticoy Street, east and west of Fallbrook Avenue by approximately two feet. In the event that the re-striping mitigation measure turns out to be not feasible, the developer must provide an alternative mitigation to mitigate the project impact at this location.
- e. **Mitigation Measures for Lena Avenue and Roscoe Boulevard.** This intersection will be fully mitigated to a less-than-significant level by re-striping the project driveway to provide one left-turn lane and one left/through/right shared lane in the southbound direction. Signal modification is also required to provide split signal phasing in the northbound and southbound direction.
- f. **Transportation Demand Management (TDM).** The applicant is required to implement a TDM program for the project to reduce and manage employee commute-related trips in private vehicles. As part of the TDM, the applicant shall provide a new shuttle service, providing users of the site bus service to all nearby transit centers, including the Chatsworth Metrolink Station. As part of the new shuttle service, the applicant shall construct a new, sheltered bus stop, and bike racks, at the northwest corner of Roscoe Boulevard and Fallbrook Avenue.
- g. **Neighborhood Traffic Impact Mitigation.** The applicant volunteers to install a raised landscaped median along Fallbrook Avenue north of Roscoe Boulevard to restrict

vehicles from making southbound left-turns onto either Schoenborn Street or Eccles Street. Installation of the Fallbrook median will mitigate any potential neighborhood traffic impacts associated with neighborhood cut-through traffic from the project site, thus eliminating the need for a neighborhood traffic protection plan.

- h. **Highway Dedications and Improvements.** Fallbrook Avenue is a designated Secondary Highway in the Streets and Highways Element of the City's General Plan. Standard Plan S-470-0, effective November 10, 1999, dictates that the standard cross section for a Secondary Highway is a 35-foot half-roadway on a 45-foot half right-of-way. Fallbrook Avenue currently consists of a 50-foot half right-of-way; therefore, no dedication or widening is required. Roscoe Boulevard is a designated Major Highway in the Streets and Highways Element of the City's General Plan. Standard Plan S-470-0, effective November 10, 1999, dictates that the standard cross section for a Major Highway is a 40-foot half-roadway on a 52-foot half right-of-way. Roscoe Boulevard currently consists of a 40-foot half-roadway on a 50-foot half right-of-way; therefore, a 2-foot dedication is required along the entire project frontage on Roscoe Boulevard to bring the sidewalk up to the Major Highway Class II standard required by the General Plan.
- i. **Site Access and Internal Circulation.** This determination does not include final approval of the project's driveways, internal circulation, and parking scheme. Final DOT approval shall be obtained prior to issuance of any building permits. This should be accomplished by submitting a detailed site and/or driveway plan, at a scale of at least 1" = 40', to DOT's Valley Development Review Section at 6262 Van Nuys Boulevard, Suite 320, Van Nuys, 91401, prior to submittal of building plans for plan check to the Department of Building and Safety.

As part of the review of this plan by DOT, the applicant shall require the inclusion of a Pedestrian Circulation Plan that shall include the following elements:

- (1) Development of a walking/exercise pathway which circulates the entire site and includes: Pedestrian linkages to the pathway from each existing and proposed building; Pedestrian linkage to the pathway from the public rights-of-way; Development of exercise stations with such amenities as pull-up bars, push-up benches and other equipment throughout the pathway system; Constructed of a permeable paving materials where appropriate; and Pathway signage along key path points; and Pathway lighting along key path points.
- (2) Development of an information kiosk system through the site, including on the exercise pathways, to provide employees and users of the site information about the past history of the site and/or present tenants' information.

Additionally, DOT in conjunction with the City Planning shall review and approval the plans to create better Vehicular Circulation throughout the site and to make pedestrian access more effective. This Vehicular Circulation Plan shall be submitted to DOT and Planning prior to the issuance of any building permit. This Plan should provide for revisions to the site's circulation plan which incorporates changes to access roads, parking areas, landscaped areas, and loading areas. The Plan should include restricted vehicle areas, redirection of vehicle traffic, and limitations on access to parking areas/garages. **(Environmental Mitigation)**

6. Installation of street lights to the satisfaction of the Bureau of Street Lighting.
7. That street lighting modifications be required at an intersection if there are improvements by the Department of Transportation (also for off site improvements).
8. Preparation of a plot plan to the satisfaction of the Fire Department.
9. Making any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights of way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05N, to the satisfaction of the Department of Telecommunications.
10. Police Department: Preparation of a plot plan in conformance with the Design Out Crime Guideline Booklet and guidelines defined in the Crime Prevention Through Environmental Design (CPTED) handbook to mitigate impacts on police services. Police recommendations may include but are not limited to secured parking, security fencing, security lighting, information signs, building design and landscaping to reduce places of potential concealment. The plans shall be to the satisfaction of LAPD Crime Prevention Section Personnel.
11. Notice: Prior to issuance of a clearance letter by the Bureau of Engineering, all engineering fees pertaining to Ordinance No. 176,077 adopted by the City Council, must be paid in full at the Development Services Division office.
12. Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.
13. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.
14. Recreation and Parks Dedication. Per Section 12.33 of the Los Angeles Municipal Code, the applicant shall dedicate land for park or recreational purposes or pay the applicable Quimby fees.
15. Prior to the issuance of a building permit, the applicant shall consult with LADWP to identify feasible and reasonable measures that reduce water consumption. However, the applicant shall comply with the following conditions to reduce water consumption:
 - a. Any required connections or mains shall be designed by a registered civil engineer and approved by the Los Angeles Department of Public Works, Bureau of Engineering. Additionally, the project shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions.
 - b. In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
 - 1) Weather-based irrigation controller with rain shutoff;

- 2) Matched precipitation (flow) rates for sprinkler heads;
 - 3) Drip/microspray/subsurface irrigation where appropriate;
 - 4) Minimum irrigation system distribution uniformity of 75 percent;
 - 5) Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials;
 - 6) Use of landscape contouring to minimize precipitation runoff; and
 - 7) A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for irrigated landscape areas totaling 5,000 sf. and greater, to the satisfaction of the Department of Building and Safety.
- c. The applicant shall install low-flow water fixtures and further encourage reduction of water consumption to minimize wastewater flow to the sewer system in accordance with City water conservation requirements. Specifically, the applicant shall install: High-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate, and restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- d. All restroom faucets shall be of a self-closing design.
- e. The project shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions.

If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate. (**Environmental Mitigation**)

**CONDITIONS OF APPROVAL FOR THE SITE PLAN REVIEW (LAMC SECTION 16.05) AND
THE CONDITIONAL USE APPROVAL TO PERMIT A COMMERCIAL CORNER
DEVELOPMENT WHICH DOES NOT COMPLY WITH THE FOLLOWING REQUIREMENTS
AS ENUMERATED IN LAMC SECTION 12.22.A.23(A)(3) AND LAMC 12.22.A.23(B)(3)**

In addition to the "Q" and "T" Conditions of this conditional approval, the applicant shall be required to adhere to the following conditions:

A. Site Plan Review – LAMC Section 16.05

1. **Landscaping.** Prior to the issuance of any permit, the applicant shall submit a revised landscape plan for review and approval by City Planning Department that includes all open areas not used for buildings, driveways, parking areas, recreational facilities or walk/path ways shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect. The revised landscape plan shall include only planting materials that are native and drought-tolerant. The applicant shall add water features on-site including fountains and streams. The applicant shall include pedestrian gathering areas or "focal points" at the entrances to the proposed buildings including the parking structure.
2. **Exterior Lighting.** All exterior light fixtures shall be shielded to minimize the illumination of adjacent properties and to reduce glare. Floodlighting of buildings and parking lot areas shall be prohibited.
3. **Roofs and Roof-Mounted Structures.** All new roofs shall be surfaced with non-glare material. With the exception of solar energy devices, all roof-mounted structures and equipment shall be completely screened from view from the ROW of the adjacent Scenic Highway. Screening materials shall be of a finish quality and shall be compatible with the materials and color of the building; chain link fencing shall not be used for screening purposes.
4. **Underground Utilities.** Any new utilities required of the project shall be placed underground.
5. **Pedestrian Access (Parking Areas).** Projects that require 20 or more surface parking spaces shall incorporate dedicated pedestrian pathways to facilitate ease of pedestrian travel from parking areas to business entrances. These pathways shall be distinguished from vehicle parking areas by the use of decorative paving materials and landscaping.
6. **Parking Lot Landscaping.** The applicant shall provide one (1) canopy tree for every four (4) net new surface, excluding those spaces located on the top a parking structure. These trees shall be shade producing trees at least 24-inch box size and a minimum of eight feet in height at the time of planting. At maturity, these trees shall be of a type expected to be least 20-30 feet in height with a minimum tree canopy diameter of 50% of its height. These trees may be located in groups or clusters.
7. **Articulated Facades.** All new buildings shall be designed with articulated facades (for example, facades that have architectural details, wall breaks, or other architectural features which provide at least 5 feet of relief to a minimum depth of 8 inches every 20 feet of the length of the building wall).
8. **Parking Structure.** Prior to the issuance of any building permit, the applicant shall submit a revised parking structure plan to the satisfaction of City Planning Department that adds

noise and aesthetic remediation measures which includes, but are not limited to, screens, design, artistic treatments, color treatments, and landscaping at the ground level, mid-level, and at the top level/parapet.

9. **Primary Entrances.** The new proposed buildings (8405 and 22951 Buildings on Exhibit B) shall have enhanced entrances fronting the new Parking Structure Building 22955. The intent of this provision is to provide convenient pedestrian linkages from the parking areas to the new buildings.

B. Conditional Use - Commercial Corner Exceptions from LAMC Sections 12.22.A23(a)(3) and 12.22.A23(b)(3).

1. The applicant shall be permitted an exception from the provisions of LAMC Sections 12.22.A23(a)(3) and 12.22.A23(b)(3). The applicant shall comply with all other development standards under LAMC Section 12.22.A23 including the execution of a separate covenant and agreement agreeing to comply with all the development standards. This covenant and agreement shall include agreement to the development standard under LAMC Section 12.22.A23.
2. **Hours of Operation.** The operating hours and days of the uses permitted in "Q" Condition Nos. A.1.a shall be 24 hours per day, seven days per week. The operating hours and days of each of those "accessory" commercial/retail uses listed in "Q" Condition No. A.1.c shall be as follows:
 - a. Automatic Teller Machine (Sunday through Saturday, 24-hour operation);
 - b. Bank and credit union (Monday through Saturday, 7:00 a.m. to 6:00 p.m.);
 - c. Drugstore (Monday through Saturday, 7:00 a.m. to 6:00 p.m.);
 - d. Gymnasium (Monday through Saturday, 6:00 a.m. to 10:00 p.m.);
 - e. Sundries shop (Monday through Saturday, 7:00 a.m. to 6:00 p.m.);
 - f. Cafeteria or other employee dining, including outdoor eating (Sunday through Saturday, 24-hour operation); and
 - g. Laundry/dry cleaner with drop-off and pick-up. No plant on site shall be permitted (Monday through Saturday, 7:00 a.m. to 6:00 p.m.).
3. Motor truck deliveries, distribution and similar operations shall be subject to the following hours and days: Monday through Friday: 6 a.m. to 7 p.m.; Saturday: 7 a.m. to 5 p.m.; and Sunday: 10 a.m. to 4:00 p.m. Primary access to and egress from the subject site for these operations shall be from the Roscoe Boulevard entrance. For the purposes of this approval, Motor trucks shall be defined per Section 34,000(a) of the California Vehicle Code as follows: Vehicles with three or more axles that are more than 10,000 pounds gross vehicle weight rating.
4. **Plan Approval – Hours of Operation Only.** At the beginning of the fifth year (i.e., 60 months) after the issuance of first building permit for the proposed project, the applicant shall be required to file for a Plan Approval (using Plan Approval forms) with the Office of Zoning Administration for the purpose of evaluating only the Project's compliance with the operating hours specified in "C" Condition Nos. B.1 through B.3. Upon review of the Plan Approval, the Zoning Administrator shall determine whether there will be need for additional conditions or measures, and state accordingly in his/her written determination. The Zoning Administrator may also require the applicant to submit additional for future Plan Approvals. If there is evidence that corrective measures are necessary, the Zoning Administrator may require modifications to these conditions or additional conditions of approval pursuant to the purpose, authority, and procedures set forth in Section 12.27.1 of the LAMC (Plan

Approval). The applicant shall submit as part of the Plan Approval application to assist the Zone Administrator in reviewing and evaluating permit compliance a record of any complaints received from the surrounding community about traffic, operations, noise, and measures undertaken to resolve legitimate community concerns. The Plan Approval application must be accompanied by the payment of appropriate fees and be accepted as complete by the Department of City Planning. The applicant's fee shall be determined on an actual cost basis for City staff review involved. The Plan Approval shall require a public hearing and be determined by the Zoning Administrator or the City Planning Commission on appeal. Public notice shall be made to owners and occupants of property within a radius of 500 feet.

FINDINGS

1. General Plan Land Use Designation and Consistency

The subject property is located within the area covered by the Chatsworth-Porter Ranch Community Plan, updated and adopted by the City Council on September 4, 1993. The Plan designates the subject property as Minimum Density Residential with corresponding zones of A1-1. The proposed plan amendment and zone change, as requested by the applicant, would designate the entire site as Limited Manufacturing.

Overall, implementation of the proposed project would not detract from the valued visual character of the community or area; nor introduce inappropriate contrast between proposed project elements and adjacent and nearby development; nor remove existing features that substantially contribute to the character of or image of the community; or nor be materially inconsistent with the goals and policies of the Community Plan.

The Community Plan is also intended to promote an arrangement of land use, circulation, and services which will:

Encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the Community; guide the development, betterment, and change of the Community to meet existing and anticipated needs and conditions; contribute to a healthful and pleasant environment; balance growth and stability; reflect economic potentialities and limitations, land development and other trends; and protect investment to the extent reasonable and feasible.

The recommended project will meet the above goals, policies, and objectives of the Community Plan by providing an acknowledgement of the established use and character of the subject site operated and maintained as a industrial/commercial campus for more than 50 years.

The zone change and General Plan amendment would promote the general welfare by allowing the continued use, maintenance and improvement of the established research and development campus providing thousands of jobs over the years. Approval of the application would facilitate improving the self containment of the campus by allowing as a matter of right those kinds of upgrades that would mitigate any potential impacts on the surrounding properties.

Several conditions have been included to this approval to provide a better internal environment for both vehicular and pedestrian circulation, including internal shuttle service and shuttle shelter areas. These provisions are consistent with the General Plan/Community Plan policies, goals, programs, and objectives as follows:

OBJECTIVES 6. To make provisions for a circulation system coordinated with land uses and densities and adequate to accommodate traffic; and to encourage the expansion and improvement of public transportation service.

PROGRAMS – ENERGY. These programs establish a framework for guiding development of the Chatsworth-Porter Ranch Community in accordance with the objectives of the Plan. In general, they indicate those public and private actions which should take place during the initial five years following adoption of the Plan. The described actions will require the use of a variety of implementation methods. The Plan

encourages energy conservation through allocating and distributing the location and intensity of land uses so that higher densities, including new housing opportunities, should be supported in centers and transportation corridors. The Plan encourages efficient design and landscape techniques.

2. Charter Findings

Pursuant to Section 556 of the City Charter, the subject request, as conditioned, is in substantial conformance with the purposes, intent and provisions of the General Plan. Provided findings of fact are made herein for the subject case action, the decision maker may act appropriately. Consistent with the provisions of the Community Plan for the area, this approval, including its conditions of approval, is intended to assure mitigation of potential negative impacts generated by manufacturing uses when they are located in close proximity to residential neighborhoods and to encourage new industrial uses adjacent to residential neighborhoods to mitigate their impact on the residential neighborhoods to the extent feasible.

3. Zone Change, LAMC Section 12.32

The subject property was originally developed as a research and development campus for Hughes Aircraft for post World War II aviation research and development. It has been used generally for research and development purposes by various aviation, aerospace and other companies ever since. Since the subject site is zoned A1-1, every building improvement on the campus was approved through a discretionary review process.

This request is to change the zone from A1-1 to M1-1 and to change the general plan land use element from Minimum Residential to Limited Manufacturing. The request essentially moves the M1-1 Zone boundary south to cover the remaining southerly half of the industrial campus. The purpose of the proposed project is to bring the land uses, zoning and general plan in to consistency. All of the building improvements and industrial/commercial land uses on the subject site were approved through some kind of discretionary entitlement process. Even individual tenant improvements required some level of special zoning review. The General Plan amendment and zone change would acknowledge the established use and character of the subject site and maintain its industrial/commercial integrity on a campus designed, arranged and used as such for more than 50 years.

A review of the City's entitlements records indicates it is understood that the industrial nature of the subject site has long been established and should remain. The problem is, unlike other established industrial areas, every minor alteration or tenant improvement project requiring a building permit cannot go ahead without enduring a lengthy and expensive entitlement process. This condition is contrary to the public necessity and convenience and chills projects that would otherwise be approved as a matter of right with a ministerial building permit review. Instead, reasonable maintenance and enhancements are put off for extended periods of time or even indefinitely because such onerous entitlement processes must be endured for even minor projects.

The zone change and General Plan amendment would promote the general welfare by allowing the continued use, maintenance and improvement of the established research and development campus providing thousands of jobs over the years. Approval of the application would facilitate improving the self containment of the campus by allowing as a matter of right those kinds of upgrades that would mitigate any potential impacts on the surrounding properties. Examples include, but are not limited to, providing additional on

site parking and providing campus amenities including food service and sundry needs on site thereby reducing the need for employees to travel to and from the subject property during business hours.

The present zoning and planning condition is contrary to good zoning practice since, as a practical matter, such common sense improvements have not been done because the burden of enduring the procedural difficulties, expense and uncertainty of the various entitlements processes necessary to achieve them outweigh any immediate benefit. As an additional practical consideration, Minimum Residential density does not exist in any development anywhere near the subject site, nor can it be expected that any such developments will occur in the vicinity at any time in the future.

The applicant is being granted a zone change from A1-1 to [T][Q]M1-1. The use and area provisions of the M1 zone apply; however, this approval places further uses restrictions on the subject site by only allowing a fraction of those uses typically permitted in the M1 zone. Most of the "heavy" industrial uses are prohibited. The uses that are permitted under this approval are those "light" industrial and office commercial uses, most Research and Development types.

Additionally, commercial uses on the subject property are permitted only in a limited form. The M1 zone permits C2 uses. Most C2 uses however are prohibited and what is left is only a small fraction of uses and further these uses are limited to only serve the employees and workers of the property. In fact, the only commercial allowed cannot have exterior signage to the street and must have limited hours of operation.

The applicant has volunteered to the following conditions of approval as "public benefits" including:

- i. Membership in a Transportation Management Organization (TMO) for a minimum period of three (3) years.
- ii. Payment of Neighborhood Protection monies in improvements and funds to a sum of approximately \$900,000.

Several uses permitted in the M1 zone have been expressly prohibited because their use and operation is not consistent with the applicant request. These include hospitals, sanitariums and similar uses and schools, universities and similar uses. The applicant has agreed to (i.e., volunteered) to these prohibitions.

As stated in the Issues section, the height of the building, in this report, is limited to a maximum height of 85 feet for one proposed building and 45 feet for the other. Existing buildings are limited to their current height. The proposed building limitation does allow for the height exceptions permitted under LAMC Section 12.21.1.

Finally, the proposed project has been conditioned with "Q" Conditions which include limitations on floor area, height, and use. Additionally, conditions have been included to insure the operation of the project has minimal impacts upon the surrounding areas including. More importantly, the project has been conditioned to develop consistent with the approved plans in Exhibit B.

4. **Conditional Use, L.A.M.C. Section 12.22.A23**

LAMC Section 12.24 W 27 provides that the Zoning Administrator shall be the initial decision-maker for Conditional Use applications involving Commercial Corner

Developments in the C, M1, M2 or M3 Zones where the uses do not comply with the requirements and conditions enumerated in LAMC Section 12.22 A 23. However, since the Project involves both quasi-judicial and legislative approvals, all the applications are considered by the City Planning Commission pursuant to LAMC Section 12.36 C. The subject site is located at the northwest corner of Fallbrook Avenue and Roscoe Boulevard, and the proposed zone change will result in M1-1 zoning for the entire 80 acre site. This request for Commercial Corner Development is based on the Project's compliance with all requirements and conditions of Section 12.22.A.23 except for the following: the proposed hours of operation, and, out of an abundance of caution, ground floor exterior walls consisting of at least 50 percent transparent windows.³

The project has been conditioned to place hours of operation consistent with the operation of the subject property while protecting the interests of the surrounding neighborhoods. With regard to the exemption from the requirements of providing transparent windows, no conditions have been offered because of the fact that this requirement in the LAMC was truly designed to apply to commercial projects immediately adjacent to public roadways. Both proposed buildings will be located in the middle of this large campus site several hundred feet away from any public roadway. Additionally, a Plan Approval requirement has been provided as a condition specifying that after 5 years, the applicant must revisit the hours of operation of the site including the commercial uses. This Plan Approval requirement will give the City the opportunity to review the operating hours and refine them if necessary.

The Project satisfies the findings required by LAMC Section 12.24 E as follows:

A. The Proposed Location Will Be Desirable to the Public Convenience or Welfare.

This conditional use will allow the change of use of an existing approximately 106,000 square foot school building (formerly DeVry University) to an office building, adding a new office building consisting of approximately 250,000 square feet up to 85 feet high, and adding a new 45 foot high office building consisting of approximately 110,000 square feet. Also proposed to be included on site is a new parking structure to accommodate an additional approximately 969 parking spaces.

The location is desirable to the public convenience because two streets provide convenient access to the site. The location will provide jobs and shopping convenience for the vicinity and will provide amenities for the employees at the site. Presently, large numbers of these employees typically leave the site during the lunch hour. The proposed retail and service amenities are planned to be service-oriented, intended to benefit these employees and obviate the need to leave the site. The proposed retail uses are planned to be service-oriented, intended to benefit these employees and obviate the need for them to leave the site. Such uses shall serve as amenities exclusive to the site users, including visitors conducting business on site and may include dining, drugstore and/or sundries shop and other limited retail or service uses. The location is thus desirable to the public convenience and welfare.

B. The Proposed Location Is Proper in Relation to Adjacent Uses and the Development of the Community.

³ While the design of the building facade has not been finalized, this request by the applicant is intended to allow greater design flexibility.

The entire campus site has been occupied by research and development/office buildings since the mid-1950s. Fallbrook Avenue and Roscoe Boulevard provide buffer area between the subject property and residential uses to the east and south. The substantial difference in grade between the subject site and the residential uses to the west, as well as a dense grove of trees located as a separation, provide buffer and screening for the protection of adjacent uses. Further, the Project will provide jobs greatly needed in the vicinity and is thus proper in relation to the development of the community.

C. The Proposed Location Will Not Be Materially Detrimental to the Character of Development in the Immediate Neighborhood.

As stated previously, the entire campus site has been occupied by research and development/office buildings since the mid-1950s, and has existed in harmony with the neighborhood. Fallbrook Avenue and Roscoe Boulevard provide buffer area between the subject site and residential uses to the east and south. The substantial difference in grade between the property and the residential uses to the west, as well as a dense grove of trees located as a separation, provide buffer and screening for the protection of adjacent uses.

D. The Proposed Development Will Be in Harmony with the Various Elements and Objectives of the General Plan.

The subject site is in the Chatsworth – Porter Ranch Community Plan Area of the City's General Plan. The proposed General Plan amendment will result in a land use designation of Limited Manufacturing. The proposed zone change will result in M1-1 zoning. The Community Plan includes as a stated objective: "To promote economic well-being and public convenience through:...allocating and distributing commercial lands for retail, service, and other facilities in quantities and patterns based on...accepted planning principles and standards." (Community Plan, Objective 4.)

Approval of the application supports this objective by providing conveniently located job opportunities, and by improving the self containment of the campus. Examples include providing additional on site parking and providing campus amenities including food service and sundry needs on site, thereby reducing the need for employees to travel to and from the property during business hours.

E. The Commercial Corner Development Use Is Consistent with the Public Welfare and Safety.

The proposed project is consistent with and benefits the public welfare because it contributes to the office campus that has existed at the subject site for many years. The project will provide greatly needed job opportunities for the vicinity, and will provide amenities for the employees on site. Additionally, convenient and safe access to the site is provided by Fallbrook Avenue, a 77-foot, 80-foot, and variable width Secondary Highway, and Roscoe Boulevard, a 100-foot wide Major Highway Class II.

4. **Site Plan Review Findings – LAMC Section 16.05**

The conditions of approval are designed to make the project site more efficient in terms of design, landscaping, access, circulation and walkability. The conditions of this approval reinforce that the subject property, and the northern 29 acre property, are a single campus and must flow in a unified and effective manner. The fact that the subject property is at an elevation higher than the surrounding areas makes its much more vital to establish a successful internal atmosphere. Additionally, there have been added to this approval several conditions related to the site's internal circulation. These conditions have been included in recognition that at the site is a large campus with many types and patterns of movements. The site has been developed incrementally over 50 years which has resulted in an internal situation which is not optimal in terms of internal circulation. The conditions imposed are redesign the campus more efficiently for both vehicular and pedestrian movements. Several conditions are included in the T conditions of this report under the DOT section for submittal of an internal pedestrian and vehicular circulation plans which includes elements like an internal exercise/walking path with amenities like information kiosks, path lighting, shuttles and shuttle shelters. Also proposed are landscaping features like water fountains and focal points for the buildings and revisions to the parking structure to provide more a natural design consistent with the topography of the site. All of this result in a product that is, when completed, more efficiently and effectively maintained and operated.

A. **The Project complies with all applicable provisions of the LAMC and any applicable Specific Plan.**

The project complies with all applicable provisions of the LAMC, including required yards, lot area, floor-area-ratio, and building height standards. Further, the Project provides off-street parking far in excess of Code requirements.

There is no applicable Specific Plan.

B. **The Project is consistent with the General Plan.**

As stated earlier, the subject site is in the Chatsworth–Porter Ranch Community Plan Area of the City's General Plan. The proposed General Plan amendment will result in a land use designation of Limited Manufacturing. The proposed zone change will result in M1-1 zoning. While the General Plan land use designation is currently Minimum Residential, the Property has been continuously in use since the 1950s as a light industrial research and development campus. The project will align the General Plan with the existing uses, and thus establish consistency.

The Community Plan includes as a stated objective: "To promote economic well-being and public convenience through...allocating and distributing commercial lands for retail, service, and other facilities in quantities and patterns based on...accepted planning principles and standards." (Community Plan, Objective 4.)

The Project supports this objective by providing conveniently located shopping and job opportunities, and by improving the self containment of the campus. Examples include providing additional on-site parking and providing campus amenities including food service and sundry needs on site, thereby reducing the need for employees to travel to and from the Property during business hours.

Also, the project has been conditioned under the "T" Conditions to provide a new shuttle service, providing users of the site bus service to all nearby transit centers,

including the Chatsworth Metrolink Station and as part of the new shuttle service, the applicant provides new, sheltered bus stop, and bike racks, at the northwest corner of Roscoe Boulevard and Fallbrook Avenue. This condition is consistent with the Community Plan which requires traffic-generating activities to provide fixed transit facilities, such as bus shelters and pullouts, consistent with anticipated demand. These facilities should be located in areas convenient to pedestrian use.

C. The Project is consistent with any applicable adopted Redevelopment Plan.

The project is not located in an area with a Redevelopment Plan. Thus, this finding is not applicable to this project.

D. The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, which is or will be compatible with existing and future development on neighboring properties.

Fallbrook Avenue and Roscoe Boulevard, combined with landscaped berms, provide buffering between the subject property and uses to the east and south. The substantial difference in grade between the subject property and the residential uses to the west, as well as a dense grove of trees located as a separation, provide buffer and screening for the protection of adjacent uses.

Additionally, there have been added to this approval several conditions related to the site's internal circulation. These conditions have been included in recognition that at the site is a large campus with many types and patterns of movements. The site has been developed incrementally over 50 years which has resulted in an internal situation which is not optimal in terms of internal circulation. The conditions imposed are to redesign the campus more efficiently for both vehicular and pedestrian movements. Several conditions are included in the T conditions of this report under the DOT section for submittal of an internal pedestrian and vehicular circulation plans which includes elements like an internal exercise/walking path with amenities like information kiosk and path lighting. Also proposed are landscaping feature like water fountains and focal points for the buildings and revisions to the parking structure to provide more a natural design consistent with the topography of the site. All of this results in a product that is, when completed, more efficiently and effectively maintained and operated.

E. The Project incorporates feasible mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would substantially lessen the significant environmental effects of the Project, and/or any additional findings as may be required by CEQA.

Mitigation measures related to traffic are specified in the updated letter dated July 10, 2008 from the Department of Transportation. Topography—the substantial difference in grade between the subject site and uses to the west—as well as a dense grove of trees located as a separation, provide buffer and screening and mitigate any aesthetic or noise impacts of the project. Further, the project will provide amenities for the employees at the subject property so as to reduce lunch hour traffic. Presently, large numbers of these employees typically leave the subject property during the lunch hour. The proposed retail uses are planned to be service-oriented, intended to benefit these employees and obviate the need for them to leave the site. Such uses shall serve as amenities exclusive to the site users, including

visitors conducting business on site and may include dining, drugstore and/or sundries shop and other limited retail or service uses.

- F. That any project containing residential uses provides its residents with appropriate type and placement of recreational facilities and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties where appropriate.

Not Applicable.

5. **Additional Findings**

The conditions of approval have many conditions added based upon the review of the Department's Valley Urban Design team. This team proposed many conditions that will make the subject site more attractive in terms of design, landscaping, and especially pedestrian access and circulation. The goal of this team is the same goal as the applicant in making the site a first-class commercial development. The amenities proposed will achieve this goal like the pedestrian/exercise pathway, revised landscaping to include focal points at buildings and water features, revisions to the design of the parking structure, and pedestrian signage and kiosks.

6. **CEQA Findings**

A Mitigated Negative Declaration (ENV-2006-10437-MND) was prepared for the proposed project. The Mitigated Negative Declaration No. ENV-2006-10437-MND is an adequate environmental clearance for the project as recommended by City staff. The environmental mitigations have been incorporated as "Q" Conditions in this report under the sub-hearing Environmental Conditions. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street. The subject environmental clearance has been corrected to eliminate redundant language.

Additionally, the Valley's Environmental Section reviewed the changes proposed by the applicant dated December 22, 2008 (i.e., the Revised Project Description described earlier) and stated that no additional environmental impacts are introduced to the proposed project as a result to the revised project and therefore the project's environmental clearance, as examined by the October 8, 2008, MND under ENV-2006-10437-MND, is still valid. (See **Exhibit J**)

PUBLIC HEARING AND COMMUNICATIONS

Public Hearing

As stated previously, the public hearing was held at the Marvin Braude Constituent Services Building at 6262 Van Nuys Boulevard on December 8, 2008. The meeting convened at approximately 9:00 a.m. in the First Floor Hearing Room. The hearing was conducted by a hearing officer, Tom Glick, of the City Planning Department. The hearing officer explained that the purpose of the public hearing was to take all testimony and prepare a recommendation for the City Planning Commission. The hearing officer explained that he is not the decision maker in this case. The City Planning Commission is the initial decision maker for the Conditional Use request for Commercial Corner Development and the Site Plan Review. The City Planning Commission also makes a recommendation to the City Council for the General Plan Amendment and Zone Change application. The City Council is the appellate body for any appeal of the City Planning Commission action and the ultimate decision maker for the General Plan amendment and zone change requests.

The hearing was attended by approximately 90 persons and lasted approximately 5 ½ hours. Those attending included the applicant, the applicant's representative, several members of the applicant's consultant team, deputies from Council District 12, a deputy from the Office of the Mayor, and other interested members of the public totaling approximately 75 persons. In all, approximately 50 persons testified at the public hearing.

The applicant's representative, Mr. Kevin McDonnell, described the project and entitlements requests. He explained the reasons for the requested General Plan Amendment and Zone Change application was to make the zoning consistent with the established use of the Property as a research and development and office campus. Although the current zoning of the Property is A1-1, the use of the property has been for research and development and office for at least the last 50 years. The owner's representative explained that the various tenants could not conduct business in the A1-1 Zone without obtaining a zone variance or conditional use approval for each use. The owner's desire is to attract the types of businesses that have traditionally operated at the site without having to spend the time and expense seeking specific entitlements for each new business. Mr. McDonnell explained that the conditional use request for Commercial Corner Development was to allow the construction and use of retail businesses at the northwesterly corner of Fallbrook Avenue and Roscoe Boulevard. The intention is to provide retail amenities for use by the tenants and their employees at the subject site. The targeted businesses would be restaurants and specialty shops attracting campus employees and reducing the number and frequency of off site trips to other locations during the day for meals and errands. On weekends and evenings, the retail uses would be an attractive addition to the neighborhood providing neighborhood serving businesses within walking distance of the nearby residential neighborhoods.

Several members of the public residing in the nearby residential neighborhood appeared and testified. Approximately 35 persons testified *In Opposition* to all or portions of the proposed project and its entitlements. A few individuals testified with *General Comments*. A few individuals testified *In Support* of the proposed project.

The testimony is detailed in generalized form as follows:

- One interested party testified that he was in favor of office expansion, but opposed the retail uses at the corner of Fallbrook and Roscoe. He said the Community Plan encourages preservation of MR zoned properties and control of various uses. He said the proposed 100 foot high office building would appear much higher because it is

proposed to be located on top of an elevated portion of the campus. He testified he was opposed to the retail uses because it would attract outside traffic. He also testified that he did not favor the proposed location of the new parking structure. He mentioned that the [Q] conditions governing the northerly portion of the Property limited buildings to a maximum height of 45 feet. He agreed the A1 Zone should be changed. He presented a model of what he envisioned the parking structure would look like if constructed as proposed by the owner.

- Another interested party testified that the northeasterly portion of the site is contaminated with hex-chromium and radioactivity and that a full Environmental Impact Report (EIR) should be required. He also said he thought the owner changed the application to include the northerly portion of the site. He testified that the traffic problems would not be adequately addressed with traffic signs and speed bumps. He said he has observed cars bypassing Eccles Street and turning around to come back to use it as a short cut.
- Several persons testified that the existing landscaping on portions of the campus is not well maintained and it needed to be cleaned-up.
- Several persons testified from the gated community westerly of the project site regarding the traffic from the subject site and how this would affect their only exit from their development onto Roscoe Boulevard.
- A member of the West Hills Neighborhood Council appeared and testified. She said she was not appearing on behalf of the Neighborhood Council, but was testifying as an interested individual. She said she had voted against any zone change and against the retail use at the Neighborhood Council meetings.
- A member of the Valley Industry and Commerce Association (VICA) appeared and testified. He expressed strong support for the application as proposed.
- Another person appeared and testified that she was unaware of the request for General Plan Amendment. She said there were certain environmental hazards introduced to the subject site by past occupants. She said she thought ground water remediation activity had ceased.
- Several persons appeared and testified that she thought a full EIR should be required because of evidence of environmental contamination.
- A person appeared and testified that he was concerned about the use of a "power reactor" at the subject site.
- Many persons testified with concerns about the visibility of the proposed new buildings and increased traffic.
- Many persons stated a deep concern that toxins would be released to the environment during construction.
- A neighbor appeared and testified that he thought more jobs would be created with additional office space, not retail space.
- A neighbor appeared and testified that he was opposed to a zone change on the grounds that the community should be involved with future changes at the subject site.

- Another person appeared and testified that he was informed that the West Hills Neighborhood Council voted 10 to 8 to oppose a zone change and plan amendment as requested by the applicant.
- Another member of the West Hills Neighborhood Council appeared and testified. He said he was trying to understand the nature of the site contaminants and that a full EIR should be required. He said that, although radiation at the site was reported as naturally occurring, the tolerance of radiation by humans is "zero". He questioned why the zone should be changed to M1 as opposed to another zone designation.
- A representative of the Mayor's Business Team from the Mayor's Office of Housing and Economic Development appeared and testified. He expressed the Mayor's support for the application as proposed because of its potential to add hundreds of jobs in the City.
- A representative of Councilmember Smith's office appeared and testified. She said the Councilmember is not opposed to the zone change as long as proper "Q" conditions are adopted to control the uses at the Property. She said the Councilmember is opposed to the proposed retail use and that it should be eliminated. She also said she was interested in seeing site line views of the proposed new 100 foot high building and thought it might be too tall for the site.
- Finally, a few members of trade unions urged support for the proposed project because it would provide much needed construction jobs.

The hearing officer allowed the owner's representatives an opportunity for rebuttal.

One representative explained the jurisdictional restrictions associated with the issue of site contamination. He explained that the Department of Toxic Substances Control (DTSC) and the Los Angeles Regional Water Quality Control Board (Water Board) have jurisdiction over any site contamination issues and that ground water remediation has been ongoing on the Property since the early 1990s. He emphasized that neither the City's zone designation nor the type of environmental document utilized, i.e., Mitigated Negative Declaration (MND) or Environmental Impact Report (EIR), have any impact on the standard for remediation imposed by DTSC or the Water Board because remediation standards are based on the past and future use of a given property.

Another member of the consulting team offered an explanation of the uses proposed for the new buildings and the continued use of the site is consistent with its established character. He explained that the M1 Zone was chosen because it allows for the appropriate mix of land uses consistent with the established character of the campus. The MR Zone, for example, restricts land uses to only industrial uses and does not allow general office use or research and development. Further, the M1 Zone is already in place at the northerly approximately 30 acres of the Property.

The representative explained that all proposed construction was designed to be minimally obtrusive and that the tallest building proposed was deliberately sited at the center-most portion of the campus over 400 feet away from the nearest residential property. He said that if the taller building was required to be limited in height, it would be necessary to spread smaller buildings around the campus making the improvements economically infeasible.

A representative explained that many of the traffic issues brought up by some of the neighbors were studied by the Department of Transportation (DOT) and the required traffic mitigation

measures imposed by DOT would ultimately improve the level of service for the nearby intersections. Also, the owner has volunteered to build a raised landscaped median in Fallbrook Avenue designed to eliminate cut-through traffic to the residential neighborhood easterly of the site.

The representative submitted that there is no history of "reactors" used at the entire site at any time in the past and that a Soil Management Plan recently required by DTSC for remodeling work done at the site revealed no unhealthful levels of toxins.

Finally, the owner's representative explained that the owner is willing to work with the Council office to address the Councilmember's concerns about the proposed building height, land uses and operating conditions. He also asked that, in the event the retail uses are eliminated, he be given the opportunity to demonstrate that additional office floor area could be provided without introducing additional traffic impacts beyond those identified in the traffic study.

The hearing officer closed the public hearing and announced that he would leave the administrative record open for two weeks, until December 22, 2008, allowing the opportunity for anyone to submit additional materials into the record. He announced that the hearing before the City Planning Commission would be on February 26, 2009 and his staff report, including his recommendation to the City Planning Commission, would be available to the public by February 16, 2009.

Communications Received

Several communications (over 150 emails and letters – in file) were received by the hearing officer before and during the two week period the hearing officer left the public record open. Most were in opposition in part or in whole to the proposed project. These communications replicated those comments expressed at the public hearing including:

- **The height of the proposed Office Tower is out of scale with the surrounding buildings.** Comments from the public stated that the applicant proposal at the public hearing was to allow a 100-foot high building. The height of the building is much higher than any other building on the entire complex. The next highest building is 60 feet. An increase to 100 feet would be 40 feet higher.
- **The height and location of the parking structure at the eastern corner of the lot immediately adjacent to single-family homes.** Many stated that the applicant is proposing a new parking structure to accommodate approximately 969 parking spaces. The parking structure is proposed at the worst location on the 90 acre site immediately adjacent to single-family homes in a neighborhood known as Hidden Lake Estates. The applicant has plenty of space of the site to relocate the parking structure to a location less intrusive and impacting upon the neighboring sensitive uses.

Toxic Clean-up and Safety. There was concern expressed that a large number of comments both at the public hearing and in correspondences stated an overwhelming concern for the toxicity of the site. In specific, the comments centered upon past activities related to the toxicity of the soil of the site and the impact of the surrounding uses all of which are sensitive including single-family homes to the east, west and south and the Chatsworth Nature Preserve to the north.

- **The proposed request to an industrial zoning permitting a board range of industrial uses.** Much of the concern was expressed that the past activities of the businesses that contaminated the site would be replicated by this action in the form of

CPC-2007-237-ZC-GPA-CU-SPR
8401 North Fallbrook Avenue, Chatsworth, CA

P-5

allowing an M1 zone over the entire site and this zoning would permit future uses which would continue the contamination legacy.

CPC-2007-237-ZC-GPA-CU-SPR
8401 North Fallbrook Avenue, Chatsworth, CA

Exhibits

Exhibit A1

Vicinity Map

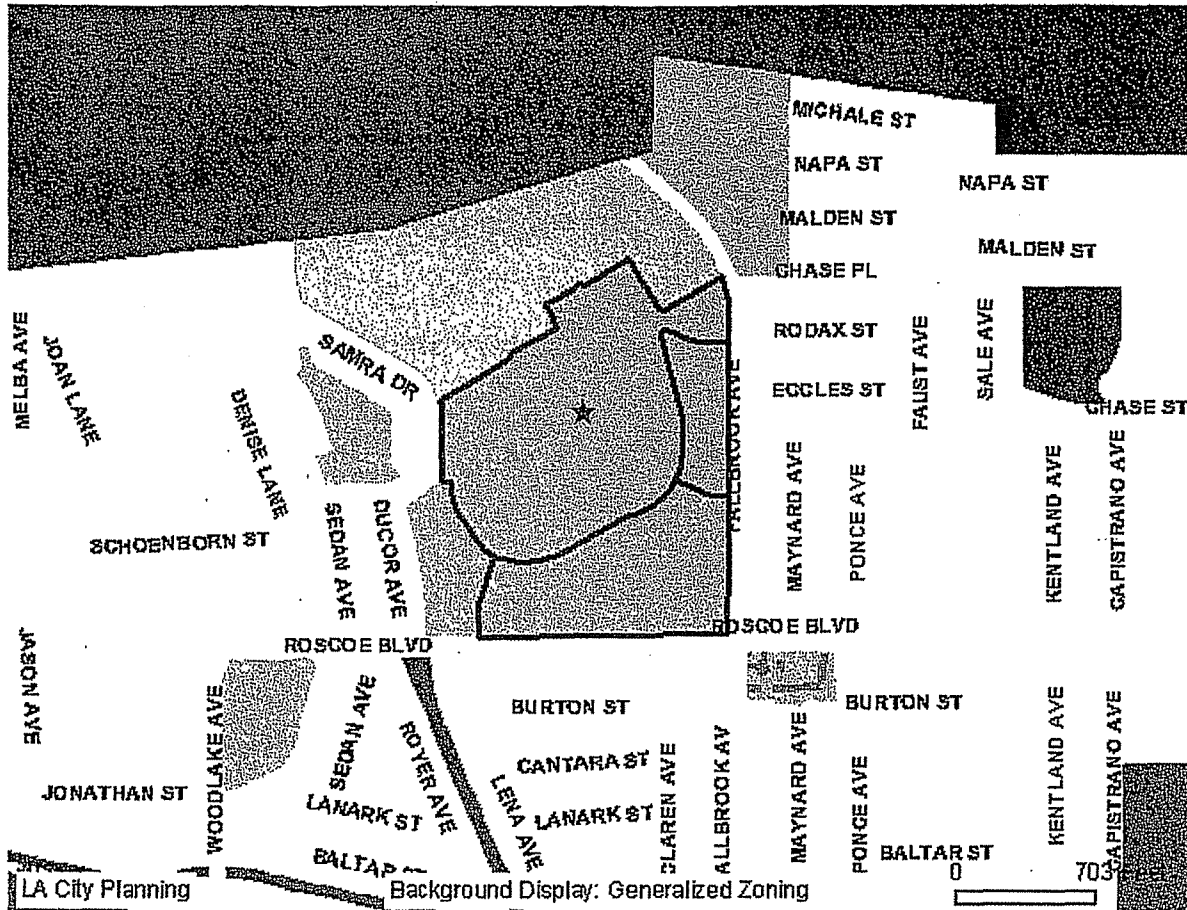
Vicinity Map



Address: 8401-8501 Fallbrook Ave.



#06-323B

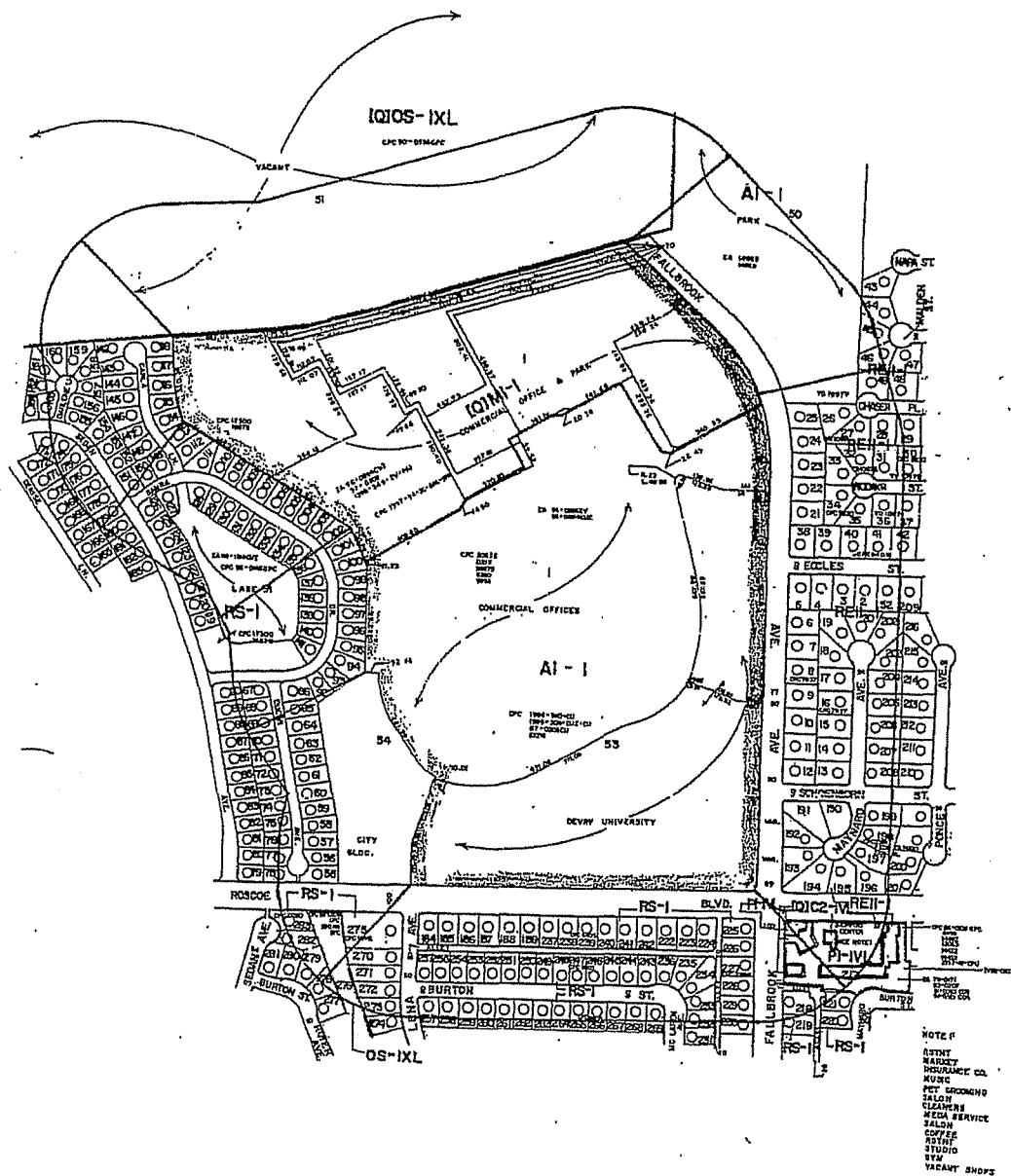


CPC-2007-237-ZC-GPA-CU-SPR
8401 North Fallbrook Avenue, Chatsworth, CA

Exhibits

Exhibit A2

Radius Map and Zone Change Map



PERIODIC COMPREHENSIVE GENERAL PLAN REVIEW AND ZONE CHANGE PROCESS-"BATCHING" & CONDITIONAL USE



Quality Mapping Service
Zoning Consultants

14549 Archwood St., Suite 301
Van Nuys, California 91405
Phone (818) 997-7949 - Fax (818) 997-0351

DRAWN BY: *[Signature]*

THOMAS BROTHERS

Page: 529 Grid: G2
H2

LEGAL

LOT A&B

TRACT: PARCEL MAP 7115
276-1-4

CONTACT: JEFFER MANGELS

C.D. 12

C.T. 1132.31

P.A. 221 (CHATSWORTH - PORTER
RANCH)

USES: FIELD

CASE NO.:

SCALE: 1" = 200'

D.M. 1928097
1928093
1898097

PHONE: 310-203-8080

DATE: 03-21-06
Updated: 03-29-06

NET AC. = 54.74%

NORTH

06-323 B
QMS

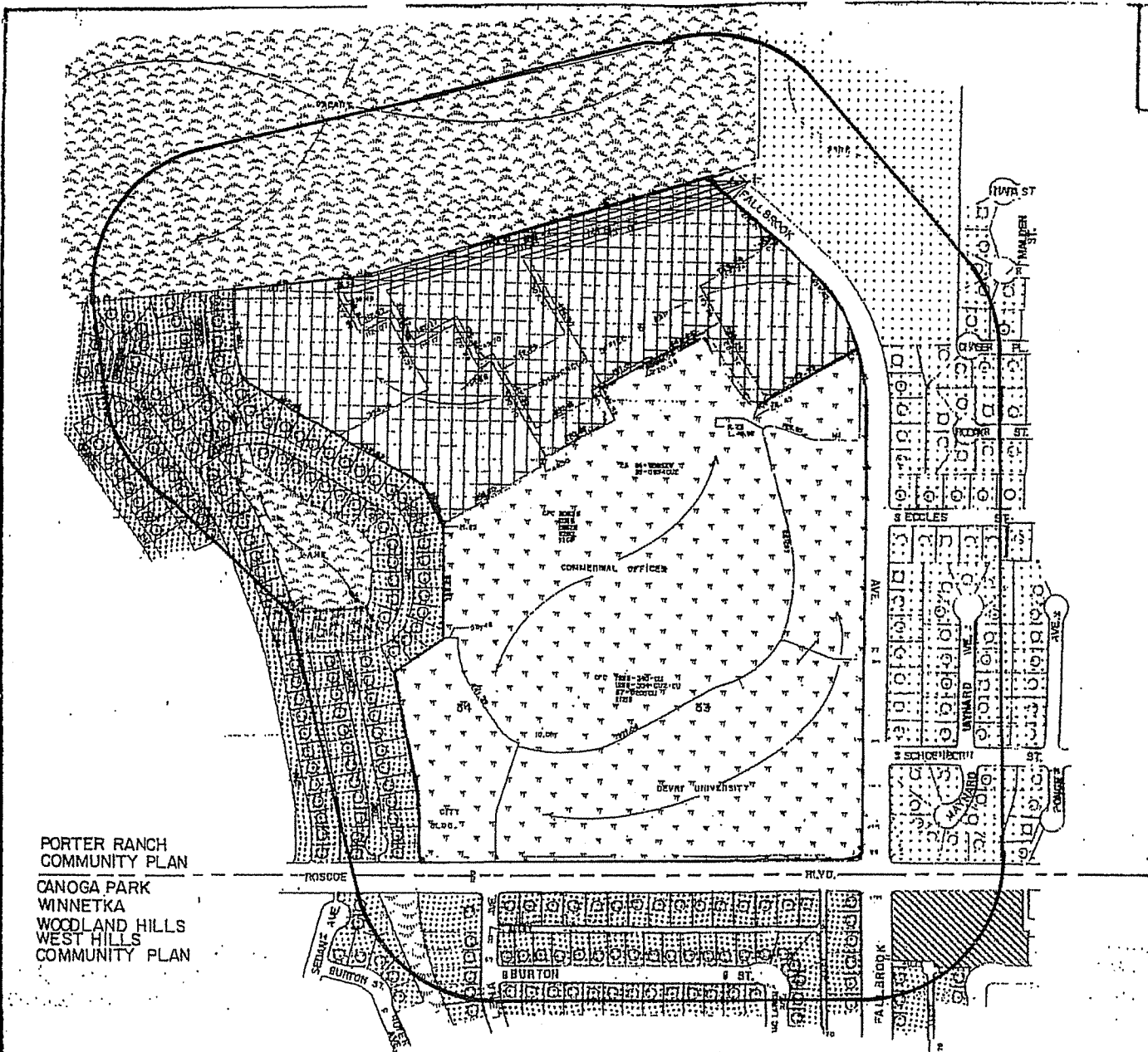
CPC 2007-0257

CPC-2007-237-ZC-GPA-CU-SPR
8401 North Fallbrook Avenue, Chatsworth, CA

Exhibits

Exhibit A3

Existing Plan Map



PORTER RANCH
COMMUNITY PLAN
CANOGA PARK
WINNETKA
WOODLAND HILLS
WEST HILLS
COMMUNITY PLAN

EXISTING

CHATSWORTH - PORTER RANCH COMMUNITY PLAN

VERY LOW II
RE15, RE11

LOW I
RE9, RS

MINIMUM
OS, A1, A2, RE40

LIMITED
CM, MRI, MI

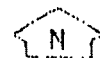
OPEN SPACE
OS, A1

CANOGA PARK - WINNETKA - WOODLAND HILLS - WEST HILLS COMMUNITY PLAN

LOW
RE9, RS, R1, RU
RD6, RD5

GENERAL
C1.5, C2, C4,
RAS3, RAS4

OPEN SPACE
OS, A1



QMS: 06-323



Quality Mapping Service

PHONE: (818) 997-7949

DATE: 09-21-06

CPC-2007-237-ZC-GPA-CU-SPR
8401 North Fallbrook Avenue, Chatsworth, CA

Exhibits

Exhibit A4

Requested Plan Map

CPC-2007-237-ZC-GPA-CU-SPR
8401 North Fallbrook Avenue, Chatsworth, CA

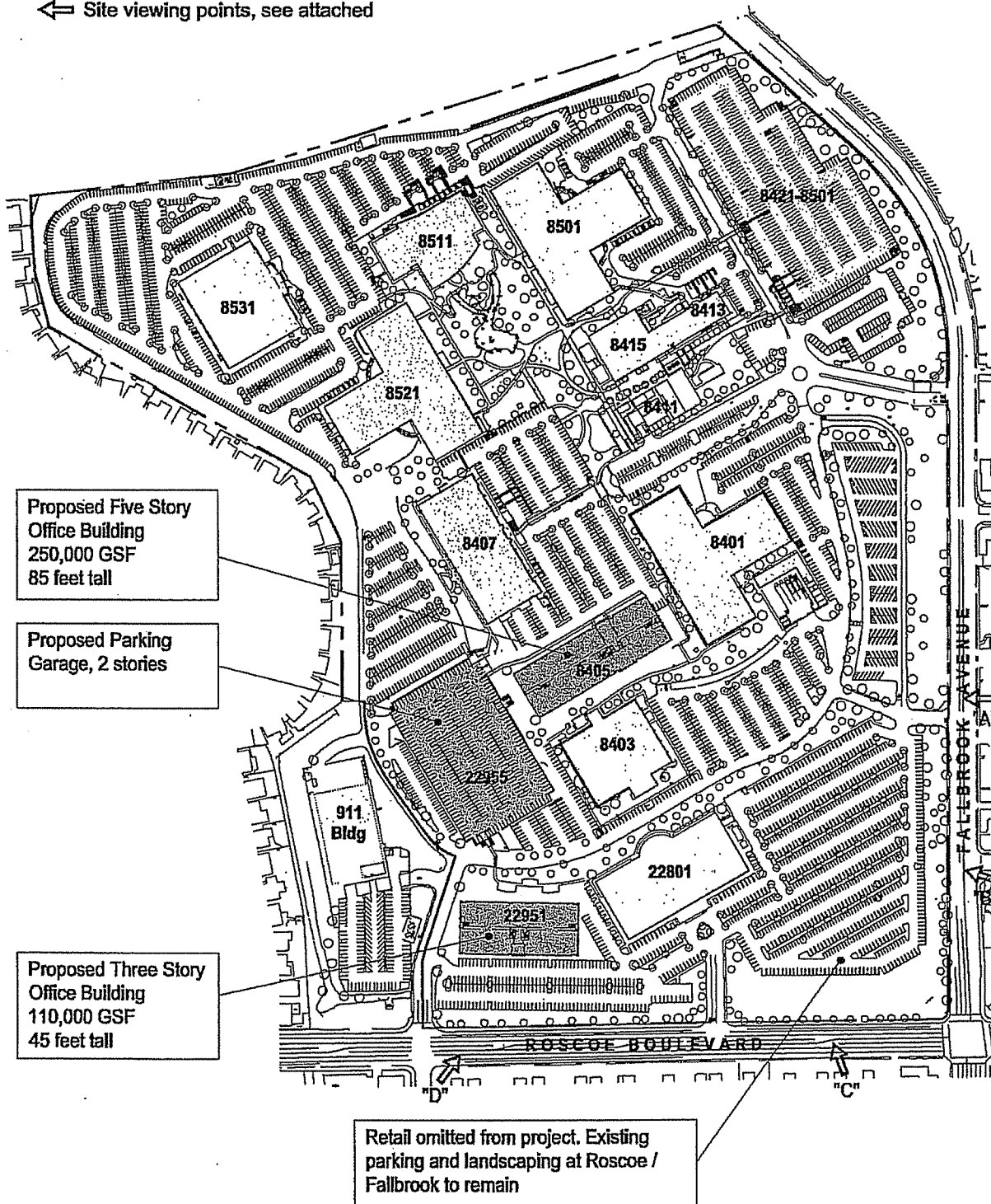
Exhibits

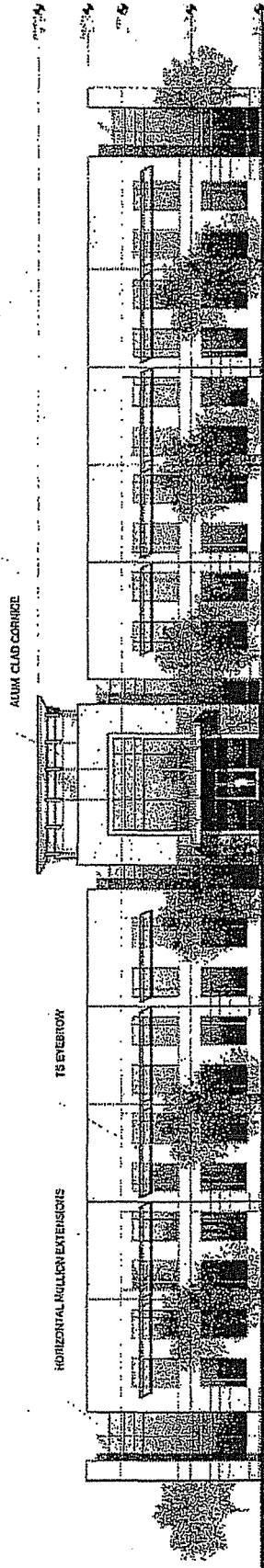
Exhibit B

Site Plan, Elevations and Floor Plans

Revised Master Plan for Corporate Pointe West Hills
December 22, 2008

← Site viewing points, see attached





South Elevation

NOT
A PROFESSIONAL ARCHITECTURAL DRAWING
FOR CONSTRUCTION PURPOSES
NO WARRANTIES OR REPRESENTATIONS
ARE MADE BY THE ARCHITECT
EXCEPT AS NOTED HEREON

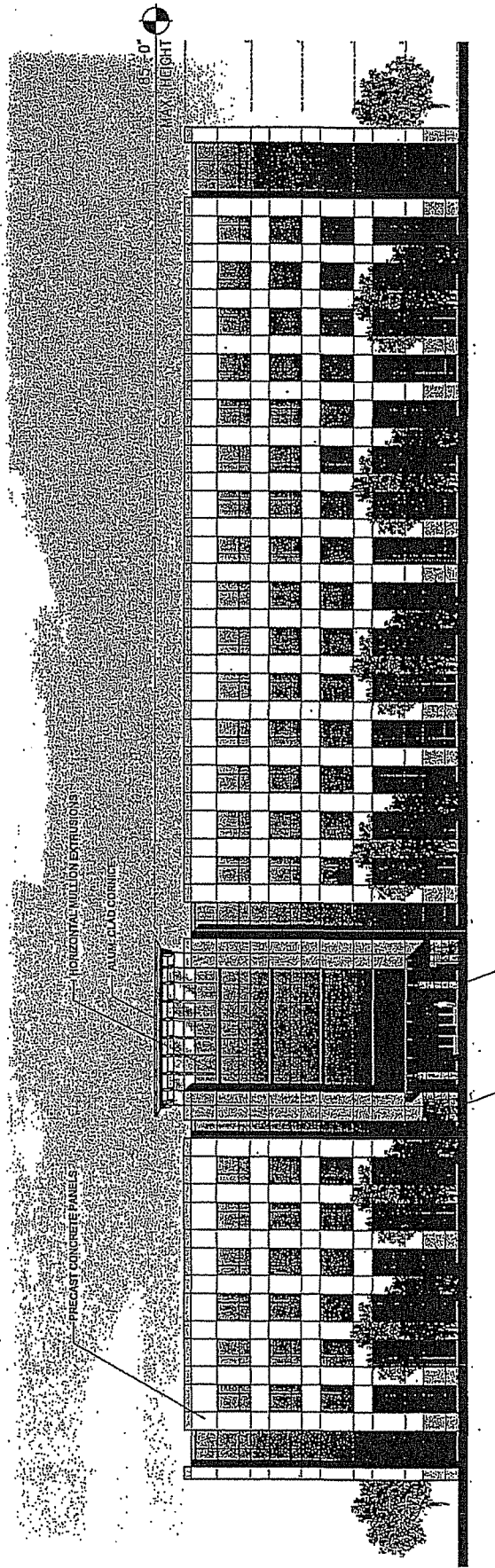
04/03/08 2 of 17

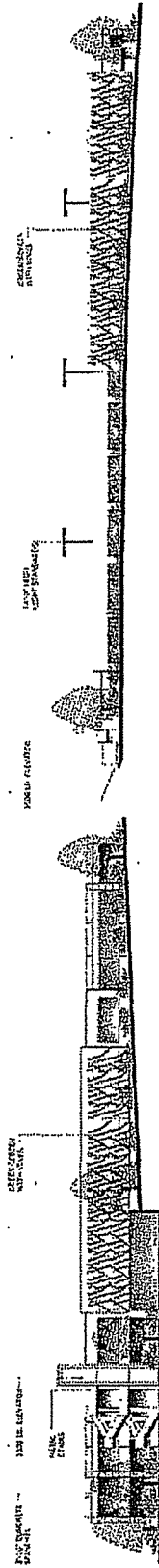
Building 22951 - Low Rise Office Corporate Pointe at West Hills
west hills, california

Wolcott
ARCHITECTS
P.C.

Tammell Crow Company

Planning Submittal



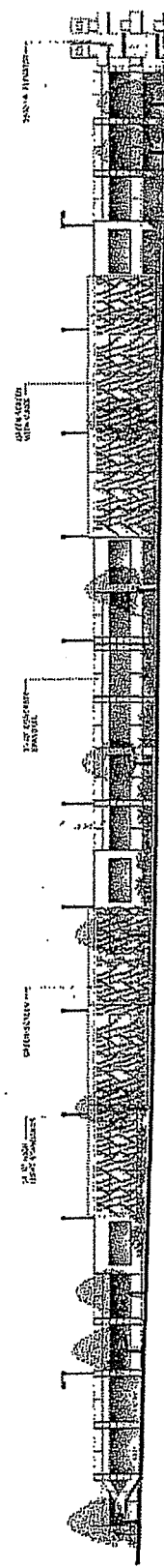


EAST ELEVATION

WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

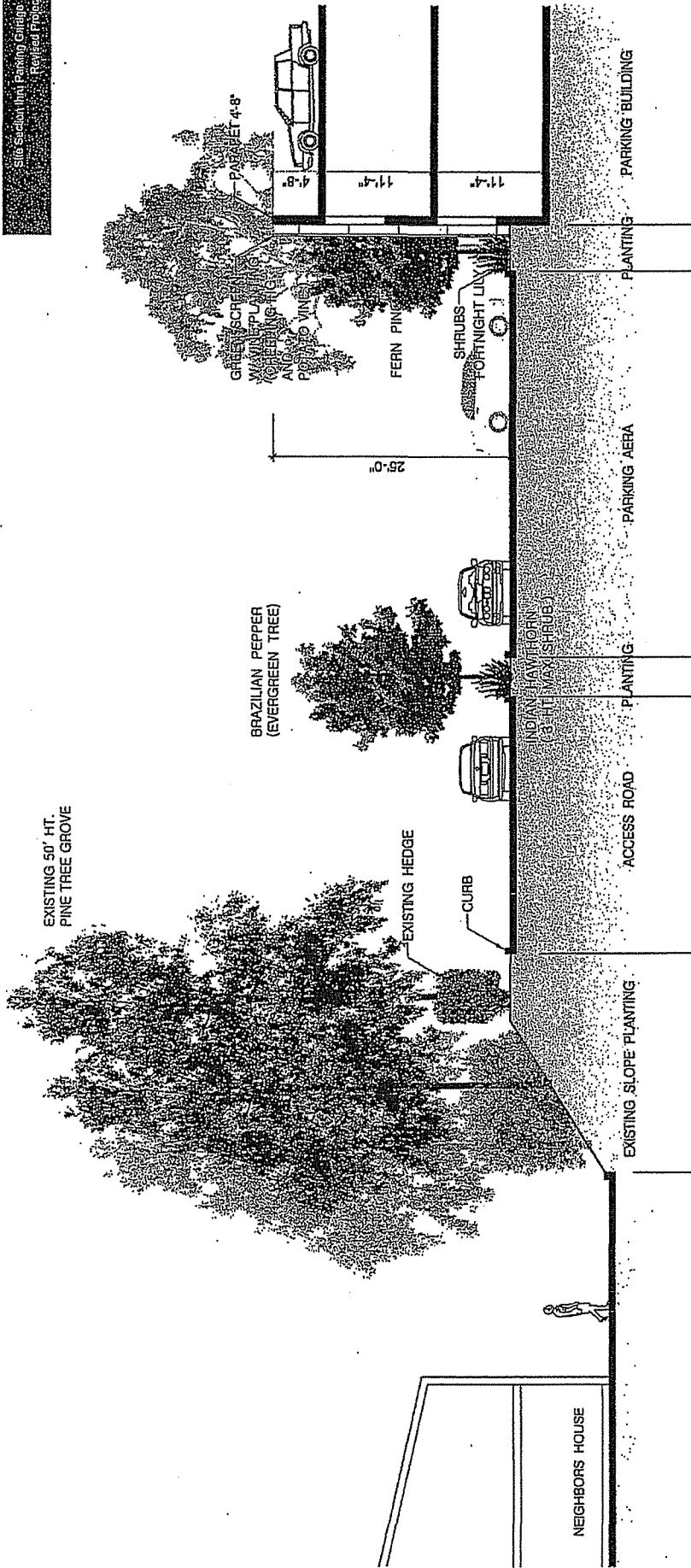
Hammill Group Company

Building 22958 - Parking Structure Corporate Pointe at West Hills
Planning Submittal

Wolcott

04/01/88

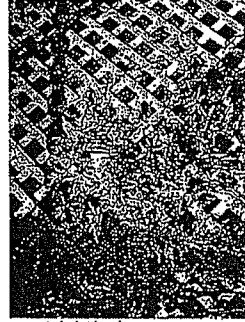
8 of 17



1 SECTION
SCALE 1" = 10'-0"



FORTNIGHT LILY



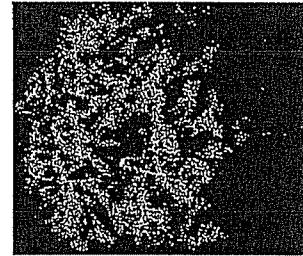
POTATO VINE



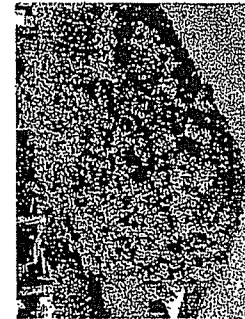
CREeping FIG



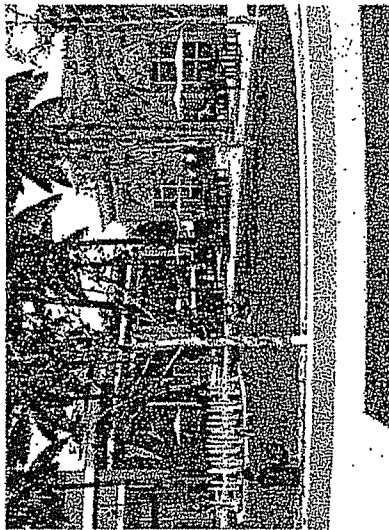
FERN PINE



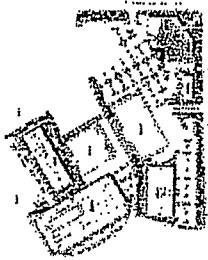
BRAZILIAN PEPPER
(EVERGREEN TREE)



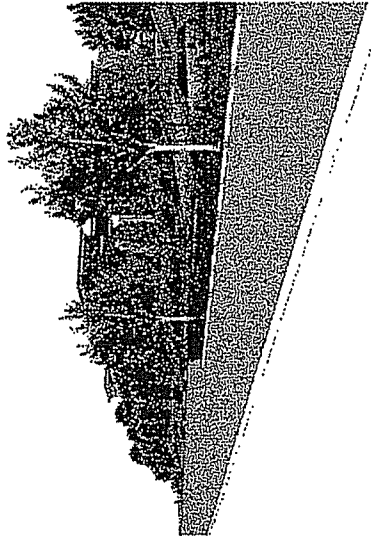
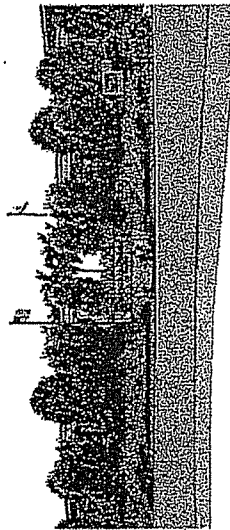
INDIAN HAWTHORN
(3' HT. MAX. SHRUB)



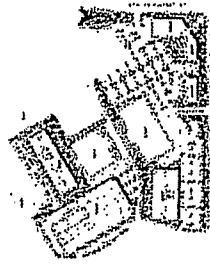
Detail



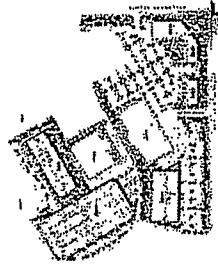
Roscoe / Fallbrook

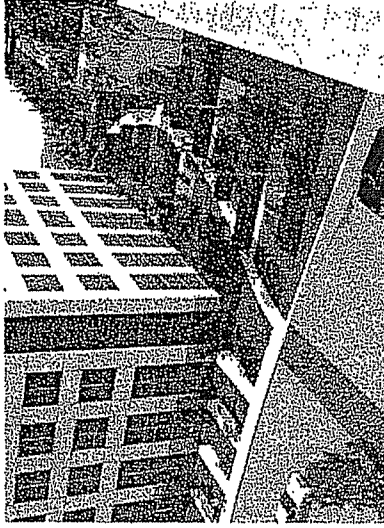


Fallbrook Streetscape

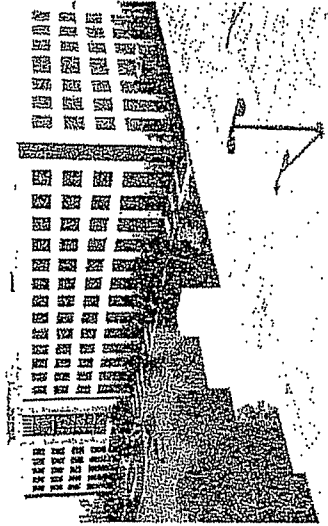
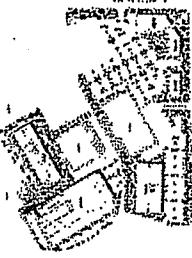


Roscoe Streetscape

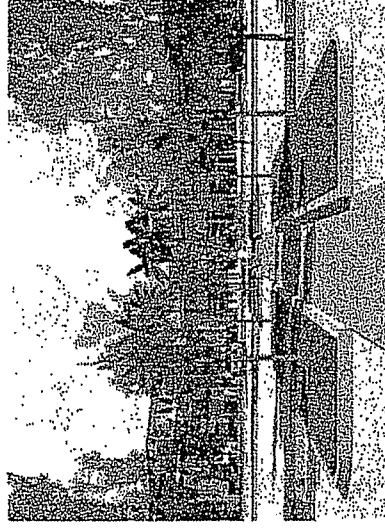
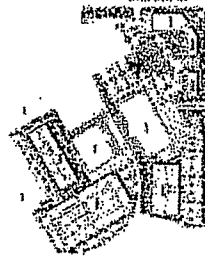




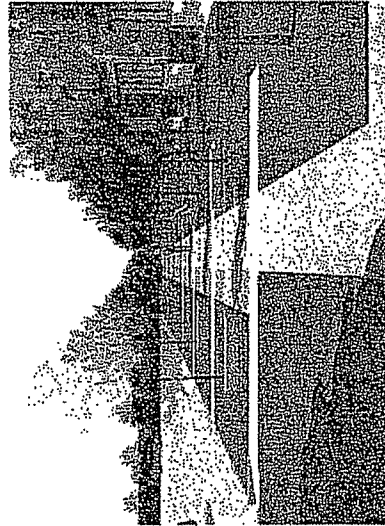
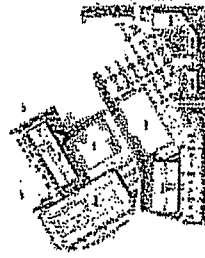
Mid Rise Office



Mid Rise Office



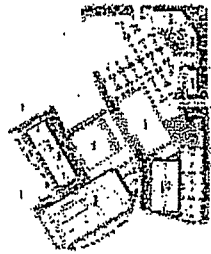
Pedestrian Path



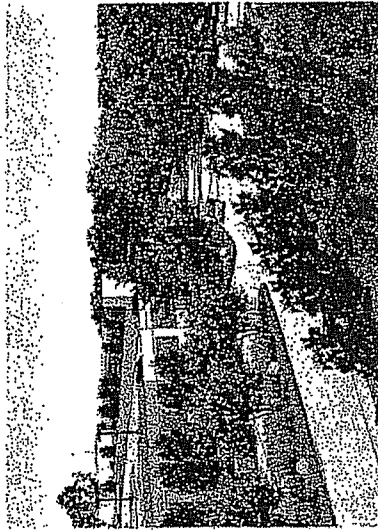
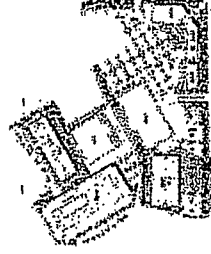
Pedestrian Path



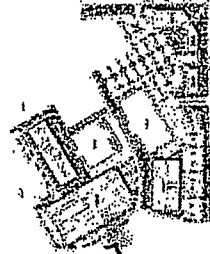
Low Rise Office



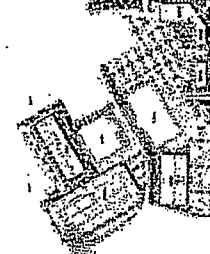
Low Rise Office



Parking Garage



Parking Garage



CPC-2007-237-ZC-GPA-CU-SPR
8401 North Fallbrook Avenue, Chatsworth, CA

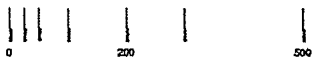
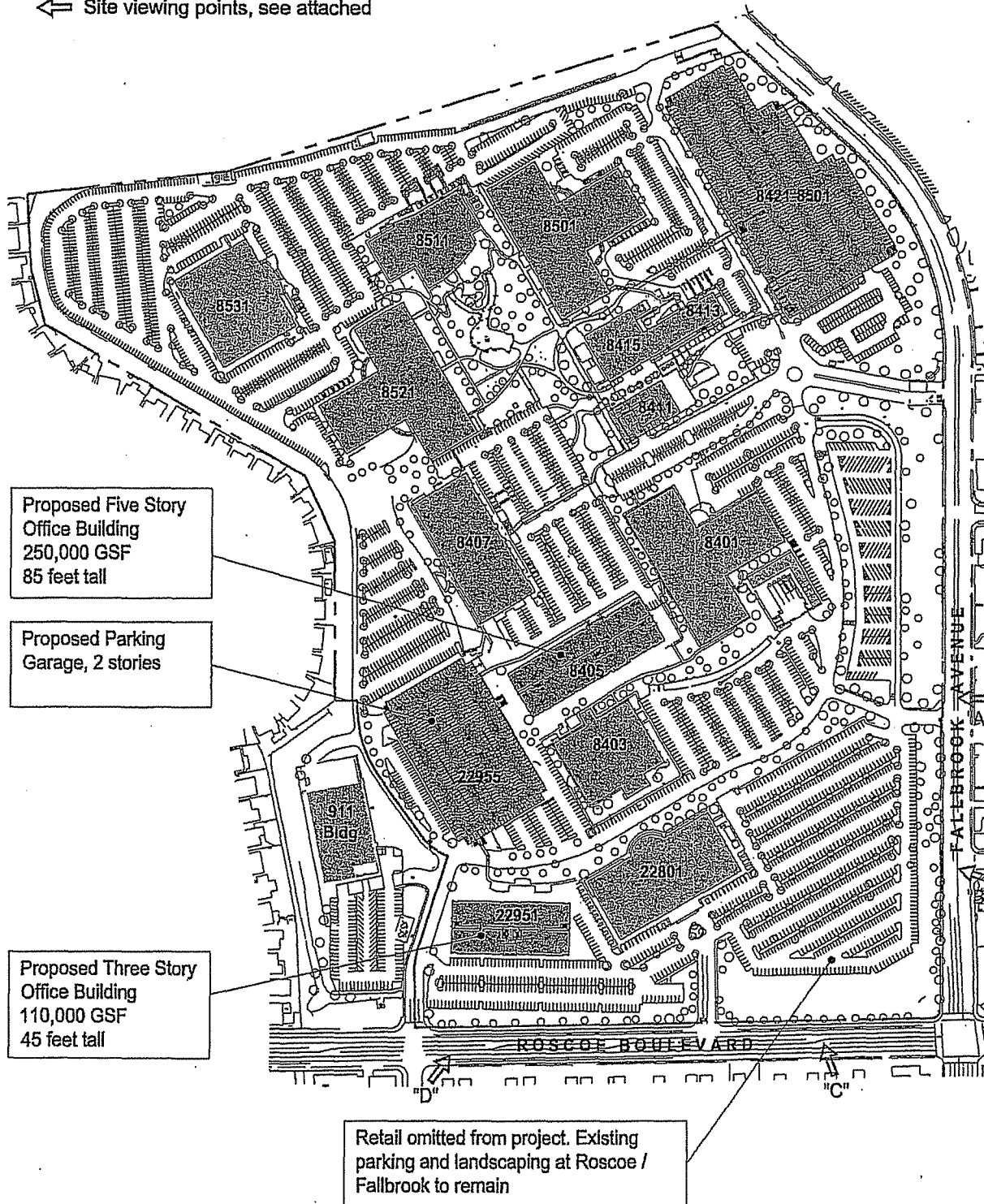
Exhibits

Exhibit C

Site Photographs

Revised Master Plan for Corporate Pointe West Hills
December 22, 2008

← Site viewing points, see attached





Site View "A" looking from Fallbrook



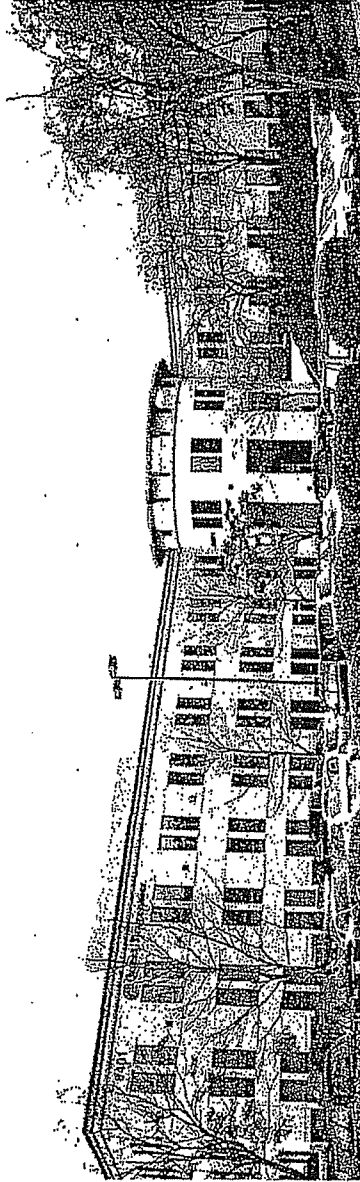
Site View "B" looking from Fallbrook



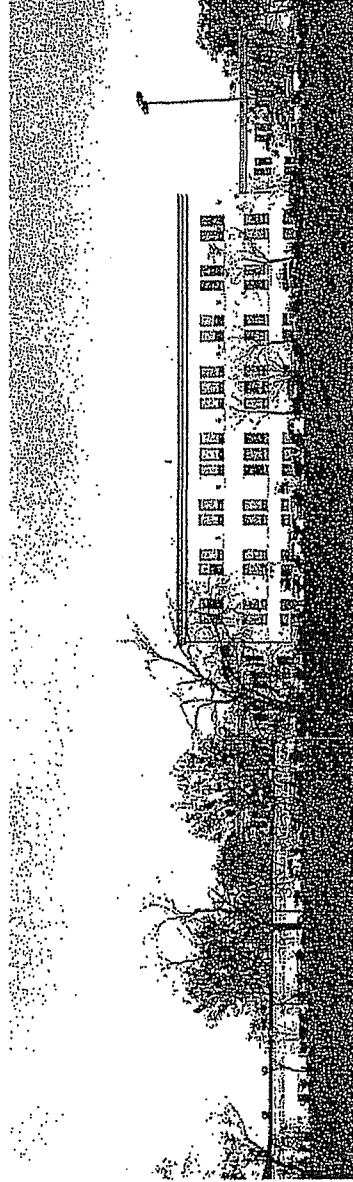
Site View "C" looking from Roscoe



Site View "D" looking from Roscoe



South Elevation - (E) Building 8401



West Elevation - (E) Building 8401

04/01/03 10:01:17

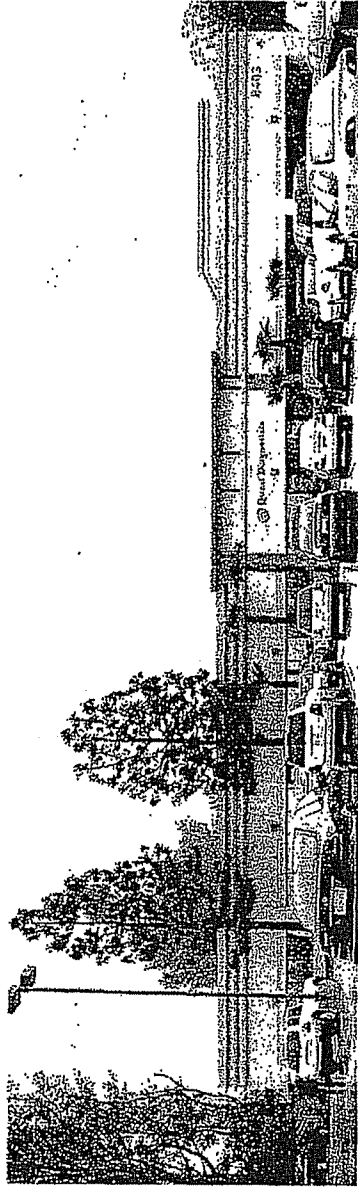
Jruehl Group Company

Building 8401 - (E) Building
Planning Submittal

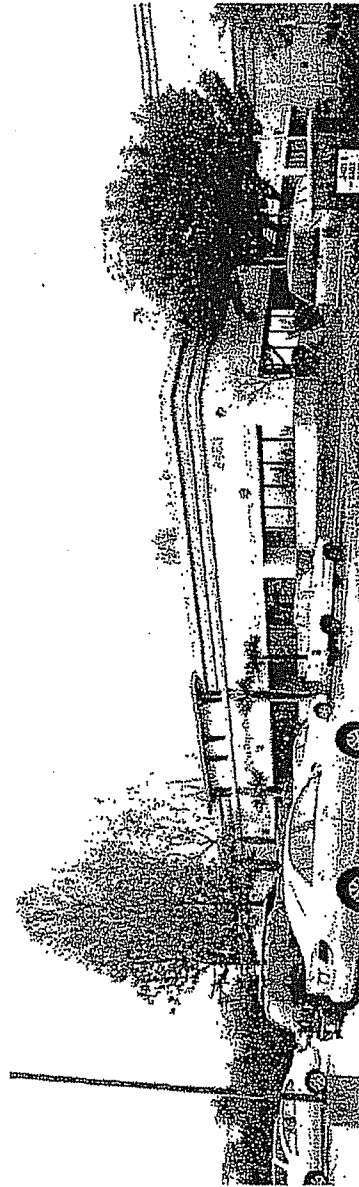
Wolcott
ARCHITECTS

WARE MAECONB
ARCHITECTS

Corporate Pointe at West Hills
west hills, california



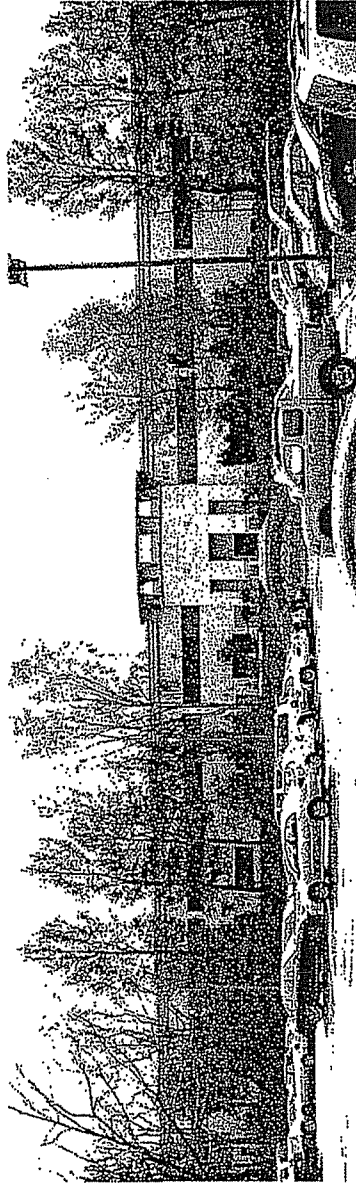
East Elevation - (E) Building 8403



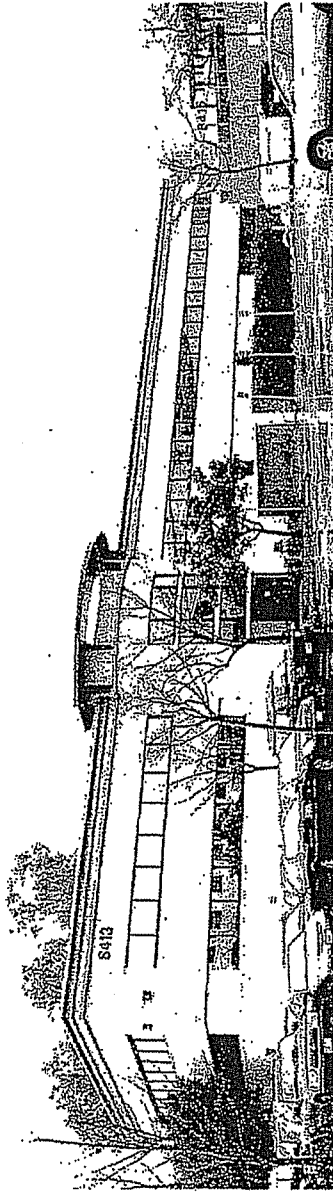
Southeast Elevation - (E) Building 8403



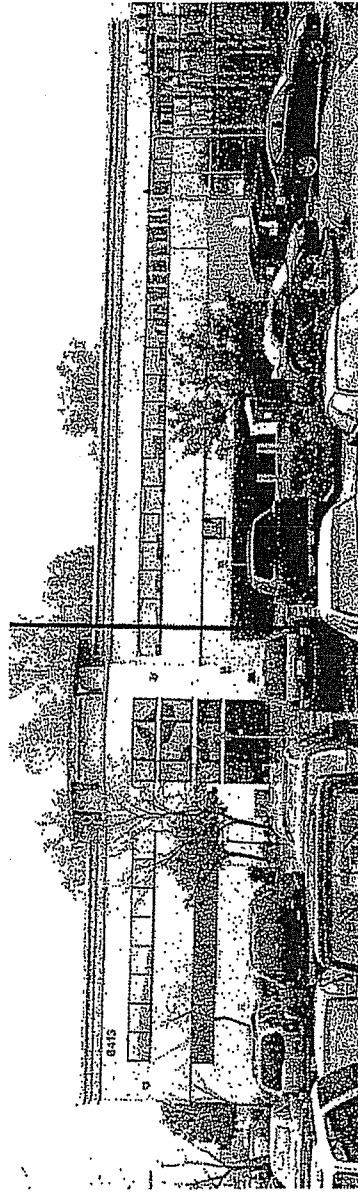
South Elevation - (E) Building 8407



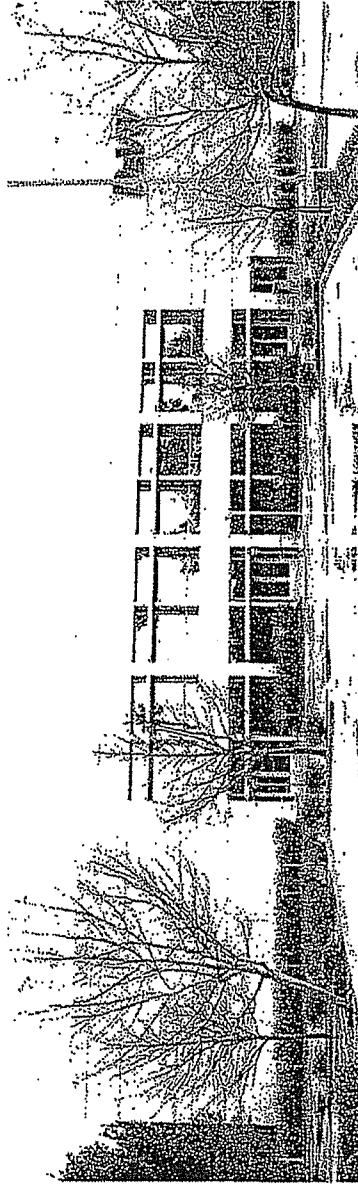
West Elevation - (E) Building 8407



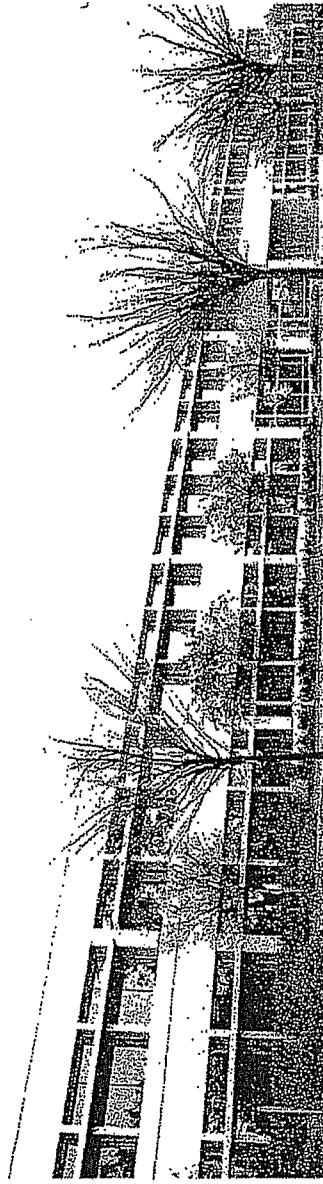
Northeast Elevation - (E) Building 8413



West Elevation - (E) Building 8413



East Elevation - (E) Building 22801



South Elevation - (E) Building 22801

CPC-2007-237-ZC-GPA-CU-SPR
8401 North Fallbrook Avenue, Chatsworth, CA

Exhibits

Exhibit D

Environmental Clearance

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
PROPOSED MITIGATED NEGATIVE DECLARATION

LEAD CITY AGENCY
CITY OF LOS ANGELES

COUNCIL DISTRICT
12

PROJECT TITLE
ENV-2006-10437-MND

CASE NO.
CPC-2007-237-GPA-ZC-CU-SPR

PROJECT LOCATION
8401-8413 N FALLBROOK AVE; CHATSWORTH - PORTER RANCH; 91304

PROJECT DESCRIPTION

General Plan Amendment from Minimum Residential to Limited Manufacturing; Zone Change from A1-1 to M1-1; Conditional Use to permit exceptions from Commercial Corner Development requirements for hours of operation and less than 50% window coverage; and Site Plan Review; in conjunction with the change of use of an approximately 106,000 square-foot school building to an office building, new construction of an approximately 210,000 square-foot, 100 foot in height, office building, new construction of an approximately 90,000 square-foot, 45 foot in height, office building, new construction of approximately 35,000 square-feet of retail space (30' in height), and new construction of a two-story above grade parking structure providing 969 parking spaces (619 new parking spaces), operating daily from 5 a.m. to 11 p.m.; on 2,222,217.5 square-foot site, in the A1-1 and [Q]M1-1 zones.

NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY

MEPT West Hills, LLC
1215 Fourth Avenue, 2400 Financial Center
Seattle, WA 98161

FINDING:

The City Planning Department of the City of Los Angeles has Proposed that a mitigated negative declaration be adopted for this project because the mitigation measure(s) outlined on the attached page(s) will reduce any potential significant adverse effects to a level of insignificance

(CONTINUED ON PAGE 2)

SEE ATTACHED SHEET(S) FOR ANY MITIGATION MEASURES IMPOSED.

Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-maker may adopt the mitigated negative declaration, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.

THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.

NAME OF PERSON PREPARING THIS FORM

TITLE

TELEPHONE NUMBER

TANNER BLACKMAN

CITY PLANNING ASSISTANT

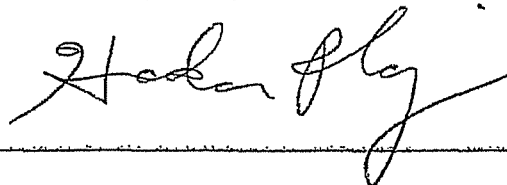
(213) 978-1353

ADDRESS

SIGNATURE (Official)

DATE

200 N. SPRING STREET, 7th FLOOR
LOS ANGELES, CA. 90012



OCTOBER 6, 2008

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY
and CHECKLIST
(CEQA Guidelines Section 15063)

LEAD CITY AGENCY: CITY OF LOS ANGELES	COUNCIL DISTRICT: CD 12 - GREIG SMITH	DATE: 08/20/2008
RESPONSIBLE AGENCIES: CITY OF LOS ANGELES		
ENVIRONMENTAL CASE: ENV-2006-10437-MND	RELATED CASES: CPC-2007-237-GPA-ZC-CU-SPR	
PREVIOUS ACTIONS CASE NO.:	<input type="checkbox"/> Does have significant changes from previous actions. <input checked="" type="checkbox"/> Does NOT have significant changes from previous actions.	
PROJECT DESCRIPTION: EAF FOR BATCHING PROJECT		
ENV PROJECT DESCRIPTION: General Plan Amendment from Minimum Residential to Limited Manufacturing; Zone Change from A1-1 to M1-1; Conditional Use to permit exceptions from Commercial Corner Development requirements for hours of operation and less than 50% window coverage; and Site Plan Review; in conjunction with the change of use of an approximately 106,000 square-foot school building to an office building, new construction of an approximately 210,000 square-foot, 100 foot in height, office building, new construction of an approximately 90,000 square-foot, 45 foot in height, office building, new construction of approximately 35,000 square-feet of retail space (30' in height), and new construction of a two-story above grade parking structure providing 969 parking spaces (619 new parking spaces), operating daily from 5 a.m. to 11 p.m.; on 2,222,217.5 square-foot site, in the A1-1 and [Q]M1-1 zones.		
ENVIRONMENTAL SETTINGS: The subject site is a predominately level (100% less than 10% sloping), irregularly-shaped, corner lot, composed of ten contiguous parcels and fronting for approximately 2,600 feet on the west side of Fallbrook Avenue (a Secondary street dedicated to 80' at the subject site) and approximately 1255 feet on the north side of Roscoe Boulevard (a Major Highway Class II dedicated to 100 feet at the subject site), within the Chatsworth – Porter Ranch Community Plan Area. The subject site is bounded by Fallbrook Boulevard to the east, Roscoe Boulevard to the South, a City of L.A. Police call center and residential uses to the west, and City of L.A. Department of Water and Power reservoir land to the north. The subject site is not within an airport hazard site, coastal zone, Fire District No. 1 or 2, flood zone, hazardous waste/border zone properties, methane hazard site, high wind velocity area, oil wells site, Alquist-Priolo fault zone, or landslide zone. The site is within a very high fire hazard severity zone, hillside grading zone, and liquefaction zone, within 11.42 kilometers of a known fault zone. Additionally, the site is subject to the Chatsworth Plan footnotes. There are no schools or parks within 500 feet of the site. The land use and zoning within a 500 foot radius of the subject site are as follows: single-family residential uses surround the subject site to the east, south, and west, fronting along Sedan Ave, Samra Dr, Carla Ln, Burton St, Lena Ave, Maynard Ave, Schoenborn St, Eccles St, Rodax St, and Chaser Pl (zoned RS-1 and RE11-1); commercial uses front the southeast corner of Fallbrook Ave and Roscoe Blvd (zoned [Q]C2-1VL and P1-1VL); a private park fronts the east side of Fallbrook Ave, north of the subject site (zoned A1-1); a City of L.A. police call center abuts the subject site to the west (zoned A1-1); and the Chatsworth Reservoir lies north of the subject site (zoned [Q]OS-1XL). The 2,222,217.5 square-foot site, formerly owned by Hughes Aircraft then the Raytheon Corporation, contains numerous active businesses on-site. The project proposes a General Plan Amendment, Zone Change, Conditional Use for exceptions from Commercial Corner Development Requirements, and Site Plan Review for the change of use of an approximately 106,000 square-foot school building to an office building, new construction of an approximately 210,000 square-foot, 100 foot in height, office building, new construction of an approximately 90,000 square-foot, 45 foot in height, office building, new construction of approximately 35,000 square-feet of retail space (30' in height), and new construction of a two-story above grade parking structure providing 969 parking spaces (619 new parking spaces), operating daily from 5 a.m. to 11 p.m. The Department of Toxic Substances Control has reviewed this request to develop portions of the site and submitted comments, dated August 5, 2008, attached to this MND.		

PROJECT LOCATION: 8401-8413 N FALLBROOK AVE; CHATSWORTH - PORTER RANCH; 91304		
COMMUNITY PLAN AREA: CHATSWORTH - PORTER RANCH STATUS: <input checked="checked" type="checkbox"/> Does Conform to Plan <input type="checkbox"/> Does NOT Conform to Plan	AREA PLANNING COMMISSION: NORTH VALLEY	CERTIFIED NEIGHBORHOOD COUNCIL: WEST HILLS
EXISTING ZONING: A1-1 [Q]M1-1	MAX. DENSITY/INTENSITY ALLOWED BY ZONING:	LA River Adjacent: NO
GENERAL PLAN LAND USE: MINIMUM RESIDENTIAL LIMITED MANUFACTURING	MAX. DENSITY/INTENSITY ALLOWED BY PLAN DESIGNATION:	
	PROPOSED PROJECT DENSITY:	

I b1. Aesthetics (Hillside Site Design)

- Environmental impacts, such as alteration of existing or natural terrain may result from project implementation. However, these impacts will be mitigated to a level of insignificance by the following measures:
- Grading shall be kept to a minimum.
- Natural features, such as prominent knolls or ridge lines, shall be preserved.
- The project shall comply with the City's Hillside Development Guidelines.

I b2. Aesthetics (Landscaping)

- Environmental impacts to the character and aesthetics of the neighborhood may result from project implementation. However, the potential impacts will be mitigated to a level of insignificance by the following measure:
- All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.

I c1. Aesthetics (Light)

- Environmental impacts to the adjacent residential properties may result due to excessive illumination on the project site. However, the potential impacts will be mitigated to a level of insignificance by the following measure:
- Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.

III d1. Air Pollution (Stationary)

- Adverse impacts upon future occupants may result from the project implementation due to existing ambient air pollution levels in the project vicinity. However, this impact can be mitigated to a level of insignificance by the following measure:
- COMMERCIAL/INSTITUTIONAL - An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 12, to the satisfaction of the Department of Building and Safety.

IV d. Wildlife Corridor

- Environmental impacts from project implementation may result in: 1) conversion and/or disturbance of existing animal habitat area on-site and proximal to the site, and 2) disruption of access corridors between habitat areas. However, these impacts will be mitigated to a level of insignificance by the following measures:
- Post-construction landscape treatment shall be implemented to insure preservation of habitat for wildlife. Where habitat has been preserved, use of native plant materials shall be required.
- Nesting Native Birds - The project will result in the removal of vegetation and disturbances to the ground and therefore may result in take of nesting native bird species. Migratory nongame native bird species are protected by International treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).
 - a. Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).
 - b. If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat the applicant shall:
 - i. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
 - ii. If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31.
 - iii. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone

from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.

- iv. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

IV e. Tree Removal (Locally Protected Species)

- Environmental impacts may result due to the loss of protected trees on the site. However, these potential impacts will be mitigated to less than insignificant by the following measures:
- Prior to the issuance of a grading permit or building permit, the applicant shall submit a tree report and landscape plan prepared by a Municipal Code-designated tree expert as designated by LAMC Ordinance No. 153,478, for approval by the decision maker and the Urban Forestry Division of the Bureau of Street Services.
- A minimum of two trees (a minimum of 48 inch box in size if available) shall be planted for each one that is removed. The canopy of the oak trees planted shall be in proportion to the canopies of the oak trees removed per Ordinance No. 153,478, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the decision maker.
- *Note:* All protected tree and street tree removals shall be approved by the Board of Public Works. Contact: Urban Forestry Division at 213-847-3077.

IV f. Tree Removal (Non-Protected Trees)

- Environmental impacts from project implementation may result due to the loss of significant trees on the site. However, the potential impacts will be mitigated to a level of insignificance by the following measures:
- Prior to the issuance of a grading permit or building permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the decision maker and the Urban Forestry Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.
- The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the decision maker.
- The genus or genera of the tree(s) shall provide a minimum crown of 30'- 50'. Please refer to City of Los Angeles Landscape Ordinance (Ord. No.170,978), Guidelines K - Vehicular Use Areas.
- *Note:* Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: 213-847-3077.

VI aii. Seismic

- Environmental impacts may result to the safety of future occupants due to the project's location in an area of potential seismic activity. However, this potential impact will be mitigated to a level of insignificance by the following measure:
- The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.

VI b. Erosion/Grading/Short-Term Construction Impacts

- Environmental impacts may result from the visual alteration of natural landforms due to grading. However, this impact will be mitigated to a level of insignificance by designing the grading plan to conform with the City's Landform Grading Manual guidelines, subject to approval by the Advisory Agency and the Department of Building and Safety's Grading Division.
- Short-term air quality, grading and noise impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a level of insignificance by the following measures:
- **Air Quality**
- All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.

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- All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- **Noise**
- The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- The project shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- **Grading**
- Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:
 - Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
 - Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.
 - Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- **General Construction**
- Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.
- All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.
- Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- Dumpsters shall be covered and maintained. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into streets.
- All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.

VII h. **Creation of a Health Hazard**

- Environmental impacts to human health may result from project implementation due to a release of chemical or microbiological materials into the community. However, these impacts will be mitigated to a level of insignificance by the following measure:
 - The applicant shall comply with recommendations of the State of California Department of Toxic Substances Control, outlined in the letter dated August 5, 2008, attached to this MND. -

VIII c3. **Commercial & Industrial Development (Lot Size 43,560 sf)**

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- Environmental impacts may result from the release of toxins into the stormwater drainage channels during the routine operation of commercial development projects. However, the potential impacts will be mitigated to a level of insignificance by incorporating stormwater pollution control measures, Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).
- Project applicants are required to implement stormwater BMPs to treat and infiltrate the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rates for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- Concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition.
- Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection.
- Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- Promote natural vegetation by using parking lot islands and other landscaped areas.
- Preserve riparian areas and wetlands.
- Cover loading dock areas or design drainage to minimize run-on and run-off of stormwater.
- Direct connections to storm drains from depressed loading docks (truck wells) are prohibited.
- Repair/maintenance bays must be indoors or designed in such a way that doesn't allow stormwater run-on or contact with stormwater runoff.
- Design repair/maintenance bay drainage system to capture all washwater, leaks and spills. Connect drains to a standard sump for collection and disposal. Direct connection of the repair/maintenance bays to the storm drain system is prohibited. If required, obtain an Industrial Waste Discharge Permit.
- Vehicle/equipment wash areas must be self-contained and/or covered, equipped with a clarifier, or other pretreatment facility, and properly connected to the sanitary sewer.
- Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- The following activities are to be conducted under proper cover with drain routed to the sanitary sewer.
 - Storage of industrial wastes
 - Handling or storage of hazardous wastes
 - Metal fabrication or Pre-cast concrete fabrication
 - Welding, Cutting or Assembly
 - Painting, Coating or Finishing
- Store above ground liquid storage tanks (drums and dumpsters) in areas with impervious surfaces in order to contain leaks and spills. Install a secondary containment system such as berms, dikes, liners, vaults, and double-wall tanks. Where used oil or dangerous waste is stored, a dead-end sump should be installed in the drain.
- Toxic wastes must be discarded at a licensed regulated disposal site. Store trash dumpsters both under cover and with drains routed to the sanitary sewer or use non-leaking and water-tight dumpsters with lids. Use drip pans or absorbent materials whenever grease containers are emptied. Wash containers in an area with properly connected sanitary sewer.
- Reduce and recycle wastes, including: paper; glass; aluminum; oil; and grease.
- Reduce the use of hazardous materials and waste by: using detergent-based or water-based cleaning systems; and avoid chlorinated compounds, petroleum distillates, phenols, and formaldehyde.
- Convey runoff safely from the tops of slopes and stabilize disturbed slopes.

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- Utilize natural drainage systems to the maximum extent practicable.
- Control or reduce or eliminate flow to natural drainage systems to the maximum extent practicable.
- Stabilize permanent channel crossings.
- Protect slopes and channels and reduce run-off velocities by complying with Chapter IX, Division 70 of the Los Angeles Municipal Code and utilizing vegetation (grass, shrubs, vines, ground covers, and trees) to provide long-term stabilization of soil.
- Cleaning of vehicles and equipment to be performed within designated covered or bermed wash area paved with Portland concrete, sloped for wash water collection, and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be designed to handle the quantity of flows; removed for cleaning on a regular basis (at least twice a year) to remove any solids; and the oil absorbent pads must be replaced regularly, once in fall just before the wet season, and in accordance with manufacturer's specifications.
- All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
- Legibility of stencils and signs must be maintained.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The storage area must be paved and sufficiently impervious to contain leaks and spills.
- The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.

VIII c4. Food Service Industry (Restaurants, Bakeries, Food Processors)

- Environmental impacts may result from the release of toxins into the stormwater drainage channels during the routine operation of restaurants, bakeries, and food producers. However, the potential impacts will be mitigated to a level of insignificance by incorporating stormwater pollution control measures. Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).
- Project applicants are required to implement stormwater BMPs to treat and infiltrate the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- Concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition.
- Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection.
- Maximize trees and other vegetation at each site by planning additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- Promote natural vegetation by using parking lot islands and other landscaped areas.
- Preserve riparian areas and wetlands.

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- Cut and fill slopes in designated hillside areas shall be planted and irrigated to prevent erosion, reduce run-off velocities and to provide long-term stabilization of soil. Plant materials include: grass, shrubs, vines, ground covers, and trees.
- Incorporate appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing a rock outlet protection. Rock outlet protection is physical device composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. Install sediment traps below the pipe-outlet. Inspect, repair, and maintain the outlet protection after each significant rain.
- Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- Cleaning of oily vents and equipment to be performed within designated covered area, sloped for wash water collection, and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis to remove any solids; and the oil absorbent pads must be replaced regularly according to manufacturer's specifications.
- Store trash dumpsters both under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Wash containers in an area with properly connected sanitary sewer.
- Reduce and recycle wastes, including oil and grease.
- Store liquid storage tanks (drums and dumpsters) in designated paved areas with impervious surfaces in order to contain leaks and spills. Install a secondary containment system such as berms, curbs, or dikes. Use drip pans or absorbent materials whenever grease containers are emptied.
- All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
- Legibility of stencils and signs must be maintained.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The storage area must be paved and sufficiently impervious to contain leaks and spills.
- The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.
- Prescriptive Methods detailing BMPs specific to the "Restaurant" project category are available. Applicants are encouraged to incorporate the prescriptive methods into the design plans. These Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at www.lastormwater.org. (See Exhibit A).

XIII a. Public Services (Fire)

- Environmental impacts may result from project implementation due to the location of the project in an area having marginal fire protection facilities. However, this potential impact will be mitigated to a level of insignificance by the following measure:
- The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

XIII b1. Public Services (Police General)

- Environmental impacts may result from project implementation due to the location of the project in an area having marginal police services. However, this potential impact will be mitigated to a level of insignificance by the following measure:

MITIGATED NEGATIVE DECLARATION
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- The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to Design Out Crime Guidelines: Crime Prevention Through Environmental Design published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room 818, Los Angeles, (213)485-3134. These measures shall be approved by the Police Department prior to the issuance of building permits.

XV a1. Increased Vehicle Trips/Congestion

- An adverse impact may result from the project's traffic generation. An investigation and analysis conducted by the Department of Transportation has identified significant project-related traffic impacts which can be mitigated to an acceptable level by the following measure:
- The applicant shall comply with measure(s) detailed in the Department of Transportation's Inter-Departmental Correspondence, dated July 10, 2008, attached to this MND. Such report and mitigation measure(s) are incorporated herein by reference.

XVI d. Utilities (Local or Regional Water Supplies)

- Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a level of insignificance by the following measures:
 - If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
 - **(All New Construction, Commercial/Industrial Remodel, Condominium Conversions, and Adaptive Reuse)**
Unless otherwise required, and to the satisfaction of the Department of Building and Safety, the applicant shall install:
 - a. High-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate. Rebates may be offered through the Los Angeles Department of Water and Power to offset portions of the costs of these installations.
 - b. Restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)
- **(All New Commercial and Industrial)**
Unless otherwise required, all restroom faucets shall be of a self-closing design, to the satisfaction of the Department of Building and Safety.
 - **(Landscaping)**
In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
 - a. Weather-based irrigation controller with rain shutoff;
 - b. Matched precipitation (flow) rates for sprinkler heads;
 - c. Drip/microspray/subsurface irrigation where appropriate;
 - d. Minimum irrigation system distribution uniformity of 75 percent;
 - e. Proper hydro-zoning, turf minimization and use of native/drought tolerant plant materials; and
 - f. Use of landscape contouring to minimize precipitation runoff.
 - g. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for irrigated landscape areas totaling 5,000 sf. and greater, to the satisfaction of the Department of Building and Safety.

XVI f. Utilities (Solid Waste)

- Environmental impacts may result from project implementation due to the creation of additional solid waste. However, this potential impact will be mitigated to a level of insignificance by the following measure:
- Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.

MITIGATED NEGATIVE DECLARATION
ENV-2006-10437-MND

- Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
- To facilitate onsite separation and recycling of demolition and construction-related wastes, the contractor(s) shall provide temporary waste separation bins onsite during demolition and construction. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.

XVII d. End

- The conditions outlined in this proposed mitigated negative declaration which are not already required by law shall be required as condition(s) of approval by the decision-making body except as noted on the face page of this document.
- Therefore, it is concluded that no significant impacts are apparent which might result from this project's implementation.

CPC-2007-237-ZC-GPA-CU-SPR
8401 North Fallbrook Avenue, Chatsworth, CA

Exhibits

Exhibit E

Applicant Revised Request Dated December 22, 2008

Kevin K. McDonnell
KKM@jmbm.com

1900 Avenue of the Stars, 7th Floor
Los Angeles, California 90067-4308
(310) 203-8080 (310) 203-0567 Fax
www.jmbm.com

Ref: 61612-0133

December 22, 2008

VIA HAND-DELIVERY

Tom Glick
City of Los Angeles, Department of City Planning
6262 Van Nuys Boulevard, 3rd Floor
Van Nuys, CA 91401

Re: CPC 2007-237-GPA-ZC-CU
Corporate Pointe at West Hills
8401 N. Fallbrook Avenue

Dear Mr. Glick:

As you know, this office represents Multi-Employer Property Trust ("MEPT"), owner of the property that is the subject of the matter referenced above (the "Project"). You conducted a public hearing on December 8, 2008 involving the Project. At that hearing, you entertained extensive public testimony covering all aspects of the Project. At the close of the public hearing, you announced you would keep the administrative record open until December 22, 2008, during which time you would accept additional materials into the administrative record as may be submitted by the applicant and/or any member of the public.

Taking into consideration the input from the public, MEPT has reevaluated the Project. MEPT now proposes to eliminate the corner retail component consisting of approximately 35,000 square feet of new building floor area and adding approximately 60,000 square feet of additional new office floor area. The additional office floor area would be distributed between the two new office buildings originally proposed by adding approximately 40,000 square feet to the new mid-rise building for a total area of approximately 250,000 square feet and adding approximately 20,000 square feet to the new low-rise office building for a total of 110,000 square feet.

Attached hereto is a letter dated December 22, 2008, from Crain & Associates evaluating the impacts on traffic under the alternative project scenario described here. You will note that eliminating 35,000 square feet of retail use and adding 90,000 square feet of office use reduces the net daily trip count by 63%, the AM peak hour trip count by 37% and the PM peak hour trip count by 38%. Clearly, eliminating the entire 35,000 square feet of retail use and adding only 60,000 square feet of office use will reduce traffic related impacts considerably while the traffic mitigation measures originally proposed will not change.

Additionally, in response to input from the City Council office and the public, MEPT has included revised renderings and site plan showing no corner retail and a reduced height of the mid-rise office building for your use in evaluating certain suggested Project changes. The new renderings attached hereto illustrate the mid-rise building at approximately 85 feet in height. The new low-rise office building initially proposed to be a maximum of 45 feet high is not proposed to change. Of course, if the office buildings are changed to accommodate the additional floor area within the described height limits, the footprints of both new office buildings would be enlarged. Line of site photographic views from Roscoe and Fallbrook are also attached illustrating the appearance of the site improvements with the existing landscaping in place.

Attached hereto, are revised exhibits illustrating the newly proposed alternative Project and Development and Operating Conditions revised to reflect the Project changes.

Thus, the new Project Description is:

A project consisting of a change of use and new construction of approximately 466,000 square-feet. The project will involve a change of use of an existing 106,000 square-foot school (formerly DeVry University) to an office building, a new office building consisting of approximately 250,000 square-feet with a maximum height of 100 feet, a new office building of approximately 110,000 square-feet with a maximum height of 45 feet, and a new parking structure to accommodate approximately 969 parking spaces with a total 5,705 parking stalls over the entire site. Total building area upon completion will be approximately 1,277,598 square-feet on an approximately 80.80 acre site (includes 466,000 square-feet of proposed project, 340,194 square-feet of existing buildings with no change proposed, and 471,404 square-feet of existing building in the existing M1-1 zone portion, not a part of this request).

The summary of entitlements requests would remain as:

1. Pursuant to Section 11.5.6 of the Municipal Code, a **General Plan Amendment** to the Chatsworth-Porter Ranch Community Plan from Minimum Density Residential to Limited Manufacturing land use.
2. Pursuant to Section 12.32 of the Municipal Code, a **Zone Change** from A1-1 (Agricultural Zone) to [T][Q]M1-1 (Limited Industrial Zone).

3. Pursuant to Section 12.24 W. 27, a **Conditional Use** to permit a Commercial Corner Development which does not comply with the following requirements as enumerated in Section 12.22 A 23:

- a. Hours of operation limited to between 7:00 a.m. and 11:00 p.m.; and
- b. Exterior walls consisting of at least 50 percent transparent windows.

4. Pursuant to Section 16.05 of the Municipal Code, a **Site Plan Review Approval** for a project that will result in an increase of 50,000 square-feet or more of non-residential floor area.

Very truly yours,



KEVIN K. MCDONNELL of
Jeffer, Mangels, Butler & Marmaro LLP

KKM:kkm

cc: Hon. Greig Smith, Councilmember, 12th Council District, Attention: Phyllis Winger



EMAIL TRANSMITTED

December 22, 2008

Mr. Kenneth J. Katich
Senior Vice President
Trammell Crow Development & Investment
2049 Century Park East, Suite 2600
Los Angeles, California 90067

RE: Project Alternative Trip Generation for Corporate Pointe at West Hills

Dear Ken,

Based on our trip generation analysis comparison (see Attachments 1 and 2) and our review of the trip distribution percentages, the addition of approximately 90,000 square feet of office use and the elimination of the approximately 35,000 square feet of previously proposed service uses is not expected to increase the traffic impacts. As shown in the attachments, the alternative project scenario is anticipated to generate substantially fewer vehicle trips during the daily, AM peak-hour and PM peak-hour periods compared to the proposed project scenario that was analyzed in the Traffic Study. This assumes that the resulting inbound and outbound trips from the additional office space would have the same magnitude of impact compared to the trip generation of the service uses.

Please contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Louie'.

Jonathan Louie
Senior Transportation Planner

JL:cw
C19228B
enclosure

2007 Sawtelle Blvd., Suite #4
Los Angeles, CA 90025
310 473 6608 (main)
310 444 9771 (fax)

www.crainandassociates.com

ATTACHMENT 1
Project Trip Generation from Approved Traffic Study
Office/Retail Project within Corporate Pointe at West Hills

<u>Proposed Use</u>	<u>Size</u>	<u>Daily</u>	<u>AM Peak Hour</u>			<u>PM Peak Hour</u>		
			<u>I/B</u>	<u>O/B</u>	<u>Total</u>	<u>I/B</u>	<u>O/B</u>	<u>Total</u>
Office	406,000 sf	3,924	506	69	575	91	443	534
Supermarket	14,000 sf	1,431	28	18	46	74	72	146
Retail	4,160 sf	184	3	2	5	5	6	11
Bank	3,012 sf	742	21	16	37	69	69	138
High-Turnover Restaurant	5,310 sf	675	32	29	61	35	23	58
Coffee/Juice Shop	8,448 sf	<u>4,191</u>	<u>229</u>	<u>220</u>	<u>449</u>	<u>152</u>	<u>141</u>	<u>293</u>
		11,147	819	354	1,173	426	754	1,180
Less Transit Trip Adjustment								
Office (5%)		(196)	(25)	(4)	(29)	(5)	(22)	(27)
Less Internal Trip Adjustment								
Supermarket (20%)		(286)	0	0	0	(15)	(14)	(29)
Retail (20%)		(37)	0	0	0	(1)	(1)	(2)
Bank (20%)		(148)	0	0	0	(14)	(14)	(28)
High-Turnover Restaurant (25%)		(169)	(8)	(7)	(15)	(9)	(6)	(15)
Coffee/Juice Shop (25%)		<u>(1,048)</u>	<u>(57)</u>	<u>(55)</u>	<u>(112)</u>	<u>(38)</u>	<u>(35)</u>	<u>(73)</u>
		(1,688)	(65)	(62)	(127)	(77)	(70)	(147)
Proposed Project Driveway Trips:		9,263	729	288	1,017	344	662	1,006
Less Pass-By Trip Adjustments								
Supermarket (40%)		(458)	0	0	0	(24)	(23)	(47)
Retail (10%)		(15)	0	0	0	0	(1)	(1)
Bank (20%)		(119)	0	0	0	(11)	(11)	(22)
High-Turnover Restaurant (20%)		(101)	(5)	(4)	(9)	(5)	(4)	(9)
Coffee/Juice Shop (50%)		<u>(1,572)</u>	<u>(86)</u>	<u>(83)</u>	<u>(169)</u>	<u>(57)</u>	<u>(53)</u>	<u>(110)</u>
		(2,265)	(91)	(87)	(178)	(97)	(92)	(189)
Proposed Project Area Intersection Trips:		6,998	638	201	839	247	570	817
<u>Existing Use (Being Removed)</u>								
DeVry	106,000 sf	2,914	235	82	317	156	113	269
Less Transit/Walk-In Trip Adjustment								
DeVry (5%)		(146)	(12)	(4)	(16)	(8)	(5)	(13)
Existing Use Driveway Trips:		2,768	223	78	301	148	108	256
Net Project Driveway Trips:		6,495	506	210	716	196	554	750
Net Project Area Intersection Trips:		<u>4,230</u>	<u>415</u>	<u>123</u>	<u>538</u>	<u>99</u>	<u>462</u>	<u>561</u>

ATTACHMENT 2
Trip Generation for Alternative Project Scenario
Office Project within Corporate Pointe at West Hills

<u>Proposed Use</u>	<u>Size</u>	<u>Daily</u>	<u>AM Peak Hour</u>			<u>PM Peak Hour</u>		
			<u>I/B</u>	<u>O/B</u>	<u>Total</u>	<u>I/B</u>	<u>O/B</u>	<u>Total</u>
Office	496,000 sf	4,578	594	81	675	108	526	634
Less Transit Trip Adjustment								
Office (5%)		(229)	(30)	(4)	(34)	(5)	(27)	(32)
Proposed Project Area Intersection Trips:		4,349	564	77	641	103	499	602
<u>Existing Use (Being Removed)</u>	<u>Size</u>	<u>Daily</u>	<u>AM Peak Hour</u>			<u>PM Peak Hour</u>		
			<u>I/B</u>	<u>O/B</u>	<u>Total</u>	<u>I/B</u>	<u>O/B</u>	<u>Total</u>
DeVry	106,000 sf	2,914	235	82	317	156	113	269
Less Transit/Walk-In Trip Adjustment								
DeVry (5%)		(146)	(12)	(4)	(16)	(8)	(5)	(13)
Existing Use Driveway Trips:		2,768	223	78	301	148	108	256
Net Project Driveway Trips:		1,581	341	(1)	340	(45)	391	346
Net Project Area Intersection Trips:		1,581	341	(1)	340	(45)	391	346
Net Project Area Intersection Trips:		4,230	415	123	538	99	462	561
(Proposed Project)								
Percent Decrease		-63%			-37%			-38%

PROJECT DESCRIPTION

CORPORATE POINTE AT WEST HILLS

CPC 2007-237-GPA-ZC-CU

Revised December 22, 2008

PROPOSED PROJECT:

A project consisting of a change of use and new construction of approximately ~~440,750~~466,000 square-feet. The project will involve a change of use of an existing 106,000 square-foot school (formerly DeVry University) to an office building, a new office building consisting of approximately ~~210,000~~250,000 square-feet with a maximum height of 100 feet, a new office building of approximately ~~90,000~~110,000 square-feet with a maximum height of 45 feet, ~~approximately 35,000 square-feet of new retail use with a maximum height of 29 feet, 7 inches,~~ and a new parking structure to accommodate approximately 969 parking spaces with a total 5,705 parking stalls over the entire site. Total building area upon completion will be approximately ~~1,252,348~~1,277,598 square-feet on an approximately 80.80 acre site (includes ~~440,750~~466,000 square-feet of proposed project, 340,194 square-feet of existing buildings with no change proposed, and 471,404 square-feet of existing building in the existing M1-1 zone portion, not a part of this request).

REQUEST:

1. Pursuant to Section 11.5.6 of the Municipal Code, a **General Plan Amendment** to the Chatsworth-Porter Ranch Community Plan from Minimum Density Residential to Limited Manufacturing land use.
2. Pursuant to Section 12.32 of the Municipal Code, a **Zone Change** from A1-1 (Agricultural Zone) to [T][Q]M1-1 (Limited Industrial Zone).
3. Pursuant to Section 12.24 W. 27, a **Conditional Use** to permit a Commercial Corner Development which does not comply with the following requirements as enumerated in Section 12.22 A 23:
 - a. Hours of operation limited to between 7:00 a.m. and 11:00 p.m.; and
 - b. Exterior walls consisting of at least 50 percent transparent windows.

4. Pursuant to Section 16.05 of the Municipal Code, a **Site Plan Review Approval** for a project that will result in an increase of 50,000 square-feet or more of non-residential floor area.



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Ref: 61612-0133

DEVELOPMENT AND OPERATING CONDITIONS

CORPORATE POINTE AT WEST HILLS

CPC 2007-237-GPA-ZC-CU

September 9, 2008

Revised December 22, 2008

1. Administrative:
 - a. Approval certification and submittals. Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
 - b. Code compliance. Area, height and use regulations of the zone classification of the subject property shall be complied with, except as such regulations are herein specifically varied or required.
 - c. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department.
 - d. Definition: Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or third successors, designees or amendment to any legislation.
 - e. Enforcement. Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any other designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

2. Environmental:

- a. Major landforms (grading/stability): All administrative procedures required by the Municipal Code shall be complied with.

A comprehensive soils and foundation study shall be prepared for the proposed project prior to issuance of a grading permit. The study will be prepared to the satisfaction of the Department of Building and Safety and the Planning Department prior to the issuance of building permits. The application shall subsequently comply with the recommendations made in the foundation report.

Project grading shall be carefully observed, mapped and tested by the project engineer. All grading shall be performed under the supervision of a licensed engineering geologist and/or soils engineer in accordance with applicable provisions of the municipal code to the satisfaction of the City Engineer and the Superintendent of Building and Safety.

Foundations, floor slabs and other flat work may require special designed to account for expansive and/or plastic nature of some of the clay encountered. Design specifications shall be identified by the comprehensive soils and foundation study in consultation with the requirements of the Bureau of Engineering or Department of Building and Safety. Expansive soil that is removed may not be used as backfill as it is very sensitive to moisture content and difficult to compact.

Elastic silt or compressible soil shall be removed prior to construction of any structural foundation and zone influence of a structural foundation. Elastic silt that is removed may not be used as backfill.

In order to minimize any adverse construction affect, the following mitigation measure shall be undertaken as part of the proposed project:

Contractors for the project shall utilize a designated Haul Route. The Haul Route shall utilize only well traveled multi-lane routes (designated secondary or major highways such a Fallbrook Avenue and Roscoe Boulevard, respectively), avoiding smaller residential streets.

Contractors shall comply with the South Coast Air Quality Management District, Rule 403 to maintain a fugitive dust control program during clearing, grading, earth moving or excavation by regular watering, paving construction roads, or other dust preventative measures.

- b. Seismic: The project shall comply with all administrative procedures required by the Municipal Code. In addition, the following mitigation measure shall be undertaken as part of the proposed project:

The project shall conform with criteria set forth in the Recommended Lateral Force Requirements and Commentary by the Structural Engineers Association of California.

The project shall comply with the specific design recommendations identified by the soils and foundation study prepared to the satisfaction of the Department of Building and Safety and the Planning Department prior to the issuance of building permits.

- c. Air Pollution (stationary): Air filtration systems shall be provided to reduce the diminished air quality effects on occupants of the project. In addition, the following mitigation measures shall be undertaken as part of the proposed project:

[Q]M1-1 uses within the project shall fully comply with applicable requirements and restrictions of the SCAQMD's Regulations II and XIII.

- d. Water (Drainage/Surface Water Runoff): The project shall comply with all administrative procedures required by the Municipal Code. In addition, the following mitigation measure shall be undertaken as part of the proposed project:

A drainage plan shall be developed to the satisfaction and approval of the City Engineer as part of the Plan Check process and prior to development of any drainage improvements.

- e. Water (Quality): The project shall comply with the Municipal Code including applicable chemical control measures. In addition, following mitigation measure shall be undertaken as part of the proposed project:

Stormwater discharges from the project site shall meet, at a minimum, all applicable requirements of the State Regional Water Quality Control Board and National Pollutant Discharge Elimination System (NPDES) Permit requirements and shall comply with implementation of these requirements through responsible City and County of Los Angeles agencies.

A Storm Water Pollution Prevention Program (SWPPP) shall be prepared and submitted for review and approval by the Bureau of Engineering, Stormwater Management Division, prior to issuance of a Building Permit.

The SWPPP shall identify pollutants and applicable Best Management Practices (BMPs) to manage runoff and water quality.

- f. Trees: Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert as defined by Ordinance 153,478, indicating the location, size, type and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning and the Street Tree Division of the Bureau of Street Maintenance. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement on a 1:1 basis with a minimum of 24-inch box trees in the parkway and on the site shall be required for the unavoidable loss of desirable trees on the site, to the satisfaction of the Street Tree Division of the Bureau of Street Maintenance and the Advisory Agency. In addition, the following mitigation measure shall be undertaken as part of the proposed project:

The project shall comply with landscaping requirements as ultimately determined by the City of Los Angeles through the landscape plan approval process.

- g. Noise (Construction Impacts): The project shall comply with the City of Los Angeles Municipal Code, Section 41-40(a) and (c), City Ordinance Nos. 144.33.1, 158,527 and, 166,170, and noise regulation 112.03, which regulates construction activity hours. All delivery trucks, construction vehicles, haul trucks and heavy-duty equipment vehicles delivering construction equipment and/or materials to the site shall avoid residential streets east of Fallbrook Avenue, south and north of Roscoe Boulevard and directly west of the site.

Construction equipment will be turned off when not in direct use. To the extent feasible, temporary noise barriers, mufflers and noise entrenching devices should be employed to reduce intrusive construction noise. All sound reducing devices and restrictions shall be correctly maintained throughout the construction period. Notices will be provided to residents, businesses and institutions on immediately surrounding properties of a construction telephone hotline number. The number can be called with complaints or with inquiries regarding construction noise.

- h. Noise (mobile): The project shall comply with Chapter XI requirements of the City of Los Angeles Municipal Code which applies the most restrictive noise standards to adjoining, but dissimilar uses, and noise regulation 11.04, which regulates nuisance noise.
- i. Illumination: A lighting plan shall be prepared to the satisfaction of the Department of Building and Safety during the Plan Check process to ensure that

lighting does not adversely impact the residential areas west and east of the site. Exterior lighting shall be shielded to reduce the amount of direct lighting escaping the site. Pole-mounted lighting fixtures on pedestrian paths will utilize cut-off technology to reduce glare. If office buildings are developed, the height of the office buildings shall be designed so as to have negligible visual impacts and if the parking structure is developed the landscaping, sound baffles, elevated perimeter walls shall shield exterior areas from vehicle headlights and interior structure lighting, visual and sound impacts to the extent feasible.

- j. Access: A parking and driveway plan shall be submitted to the Bureau of Engineering and the Department of Transportation for approval.
- k. Fire: The recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans. Recommendations shall include plot plan approval prior to the recordation of the final map, or the recordation of an agreement satisfactory to the Fire Department to the effect that said plan will be submitted prior to the issuance of building permits. The plot plan approval shall consider but not be limited to access concerns and interior heat sensitive sprinkler systems. Subject to existing conditions, new development shall comply with the following measures:

Any person owning or having control of any facility, structure, group of structures, or premises shall provide and maintain Fire Department access (Section 57.09.03, Subsection A).

If any portion of the first-story exterior walls of any building or structure is more than 150 feet from the edge of the roadway of an improved street, an approved fire lane shall be provided so that such portion is within 150 feet of the edge of the fire lane (Section 57.09.03, Subsection B).

Width of private roadways for general access use and fire lanes shall not be less than 20 feet clear to the sky. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

Access for Fire Department apparatus and personnel to and into all structures shall be required.

At least two different ingress/egress fire lanes for each area that will accommodate major fire apparatus and provide for an evacuation during emergency situations shall be required.

During demolition, the Fire Department access shall remain clear and unobstructed.

Fire lanes, where required, and dead-ending streets shall terminate in a cul-de-sac or other approved turning area. No dead-ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.

All access roads, including fire lanes, shall be maintained in an unobstructed manner; removal of obstructions shall be at the owner's expense. The entrance to all fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code.

Definitive plans and specifications shall be submitted to the Fire Department and requirements for necessary permits satisfied prior to commencement of any portion of this project.

1. Police: Design guidelines relevant to security, semi-public and private spaces shall be incorporated into the building plans. These measures may include but not limited to: access control to building, secured parking facilities, walls/fences with key security, lobbies, corridors and elevators equipped with electronic surveillance systems, well illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrance in high-foot traffic areas and provision of security guard patrol throughout the project site if needed. In addition, the following mitigation measures shall be undertaken as part of the proposed project:

Entryways, elevators, lobbies and parking areas shall be well illuminated and designed with minimum dead space to eliminate areas of concealment.

Security guards shall be used to monitor and patrol the project site during regular business hours.

The applicant shall provide the Police Department's Crime Prevention unit Project plans prior to finalization, to allow time to review the plans regarding additional crime prevention features appropriate to the design of the project.

Upon completion of the project, the applicant shall provide the Van Nuys Area Commanding Officer with a diagram of the project. The diagram

shall include access routes, unit numbers and any information that might facilitate police response.

- m. Energy: The project shall comply with Title 24, California State Code (Energy Conservation Standards), the use of natural gas and/or solar energy, and consultation with the Department of Water and Power and Southern California Gas Co. regarding feasible energy conservation measures.
- n. Water: The project shall comply with the Water Management Ordinance (ordinance no. 170,978), which imposes numerous water conservation measures in landscape, installation and maintenance. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.

Any required water main connection or relocation shall be undertaken to the satisfaction of the City Engineer and shall meet applicable requirements of other responsible agencies, including the Department of Building and Safety.

The proposed project shall comply with all sections of the City of Los Angeles Water Conservation Ordinance (ordinance no. 166,080), as applicable.

Automatic sprinkler systems shall be set to irrigate landscaping during the early morning hours or during the evening to reduce water losses from evaporation. However care must be taken to reset sprinklers to water less often in cooler months and during the rainfall season so that water is not wasted by excessive landscaping irrigation.

Selection of drought tolerant, low water consuming plant varieties shall be used to reduce irrigation water consumption in newly landscaped areas.

The applicant shall also comply with any necessary improvements to meet fire flow requirements.

- o. Sewer: If conditionals dictate, the Bureau of Engineering may postpone new sewer connections for this project until system capacity is adequate. In addition, the following mitigation measure shall be undertaken as part of the proposed project:

The applicant shall comply with the City of Los Angeles Sewer Allocation Ordinance (ordinance no. 166,060).

If a new connection is necessary, the applicant shall be required to pay a sewage facility charge to the City of Los Angeles before a permit can be issued to connect to the City sewer per the Los Angeles Municipal Code, Section 64 16.1. The amount of the fee would be determined after the building plans have been submitted to the Bureau of Engineering, Valley District Office.

- p. Human Health (Chemical): Hazardous material treatment and disposal plans shall be submitted to the Department of City Planning and the Department of Public Works for approval. A certification from the Department of Toxic and Substance Control that remediation has been completed in compliance with all applicable Federal, State and local regulations and in accordance with approved work plans will be required prior to initiation of construction of the proposed project. As a result public exposure to hazardous and/or waste material associated with existing site conditions by construction workers and/or the general public is not associated with existing site conditions by construction workers and/or the general public is not anticipated during project construction.

The applicant shall be included on the distribution list for all quarterly and other reports prepared for ongoing soil and groundwater remediation activities by the prior site occupant.

The applicant shall retain all reports concerning underground tank removal and closure approvals by the City of Los Angeles Fire Department.

- q. Landscaping: All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department. The following mitigation measures shall also be undertaken as part of the proposed project:

All areas of the site to be landscaped and/or revegetated shall be landscaped in accordance with a landscape plan prepared by a licensed landscape architect. All such areas shall be diligently maintained at all times.

Rooftop structure (such as air conditioning, etc) should be screened, thereby precluding visibility from proximal locations.

As necessary, any additional street trees planted along the street frontages of the site shall be subject to review and approval by the Street Tree Division of the City of Los Angeles' Department of Public Works.

- r. Archeology (UCLA): If any archaeological materials are encountered during the course of the project development, the project shall be halted. The services of an archaeologist shall be secured by contacting the Center for Public Archaeology – Cal State University, Northridge or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist to assess the resources and evaluate the impact. Copies of the archaeological survey, study or report shall be submitted to the UCLAS Archaeological Information Center. (A covenant and agreement shall be recorded prior to obtaining a grading permit).

In the even that grading and excavation extend below the depth of existing disturbed materials, a quailed archaeologist with expertise in the area shall be retained to monitor grading and excavation activities. If such monitoring indicates the absence of significant archaeological deposits then mitigation of adverse impacts has been achieved and no additional archaeological mitigation is necessary.

In the even that any cultural resources or remains are encountered, the archaeologist shall have the authority to halt all construction activities in the area of concern until the nature, extent and significance of any such resources are properly assessed and specific additional mitigation can be identified.

3. Graffiti Removal and Deterrence: The property owner and all successors shall acknowledge the applicability of the graffiti removal and deterrence requirements pursuant to Municipal Code Sections 91.8101-F, 91.8904.1 and 91.1707-E relative to the subject project, particularly with regard to the following.
 - a. The first nine feet of exterior walls and doors, measured from grade, and all of any walls enclosing the property shall be built and maintained with a graffiti resistant finish consisting of either a hard, smooth, impermeable surface such as ceramic tile, baked enamel or a renewable coated of an approved anti-graffiti material or a combination of both pursuant to Section 91.1707-E; and
 - b. The period for compliance with a graffiti removal order issued by the Building and Safety Department is 15 days following which period with failure to perform, the City or its contractor is empowered to enter the property to remove such graffiti with costs accruing to the property owner (91.8904.1); and

- c. The period for compliance with a subsequent order for a subsequent occur is three days (91.8904.1)
 - d. In addition to a, b and c above, exterior walls of new commercial and residential buildings of other than glass may be covered with clinging vines, screened by oleander trees or similar vegetation capable of covering or screening entire walls up to the height of at least 9 feet, excluding windows and signs.
4. Height: Notwithstanding any other provisions of the Height of Buildings or Structures provided in Municipal Code Sec. 12.21.1, portions of the buildings located within the zone boundaries subject to these conditions (the Project Site) shall not exceed the height limits set forth below when located within the distances specified from any property zoned RW1 Zone or more restrictive zone.

<u>Distance</u>	<u>Height</u>
0 to 49 feet	25 feet
50 to 99 feet	33 feet
100 to 199 feet	61 feet

When the highest existing elevation of the adjacent property in the RW1 Zone or a more restrictive zone exceeds the grade of the Project Site by more than five feet, a building or structure on the property located on the Project Site may exceed the height specified above by the number of feet represented by the difference in grade.

Buildings of a height greater than that specified on this condition may be authorized by a Zoning Administrator pursuant to Section 12.24X22. Anything exceeding 25% will be addressed through a zone variance procedure.

5. Landscape Buffer: A minimum 10 foot wide landscaped buffer shall be provided along the west property line. This condition will not limit the buildable area used to calculate the floor area ratio.
6. Maintenance, Trash and Storage:
- a. The subject property including any associated parking facilities, shall be maintained in an attractive condition and shall be kept free of trash and debris.
 - b. Open areas devoted to trash storage or other storage shall not be located adjacent to a residential use or shall be buffered so as not to result in noise, odor or debris impacts on any adjacent residential uses.

- c. All outside trash containers on the subject property shall be enclosed and shall be located so as not to result in noise or small impacts on any adjacent residential use.
 - d. Trash shall not be taken outside for deposit in trash bins or storage between the hours of 8:00 p.m. and 6:00 a.m.
 - e. Trash pick up shall take place only between 6:00 a.m. and 8:00 a.m. Monday through Saturday. There shall be no pick-up on Sunday or legal holidays.
7. Parking: On-site parking shall be provided at a minimum of one parking space per 300 feet of floor area if the mix of uses is more than 50% of research, development, manufacturing, assembly, repair, testing, high-technology, service industries including computer programming, data processing and research laboratories.
8. Plan: The subject property shall be developed substantially in conformance with the site plan, Exhibit 2 attached to the subject case file. Deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions and the intent of the subject permit authorization.
9. Prohibited Uses: No uses which require smoke stacks, or result in toxic or noxious impacts shall be allowed on the subject site.
10. Security: Security personnel shall patrol the subject property 24 hours a day.
11. Setbacks: Structures on the subject site shall be located a minimum of 40 feet away from residential properties to the west and from Fallbrook Avenue on the east.
12. Signs: All signs shall be of an identifying nature only and shall be arranged and located so as not to be a distraction to vehicular traffic or adjacent residential area. Flashing and animated signs are prohibited.
13. Use: The use of the subject property is limited to:
- Advertising Studio
 - Broadcasting Studio
 - Child Care Facility for employees on site - permitted by Plan Approval if approved by the Zoning Administration
 - Computer component, Parts and Accessory Manufacturing (light manufacturing activity only, i.e. no "smoke stacks which result in toxic or noxious impacts") and Assembly
 - Corporate Headquarters

Electric Parts, assembly and manufacturing (light manufacturing activity only, i.e. no "smoke stacks which result in toxic or noxious impacts") for small parts such as coils, condensers, transformers or crystal holders
Electric Appliances Assembly
Electric Generator or Motor Manufacturing, small
Electronic Products Assembly and Manufacturing (light manufacturing activity only, i.e. no "smoke stacks which result in toxic or noxious impacts")
Electronic Instruments and Devices Manufacturing
Electronic Instruments and Devices, assembly
Engineering Services (office)
Facilities for development/production of computer equipment
Film Developing/Printing Machines
Film Laboratory
Film and Tape Editing
Financial Institution (administrative offices, non-retail customer serving)
Insurance Agency, office or company
Laboratory, experimental film, motion picture, research or testing
Laboratory, medical or dental
Laboratory or research and development
Mail Order House (not used as a primary distribution center)
Metal Products Inspection by X-Ray
Motion Picture Reconstruction
Motion Picture or Television Studio - no outdoor sets
Office, business, medical or professional
Optical Goods Manufacturing (light manufacturing activity only, i.e. no "smoke stacks which result in toxic or noxious impacts")
Parking areas (public) and parking buildings as accessory uses and loading space, required or provided in connection with the permitted uses, as provided in Section 12.21-A of the Zoning Code
Printing Establishment, wholesale (i.e. Kinko's, Xerox, Copy Center)
Publishing Establishment (no "wet" printing)
Quality Control Laboratory as accessory to headquarters or branch offices of a manufacturer
Radio Television Assembly
Radio Broadcasting Studio
Recording Studio - no manufacturing or treating of records
Recreation facility (excluding a 24 Hour Fitness type facility)
Research and Development Facility
Scientific Instrument and Equipment Manufacturing (light manufacturing activity only, i.e. no "smoke stacks which result in toxic or noxious impacts")

Signs indicating the name of the person, business, or the type of business occupying the premises, or the name of the building. Such signs shall be attached to a building, shall not extend more than two feet beyond the wall of the building and shall not project above the roof ridge or parapet wall (whichever is higher) of the building.

Software Development

Stereo Equipment Assembly

Stereo Equipment Manufacturing (light manufacturing activity only, i.e. no "smoke stacks which result in toxic or noxious impacts")

Storage Building, excluding self-storage, self-service storage and public storage with a solid wall or solid fence not less than six feet in height, when no material or equipment is stored to a height greater than that of the enclosing wall or fence and the wall or fence is maintained as provided in Section 12.21-A.9. Except that the Director of Planning or his or her authorized representative, upon application, may defer the wall or fence requirements of this section for portions of walls or fences where substantial fences, walls, buildings or geographic features are located on the subject property or on adjacent property and serve to enclose the subject use as well or more effectively than the wall or fence required by this section. Should the use, fence, wall or building providing justification for such modification be removed, the wall or fence required by this section shall be provided within six months from the date of such removal.

Warehouse (not used as a primary distribution center)

Wholesale Business no direct public sales

Wireless Telecommunication Facility (subject to Zoning Administration approval under Section 12.24 G of the Municipal Code).

The following uses including commercial/retail uses will be allowed on the site. Such uses shall serve as amenities exclusive to the site users, including visitors conducting business on site. No signs visible from outside the site boundaries shall be permitted. Operating hours shall be as noted below for the uses listed except as otherwise approved through an appropriate entitlement process.

- a. ~~Bank and/or Automatic Teller Machines (no drive-thru)~~
- b. ~~Express Mail or Automated Pick-up~~
- c. ~~Drugstore (no superstore)~~
- d. ~~Health and Fitness services~~
- b. Bank (operating hours between 7:00 a.m. and 6:00 p.m.)
- c. Drugstore and/or sundries shop (operating hours between 7:00 a.m. and 6:00 p.m.)
- d. Gymnasium (operating hours between 7:00 a.m. and 6:00 p.m.)
- e. Bookstore, newsstand Cafeteria or other employee dining, including outdoor eating areas (operating hours commensurate with business operations on site)

- ~~f. Copy/Photo developing and finishing services~~
- ~~g. Office supplies (no superstore)~~
- ~~h. Restaurant, cafeteria or coffee shop. An outdoor eating area for ground floor restaurants may be located anywhere between the buildings and any Z.A. approved side, rear or front yard~~
- ~~i. Shoe shine stand~~
- ~~j. Grocery, sundry shop/gourmet grocery store (no superstore)~~
- ~~k. Food Service operations~~
- ~~l. Apparel sales or tailoring (no superstore)~~
- ~~m. Electronic sales or repair (no superstore)~~
- ~~n. Sporting goods sales or repair (no superstore)~~
- ~~o. Business or professional services~~
- ~~p. Retail sales (no superstore)~~
- ~~q. Construction services and products~~
- ~~r. Animal hospital and service~~
- ~~s. Physician Services~~
- ~~t. Automobile Parts Sales (no service)~~
- ~~u. f. Laundry Dry Cleaner service and pickup; (no processing (operating hours between 7:00 a.m. and 6:00 p.m.))~~

14.

14. The applicant shall maintain a toll-free "800" hotline and use reasonable efforts utilizing mechanisms, such as a newsletter, to keep the community surrounding the project informed of the construction, uses, intended uses, operations and intended operations and any modifications at the project site.

CPC-2007-237-ZC-GPA-CU-SPR
8401 North Fallbrook Avenue, Chatsworth, CA

Exhibits

Exhibit F

Letter from Councilmen Smith and Zine dated December 8, 2008



LOS ANGELES CITY COUNCILMEMBER
GREIG SMITH
TWELFTH DISTRICT

December 8, 2008

City Planning Commission
200 North Spring Street, 2nd floor
Los Angeles, CA 90012

Attn: Tom Glick

RE: CPC-2007-237-GPA-ZC-CU-SPR
Located at 8401 Fallbrook Ave
West Hills, CA

Dear Mr. Glick:

Although the subject of today's hearing is the above referenced project, the property cited is a portion of an approximately eighty-six (86) net acre parcel that was purchased by Thompson Ramo Wooldridge (Bunker/Ramo), an electronics firm, in 1958 to be used for research and development. The land was and is zoned agricultural (A1-1), and Bunker/Ramo obtained a variance to allow administrative offices and computer operations. All of this preceded the homes and businesses that surround the property today.

Hughes Aircraft purchased the site from Bunker/Ramo in 1966, and obtained a new variance to allow it to be used for its Missile Systems operations. The overall plan was to grow the company to provide approximately 8,000 jobs. They did not reach this; however, at its peak operation in the mid-80's, Hughes provided jobs for more than 4,000 people.

In 1994, Coast Federal Savings bought the entire property. Parcel Map 7115 for 8433 Fallbrook was first approved in 1994 for 3 parcels and modified in 1996 to 4 parcels. Thirty (30) acres on the north was developed into an office park. Subsequent actions changed the zone on that property from A-1 to M-1. Coast Federal Bank (later purchased by Home Savings) occupied thirty-five (35) acres. DeVry Institute took possession of 15 acres, and the Valley's 911 police emergency center was built on six acres.

The current application includes the following requests:

- A General Plan Amendment and zone change to change the remaining A-1 property to M-1,



- A conditional use permit to allow a commercial corner development.
- Two new office buildings that will contain approximately 300,000 square feet of office space,
- 35,000 square feet of retail/commercial on the Roscoe/Fallbrook corner,
- A new parking structure at the western property line,

After thoroughly reviewing the proposal and getting input from the community, I would like to offer the following comments:

- The request for the additional new construction is reasonable, given the amount of land available. However, one of the two new buildings is proposed to be 100' high. Although the line of sight studies I saw indicate that this will not severely impact the adjacent residential, it does impact it to an extent. I would therefore request that the building be lowered to both insure that the neighborhood is not impacted, and that the new building is compatible with the other components on the site. I have therefore asked the developer to lower the building to 85' and provide line of sight studies to validate the effectiveness of the change.

-There was a lot of discussion involving the pros and cons of the retail/commercial component. I have never envisioned that kind of use on the property, and agree with those who believe this to be detrimental. I object to its inclusion, and would like it eliminated. However, I would not object to the square footage being absorbed into the office buildings proposed.

-I always am concerned about traffic, and look for ways to mitigate impacts that may be created when new development occurs. The mitigations included in this project will be very helpful in protecting the surrounding community. I am especially pleased that the median I suggested as a means to discourage cut-through traffic will be constructed on Fallbrook Avenue.

-Reducing the parking structure from five levels to two levels above ground and adding the dense landscaping and sound attenuations was another change done in response to community concerns. This change re-enforces the developer's commitment to minimize impacts on the community, while providing a viable project.

-When I learned the community was concerned about the requested zone change, I suggested the possibility introducing an MR zone on this portion, even though the property to the north is already M1 with restrictions on allowed uses. After looking into the matter further, I have come to the conclusion that the best way to protect the community from the kinds of uses they do not want is to change the zone to M1, and again put conditions on it that will prohibit the objectionable uses.

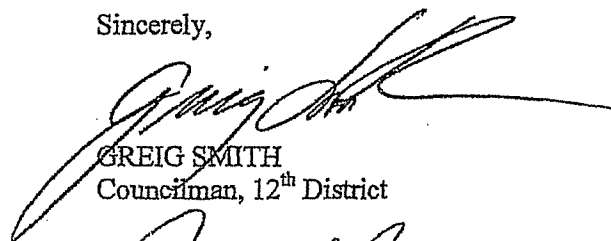
-Protecting the environment is another area of concern I have. It is now widely recognized and acknowledged that sustainably designed buildings are key to reducing global warming and its negative effects on the environment. I am pleased that the new construction on this project is designed to meet the USGBC Gold Leed specifications.

-I am aware that some are concerned about the safety of continuing construction on this property. I believe the necessary actions to insure safety have been taken under the auspices of the DTSC and Regional Water Quality Control Board, and I fully support the ongoing involvement of these two agencies to continue to insure the safety of this site and the surrounding area.

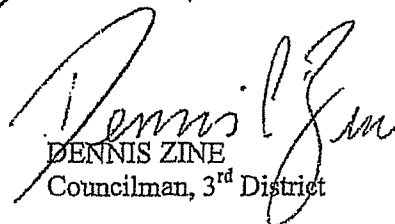
-Included in the material submitted is a list of development and operating conditions for Corporate Pointe. This document will need to be revised to reflect the changes caused by eliminating the retail/commercial component. Also, some of the uses listed are vague and need to be better defined.

Finally, no one can dispute the dire economic conditions we are all currently facing. Yet here we have a developer willing to go forward with this project during this time of uncertainty. It is a good project--one that incorporates the principles of smart growth, sustainability, and has the ability to bring many needed benefits to the community and the city. If approved, this project will bring 1,600 additional jobs in construction, and 1,700 permanent, high paying jobs. These jobs will be located near to where many of the employees live, thereby reducing commute time and distance. And it will also bring additional economic benefits that include \$45,000,000 in tax benefits, \$15,000,000 in property tax revenue, and \$5,000,000 in sales tax revenue. In short, this is a very good project. I would like to go on record in support of the requested project, with the changes I have outlined. Thank you for your consideration.

Sincerely,



GREIG SMITH
Councilman, 12th District



DENNIS ZINE
Councilman, 3rd District

CPC-2007-237-ZC-GPA-CU-SPR
8401 North Fallbrook Avenue, Chatsworth, CA

Exhibits

Exhibit G

Environ letter dated October 15, 2008

ENVIRON

October 15, 2008

RECEIVED
CITY OF LOS ANGELES

OCT 21 2008

Sent Via Electronic Mail (in PDF)

Mr. Hadar Plafkin
Mr. Tanner Blackman
City of Los Angeles
Planning Department
200 North Spring Street Room 750 City Hall
Los Angeles, California 90012-4801

ENVIRONMENTAL
UNIT

**Re: Response to Environmental Concerns Raised by Neighbors during Review of the Mitigated Negative Declaration (File No. ENV-2006-10437-MND)
MEPT, Former Raytheon Facility, Chatsworth, California**

Dear Messrs. Plafkin and Blackman:

At the request of Multi-Employer Property Trust (MEPT) and the Trammell Crow Company (TCC), ENVIRON International Corporation (ENVIRON) has prepared this response to environmental concerns raised by neighbors in their letters regarding the proposed project at Corporate Pointe at West Hills (File No. ENV-2006-10437-MND) during their review of the Mitigated Negative Declaration (MND) prepared for the property owned by MEPT, which occupies the former Raytheon Missile Systems (Raytheon) Facility located in Chatsworth, California. The majority of the former Raytheon Facility has been developed and now is known as Corporate Pointe at West Hills (the facility or site). It is our understanding MEPT intends and has begun, through its fee developer TCC, to develop a portion of the southern part of the facility, and that the MND is specific to this planned development of the southern portion of the facility. Once completed, the facility will consist of two new office buildings, three new retail buildings, and a new parking structure consisting of one subterranean level, two surface levels and roof deck parking which, along with the 10 existing buildings, will be used for office and retail space and associated parking. The existing approximately 106,000 square foot, two-story former DeVry school building will be converted to office use.

ENVIRON was provided the following documents for its review:

- Letter from A.M. Uzameck, Chairman, Neighborhood Preservation Committee, to Los Angeles City Planning Department, Los Angeles, dated September 9, 2008;
- Letter from A.M. Uzameck, Chairman, Neighborhood Preservation Committee, to Los Angeles City Planning Department, Los Angeles, dated September 9, 2008 (a second letter from the same author with the same date);
- E-mail correspondence from Christine L. Rowe to Hadar Plafkin, dated September 11, 2008;
- Mitigated Negative Declaration, Comments by Christina Walsh (Cleanuprocketdyne.org) with contributions from William Preston Bowling (ACMELA.ORG), to Hadar Plafkin, Robert Duenas, and Tanner Blackman, Office of the City Planning, City of Los Angeles, dated September 13, 2008;
- Letter from Charlene Rothstein, Zoning and Planning Committee, to Hadar Plafkin and Tanner Blackman, dated September 15, 2008;
- Letter from William Preston Bowling, Aerospace Cancer Museum of Education to Mr. Robert Duenas, Senior City Planner, City of Los Angeles regarding the "MND for the zone change request and redevelopment impacts of the proposed Trammell Crow Corporate Pointe at West Hills project," dated September 17, 2008;

- Petition regarding the "major rezoning and development project planned for the Corporate Pointe/DeVry property at Fallbrook Avenue and Roscoe Boulevard," dated September 18, 2008 (received by City of Los Angeles Environmental Unit);
- Letter from Eileen Tashnek to Tanner Blackman, dated September 24, 2008;
- Letter from Amir Majidian to Tanner Blackman, dated September 24, 2008;
- Letter from Dave Singleton, Program Analyst, to Darlene Navarrete, City of Los Angeles Planning Department, dated September 29, 2008;
- Letter from Margery Brown, Stakeholder, to Hadar Plafkin and others, City of Los Angeles Office of City Planning, Los Angeles, dated October 1, 2008; and
- Letter from Christine L. Rowe to Hadar Plafkin, EIR Department, City Planning, Los Angeles, dated October 6, 2008.

It is noted that the collective content of all the comment documents are similar and repetitive. Many of the specific comments appear to be based on a June 5, 1997 memorandum from Philip Chandler, Cal/EPA Department of Toxic Substances Control (DTSC) to Maria Fabella and Yolanda Garza, Hughes Missile System Group (Chandler Memorandum). More than 11 years have passed since Mr. Chandler wrote this memorandum. During those 11 years, significant investigation and remediation work has been performed at the facility, all at the direction and under the oversight of the DTSC and/or the Los Angeles Regional Water Quality Control Board (RWQCB).

As a Resource Conservation and Recovery Act (RCRA) facility, the site must undergo and is undergoing a rigorous and scripted process for investigation and closure, as mandated in 40 CFR Part 264, Subpart G, Closure and Post-Closure. The purposes of the RCRA facility closure process are to ensure that a site is adequately characterized and potential areas of environmental concern identified based on historical and current uses of the site, that risks are assessed, and that a plan of action is developed to mitigate the identified hazards with the goal of protecting human health and the environment. As a result, DTSC directs and oversees all aspects of the RCRA facility closure process.

Various reports documenting work performed since Mr. Chandler's June 5, 1997 memorandum are available in the public record, most recently Raytheon's RCRA Facility Assessment (RFA) response dated May 19, 2008. In order to gain a more accurate and up-to-date perspective of present day facility conditions, those commenting on the MND should review this current information.

As stated above, many of the same concerns are voiced in the comment letters reviewed. As a result, ENVIRON has prepared a single response focusing on the broader environmental concerns. ENVIRON has not responded to building-specific questions, as, for reasons stated above, these issues have been addressed since the issuance of the Chandler Memorandum, and responses are documented in the public record, most recently Raytheon's RFA response letter dated May 19, 2008. In addition, ENVIRON has not commented on concerns raised that are not of an environmental concern (e.g., aesthetics, landscaping, wildlife corridors, traffic congestion, etc.).

Based on our review of the documents referenced above, the following concerns have been identified:

1. Concern that changing the zoning of the facility from agricultural to manufacturing will result in higher cleanup standards.

Although portions of the site currently are zoned agricultural, clearly, the site has not been used for agricultural purposes for at least 50 years. Based on ENVIRON's experience with DTSC and other regulatory agencies, site-specific cleanup standards are determined on a site by site basis, and are based on the current site use and the anticipated future site use. Therefore, because the historical and current uses of the site are industrial/commercial, it is not expected that a zoning change from agricultural to commercial/manufacturing use would have any impact on cleanup levels.

2. Concern that Boeing might expand its operations ("in fact already in progress") and that this expansion might coincide with the zoning change.

Based on information provided by TCC, Boeing does not conduct manufacturing operations at the facility. Boeing's operations are limited solely to administrative and office functions. According to its lease, permitted use of its space includes general office use, engineering, laboratory work, light electrical assembly, and computer operations. Prohibited uses specifically include manufacturing and storage or keeping of any "foul or noxious gas or substances."

Presently, Boeing occupies approximately 171,383 square feet at the site, approximately 72,544 square feet in the 8521 Fallbrook Avenue building and approximately 98,839 square feet in the 8531 Fallbrook Avenue building. As of April 25, 2009, Boeing's lease will expire and only its laser division will remain, occupying approximately 50,000 square feet on the ground floor of the 8531 Fallbrook Avenue building. All other currently occupied space will be vacated at that time. Therefore, Boeing's operations at the site are contracting, not expanding.

3. Concern that the disturbance of soil during redevelopment of the facility and adequacy of dust control will expose toxic pollutants from prior operations at the site which have not been adequately characterized or mitigated. Concern over the adequacy of characterization of the identified areas of concern and solid waste management units.

As noted above, the facility is currently undergoing the RCRA facility closure process at the direction of the DTSC; the closure process is not yet complete. However, as part of the characterization activities performed and part of this process, DTSC has identified areas of environmental concern (AOCs) and solid waste management units (SWMUs), one of which is located within the area currently being redeveloped. Because the RCRA facility closure process is not complete and to allow for the redevelopment process to begin, DTSC provided guidance to TCC regarding its redevelopment activities (letter from Mr. Rodney Collins, Project Manager, DTSC, to Mr. Hadar Plafkin, City of Los Angeles, Department of City Planning, dated August 5, 2008). DTSC's guidance indicated that there are no restrictions on development in those areas at the facility not identified as an AOC or a SWMU. In areas identified as an AOC or a SWMU, DTSC requires that a soil sampling work plan be submitted to and approved by DTSC before work can continue in those areas (as specified in the DTSC-approved Soil Management Plan [SMP] for the redevelopment area). Subsequent to the August 5, 2008 letter, the site property manager, on behalf of TCC, submitted a letter to DTSC to confirm that there were no restrictions on development in those areas of the site not identified as an AOC or a SWMU (specifically as it pertained to three areas located outside of an AOC or SWMU in which planned activities included a

component of ground disturbance); DTSC confirmed this position in an October 6, 2008 letter to the site property manager.

A SMP currently is in place at the site which specifically addresses monitoring (including dust monitoring) and sampling activities to be performed at the facility during redevelopment activities. The SMP, which was reviewed and approved by the DTSC, was most recently employed during grading activities conducted in the café staircase area of the facility. With the SMP in place and in light of other safeguards, the community will not be exposed to potential contaminants from the site. All construction will occur under strict DTSC guidance and controls.

4. Concern that trichloroethylene (TCE) present in shallow ground water may result in a vapor intrusion hazard.

TCE is not the predominant chemical of concern in ground water at the facility; 1,1-dichloroethene (DCE) is the predominant chemical of concern in ground water. Further, the TCE (DCE) ground water plume is located in the northern portion of the facility, approximately 1,000 feet away from the area of the site being redeveloped. Given the distance of the plume from the area of redevelopment, it is unlikely that the presence of TCE in ground water would pose a vapor intrusion risk to occupants of a building approximately 1,000 feet away. According to DTSC's *Interim Final Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air*, dated December 15, 2004 (revised February 7, 2007), two criteria are considered to assess whether a site is a candidate for vapor intrusion. One of the criteria is that existing or future buildings at a property must be close to subsurface contamination so that vapor migration into indoor air is possible. Further, according to this guidance document, for existing or future buildings to be considered a candidate for vapor intrusion, the building must be less than 100 feet away laterally from subsurface contamination. Clearly, this is not the case at the facility, since the area of redevelopment is approximately 1,000 feet away from the ground water plume. In short, it is not anticipated that redevelopment activities will disturb or adversely affect the existing TCE groundwater issue, which remains subject to agency oversight, and is more than 1,000 feet away.

5. Concern that ponds in the center of the site were previously used for aeration of recycled water and that the recycled water was also used in the heating, ventilation, and air conditioning (HVAC) system for the site. Further, the potential for this recycled water to have been contaminated with volatile organic compounds (VOCs) is a concern.

Between approximately 1995 and 2006, ground water from the on-site ground water recovery and treatment system, which had been treated and met RWQCB waste discharge requirements (WDRs), was used for irrigating vegetation surrounding the ponds. The ponds are present at the site for decorative purposes and were not part of the ground water treatment system. Ground water was treated using granulated active carbon to remove VOCs and met WDRs before use as irrigation water. The ground water remediation system was shut down in 2006, with the approval of the RWQCB, for implementation of an in situ remedy (enhanced in situ bioremediation). Therefore, treated ground water has not been used for vegetative irrigation since 2006. The suggestion that water from the ponds would have been used as HVAC makeup water is unsubstantiated. It is highly unlikely that water from the ponds would be used for HVAC make-up water, as it may contain debris, soil, or other impurities, and would not be suitable as make-up water. Further, all of the buildings at

the site are serviced by hot and cold chilled water from a Central Plant using Centrifugal Trane Chillers and Ajax Boilers that would not run on this type of water.

6. Concern regarding Freon and 1,1-DCE contamination present in Well CM-8D and the unidentified source of these contaminants.

Detected concentrations of Freon in this well have ranged from 5.3 micrograms per liter ($\mu\text{g/l}$) to 69 $\mu\text{g/l}$; however, Freon has not been detected in Well CM-8D for the last five sampling events (since November 2005). In addition, the extent of the Freon plume is localized in the southeastern portion of the site, has been well defined, and remains in a completely capped area. The RWQCB requires only monitoring of the plume; no remedial action has been required and is unlikely to be required. The Freon plume is outside of the planned redevelopment area. Therefore, although the source of the Freon contamination in this area has not been identified, it does not present a concern.

Detected concentrations of 1,1-DCE in this well appear to have generally decreased since approximately November 2002; recent detected concentrations of 1,1-DCE were 45 $\mu\text{g/l}$ (May 2007), 25 $\mu\text{g/l}$ (November 2007), and 20 $\mu\text{g/l}$ (July 2008). The source of the 1,1-DCE contamination is not known; however, soil monitoring (as described in the SMP) was conducted during recent redevelopment operations conducted in the area where this well is located. No indication of soil impact or a source of VOCs was observed in this area, despite it being the area immediately above and surrounding the Well CM-8D location. In-situ bioremediation of the contaminants in Well CM-8D is in progress with the approval, and under the oversight, of the RWQCB.

7. Concern regarding the adequate completion of site characterization and investigation work and the belief that, due to shared projects, constituents of concern identified at the Santa Susana Field Laboratory (SSFL) may be present at the facility.

As described above, the RCRA facility closure process is a step by step process specific to each property. In order to ensure that a property is adequately characterized, and that potential areas of environmental concern and chemicals of concern are identified, a thorough review of historical and current uses of a property is performed, including operations performed, chemical storage, use, and disposal history, and other site-specific information. DTSC has performed this process at the site, and identified AOCs and SWMUs. SSFL conducted different operations under different occupants and therefore has its own list of chemicals of concern specific to its property. SSFL's operations are not relevant to the site, and should not be thus confused or correlated with the site.

8. Concern regarding the presence of sewer feeder lines and their removal as an AOC.

Sewer lines at the site have been identified as a SWMU and will remain so designated until addressed and remediated, if necessary, as part of the RCRA facility closure process. Raytheon previously has conducted assessment of the area adjacent to the sewer lines and will resubmit these data to DTSC.

9. Concern regarding previous disposal of concrete as hazardous waste and the inference that the MND process is inadequate to assess the complex historical operations of the site.

Although it is not clear what this concern specifically addresses, the MND process is not intended to provide for the identification, characterization, and closure of AOCs. The

California Environmental Quality Act (CEQA) mandates the analysis of environmental impacts, not historical site operations. Specifically, detailed oversight and implementation of the RCRA closure process by the DTSC has assessed historical site operations and any resulting contamination from such operations. As described above, the very proscriptive and thorough RCRA facility closure process addresses issues related to historical site operations. As part of the closure process, it is possible that hazardous wastes may have been removed from the site, including concrete derived from demolition of pits or sumps or some other feature; however, such disposal would be a normal component of site investigation and remediation.

10. Concern regarding radiological findings in wells located in the southeastern portion of the site and comparison of the results to a USEPA background study and EPA preliminary remediation goals (PRGs).

In July 1991, McLaren/Hart Environmental Engineering Corporation (McLaren/Hart) performed a radioisotope review of radioisotope levels in geologic deposits in southern California and within ground water in the San Fernando Valley and compared these levels with levels reported at the Hughes Missile Systems Group facility (the site). For the ground water data, seven sample locations within the San Fernando Valley were available for comparison. McLaren/Hart concluded that the observed level of radioisotopes in groundwater at the site, "although slightly elevated in comparison to other parts of the San Fernando Valley, are attributable to the natural occurrence of uranium in geologic deposits." Groundwater Resources Consultants, Inc. (GRC) performed an investigation of radioactivity in groundwater at the site in early 1992. According to the GRC report, no man-made radionuclides were indicated based on the data collected and GRC concluded that no additional radionuclide sampling was warranted.

The above findings notwithstanding, the RWQCB required Raytheon to submit a work plan to perform a site-wide ground water investigation to "verify current radioactivity conditions" at the site. The work plan, prepared by TN & Associates, Inc. was submitted to the RWQCB on September 12, 2008. The work plan indicates that 11 wells at the site will be sampled for gross alpha particle activity, uranium, combined radium, and gross beta particle activity. Any samples found to contain concentrations exceeding the MCLs for uranium and radium will be further speciated for their respective isotopes. Sampling is proposed to be completed as part of the routine annual ground water monitoring event planned for November 2008, subject to RWQCB workplan approval, which is anticipated.

11. Concern that the findings of the study for cesium 137 (¹³⁷Cs) on the Rocketdyne Employee Fitness Center property are not being considered.

In June 1997, the Health & Ecological Assessments Division of Lawrence Livermore Laboratory conducted an investigation on the ¹³⁷Cs content of soil collected from the Rocketdyne Employee Fitness Center (fitness center) property. The Rocketdyne property is located across the street from the northeast corner of the site. Thirty-five surface soil samples were collected from 24 different sample locations around the fitness center property. Concentrations of ¹³⁷Cs detected in the samples were reported to be within background ranges of ¹³⁷Cs concentrations reported over a much wider geographical area within Southern California and were attributed to direct deposition of global fallout from atmospheric nuclear weapons testing conducted between 1945 and 1997. Further, Lawrence Livermore found no evidence to suggest that soils at the fitness center property contained ¹³⁷Cs that could be attributed to local sources of contamination. In addition, the

fitness center is not a part of the redevelopment area and could not contribute to project impacts considered in the MND. Therefore, conditions at the fitness center are not relevant to the site.

12. Concern that the diversion tunnel from the Chatsworth Reservoir may divert storm water runoff potentially containing VOCs from the SSFL property to the site.

The storm water channel is an open concrete-lined channel that is located at a lower elevation than the site. Therefore, it is not physically possible for water contained within the storm water channel to impact the site.

13. Concern that "de-watering on Lena Avenue" is releasing TCE-treated water into landscaped areas and from there flowing off-site into neighborhood storm drains.

No de-watering is being conducted at the site, nor has de-watering ever been conducted at the site. Further, the ground water treatment compound is located at the extreme north end of the site. Water from this area cannot physically reach Lena Avenue. In addition, as explained in concern #5 above, between approximately 1995 and 2006, ground water from the on-site ground water recovery and treatment system which had been treated and met RWQCB WDRs was used for irrigating vegetation surrounding the ponds. With the approval of the RWQCB the ground water remediation system was shut down in 2006; therefore, no groundwater extraction is occurring.

14. Concern regarding the Rain4Rent "aeration system" and the absence of discussion regarding this issue in the MND.

As a point of clarification, the Rain4Rent tank is not an aeration system; there is no aeration system component of the ground water remediation system. The Rain4Rent tank was used during operation of the on-site ground water recovery and treatment system to contain treated ground water. It has not been used since the ground water remediation system was shut down in 2006.

We appreciate the opportunity to assist you with this project and look forward to continue working with you. Should you have any questions regarding the content of this letter, please call either of the undersigned.

Very truly yours,


Carol L. Serlin, PG, CPG
Principal


Rebekah J. Wale
Senior Manager

RW:gw

P:\T\Trammell Crow\MEPT\Response to MND Neighbor Concerns\MEPT- West Hills ENVIRON response to MND neighbor letters.doc[04-18536B3]

cc: Neal Holdridge, TCC

CPC-2007-237-ZC-GPA-CU-SPR
8401 North Fallbrook Avenue, Chatsworth, CA

Exhibits

Exhibit H

Department of Toxic Substances Control letter dated August 5, 2008



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
9211 Oakdale Avenue
Chatsworth, California CA 91311



Arnold Schwarzenegger
Governor

August 5, 2008

RECEIVED
CITY OF LOS ANGELES

AUG 13 2008

ENVIRONMENTAL
UNIT

Mr. Hadar Plafkin
City Planner
City of Los Angeles, Department of City Planning
200 North Spring Street
Room 525, City Hall
Los Angeles, California 90012-4801

**DEPARTMENT OF TOXIC SUBSTANCES CONTROL (DTSC) ENVIRONMENTAL
OVERSIGHT OF RAYTHEON CANOGA PARK SITE; CORPORATE POINTE AT
WEST HILLS; WEST HILLS, CALIFORNIA (THE "PROPERTY"), CAD0411692124**

Dear Mr. Plafkin:

DTSC received a letter from your office dated July 16, 2008 concerning the Property. DTSC understands that the City of Los Angeles, Department of City Planning (LADCP) is in the process of completing its environmental review associated with the application for General Plan Amendment, Zone Change, Conditional Use for Commercial Development and Site Plan review for the Property.

DTSC's understanding of the plans for development on the Property includes two new office buildings, a parking garage, retail space, and other modifications. The areas of the proposed developments are located primarily on the southern half of the Property near or within a Solid Waste Management Unit (SWMU) or an Area of Concern (AOC) (see attached map). DTSC's understanding is that there is no development proposed in the vicinity of the northwest groundwater plume located on the northwest portion of the Property.

The Property was formerly a portion of a Hughes Aircraft research facility. Hughes successor, Raytheon Corporation, has an agreement with the current owners for the continued responsibilities to address the environmental issues for the property. DTSC is the lead agency for environmental issues at the Property. The California Regional Water Quality Control Board (Regional Board) has been overseeing the Interim Remediation of groundwater at the Property. On July 15, 2008 the Regional Board issued an Order to Raytheon Corporation requiring a work plan for additional groundwater investigation at the Property.

Mr. Hadar Plafkin
August 5, 2008
Page 2

In response to LACDP request for clarification and confirmation of the conditions on which the development can occur without impeding the investigation and cleanup of the Property, DTSC offers the following guidance:

1. There will be no restrictions on development in those areas on the Property not identified as an AOC or a SWMU in the document entitled, "RCRA Facility Assessment., Hughes Missile Systems Company, Canoga Park Facility (Raytheon), EPA ID – CAD041162124", dated January 30, 2008.
2. A soil sampling work plan will be submitted to DTSC for approval, before the issuance of a building permit for any construction in an identified AOC or SWMU within the Property.
3. Development and use of the Property may continue without further DTSC requirements, if DTSC determines that contaminants are at or below acceptable levels for the intended use of the particular areas of the Property
4. If DTSC determines that contaminants are above acceptable levels for the intended use on a particular area of the Property, DTSC would require submission and approval of a remediation plan to address the contamination prior to issuance of a building permit.

If you have any questions, please contact me at (818) 717-6597.

Sincerely,



Rodney Collins
Project Manager
Brownfields and Environmental Restoration Program

Attachment

Mr. Hadar Plafkin
August 5, 2008
Page 3

cc: Mr. Allan Plaza, Unit Chief
Brownfields and Environmental Restoration Program
Department of Toxic Substances Control
9211 Oakdale Avenue
Chatsworth, California CA 91311

Mr. Phil Chandler, Unit Chief
Brownfields and Environmental Restoration Program
Department of Toxic Substances Control
9211 Oakdale Avenue
Chatsworth, California CA 91311

Ms. Ann Chang, Ph.D. (via email)
Water Resources Control Engineer
Los Angeles Regional Water Quality Control Board
nchang@waterboards.ca.gov

Mr. Neal Holdridge (via email)
Environmental Manager
Trammel Crow Company
nholdridge@trammellcrow.com

Mr. Kenneth J. Katich (via email)
Development & Investment
Trammel Crow Company
kkatich@trammellcrow.com

CPC-2007-237-ZC-GPA-CU-SPR
8401 North Fallbrook Avenue, Chatsworth, CA

Exhibits

Exhibit I

Department of Toxic Substances Control letter dated February 11, 2009



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
9211 Oakdale Avenue
Chatsworth, California CA 91311



Arnold Schwarzenegger
Governor

February 11, 2009

Thomas L. Glick
City Planner
City of Los Angeles, Department of City Planning
6262 Van Nuys Boulevard, Room 351
Van Nuys, CA 91401

CORPORATE POINTE AT WEST HILLS, WEST HILLS, CA ("PROPERTY"), CAD0411692124; STATUS OF DTSC INVESTIGATION AND REMEDIATION

Dear Mr. Glick:

DTSC understands that the City of Los Angeles ("City") is in the process of completing its environmental review and other permitting associated with the application of the owner, MEPT West Hills LLC ("MEPT"), for a general plan amendment, zone change, conditional use for commercial corner development, and site plan review. This letter updates the City on DTSC's continuing oversight of assessment and, as needed, remediation and monitoring at the Property.

A. Site History and Location

The subject property ("Property") encompasses approximately fifty (50) acres of the approximately eighty-five (85) acre former Hughes Missile Systems site ("Site"), now known as Corporate Pointe at West Hills. The Site, including the Property, has been under DTSC's jurisdiction to address environmental contamination in soil as a result of historic operations. The Regional Water Quality Control Board ("RWQCB") also has jurisdiction for contamination associated with groundwater at the site. MEPT proposes to build an additional 360,000 square feet of office space and a new parking structure at the Property. Trammell Crow Company will develop the structures.

The entire Site is located at the northwest corner of Fallbrook Avenue and Roscoe Boulevard in West Hills, California. From 1959 until 1966, Bunker-Ramo, an electrical component design and testing company, developed and used the Site as an industrial park. From approximately 1966 to 1976, Hughes Missiles Systems shared occupancy of the Site with Rocketdyne and Bunker-Ramo. Hughes later purchased the Site and occupied the entire facility as an aerospace research and development facility. Following a merger with Hughes in 1997, Raytheon assumed management of all environmental investigation and remediation activities at

the 85-acre facility, including the Property.

In May 1995, Hughes sold the Site and the land use changed to commercial office space. In 1997, the northern portion of the Site was sold to Regent Properties. Certain parcels within the southern portion of the site were subsequently purchased by DeVry Incorporated, the City of Los Angeles (Police Department), and MEPT. MEPT acquired the remaining portions of the Site, excluding the 5-acre City portion, in 2002.

While the Site was used as a design and testing facility prior to 1995, the DTSC permitted the use of two hazardous waste units on site: a hazardous waste storage area and an underground waste oil/solvent tank. Both of these units were located along the northern Site boundary and are not located within the Property. In or about 1997, Raytheon removed all on-site hazardous waste units and certain affected soil with DTSC oversight. Since then, Raytheon, DTSC and the RWQCB have been working to finalize Site closure.

B. DTSC's Continuing Role and Site Specific Remediation Goals

1. DTSC Role

For sites where a historic release or threatened release of hazardous substances into the environment has occurred, California law requires DTSC approval of a "remedial action plan" or similar decision document to certify that the remedy selection process was completed in accordance with all applicable laws and regulations. This process also provides a public source of information about the history, characteristics, and risks posed by a particular site, as well as a summary of the cleanup alternatives considered, their evaluation, and the rationale supporting the selected remedy. DTSC must determine whether the selected cleanup levels and remedies meet all legal requirements and protect public health and the environment. Upon the completion of the environmental cleanup process, DTSC has the statutory responsibility for certifying that the necessary remediation has been completed and that no further remedial action is necessary. See, Cal. Health & Safety Code, Chapter 6.5, 6.8 and DTSC's Land Use Covenant Agreements Fact Sheet, Oct. 2000.

2. Development and Implementation of Site Specific Remediation Goals

DTSC's remedy selection requirements mandate the evaluation of reasonably anticipated future land uses which affect exposure pathways. For the Property, the City serves as the source of information and permitting authority for land uses. Selection of cleanup levels must be based on consideration of public health and environmental risks, technical and costs limitations, and the performance and risk uncertainties inherent in all waste remediation efforts. Cleanup levels at industrial or recreational sites are generally less stringent than more intensive uses because of shorter human exposure duration and limited exposure pathways.

When selecting a remedy for a site, California law requires, and DTSC insists that:

- a. The chosen remedy must protect public health and the environment for the reasonably anticipated future land use;
- b. Engineering controls must be used for low-level threats;
- c. Institutional controls must be used to supplement engineering controls;
- d. The use of innovative technology must be considered with preference given to permanent remedies;
- e. Usable groundwater must be returned to beneficial use; and
- f. The selected remedy must comply with the California Environmental Quality Act ("CEQA").

Here, the City has assumed the role of lead agency for CEQA purposes for MEPT's proposed project. To the extent that any future unanticipated environmental contamination at the site triggers CEQA, a separate CEQA process will be initiated.

DTSC considers the current and future use of a site when establishing site-specific remediation levels and does not rely upon zoning when determining remediation standards. RWQCB utilizes published maximum contaminant levels ("MCLs") to measure remediation levels in groundwater, which are also independent of zoning.

Here, the Property is currently zoned for agricultural uses, but has been used for commercial industrial purposes for more than 50 years. The current and future use of the site will remain commercial industrial. Therefore, DTSC will establish remediation levels based upon health risk analysis that reflects commercial industrial uses, while the RWQCB will utilize published MCLs. This process follows standard practice throughout California.

Any zone change for the Property will have no effect on the remediation standards utilized by either DTSC or RWQCB for the Property.

C. Environmental Investigation and Remediation

From 1988 through 2000, Hughes and Raytheon conducted numerous environmental investigations aimed at identifying the extent of soil and groundwater impact associated with the permitted units and identified Areas of Concern ("AOC") and Solid Waste Management Units ("SWMU's"). Environmental remediation has continued at the Site since approximately 1995. The DTSC and RWQCB's primary common objective remains remediation of soil and groundwater to facilitate Site closure.

Mr. Thomas L. Glick
February 11, 2009
Page 4

In May 2008, Raytheon submitted to DTSC a Resource Conservation & Recovery Act Facility Assessment ("RFA") questionnaire response. The document outlines all historical data and completed remediation efforts to date. The DTSC is presently finalizing the RFA, which will evaluate if additional investigation and/or remediation is necessary.

D. Next Steps

The RFA will determine the future site assessment and remediation that will be necessary. There are no restrictions on development in those areas of the Property not identified as AOCs or SWMUs as previously noted in DTSC's August 5, 2008 letter to Mr. Hadar Plafkin of the City Planning Department. The January 30, 2008 Draft RCRA Facility Assessment, Hughes Missiles Systems Company, Canoga Park facility (Raytheon) EPA ID-CAD041162124 identifies all AOCs and SWMUs for the entire site, including the Property.

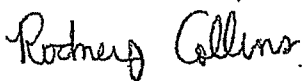
Pending closure of an AOC or a SWMU area where development is to occur, DTSC requires the use of a Soil Management Plan ("SMP") detailing the required sampling and monitoring to be implemented. DTSC has approved an SMP for the Property and MEPT has implemented same. Specific appendices to the SMP are required to be created for any AOC or SMU where ground disturbance activities are to occur, until such time as those AOCs/SWMUs receive final closure.

E. Specific Documentation for the Site

Additional documentation relating to the entire site, including the Property is available at www.envirostor.dtsc.ca.gov/public.

Please contact the undersigned or Susan Callery, DTSC's Public Participation Specialist for this project (818/ 717-6567) with questions or comments.

Sincerely,



Rodney Collins
Project Manager
Brownfields and Environmental Restoration Program

Mr. Thomas L. Glick
February 11, 2009
Page 5

cc: Mr. Allan Plaza, Unit Chief (via email)
Brownfields and Environmental Restoration Program
Department of Toxic Substances Control
aplaza@dtsc.ca.gov

Ms. Susan Callery, Public Participation Specialist (via email)
Public Participation Program
Department of Toxic Substances Control
scallery@dtsc.ca.gov

Ms. Ann Chang, Ph.D. (via email)
Water Resources Control Engineer
Los Angeles Regional Water Quality Control Board
nchang@waterboards.ca.gov

Mr. Neal Holdridge (via email)
Environmental Manager
Trammel Crow Company
nholdridge@trammellcrow.com

Mr. Kenneth J. Katich (via email)
Development & Investment
Trammel Crow Company
kkatich@trammellcrow.com

Ms. Bonnie Klea (via email)
8369 Ponce Avenue
West Hills, CA 91304
bonniel@dslextrreme.com

CPC-2007-237-ZC-GPA-CU-SPR
8401 North Fallbrook Avenue, Chatsworth, CA

Exhibits

Exhibit J

Environmental Section Letter of February 13, 2008 for Reconsideration of
ENV-2006-10437-MND

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401
CITY PLANNING COMMISSION

WILLIAM ROSCHEN
PRESIDENT
REGINA M. FREER
VICE-PRESIDENT
SEAN O. BURTON
DIEGO CARDOSO
ROBIN R. HUGHES
FR. SPENCER T. KEZIOS
RICARDO LARA
CINDY MONTAÑEZ
MICHAEL K. WOO
JAMES WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

EXECUTIVE OFFICES

S. GAIL GOLDBERG, AICP
DIRECTOR
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VINCENT P. BERTONI, AICP
DEPUTY DIRECTOR
(213) 978-1272
JOHN M. DUGAN, AICP
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EVA YUAN-MCDANIEL
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FAX: (213) 978-1275

INFORMATION
(213) 978-1270
www.planning.lacity.org

February 13, 2009

MEPT West Hills
c/o Kevin K. McDonnell, Esq.
Jeffer Mangels Butler & Marmaro LLP
1900 Avenue of the Stars, 7th Floor
Los Angeles, CA 90067

Re: Reconsideration of ENV 2006-10437-MND
CPC 2007-237-GPA-ZC-CU
8401-8413 N. Fallbrook Avenue, a.k.a. Corporate Pointe at West Hills

Dear Mr. McDonnell:

The City of Los Angeles, Department of City Planning Environmental Review office has received your request for reconsideration of the Proposed Mitigated Negative Declaration ENV 2006-10437-MND (the "MND") on behalf of your client MEPT West Hills, owner of the Corporate Pointe at West Hills property and applicant for the City Planning Case referenced above. You requested reconsideration of the MND based on the following revised Project Description.

REVISED PROJECT DESCRIPTION:

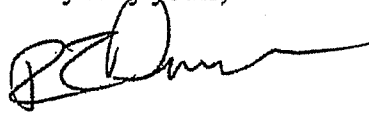
A project consisting of a change of use and new construction of approximately 466,000 square-feet. The project will involve a change of use of an existing 106,000 square-foot school (formerly DeVry University) to an office building, a new office building consisting of approximately 250,000 square-feet with a maximum height of 100 feet, a new office building of approximately 110,000 square-feet with a maximum height of 45 feet, and a new parking structure to accommodate approximately 969 parking spaces with a total 5,705 parking stalls over the entire site.

Reconsideration of ENV 2006-10437-MND
CPC 2007-237-GPA-ZC-CU
8401-8413 N. Fallbrook Avenue, a.k.a. Corporate Pointe at West Hills

Total building area upon completion will be approximately 1,277,598 square-feet on an approximately 80.80 acre site (includes 466,000 square-feet of proposed project, 340,194 square-feet of existing buildings with no change proposed, and 471,404 square-feet of existing building in the existing M1-1 zone portion, not a part of this request).

On October 6, 2008, the Environmental Review office of the Department of City Planning issued the MND. After thorough consideration of the Project revisions, the Environmental Review office has determined that no new or additional environmental impacts are introduced by the revised project. Thus, the mitigation measures identified in the MND remain suitable without the need for additional study, and reconsideration is appropriate. Recirculation of the MND for public comment is not required.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'R. Dueñas', with a long horizontal flourish extending to the right.

Robert Dueñas
Senior City Planner
City of Los Angeles,
Department of City Planning

cc: Tom Glick

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
PROPOSED MITIGATED NEGATIVE DECLARATION

LEAD CITY AGENCY
CITY OF LOS ANGELES

COUNCIL DISTRICT
12

PROJECT TITLE
ENV-2006-10437-MND

CASE NO.
CPC-2007-237-GPA-ZC-CU-SPR

PROJECT LOCATION
8401-8413 N FALLBROOK AVE; CHATSWORTH - PORTER RANCH; 91304

PROJECT DESCRIPTION

General Plan Amendment from Minimum Residential to Limited Manufacturing; Zone Change from A1-1 to M1-1; Conditional Use to permit exceptions from Commercial Corner Development requirements for hours of operation and less than 50% window coverage; and Site Plan Review; in conjunction with the change of use of an approximately 106,000 square-foot school building to an office building, new construction of an approximately 210,000 square-foot, 100 foot in height, office building, new construction of an approximately 90,000 square-foot, 45 foot in height, office building, new construction of approximately 35,000 square-feet of retail space (30' in height), and new construction of a two-story above grade parking structure providing 969 parking spaces (619 new parking spaces), operating daily from 5 a.m. to 11 p.m.; on 2,222,217.5 square-foot site, in the A1-1 and [Q]M1-1 zones.

NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY

MEPT West Hills, LLC
1215 Fourth Avenue, 2400 Financial Center
Seattle, WA 98161

FINDING:

The City Planning Department of the City of Los Angeles has Proposed that a mitigated negative declaration be adopted for this project because the mitigation measure(s) outlined on the attached page(s) will reduce any potential significant adverse effects to a level of insignificance

(CONTINUED ON PAGE 2)

SEE ATTACHED SHEET(S) FOR ANY MITIGATION MEASURES IMPOSED.

Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-maker may adopt the mitigated negative declaration, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.

THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.

NAME OF PERSON PREPARING THIS FORM

TITLE

TELEPHONE NUMBER

TANNER BLACKMAN

CITY PLANNING ASSISTANT

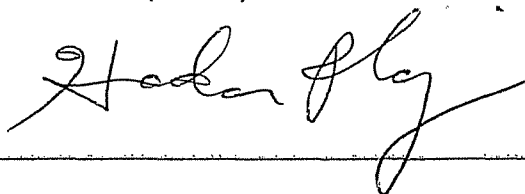
(213) 978-1353

ADDRESS

SIGNATURE (Official)

DATE

200 N. SPRING STREET, 7th FLOOR
LOS ANGELES, CA. 90012



OCTOBER 6, 2008

MITIGATED NEGATIVE DECLARATION
ENV-2006-10437-MND

I b1. Aesthetics (Hillside Site Design)

- Environmental impacts, such as alteration of existing or natural terrain may result from project implementation. However, these impacts will be mitigated to a level of insignificance by the following measures:
- Grading shall be kept to a minimum.
- Natural features, such as prominent knolls or ridge lines, shall be preserved.
- The project shall comply with the City's Hillside Development Guidelines.

I b2. Aesthetics (Landscaping)

- Environmental impacts to the character and aesthetics of the neighborhood may result from project implementation. However, the potential impacts will be mitigated to a level of insignificance by the following measure:
- All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.

I c1. Aesthetics (Light)

- Environmental impacts to the adjacent residential properties may result due to excessive illumination on the project site. However, the potential impacts will be mitigated to a level of insignificance by the following measure:
- Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.

III d1. Air Pollution (Stationary)

- Adverse impacts upon future occupants may result from the project implementation due to existing ambient air pollution levels in the project vicinity. However, this impact can be mitigated to a level of insignificance by the following measure:
- COMMERCIAL/INSTITUTIONAL - An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 12, to the satisfaction of the Department of Building and Safety.

IV d. Wildlife Corridor

- Environmental impacts from project implementation may result in: 1) conversion and/or disturbance of existing animal habitat area on-site and proximal to the site, and 2) disruption of access corridors between habitat areas. However, these impacts will be mitigated to a level of insignificance by the following measures:
- Post-construction landscape treatment shall be implemented to insure preservation of habitat for wildlife. Where habitat has been preserved, use of native plant materials shall be required.
- **Nesting Native Birds** - The project will result in the removal of vegetation and disturbances to the ground and therefore may result in take of nesting native bird species. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).
 - a. Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).
 - b. If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat the applicant shall:
 - i. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
 - ii. If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31.
 - iii. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone

from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.

- iv. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

IV e. Tree Removal (Locally Protected Species)

- Environmental impacts may result due to the loss of protected trees on the site. However, these potential impacts will be mitigated to less than insignificant by the following measures:
- Prior to the issuance of a grading permit or building permit, the applicant shall submit a tree report and landscape plan prepared by a Municipal Code-designated tree expert as designated by LAMC Ordinance No. 153,478, for approval by the decision maker and the Urban Forestry Division of the Bureau of Street Services.
- A minimum of two trees (a minimum of 48 inch box in size if available) shall be planted for each one that is removed. The canopy of the oak trees planted shall be in proportion to the canopies of the oak trees removed per Ordinance No. 153,478, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the decision maker.
- *Note:* All protected tree and street tree removals shall be approved by the Board of Public Works. Contact: Urban Forestry Division at 213-847-3077.

IV f. Tree Removal (Non-Protected Trees)

- Environmental impacts from project implementation may result due to the loss of significant trees on the site. However, the potential impacts will be mitigated to a level of insignificance by the following measures:
- Prior to the issuance of a grading permit or building permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the decision maker and the Urban Forestry Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.
- The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the decision maker.
- The genus or genera of the tree(s) shall provide a minimum crown of 30'- 50'. Please refer to City of Los Angeles Landscape Ordinance (Ord. No.170,978), Guidelines K - Vehicular Use Areas.
- *Note:* Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: 213-847-3077.

VI aii. Seismic

- Environmental impacts may result to the safety of future occupants due to the project's location in an area of potential seismic activity. However, this potential impact will be mitigated to a level of insignificance by the following measure:
- The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.

VI b. Erosion/Grading/Short-Term Construction Impacts

- Environmental impacts may result from the visual alteration of natural landforms due to grading. However, this impact will be mitigated to a level of insignificance by designing the grading plan to conform with the City's Landform Grading Manual guidelines, subject to approval by the Advisory Agency and the Department of Building and Safety's Grading Division.
- Short-term air quality, grading and noise impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a level of insignificance by the following measures:
- **Air Quality**
- All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.

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- All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- **Noise**
- The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- The project shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- **Grading**
- Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:
- Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
- Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.
- Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- **General Construction**
- Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.
- All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.
- Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- Dumpsters shall be covered and maintained. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into streets.
- All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.

VII h. **Creation of a Health Hazard**

- Environmental impacts to human health may result from project implementation due to a release of chemical or microbiological materials into the community. However, these impacts will be mitigated to a level of insignificance by the following measure:
- The applicant shall comply with recommendations of the State of California Department of Toxic Substances Control, outlined in the letter dated August 5, 2008, attached to this MND. -

VIII c3. **Commercial & Industrial Development (Lot Size 43,560 sf)**

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- Environmental impacts may result from the release of toxins into the stormwater drainage channels during the routine operation of commercial development projects. However, the potential impacts will be mitigated to a level of insignificance by incorporating stormwater pollution control measures. Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).
- Project applicants are required to implement stormwater BMPs to treat and infiltrate the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rates for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- Concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition.
- Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection.
- Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- Promote natural vegetation by using parking lot islands and other landscaped areas.
- Preserve riparian areas and wetlands.
- Cover loading dock areas or design drainage to minimize run-on and run-off of stormwater.
- Direct connections to storm drains from depressed loading docks (truck wells) are prohibited.
- Repair/maintenance bays must be indoors or designed in such a way that doesn't allow stormwater run-on or contact with stormwater runoff.
- Design repair/maintenance bay drainage system to capture all washwater, leaks and spills. Connect drains to a standard sump for collection and disposal. Direct connection of the repair/maintenance bays to the storm drain system is prohibited. If required, obtain an Industrial Waste Discharge Permit..
- Vehicle/equipment wash areas must be self-contained and/or covered, equipped with a clarifier, or other pretreatment facility, and properly connected to the sanitary sewer.
- Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- The following activities are to be conducted under proper cover with drain routed to the sanitary sewer.
 - Storage of industrial wastes
 - Handling or storage of hazardous wastes
 - Metal fabrication or Pre-cast concrete fabrication
 - Welding, Cutting or Assembly
 - Painting, Coating or Finishing
- Store above ground liquid storage tanks (drums and dumpsters) in areas with impervious surfaces in order to contain leaks and spills. Install a secondary containment system such as berms, dikes, liners, vaults, and double-wall tanks. Where used oil or dangerous waste is stored, a dead-end sump should be installed in the drain.
- Toxic wastes must be discarded at a licensed regulated disposal site. Store trash dumpsters both under cover and with drains routed to the sanitary sewer or use non-leaking and water-tight dumpsters with lids. Use drip pans or absorbent materials whenever grease containers are emptied. Wash containers in an area with properly connected sanitary sewer.
- Reduce and recycle wastes, including: paper; glass; aluminum; oil; and grease.
- Reduce the use of hazardous materials and waste by: using detergent-based or water-based cleaning systems; and avoid chlorinated compounds, petroleum distillates, phenols, and formaldehyde.
- Convey runoff safely from the tops of slopes and stabilize disturbed slopes.

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- Utilize natural drainage systems to the maximum extent practicable.
- Control or reduce or eliminate flow to natural drainage systems to the maximum extent practicable.
- Stabilize permanent channel crossings.
- Protect slopes and channels and reduce run-off velocities by complying with Chapter IX, Division 70 of the Los Angeles Municipal Code and utilizing vegetation (grass, shrubs, vines, ground covers, and trees) to provide long-term stabilization of soil.
- Cleaning of vehicles and equipment to be performed within designated covered or bermed wash area paved with Portland concrete, sloped for wash water collection, and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis (at least twice a year) to remove any solids; and the oil absorbent pads must be replaced regularly, once in fall just before the wet season, and in accordance with manufacturer's specifications.
- All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
- Legibility of stencils and signs must be maintained.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The storage area must be paved and sufficiently impervious to contain leaks and spills.
- The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.

VIII c4. Food Service Industry (Restaurants, Bakeries, Food Processors)

- Environmental impacts may result from the release of toxins into the stormwater drainage channels during the routine operation of restaurants, bakeries, and food producers. However, the potential impacts will be mitigated to a level of insignificance by incorporating stormwater pollution control measures. Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).
- Project applicants are required to implement stormwater BMPs to treat and infiltrate the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- Concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition.
- Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection.
- Maximize trees and other vegetation at each site by planning additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- Promote natural vegetation by using parking lot islands and other landscaped areas.
- Preserve riparian areas and wetlands.

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- Cut and fill slopes in designated hillside areas shall be planted and irrigated to prevent erosion, reduce run-off velocities and to provide long-term stabilization of soil. Plant materials include: grass, shrubs, vines, ground covers, and trees.
- Incorporate appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing a rock outlet protection. Rock outlet protection is physical device composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. Install sediment traps below the pipe-outlet. Inspect, repair, and maintain the outlet protection after each significant rain.
- Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- Cleaning of oily vents and equipment to be performed within designated covered area, sloped for wash water collection, and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis to remove any solids; and the oil absorbent pads must be replaced regularly according to manufacturer's specifications.
- Store trash dumpsters both under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Wash containers in an area with properly connected sanitary sewer.
- Reduce and recycle wastes, including oil and grease.
- Store liquid storage tanks (drums and dumpsters) in designated paved areas with impervious surfaces in order to contain leaks and spills. Install a secondary containment system such as berms, curbs, or dikes. Use drip pans or absorbent materials whenever grease containers are emptied.
- All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
- Legibility of stencils and signs must be maintained.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The storage area must be paved and sufficiently impervious to contain leaks and spills.
- The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.
- Prescriptive Methods detailing BMPs specific to the "Restaurant" project category are available. Applicants are encouraged to incorporate the prescriptive methods into the design plans. These Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at www.lastormwater.org. (See Exhibit A).

XIII a. Public Services (Fire)

- Environmental impacts may result from project implementation due to the location of the project in an area having marginal fire protection facilities. However, this potential impact will be mitigated to a level of insignificance by the following measure:
- The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

XIII b1. Public Services (Police General)

- Environmental impacts may result from project implementation due to the location of the project in an area having marginal police services. However, this potential impact will be mitigated to a level of insignificance by the following measure:

EXHIBIT A

CITY OF LOS ANGELES – STORMWATER PROGRAM

Prescriptive Method Standard Urban Stormwater Mitigation Plan

RESTAURANTS

OBJECTIVE

The prescriptive method described in this bulletin meets the minimum requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) for a "stand alone" restaurant (SIC Code 5812 – Eating Places). As a prescriptive method, all requirements specified herein shall be incorporated into the approved development plan. Should an alternate method of compliance or an alternate product/manufacture be used, the applicant shall prepare a site-specific plan indicating the alternate and its details. Such plan must be submitted for review and approval.

REQUIREMENTS

Equipment/Accessory Wash Area

- For indoor wash area, provisions shall be made to properly connect to a sanitary sewer. For sewer connection, obtain Industrial Waste Discharge permit from Department of Public Works - Bureau of Sanitation – Industrial Waste Management Division.
- For outdoor wash area, area shall be bermed (berm height shall be $\frac{1}{2}$ inch), equipped with a grease trap and rain diversion system, and connected to the sanitary sewer. A plumbing permit from Department of Building and Safety will be required for grease trap. IWD permit will be required from the Bureau of Sanitation – Industrial Waste Management Division for sewer connection. Refer to Appendix F of the *Development Planning Handbook* for the rain diversion system description.

Outdoor Material Storage Area (If included)

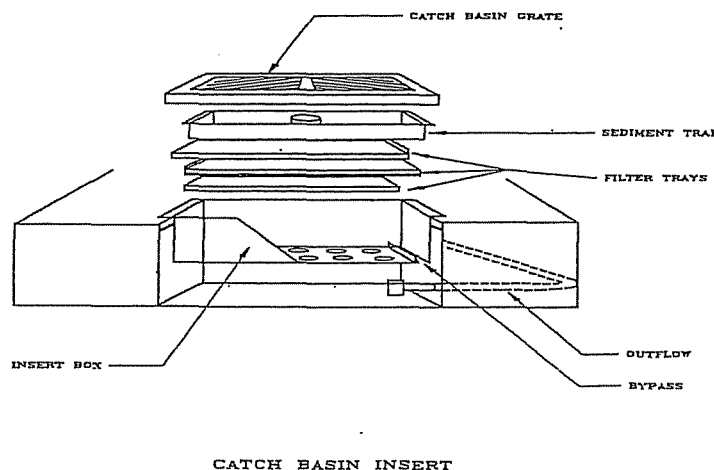
- Must be placed in an enclosure or bermed (secondary containment). The berm height shall be $\frac{1}{2}$ inch.
- Must be paved to contain leaks and spills.

Trash Storage Area (If included)

- Must be screened or walled to prevent off-site transport of trash.

FIGURE 1

Example Catch Basin Insert



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- The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to Design Out Crime Guidelines: Crime Prevention Through Environmental Design published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room 818, Los Angeles, (213)485-3134. These measures shall be approved by the Police Department prior to the issuance of building permits.

XV a1. Increased Vehicle Trips/Congestion

- An adverse impact may result from the project's traffic generation. An investigation and analysis conducted by the Department of Transportation has identified significant project-related traffic impacts which can be mitigated to an acceptable level by the following measure:
- The applicant shall comply with measure(s) detailed in the Department of Transportation's Inter-Departmental Correspondence, dated July 10, 2008, attached to this MND. Such report and mitigation measure(s) are incorporated herein by reference.

XVI d. Utilities (Local or Regional Water Supplies)

- Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a level of insignificance by the following measures:
- If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- **(All New Construction, Commercial/Industrial Remodel, Condominium Conversions, and Adaptive Reuse)**
Unless otherwise required, and to the satisfaction of the Department of Building and Safety, the applicant shall install:
 - a. High-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate. Rebates may be offered through the Los Angeles Department of Water and Power to offset portions of the costs of these installations.
 - b. Restroom faucets with a maximum flow rate of 1.5 gallons per minute.Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)
- **(All New Commercial and Industrial)**
Unless otherwise required, all restroom faucets shall be of a self-closing design, to the satisfaction of the Department of Building and Safety.
- **(Landscaping)**
In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
 - a. Weather-based irrigation controller with rain shutoff;
 - b. Matched precipitation (flow) rates for sprinkler heads;
 - c. Drip/microspray/subsurface irrigation where appropriate;
 - d. Minimum irrigation system distribution uniformity of 75 percent;
 - e. Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials; and
 - f. Use of landscape contouring to minimize precipitation runoff.
 - g. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for irrigated landscape areas totaling 5,000 sf. and greater, to the satisfaction of the Department of Building and Safety.

XVI f. Utilities (Solid Waste)

- Environmental impacts may result from project implementation due to the creation of additional solid waste. However, this potential impact will be mitigated to a level of insignificance by the following measure:
- Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.

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- Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
- To facilitate onsite separation and recycling of demolition and construction-related wastes, the contractor(s) shall provide temporary waste separation bins onsite during demolition and construction. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.

XVII d. End

- The conditions outlined in this proposed mitigated negative declaration which are not already required by law shall be required as condition(s) of approval by the decision-making body except as noted on the face page of this document.
- Therefore, it is concluded that no significant impacts are apparent which might result from this project's implementation.

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY
and CHECKLIST

(CEQA Guidelines Section 15063)

LEAD CITY AGENCY: CITY OF LOS ANGELES	COUNCIL DISTRICT: CD 12 - GREIG SMITH	DATE: 08/20/2008
RESPONSIBLE AGENCIES: CITY OF LOS ANGELES		
ENVIRONMENTAL CASE: ENV-2006-10437-MND	RELATED CASES: CPC-2007-237-GPA-ZC-CU-SPR	
PREVIOUS ACTIONS CASE NO.:	<input type="checkbox"/> Does have significant changes from previous actions. <input checked="" type="checkbox"/> Does NOT have significant changes from previous actions.	
PROJECT DESCRIPTION: EAF FOR BATCHING PROJECT		
ENV PROJECT DESCRIPTION: General Plan Amendment from Minimum Residential to Limited Manufacturing; Zone Change from A1-1 to M1-1; Conditional Use to permit exceptions from Commercial Corner Development requirements for hours of operation and less than 50% window coverage; and Site Plan Review; in conjunction with the change of use of an approximately 106,000 square-foot school building to an office building, new construction of an approximately 210,000 square-foot, 100 foot in height, office building, new construction of an approximately 90,000 square-foot, 45 foot in height, office building, new construction of approximately 35,000 square-feet of retail space (30' in height), and new construction of a two-story above grade parking structure providing 969 parking spaces (619 new parking spaces), operating daily from 5 a.m. to 11 p.m.; on 2,222,217.5 square-foot site, in the A1-1 and [Q]M1-1 zones.		
ENVIRONMENTAL SETTINGS: The subject site is a predominately level (100% less than 10% sloping), irregularly-shaped, corner lot, composed of ten contiguous parcels and fronting for approximately 2,600 feet on the west side of Fallbrook Avenue (a Secondary street dedicated to 80' at the subject site) and approximately 1255 feet on the north side of Roscoe Boulevard (a Major Highway Class II dedicated to 100 feet at the subject site), within the Chatsworth – Porter Ranch Community Plan Area. The subject site is bounded by Fallbrook Boulevard to the east, Roscoe Boulevard to the South, a City of L.A. Police call center and residential uses to the west, and City of L.A. Department of Water and Power reservoir land to the north. The subject site is not within an airport hazard site, coastal zone, Fire District No. 1 or 2, flood zone, hazardous waste/border zone properties, methane hazard site, high wind velocity area, oil wells site, Alquist-Priolo fault zone, or landslide zone. The site is within a very high fire hazard severity zone, hillside grading zone, and liquefaction zone, within 11.42 kilometers of a known fault zone. Additionally, the site is subject to the Chatsworth Plan footnotes. There are no schools or parks within 500 feet of the site. The land use and zoning within a 500 foot radius of the subject site are as follows: single-family residential uses surround the subject site to the east, south, and west, fronting along Sedan Ave, Samra Dr, Carla Ln, Burton St, Lena Ave, Maynard Ave, Schoenborn St, Eccles St, Rodax St, and Chaser Pl (zoned RS-1 and RE11-1); commercial uses front the southeast corner of Fallbrook Ave and Roscoe Blvd (zoned [Q]C2-1VL and P1-1VL); a private park fronts the east side of Fallbrook Ave, north of the subject site (zoned A1-1); a City of L.A. police call center abuts the subject site to the west (zoned A1-1); and the Chatsworth Reservoir lies north of the subject site (zoned [Q]OS-1XL). The 2,222,217.5 square-foot site, formerly owned by Hughes Aircraft then the Raytheon Corporation, contains numerous active businesses on-site. The project proposes a General Plan Amendment, Zone Change, Conditional Use for exceptions from Commercial Corner Development Requirements, and Site Plan Review for the change of use of an approximately 106,000 square-foot school building to an office building, new construction of an approximately 210,000 square-foot, 100 foot in height, office building, new construction of an approximately 90,000 square-foot, 45 foot in height, office building, new construction of approximately 35,000 square-feet of retail space (30' in height), and new construction of a two-story above grade parking structure providing 969 parking spaces (619 new parking spaces), operating daily from 5 a.m. to 11 p.m. The Department of Toxic Substances Control has reviewed this request to develop portions of the site and submitted comments, dated August 5, 2008, attached to this MND.		

PROJECT LOCATION: 8401-8413 N FALLBROOK AVE; CHATSWORTH - PORTER RANCH; 91304		
COMMUNITY PLAN AREA: CHATSWORTH - PORTER RANCH STATUS: <input checked="" type="checkbox"/> Does Conform to Plan <input type="checkbox"/> Does NOT Conform to Plan	AREA PLANNING COMMISSION: NORTH VALLEY	CERTIFIED NEIGHBORHOOD COUNCIL: WEST HILLS
EXISTING ZONING: A1-1 [Q]M1-1	MAX. DENSITY/INTENSITY ALLOWED BY ZONING:	LA River Adjacent: NO
GENERAL PLAN LAND USE: MINIMUM RESIDENTIAL LIMITED MANUFACTURING	MAX. DENSITY/INTENSITY ALLOWED BY PLAN DESIGNATION:	
	PROPOSED PROJECT DENSITY:	

Determination (To Be Completed By Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

CITY PLANNING ASSISTANT

(213) 978-1353

Signature

Title

Phone

Evaluation Of Environmental Impacts:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analysis," cross referenced).
5. Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated
7. Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whichever format is selected.
9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input checked="" type="checkbox"/> AESTHETICS	<input checked="" type="checkbox"/> HAZARDS AND HAZARDOUS MATERIALS	<input checked="" type="checkbox"/> PUBLIC SERVICES
<input type="checkbox"/> AGRICULTURAL RESOURCES	<input checked="" type="checkbox"/> HYDROLOGY AND WATER QUALITY	<input type="checkbox"/> RECREATION
<input checked="" type="checkbox"/> AIR QUALITY	<input type="checkbox"/> LAND USE AND PLANNING	<input checked="" type="checkbox"/> TRANSPORTATION/CIRCULATION
<input checked="" type="checkbox"/> BIOLOGICAL RESOURCES	<input type="checkbox"/> MINERAL RESOURCES	<input checked="" type="checkbox"/> UTILITIES
<input type="checkbox"/> CULTURAL RESOURCES	<input checked="" type="checkbox"/> NOISE	<input type="checkbox"/> MANDATORY FINDINGS OF SIGNIFICANCE
<input checked="" type="checkbox"/> GEOLOGY AND SOILS	<input type="checkbox"/> POPULATION AND HOUSING	

INITIAL STUDY CHECKLIST (To be completed by the Lead City Agency)

Background

PROPONENT NAME:

MEPT West Hills, LLC

PHONE NUMBER:

(206) 623-4739

APPLICANT ADDRESS:

1215 Fourth Avenue, 2400 Financial Center
Seattle, WA 98161

AGENCY REQUIRING CHECKLIST:

DEPARTMENT OF CITY PLANNING

DATE SUBMITTED:

12/21/2006

PROPOSAL NAME (if Applicable):

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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I. AESTHETICS

a.	HAVE A SUBSTANTIAL ADVERSE EFFECT ON A SCENIC VISTA?			✓	
b.	SUBSTANTIALLY DAMAGE SCENIC RESOURCES, INCLUDING, BUT NOT LIMITED TO, TREES, ROCK OUTCROPPINGS, AND HISTORIC BUILDINGS, OR OTHER LOCALLY RECOGNIZED DESIRABLE AESTHETIC NATURAL FEATURE WITHIN A CITY-DESIGNATED SCENIC HIGHWAY?				✓
c.	SUBSTANTIALLY DEGRADE THE EXISTING VISUAL CHARACTER OR QUALITY OF THE SITE AND ITS SURROUNDINGS?		✓		
d.	CREATE A NEW SOURCE OF SUBSTANTIAL LIGHT OR GLARE WHICH WOULD ADVERSELY AFFECT DAY OR NIGHTTIME VIEWS IN THE AREA?		✓		

II. AGRICULTURAL RESOURCES

a.	CONVERT PRIME FARMLAND, UNIQUE FARMLAND, OR FARMLAND OF STATEWIDE IMPORTANCE, AS SHOWN ON THE MAPS PREPARED PURSUANT TO THE FARMLAND MAPPING AND MONITORING PROGRAM OF THE CALIFORNIA RESOURCES AGENCY, TO NON-AGRICULTURAL USE?				✓
b.	CONFLICT THE EXISTING ZONING FOR AGRICULTURAL USE, OR A WILLIAMSON ACT CONTRACT?				✓
c.	INVOLVE OTHER CHANGES IN THE EXISTING ENVIRONMENT WHICH, DUE TO THEIR LOCATION OR NATURE, COULD RESULT IN CONVERSION OF FARMLAND, TO NON-AGRICULTURAL USE?				✓

III. AIR QUALITY

a.	CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF THE SCAQMD OR CONGESTION MANAGEMENT PLAN?				✓
b.	VIOLATE ANY AIR QUALITY STANDARD OR CONTRIBUTE SUBSTANTIALLY TO AN EXISTING OR PROJECTED AIR QUALITY VIOLATION?		✓		
c.	RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF ANY CRITERIA POLLUTANT FOR WHICH THE AIR BASIN IS NON-ATTAINMENT (OZONE, CARBON MONOXIDE, & PM 10) UNDER AN APPLICABLE FEDERAL OR STATE AMBIENT AIR QUALITY STANDARD?			✓	
d.	EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS?		✓		
e.	CREATE OBJECTIONABLE ODORS AFFECTING A SUBSTANTIAL NUMBER OF PEOPLE?			✓	

IV. BIOLOGICAL RESOURCES

a.	HAVE A SUBSTANTIAL ADVERSE EFFECT, EITHER DIRECTLY OR THROUGH HABITAT MODIFICATION, ON ANY SPECIES IDENTIFIED AS A CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES IN LOCAL OR REGIONAL PLANS, POLICIES, OR REGULATIONS BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR U.S. FISH AND WILDLIFE SERVICE ?			✓	
b.	HAVE A SUBSTANTIAL ADVERSE EFFECT ON ANY RIPARIAN HABITAT OR OTHER SENSITIVE NATURAL COMMUNITY IDENTIFIED IN THE CITY OR REGIONAL PLANS, POLICIES, REGULATIONS BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR U.S. FISH AND WILDLIFE SERVICE ?			✓	
c.	HAVE A SUBSTANTIAL ADVERSE EFFECT ON FEDERALLY PROTECTED WETLANDS AS DEFINED BY SECTION 404 OF THE CLEAN WATER ACT (INCLUDING, BUT NOT LIMITED TO, MARSH VERNAL POOL, COASTAL, ETC.) THROUGH DIRECT REMOVAL, FILLING, HYDROLOGICAL INTERRUPTION, OR OTHER MEANS?				✓
d.	INTERFERE SUBSTANTIALLY WITH THE MOVEMENT OF ANY NATIVE RESIDENT OR MIGRATORY FISH OR WILDLIFE SPECIES OR WITH ESTABLISHED NATIVE RESIDENT OR MIGRATORY WILDLIFE CORRIDORS, OR IMPEDE THE USE OF NATIVE WILDLIFE NURSERY SITES?		✓		

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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e.	CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES, SUCH AS TREE PRESERVATION POLICY OR ORDINANCE (E.G., OAK TREES OR CALIFORNIA WALNUT WOODLANDS)?		✓		
f.	CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN, NATURAL COMMUNITY CONSERVATION PLAN, OR OTHER APPROVED LOCAL, REGIONAL, OR STATE HABITAT CONSERVATION PLAN?				✓
V. CULTURAL RESOURCES					
a.	CAUSE A SUBSTANTIAL ADVERSE CHANGE IN SIGNIFICANCE OF A HISTORICAL RESOURCE AS DEFINED IN STATE CEQA 15064.5?				✓
b.	CAUSE A SUBSTANTIAL ADVERSE CHANGE IN SIGNIFICANCE OF AN ARCHAEOLOGICAL RESOURCE PURSUANT TO STATE CEQA 15064.5?			✓	
c.	DIRECTLY OR INDIRECTLY DESTROY A UNIQUE PALEONTOLOGICAL RESOURCE OR SITE OR UNIQUE GEOLOGIC FEATURE?			✓	
d.	DISTURB ANY HUMAN REMAINS, INCLUDING THOSE INTERRED OUTSIDE OF FORMAL CEMETERIES?			✓	
VI. GEOLOGY AND SOILS					
a.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : RUPTURE OF A KNOWN EARTHQUAKE FAULT, AS DELINEATED ON THE MOST RECENT ALQUIST-PRIOLO EARTHQUAKE FAULT ZONING MAP ISSUED BY THE STATE GEOLOGIST FOR THE AREA OR BASED ON OTHER SUBSTANTIAL EVIDENCE OF A KNOWN FAULT? REFER TO DIVISION OF MINES AND GEOLOGY SPECIAL PUBLICATION 42.			✓	
b.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : STRONG SEISMIC GROUND SHAKING?		✓		
c.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : SEISMIC-RELATED GROUND FAILURE, INCLUDING LIQUEFACTION?		✓		
d.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : LANDSLIDES?			✓	
e.	RESULT IN SUBSTANTIAL SOIL EROSION OR THE LOSS OF TOPSOIL?		✓		
f.	BE LOCATED ON A GEOLOGIC UNIT OR SOIL THAT IS UNSTABLE, OR THAT WOULD BECOME UNSTABLE AS A RESULT OF THE PROJECT, AND POTENTIAL RESULT IN ON- OR OFF-SITE LANDSLIDE, LATERAL SPREADING, SUBSIDENCE, LIQUEFACTION, OR COLLAPSE?		✓		
g.	BE LOCATED ON EXPANSIVE SOIL, AS DEFINED IN TABLE 18-1-B OF THE UNIFORM BUILDING CODE (1994), CREATING SUBSTANTIAL RISKS TO LIFE OR PROPERTY?			✓	
h.	HAVE SOILS INCAPABLE OF ADEQUATELY SUPPORTING THE USE OF SEPTIC TANKS OR ALTERNATIVE WASTE WATER DISPOSAL SYSTEMS WHERE SEWERS ARE NOT AVAILABLE FOR THE DISPOSAL OF WASTE WATER?				✓
VII. HAZARDS AND HAZARDOUS MATERIALS					
a.	CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT THROUGH THE ROUTINE TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS?				✓
b.	CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT THROUGH REASONABLY FORESEEABLE UPSET AND ACCIDENT CONDITIONS INVOLVING THE RELEASE OF HAZARDOUS MATERIALS INTO THE ENVIRONMENT?		✓		

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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c.	EMIT HAZARDOUS EMISSIONS OR HANDLE HAZARDOUS OR ACUTELY HAZARDOUS MATERIALS, SUBSTANCES, OR WASTE WITHIN ONE-QUARTER MILE OF AN EXISTING OR PROPOSED SCHOOL?			✓	
d.	BE LOCATED ON A SITE WHICH IS INCLUDED ON A LIST OF HAZARDOUS MATERIALS SITES COMPILED PURSUANT TO GOVERNMENT CODE SECTION 65962.5 AND, AS A RESULT, WOULD IT CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT?				✓
e.	FOR A PROJECT LOCATED WITHIN AN AIRPORT LAND USE PLAN OR, WHERE SUCH A PLAN HAS NOT BEEN ADOPTED, WITHIN TWO MILES OF A PUBLIC AIRPORT OR PUBLIC USE AIRPORT, WOULD THE PROJECT RESULT IN A SAFETY HAZARD FOR PEOPLE RESIDING OR WORKING IN THE PROJECT AREA?				✓
f.	FOR A PROJECT WITHIN THE VICINITY OF A PRIVATE AIRSTRIP, WOULD THE PROJECT RESULT IN A SAFETY HAZARD FOR THE PEOPLE RESIDING OR WORKING IN THE AREA?				✓
g.	IMPAIR IMPLEMENTATION OF OR PHYSICALLY INTERFERE WITH AN ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN?				✓
h.	EXPOSE PEOPLE OR STRUCTURES TO A SIGNIFICANT RISK OF LOSS, INJURY OR DEATH INVOLVING WILDLAND FIRES, INCLUDING WHERE WILDLANDS ARE ADJACENT TO URBANIZED AREAS OR WHERE RESIDENCES ARE INTERMIXED WITH WILDLANDS?		✓		

VIII. HYDROLOGY AND WATER QUALITY

a.	VIOLATE ANY WATER QUALITY STANDARDS OR WASTE DISCHARGE REQUIREMENTS?				✓
b.	SUBSTANTIALLY DEplete GROUNDWATER SUPPLIES OR INTERFERE WITH GROUNDWATER RECHARGE SUCH THAT THERE WOULD BE A NET DEFICIT IN AQUIFER VOLUME OR A LOWERING OF THE LOCAL GROUNDWATER TABLE LEVEL (E.G., THE PRODUCTION RATE OF PRE-EXISTING NEARBY WELLS WOULD DROP TO A LEVEL WHICH WOULD NOT SUPPORT EXISTING LAND USES OR PLANNED LAND USES FOR WHICH PERMITS HAVE BEEN GRANTED)?				✓
c.	SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE OR AREA, INCLUDING THROUGH THE ALTERATION OF THE COURSE OF A STREAM OR RIVER, IN A MANNER WHICH WOULD RESULT IN SUBSTANTIAL EROSION OR SILTATION ON- OR OFF-SITE?			✓	
d.	SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE OR AREA, INCLUDING THROUGH THE ALTERATION OF THE COURSE OF A STREAM OR RIVER, OR SUBSTANTIALLY INCREASE THE RATE OR AMOUNT OF SURFACE RUNOFF IN AN MANNER WHICH WOULD RESULT IN FLOODING ON- OR OFF SITE?			✓	
e.	CREATE OR CONTRIBUTE RUNOFF WATER WHICH WOULD EXCEED THE CAPACITY OF EXISTING OR PLANNED STORMWATER DRAINAGE SYSTEMS OR PROVIDE SUBSTANTIAL ADDITIONAL SOURCES OF POLLUTED RUNOFF?		✓		
f.	OTHERWISE SUBSTANTIALLY DEGRADE WATER QUALITY?		✓		
g.	PLACE HOUSING WITHIN A 100-YEAR FLOOD PLAIN AS MAPPED ON FEDERAL FLOOD HAZARD BOUNDARY OR FLOOD INSURANCE RATE MAP OR OTHER FLOOD HAZARD DELINEATION MAP?				✓
h.	PLACE WITHIN A 100-YEAR FLOOD PLAIN STRUCTURES WHICH WOULD IMPEDE OR REDIRECT FLOOD FLOWS?				✓
i.	EXPOSE PEOPLE OR STRUCTURES TO A SIGNIFICANT RISK OF LOSS, INJURY OR DEATH INVOLVING FLOODING, INCLUDING FLOODING AS A RESULT OF THE FAILURE OF A LEVEE OR DAM?				✓
j.	INUNDATION BY SEICHE, TSUNAMI, OR MUDFLOW?				✓

IX. LAND USE AND PLANNING

a.	PHYSICALLY DIVIDE AN ESTABLISHED COMMUNITY?				✓
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Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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b.	CONFLICT WITH APPLICABLE LAND USE PLAN, POLICY OR REGULATION OF AN AGENCY WITH JURISDICTION OVER THE PROJECT (INCLUDING BUT NOT LIMITED TO THE GENERAL PLAN, SPECIFIC PLAN, COASTAL PROGRAM, OR ZONING ORDINANCE) ADOPTED FOR THE PURPOSE OF AVOIDING OR MITIGATING AN ENVIRONMENTAL EFFECT?			✓	
c.	CONFLICT WITH ANY APPLICABLE HABITAT CONSERVATION PLAN OR NATURAL COMMUNITY CONSERVATION PLAN?				✓

X. MINERAL RESOURCES

a.	RESULT IN THE LOSS OF AVAILABILITY OF A KNOWN MINERAL RESOURCE THAT WOULD BE OF VALUE TO THE REGION AND THE RESIDENTS OF THE STATE?				✓
b.	RESULT IN THE LOSS OF AVAILABILITY OF A LOCALLY-IMPORTANT MINERAL RESOURCE RECOVERY SITE DELINEATED ON A LOCAL GENERAL PLAN, SPECIFIC PLAN, OR OTHER LAND USE PLAN?				✓

XI. NOISE

a.	EXPOSURE OF PERSONS TO OR GENERATION OF NOISE IN LEVEL IN EXCESS OF STANDARDS ESTABLISHED IN THE LOCAL GENERAL PLAN OR NOISE ORDINANCE, OR APPLICABLE STANDARDS OF OTHER AGENCIES?		✓		
b.	EXPOSURE OF PEOPLE TO OR GENERATION OF EXCESSIVE GROUNDBORNE VIBRATION OR GROUNDBORNE NOISE LEVELS?				✓
c.	A SUBSTANTIAL PERMANENT INCREASE IN AMBIENT NOISE LEVELS IN THE PROJECT VICINITY ABOVE LEVELS EXISTING WITHOUT THE PROJECT?				✓
d.	A SUBSTANTIAL TEMPORARY OR PERIODIC INCREASE IN AMBIENT NOISE LEVELS IN THE PROJECT VICINITY ABOVE LEVELS EXISTING WITHOUT THE PROJECT?		✓		
e.	FOR A PROJECT LOCATED WITHIN AN AIRPORT LAND USE PLAN OR, WHERE SUCH A PLAN HAS NOT BEEN ADOPTED, WITHIN TWO MILES OF A PUBLIC AIRPORT OR PUBLIC USE AIRPORT, WOULD THE PROJECT EXPOSE PEOPLE RESIDING OR WORKING IN THE PROJECT AREA TO EXCESSIVE NOISE LEVELS?				✓
f.	FOR A PROJECT WITHIN THE VICINITY OF A PRIVATE AIRSTRIP, WOULD THE PROJECT EXPOSE PEOPLE RESIDING OR WORKING IN THE PROJECT AREA TO EXCESSIVE NOISE LEVELS?				✓

XII. POPULATION AND HOUSING

a.	INDUCE SUBSTANTIAL POPULATION GROWTH IN AN AREA EITHER DIRECTLY (FOR EXAMPLE, BY PROPOSING NEW HOMES AND BUSINESSES) OR INDIRECTLY (FOR EXAMPLE, THROUGH EXTENSION OF ROADS OR OTHER INFRASTRUCTURE)?			✓	
b.	DISPLACE SUBSTANTIAL NUMBERS OF EXISTING HOUSING NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE?			✓	
c.	DISPLACE SUBSTANTIAL NUMBERS OF PEOPLE NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE?				✓

XIII. PUBLIC SERVICES

a.	FIRE PROTECTION?		✓		
b.	POLICE PROTECTION?		✓		
c.	SCHOOLS?			✓	
d.	PARKS?			✓	
e.	OTHER GOVERNMENTAL SERVICES (INCLUDING ROADS)?				✓

XIV. RECREATION

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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a.	WOULD THE PROJECT INCREASE THE USE OF EXISTING NEIGHBORHOOD AND REGIONAL PARKS OR OTHER RECREATIONAL FACILITIES SUCH THAT SUBSTANTIAL PHYSICAL DETERIORATION OF THE FACILITY WOULD OCCUR OR BE ACCELERATED?			✓	
b.	DOES THE PROJECT INCLUDE RECREATIONAL FACILITIES OR REQUIRE THE CONSTRUCTION OR EXPANSION OF RECREATIONAL FACILITIES WHICH MIGHT HAVE AN ADVERSE PHYSICAL EFFECT ON THE ENVIRONMENT?				✓

XV. TRANSPORTATION/CIRCULATION

a.	CAUSE AN INCREASE IN TRAFFIC WHICH IS SUBSTANTIAL IN RELATION TO THE EXISTING TRAFFIC LOAD AND CAPACITY OF THE STREET SYSTEM (I.E., RESULT IN A SUBSTANTIAL INCREASE IN EITHER THE NUMBER OF VEHICLE TRIPS, THE VOLUME TO RATIO CAPACITY ON ROADS, OR CONGESTION AT INTERSECTIONS)?		✓		
b.	EXCEED, EITHER INDIVIDUALLY OR CUMULATIVELY, A LEVEL OF SERVICE STANDARD ESTABLISHED BY THE COUNTY CONGESTION MANAGEMENT AGENCY FOR DESIGNATED ROADS OR HIGHWAYS?		✓		
c.	RESULT IN A CHANGE IN AIR TRAFFIC PATTERNS, INCLUDING EITHER AN INCREASE IN TRAFFIC LEVELS OR A CHANGE IN LOCATION THAT RESULTS IN SUBSTANTIAL SAFETY RISKS?				✓
d.	SUBSTANTIALLY INCREASE HAZARDS TO A DESIGN FEATURE (E.G., SHARP CURVES OR DANGEROUS INTERSECTIONS) OR INCOMPATIBLE USES (E.G., FARM EQUIPMENT)?			✓	
e.	RESULT IN INADEQUATE EMERGENCY ACCESS?			✓	
f.	RESULT IN INADEQUATE PARKING CAPACITY?				✓
g.	CONFLICT WITH ADOPTED POLICIES, PLANS, OR PROGRAMS SUPPORTING ALTERNATIVE TRANSPORTATION (E.G., BUS TURNOUTS, BICYCLE RACKS)?		✓		

XVI. UTILITIES

a.	EXCEED WASTEWATER TREATMENT REQUIREMENTS OF THE APPLICABLE REGIONAL WATER QUALITY CONTROL BOARD?			✓	
b.	REQUIRE OR RESULT IN THE CONSTRUCTION OF NEW WATER OR WASTEWATER TREATMENT FACILITIES OR EXPANSION OF EXISTING FACILITIES, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS?			✓	
c.	REQUIRE OR RESULT IN THE CONSTRUCTION OF NEW STORMWATER DRAINAGE FACILITIES OR EXPANSION OF EXISTING FACILITIES, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS?				✓
d.	HAVE SUFFICIENT WATER SUPPLIES AVAILABLE TO SERVE THE PROJECT FROM EXISTING ENTITLEMENTS AND RESOURCE, OR ARE NEW OR EXPANDED ENTITLEMENTS NEEDED?		✓		
e.	RESULT IN A DETERMINATION BY THE WASTEWATER TREATMENT PROVIDER WHICH SERVES OR MAY SERVE THE PROJECT THAT IT HAS ADEQUATE CAPACITY TO SERVE THE PROJECTS PROJECTED DEMAND IN ADDITION TO THE PROVIDERS			✓	
f.	BE SERVED BY A LANDFILL WITH SUFFICIENT PERMITTED CAPACITY TO ACCOMMODATE THE PROJECTS SOLID WASTE DISPOSAL NEEDS?		✓		
g.	COMPLY WITH FEDERAL, STATE, AND LOCAL STATUTES AND REGULATIONS RELATED TO SOLID WASTE?				✓

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a.	DOES THE PROJECT HAVE THE POTENTIAL TO DEGRADE THE QUALITY OF THE ENVIRONMENT, SUBSTANTIALLY REDUCE THE HABITAT OF FISH OR WILDLIFE SPECIES, CAUSE A FISH OR WILDLIFE POPULATION TO DROP BELOW SELF-SUSTAINING LEVELS, THREATEN TO ELIMINATE A PLANT OR ANIMAL COMMUNITY, REDUCE THE NUMBER OR RESTRICT THE RANGE OF A RARE OR ENDANGERED PLANT OR ANIMAL OR ELIMINATE IMPORTANT EXAMPLES OF THE			✓	
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Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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	MAJOR PERIODS OF CALIFORNIA HISTORY OR PREHISTORY?				
b.	DOES THE PROJECT HAVE IMPACTS WHICH ARE INDIVIDUALLY LIMITED, BUT CUMULATIVELY CONSIDERABLE? (CUMULATIVELY CONSIDERABLE MEANS THAT THE INCREMENTAL EFFECTS OF AN INDIVIDUAL PROJECT ARE CONSIDERABLE WHEN VIEWED IN CONNECTION WITH THE EFFECTS OF PAST PROJECTS, THE EFFECTS OF OTHER CURRENT PROJECTS, AND THE EFFECTS OF PROBABLE FUTURE PROJECTS).			✓	
c.	DOES THE PROJECT HAVE ENVIRONMENTAL EFFECTS WHICH CAUSE SUBSTANTIAL ADVERSE EFFECTS ON HUMAN BEINGS, EITHER DIRECTLY OR INDIRECTLY?			✓	

DISCUSSION OF THE ENVIRONMENTAL EVALUATION (Attach additional sheets if necessary)

The Environmental Impact Assessment includes the use of official City of Los Angeles and other government source reference materials related to various environmental impact categories (e.g., Hydrology, Air Quality, Biology, Cultural Resources, etc.). The State of California, Department of Conservation, Division of Mines and Geology - Seismic Hazard Maps and reports, are used to identify potential future significant seismic events; including probable magnitudes, liquefaction, and landslide hazards. Based on applicant information provided in the Master Land Use Application and Environmental Assessment Form, impact evaluations were based on stated facts contained therein, including but not limited to, reference materials indicated above, field investigation of the project site, and any other reliable reference materials known at the time.

Project specific impacts were evaluated based on all relevant facts indicated in the Environmental Assessment Form and expressed through the applicant's project description and supportive materials. Both the Initial Study Checklist and Checklist Explanations, in conjunction with the City of Los Angeles's Adopted Thresholds Guide and CEQA Guidelines, were used to reach reasonable conclusions on environmental impacts as mandated under the California Environmental Quality Act (CEQA).

The project as identified in the project description may cause potentially significant impacts on the environment without mitigation. Therefore, this environmental analysis concludes that a Mitigated Negative Declaration shall be issued to avoid and mitigate all potential adverse impacts on the environment by the imposition of mitigation measures and/or conditions contained and expressed in this document; the environmental case file known as ENV-2006-10437-MND and the associated case(s), CPC-2007-237-GPA-ZC-CU-S CPC-2007-237-GPA-ZC-CU-SPR. Finally, based on the fact that these impacts can be feasibly mitigated to less than significant, and based on the findings and thresholds for Mandatory Findings of Significance as described in the California Environmental Quality Act, section 15065, the overall project impact(s) on the environment (after mitigation) will not:

- Substantially degrade environmental quality.
- Substantially reduce fish or wildlife habitat.
- Cause a fish or wildlife habitat to drop below self sustaining levels.
- Threaten to eliminate a plant or animal community.
- Reduce number, or restrict range of a rare, threatened, or endangered species.
- Eliminate important examples of major periods of California history or prehistory.
- Achieve short-term goals to the disadvantage of long-term goals.
- Result in environmental effects that are individually limited but cumulatively considerable.
- Result in environmental effects that will cause substantial adverse effects on human beings.

ADDITIONAL INFORMATION:

All supporting documents and references are contained in the Environmental Case File referenced above and may be viewed in the EIR Unit, Room 763, City Hall.

For City information, addresses and phone numbers: visit the City's website at <http://www.lacity.org> ; City Planning - and Zoning Information Mapping Automated System (ZIMAS) cityplanning.lacity.org/ or EIR Unit, City Hall, 200 N Spring Street, Room 763. Seismic Hazard Maps - <http://gmw.consrv.ca.gov/shmp/> Engineering/Infrastructure/Topographic Maps/Parcel Information - <http://boemaps.eng.ci.la.ca.us/index01.htm> or City's main website under the heading "Navigate LA".

PREPARED BY:	TITLE:	TELEPHONE NO.:	DATE:
TANNER BLACKMAN	CITY PLANNING ASSISTANT	(213) 978-1353	08/27/2008

Impact?	Explanation	Mitigation Measures
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APPENDIX A: ENVIRONMENTAL IMPACTS EXPLANATION TABLE

I. AESTHETICS			
a.	LESS THAN SIGNIFICANT IMPACT	POTENTIAL IMPACTS TO SCENIC VISTAS ARE NOT ANTICIPATED AND CONSIDERED LESS THAN SIGNIFICANT.	
b.	NO IMPACT	NO DESIGNATED HISTORIC OR CULTURAL RESOURCES EXIST ON THE SITE AND, THEREFORE, NO IMPACTS.	
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE SUBJECT SITE LIES WITHIN 500' OF SINGLE-FAMILY NEIGHBORHOODS ON THREE SIDES; MOST OF THE DEVELOPMENT WILL OCCUR ON INTERIOR PORTIONS OF THE LOT, EXCEPT FOR THE COMMERCIAL COMPONENT ON THE NORTH SIDE OF ROSCOE BOULEVARD; THE REFERENCED MITIGATION MEASURES WILL BE INCORPORATED TO ENSURE THE EXISTING VISUAL CHARACTER OF THE SITE IS NOT SUBSTANTIALLY DEGRADED AND REDUCE POTENTIAL AESTHETIC IMPACTS TO A LESS THAN SIGNIFICANT LEVEL.	I b1, I b2 REFER TO MITIGATION MEASURE VI B.
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE SUBJECT SITE IS WITHIN 500' FEET OF RESIDENTIAL USES; POTENTIAL LIGHTING IMPACTS CREATED BY THE PROJECT SHALL BE MITIGATED AS REFERENCED TO REDUCE POTENTIAL IMPACTS TO SURROUNDING RESIDENTIAL USES TO A LESS THAN SIGNIFICANT LEVEL.	I c1
II. AGRICULTURAL RESOURCES			
a.	NO IMPACT	THE SITE IS ZONED FOR MINIMUM RESIDENTIAL AND LIMITED MANUFACTURING USE AND DOES NOT CONTAIN FARMLAND OF ANY KIND; THEREFORE, NO IMPACTS.	
b.	NO IMPACT	THE SITE IS ZONED FOR MINIMUM RESIDENTIAL AND LIMITED MANUFACTURING USE AND DOES NOT CONTAIN FARMLAND OF ANY KIND; THEREFORE, NO IMPACTS.	
c.	NO IMPACT	NO IMPACTS RELATED TO OFF-SITE AGRICULTURAL USES ARE ANTICIPATED.	
III. AIR QUALITY			

Impact?	Explanation	Mitigation Measures
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a.	NO IMPACT	THIS PROJECT WILL NOT CONFLICT WITH OR OBSTRUCT EITHER PLAN.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	ACTIVITIES RELATED TO THE CONSTRUCTION PHASE OF THE PROPOSED PROJECT HAVE THE POTENTIAL TO TEMPORARILY CAUSE AIR QUALITY IMPACTS TO SENSITIVE RECEPTORS ON THE SUBJECT SITE AND ADJACENT RESIDENTIAL USES; MEASURES SHALL BE INCORPORATED TO MITIGATE ANY TEMPORARY, DEMOLITION- OR GRADING-RELATED IMPACTS TO A LESS THAN SIGNIFICANT LEVEL.	REFER TO MITIGATION MEASURE VI B.
c.	LESS THAN SIGNIFICANT IMPACT	THE PROPOSED PROJECT IS NOT ANTICIPATED TO SIGNIFICANTLY IMPACT BASIN-WIDE AIR QUALITY STANDARDS.	
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE SUBJECT SITE FRONTS UPON A MAJOR HIGHWAY CLASS II (ROSCOE BLVD); IN ORDER TO MITIGATE AGAINST ON-SITE AIR QUALITY IMPACTS TO SENSITIVE RECEPTORS, THE REFERENCED MITIGATION MEASURES SHALL APPLY.	III d1
e.	LESS THAN SIGNIFICANT IMPACT	NO OBJECTIONABLE ODORS ARE ANTICIPATED FROM THE PROJECT; LESS THAN SIGNIFICANT IMPACT.	

IV. BIOLOGICAL RESOURCES

a.	LESS THAN SIGNIFICANT IMPACT	THE SUBJECT SITE IS IN AN URBANIZED AREA AND THE PROJECT PROPOSES FOUR NEW STRUCTURES ON A LOT THAT HAS BEEN CONTINUOUSLY DEVELOPED FOR AT LEAST 49 YEARS, CONTIGUOUS TO ALREADY DEVELOPED PARCELS; THEREFORE, ANY POTENTIAL IMPACTS TO APPLICABLE SPECIES ARE CONSIDERED LESS THAN SIGNIFICANT.	
b.	LESS THAN SIGNIFICANT IMPACT	THE SUBJECT SITE IS IN AN URBANIZED AREA AND THE PROJECT PROPOSES FOUR NEW STRUCTURES ON A LOT THAT HAS BEEN CONTINUOUSLY DEVELOPED FOR AT LEAST 49 YEARS, CONTIGUOUS TO ALREADY DEVELOPED PARCELS; THEREFORE, ANY POTENTIAL IMPACTS TO RIPARIAN HABITATS OR SENSITIVE NATURAL COMMUNITIES ARE CONSIDERED LESS THAN SIGNIFICANT.	
c.	NO IMPACT	THE SITE DOES NOT CONTAIN WETLANDS; NO IMPACT.	

Impact?	Explanation	Mitigation Measures
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d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE SUBJECT SITE IS IN AN URBANIZED AREA AND THE PROJECT PROPOSES FOUR NEW STRUCTURES ON A LOT THAT HAS BEEN CONTINUOUSLY DEVELOPED FOR 49 YEARS, CONTIGUOUS TO ALREADY DEVELOPED PARCELS; HOWEVER, POTENTIAL IMPACTS TO POSSIBLE NESTING SITES MAY OCCUR AND SHALL BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL BY APPLICATION OF THE REFERENCED MITIGATION MEASURE.	IV d
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	APPLICANT'S E.A.F. CLAIMS THAT MULTIPLE TREES EXIST ON-SITE AND THAT ANY AND ALL TREES ON-SITE ARE TO REMAIN; HOWEVER, ZIMAS' 2006 DIGITAL COLOR-ORTHO PHOTOGRAPHY SHOWS SEVERAL UNIDENTIFIED TREES AND/OR SHRUBS IN THE PROPOSED CONSTRUCTION AREAS ON-SITE; THEREFORE, THE REFERENCED MITIGATION MEASURES SHALL APPLY TO REDUCE POTENTIAL IMPACTS TO A LESS THAN SIGNIFICANT LEVEL.	IV e, IV f
f.	NO IMPACT	NO IMPACTS TO ANY INDICATED PLANS ARE ANTICIPATED.	

V. CULTURAL RESOURCES

a.	NO IMPACT	NO DESIGNATED HISTORIC RESOURCES EXIST ON-SITE AND, THEREFORE, NO IMPACTS.	
b.	LESS THAN SIGNIFICANT IMPACT	THE APPLICANT SHALL ABIDE BY CURRENT LAW IF ARCHAEOLOGICAL RESOURCES ARE DISCOVERED DURING CONSTRUCTION.	
c.	LESS THAN SIGNIFICANT IMPACT	THE APPLICANT SHALL ABIDE BY CURRENT LAW IF PALEONTOLOGICAL RESOURCES ARE DISCOVERED DURING CONSTRUCTION.	
d.	LESS THAN SIGNIFICANT IMPACT	NO HUMAN REMAINS ARE ANTICIPATED TO EXIST AT THE SITE; HOWEVER, THE APPLICANT SHALL ABIDE BY CURRENT LAW IF ANY ARE FOUND ON-SITE; LESS THAN SIGNIFICANT IMPACT.	

VI. GEOLOGY AND SOILS

a.	LESS THAN SIGNIFICANT IMPACT	THE SITE IS NOT LOCATED IN AN ALQUIST-PRIOLO ZONE; LESS THAN SIGNIFICANT IMPACT.	
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Impact?	Explanation	Mitigation Measures
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b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE SUBJECT SITE IS WITHIN 11.42 KILOMETERS OF A FAULT ZONE; THE REFERENCED MITIGATION MEASURE SHALL APPLY TO REDUCE POTENTIAL IMPACTS TO A LESS THAN SIGNIFICANT LEVEL.	VI aii
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE SUBJECT SITE IS LOCATED IN A LIQUEFACTION ZONE; TWO GEOTECHNICAL INVESTIGATIONS WERE PERFORMED ON-SITE IN MARCH 2007--GEOTECHNICAL INVESTIGATION AND LIQUEFACTION EVALUATION: PROPOSED FOUR-STORY OFFICE BUILDING, PREPARED BY SOUTHERN CALIFORNIA GEOTECHNICAL AND DATED MARCH 26, 2007, AND GEOTECHNICAL INVESTIGATION AND LIQUEFACTION EVALUATION: THREE PROPOSED RETAIL BUILDINGS, PREPARED BY SOUTHERN CALIFORNIA GEOTECHNICAL AND DATED MARCH 22, 2007, INCLUDING THE SUPPLEMENTAL GEOTECHNICAL INVESTIGATION, DATED OCTOBER 30, 2007--THESE DOCUMENTS WERE REVIEWED AND APPROVED BY DEPT. OF BUILDING AND SAFETY ON NOVEMBER 15, 2007 AND DECEMBER 6, 2007, RESPECTIVELY; THE D.B.S. APPROVAL LETTERS ARE INCORPORATED IN THIS MND BY REFERENCE AND AVAILABLE FOR REVIEW IN THE CASE FILE; CONDITIONS LISTED IN THE APPROVAL LETTERS SERVE TO MITIGATE POTENTIAL IMPACTS IN THIS CATEGORY TO A LEVEL OF INSIGNIFICANCE.	REFER TO THE DEPARTMENT OF BUILDING AND SAFETY SOILS REPORT APPROVAL LETTERS, DATED NOVEMBER 15, 2007, AND DECEMBER 6, 2007.
d.	LESS THAN SIGNIFICANT IMPACT	THE SUBJECT SITE IS NOT LOCATED WITHIN A LANDSLIDE AREA; POTENTIAL IMPACTS ARE CONSIDERED LESS THAN SIGNIFICANT.	
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE PROPOSED PROJECT HAS THE POTENTIAL TO RESULT IN THE LOSS OF TOPSOIL IN A HILLSIDE GRADING AREA; APPLICANT'S SUBMITTED E.A.F. CLAIMS THAT NO DIRT WILL BE IMPORTED OR EXPORTED FROM THE SITE - SHOULD THIS CHANGE, A HAUL ROUTE APPROVAL AND ENVIRONMENTAL CLEARANCE WILL BE REQUIRED FOR THE IMPORT/EXPORT OF MORE THAN 1000 C.Y. OF DIRT IN A HILLSIDE	VI b

Impact?	Explanation	Mitigation Measures
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		GRADING AREA; THE REFERENCED MITIGATION MEASURE SHALL APPLY TO REDUCE ANY POTENTIAL IMPACTS TO A LESS THAN SIGNIFICANT LEVEL.	
f.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE SUBJECT SITE IS LOCATED IN A LIQUEFACTION ZONE; TWO GEOTECHNICAL INVESTIGATIONS WERE PERFORMED ON-SITE IN MARCH 2007--GEOTECHNICAL INVESTIGATION AND LIQUEFACTION EVALUATION: PROPOSED FOUR-STORY OFFICE BUILDING, PREPARED BY SOUTHERN CALIFORNIA GEOTECHNICAL AND DATED MARCH 26, 2007, AND GEOTECHNICAL INVESTIGATION AND LIQUEFACTION EVALUATION: THREE PROPOSED RETAIL BUILDINGS, PREPARED BY SOUTHERN CALIFORNIA GEOTECHNICAL AND DATED MARCH 22, 2007, INCLUDING THE SUPPLEMENTAL GEOTECHNICAL INVESTIGATION, DATED OCTOBER 30, 2007--THESE DOCUMENTS WERE REVIEWED AND APPROVED BY DEPT. OF BUILDING AND SAFETY ON NOVEMBER 15, 2007 AND DECEMBER 6, 2007, RESPECTIVELY; THE D.B.S. APPROVAL LETTERS ARE INCORPORATED IN THIS MND BY REFERENCE AND AVAILABLE FOR REVIEW IN THE CASE FILE; CONDITIONS LISTED IN THE APPROVAL LETTERS SERVE TO MITIGATE POTENTIAL IMPACTS IN THIS CATEGORY TO A LEVEL OF INSIGNIFICANCE.	REFER TO THE DEPARTMENT OF BUILDING AND SAFETY SOILS REPORT APPROVAL LETTERS, DATED NOVEMBER 15, 2007, AND DECEMBER 6, 2007.
g.	LESS THAN SIGNIFICANT IMPACT	THE SUBJECT SITE MAY CONTAIN CONTAIN MODERATELY EXPANSIVE SOILS; POTENTIAL IMPACTS SHALL BE MITIGATED TO A LEVEL OF INSIGNIFICANCE THROUGH THE ABOVE-REFERENCED MEASURES.	
h.	NO IMPACT	NO SEPTIC TANKS ARE PROPOSED, THEREFORE, NO IMPACTS.	
VII. HAZARDS AND HAZARDOUS MATERIALS			
a.	NO IMPACT	NO HAZARDOUS MATERIALS ARE PROPOSED FOR ROUTINE TRANSPORT, USE, OR DISPOSAL AS PART OF THIS PROJECT.	

Impact?	Explanation	Mitigation Measures
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b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE SUBJECT SITE WAS FORMERLY A PORTION OF A HUGHES AIRCRAFT FACILITY; RAYTHEON CORPORATION, HUGHES SUCCESSOR, HAS AN AGREEMENT WITH THE CURRENT OWNER FOR CONTINUED RESPONSIBILITIES FOR TO ADDRESS ENVIRONMENTAL ISSUES ON THE PROPERTY, INCLUDING GROUNDWATER REMEDIATION IN DESIGNATED AREAS OF CONCERN (AOC) IN THE NORTHERLY PORTION OF THE PROPERTY; A SOLID WASTE MANAGEMENT UNIT (SWMU) ALSO EXISTS NEARBY; ON AUGUST 5, 2008, THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL ISSUED A LETTER TO THE DEPARTMENT OF CITY PLANNING STATING THAT THERE WILL BE NO RESTRICTION ON DEVELOPMENT IN AREAS OF THE PROPERTY NOT IDENTIFIED AS AN AOC OR SWMU, SUBJECT TO DTSC APPROVAL OF A SOIL SAMPLING WORKPLAN; THIS LETTER IS INCLUDED IN THIS MND BY REFERENCE AND AVAILABLE FOR REVIEW IN THE CASE FILE.	VII h REFER TO THE LETTER FROM THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL, DATED AUGUST 5, 2008.
c.	LESS THAN SIGNIFICANT IMPACT	THE SUBJECT SITE IS NOT LOCATED NEAR A SCHOOL; POTENTIAL IMPACTS ARE CONSIDERED LESS THAN SIGNIFICANT.	
d.	NO IMPACT	THE SUBJECT SITE IS NOT IN A METHANE ZONE OR LISTED AS A HAZARDOUS WASTE / BORDER ZONE PROPERTY; NO IMPACTS ARE ANTICIPATED.	
e.	NO IMPACT	THE SITE IS NOT LOCATED IN AN EXISTING OR PLANNED AIRPORT LAND USE PLAN; NO IMPACTS ARE ANTICIPATED.	
f.	NO IMPACT	THE SITE IS NOT LOCATED NEAR A PRIVATE AIRSTRIP, THEREFORE, NO IMPACTS.	
g.	NO IMPACT	THE PROPOSED PROJECT DOES NOT SEEM TO IMPAIR IMPLEMENTATION OF OR INTERFERE WITH AN EMERGENCY RESPONSE OR EVACUATION PLAN; NO IMPACT WOULD RESULT.	

Impact?	Explanation	Mitigation Measures
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h.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE SUBJECT SITE IS LOCATED WITHIN A HIGH FIRE HAZARD SEVERITY ZONE; THE REFERENCED MITIGATION MEASURE SHALL APPLY TO REDUCE POTENTIAL IMPACTS TO A LESS THAN SIGNIFICANT LEVEL.	REFER TO MITIGATION MEASURE XIII A.
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VIII. HYDROLOGY AND WATER QUALITY

a.	NO IMPACT	THE PROPOSED PROJECT IS NOT ANTICIPATED TO VIOLATE ANY WATER QUALITY OR WATER DISCHARGE REQUIREMENTS.	
b.	NO IMPACT	THE PROPOSED PROJECT SHOULD NOT DEplete GROUNDWATER SUPPLIES OR INTERFERE WITH GROUNDWATER RECHARGE; THE PROJECT WILL CONTINUE TO BE SUPPLIED WITH WATER BY LA DWP.	
c.	LESS THAN SIGNIFICANT IMPACT	THE PROPOSED PROJECT WILL ADD IMPERVIOUS SURFACES IN A HILLSIDE GRADING AREA AND INCLUDE RESTAURANT USE; LESS THAN SIGNIFICANT IMPACT WITH APPLICATION OF MITIGATION MEASURES VIII C3 AND VIII C4, REFERENCED BELOW.	
d.	LESS THAN SIGNIFICANT IMPACT	THE PROPOSED PROJECT WILL ADD IMPERVIOUS SURFACES IN A HILLSIDE GRADING AREA AND INCLUDE RESTAURANT USE; LESS THAN SIGNIFICANT IMPACT WITH APPLICATION OF MITIGATION MEASURES VIII C3 AND VIII C4, REFERENCED BELOW.	
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE PROPOSED PROJECT WILL ADD IMPERVIOUS SURFACES IN A HILLSIDE GRADING AREA AND INCLUDE RESTAURANT USE, REQUIRING BEST MANAGEMENT PRACTICES; PER SUSMP, THE REFERENCED MITIGATION MEASURES SHALL APPLY TO REDUCE POTENTIAL IMPACTS TO A LESS THAN SIGNIFICANT LEVEL.	VIII c3, VIII c4
f.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE PROPOSED PROJECT WILL ADD IMPERVIOUS SURFACES IN A HILLSIDE GRADING AREA; HOWEVER, THE AMOUNT OF NEW CONSTRUCTION PROPOSED AS PART OF THE EXPANSION DOES NOT REACH A LEVEL REQUIRING BEST MANAGEMENT PRACTICES PER SUSMP; LESS THAN SIGNIFICANT IMPACT.	VIII c3, VIII c4
g.	NO IMPACT	THE PROJECT IS NOT LOCATED IN A 100-YEAR FLOOD PLAIN; NO IMPACT.	

Impact?	Explanation	Mitigation Measures
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h.	NO IMPACT	THE PROJECT IS NOT LOCATED IN A FLOOD PLAIN; NO IMPACT.	
i.	NO IMPACT	THE PROJECT IS NOT LOCATED IN A DAM INUNDATION ZONE; NO IMPACTS ARE ANTICIPATED.	
j.	NO IMPACT	THE SUBJECT SITE IS NOT LOCATED WITHIN A COASTAL ZONE; NO IMPACT.	

IX. LAND USE AND PLANNING

a.	NO IMPACT	THE PROPOSED PROJECT WILL NOT DIVIDE AN ESTABLISHED COMMUNITY; NO IMPACT.	
b.	LESS THAN SIGNIFICANT IMPACT	NO CONFLICTS WITH APPLICABLE PLANS OR ENVIRONMENTAL REGULATIONS ARE ANTICIPATED; LESS THAN SIGNIFICANT IMPACT.	
c.	NO IMPACT	NO CONFLICTS WITH REFERENCED PLANS ARE ANTICIPATED.	

X. MINERAL RESOURCES

a.	NO IMPACT	NO IMPACTS ARE ANTICIPATED, AS THE SITE IS NOT LOCATED IN A KNOWN AREA OF MINERAL RESOURCES.	
b.	NO IMPACT	NO IMPACTS ARE ANTICIPATED, AS THE SITE IS NOT LOCATED IN A KNOWN AREA OF MINERAL RESOURCES.	

XI. NOISE

a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE CONSTRUCTION PHASE OF THE PROPOSED PROJECT WILL BE TYPICAL OF COMMERCIAL OFFICE STRUCTURES IN THE VICINITY AND IS NOT ANTICIPATED TO RESULT IN EXCESSIVE NOISE LEVELS; THE REFERENCED MITIGATION MEASURES SHALL APPLY TO REDUCE POTENTIAL IMPACTS TO A LESS THAN SIGNIFICANT LEVEL.	REFER TO MITIGATION MEASURE VI B.
b.	NO IMPACT	THE CONSTRUCTION PHASE OF THE PROPOSED PROJECT WILL BE TYPICAL OF COMMERCIAL OFFICE STRUCTURES IN THE VICINITY; EXCESSIVE GROUND BORNE VIBRATIONS ARE NOT ANTICIPATED.	
c.	NO IMPACT	PERMANENT SIGNIFICANT IMPACTS IN AMBIENT NOISE LEVELS TO THE ADJACENT RESIDENTIAL PROPERTIES ARE NOT ANTICIPATED.	

Impact?	Explanation	Mitigation Measures
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d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	OBSERVATION OF MITIGATION MEASURE VI B WILL REDUCE ANY POTENTIAL TEMPORARY NOISE IMPACTS RELATED TO THE CONSTRUCTION PHASE TO A LESS THAN SIGNIFICANT LEVEL.	REFER TO MITIGATION MEASURE VI B.
e.	NO IMPACT	THE PROJECT IS NOT LOCATED NEAR AN AIRPORT; NO IMPACTS ARE ANTICIPATED.	
f.	NO IMPACT	THE PROJECT IS NOT LOCATED NEAR A PRIVATE AIRSTRIP, THEREFORE, NO IMPACTS ARE ANTICIPATED.	

XII. POPULATION AND HOUSING

a.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT PROPOSES EXPANSION OF A BUSINESS PARK AND SHOULD NOT INDUCE SUBSTANTIAL GROWTH.	
b.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT PROPOSES THE CONSTRUCTION OF NEW OFFICE BUILDINGS, RETAIL USES, AND A PARKING STRUCTURE; IMPACTS ARE CONSIDERED LESS THAN SIGNIFICANT.	
c.	NO IMPACT	NO PEOPLE WILL BE DISPLACED.	

XIII. PUBLIC SERVICES

a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE L.A. FIRE DEPARTMENT WILL REVIEW THE PROJECT AND IMPOSE ANY NECESSARY MITIGATION MEASURES TO ENSURE ADEQUATE FIRE PROTECTION AND REDUCE ENVIRONMENTAL IMPACTS TO A LESS THAN SIGNIFICANT LEVEL.	XIII a
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE PROPOSED PROJECT SHALL BE REVIEWED BY THE LOS ANGELES POLICE DEPARTMENT FOR POTENTIAL IMPACTS TO PUBLIC SAFETY AND POLICE RESPONSE; THE REFERENCED MITIGATION MEASURE SHALL APPLY.	XIII b1
c.	LESS THAN SIGNIFICANT IMPACT	POTENTIAL IMPACTS TO LOCAL SCHOOLS ARE CONSIDERED LESS THAN SIGNIFICANT.	
d.	LESS THAN SIGNIFICANT IMPACT	POTENTIAL IMPACTS TO LOCAL PARKS ARE CONSIDERED LESS THAN SIGNIFICANT.	
e.	NO IMPACT	NO IMPACTS ARE ANTICIPATED IN MATTERS RELATING TO THIS CATEGORY.	

XIV. RECREATION

a.	LESS THAN SIGNIFICANT IMPACT	POTENTIAL IMPACTS TO LOCAL PARKS ARE CONSIDERED LESS THAN SIGNIFICANT.	
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Impact?	Explanation	Mitigation Measures
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b.	NO IMPACT	THE PROJECT WILL NOT RESULT IN THE CONSTRUCTION OR EXPANSION OF RECREATIONAL FACILITIES THAT WOULD HAVE A NEGATIVE IMPACT ON THE ENVIRONMENT.	
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XV. TRANSPORTATION/CIRCULATION

a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	PER THE INITIAL STUDY ASSESSMENT FORM PREPARED BY THE DEPT. OF TRANSPORTATION (DOT) ON 2/1/2007, THE PROJECT HAS THE POTENTIAL TO SIGNIFICANTLY INCREASE TRAFFIC; A TRAFFIC STUDY WAS PREPARED BY CRAIN & ASSOCIATES AND SUBMITTED TO DOT ON FEBRUARY 5, 2008; IN AN INTER-DEPARTMENTAL CORRESPONDENCE DATED JULY 10, 2008, DOT APPROVED THE TRAFFIC STUDY SUBJECT TO SPECIFIED PROJECT REQUIREMENTS; THIS INTER-DEPARTMENTAL CORRESPONDENCE IS INCLUDED IN THIS MND BY REFERENCE AND AVAILABLE FOR REVIEW IN THE CASE FILE.	XV a1 REFER TO DEPARTMENT OF TRANSPORTATION INTER-DEPARTMENTAL CORRESPONDENCE, DATED JULY 10, 2008.
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	PER THE INITIAL STUDY ASSESSMENT FORM PREPARED BY THE DEPT. OF TRANSPORTATION (DOT) ON 2/1/2007, THE PROJECT HAS THE POTENTIAL TO SIGNIFICANTLY EXCEED THE LEVEL OF SERVICE STANDARD; A TRAFFIC STUDY WAS PREPARED BY CRAIN & ASSOCIATES AND SUBMITTED TO DOT ON FEBRUARY 5, 2008; IN AN INTER-DEPARTMENTAL CORRESPONDENCE DATED JULY 10, 2008, DOT APPROVED THE TRAFFIC STUDY SUBJECT TO SPECIFIED PROJECT REQUIREMENTS; THIS INTER-DEPARTMENTAL CORRESPONDENCE IS INCLUDED IN THIS MND BY REFERENCE AND AVAILABLE FOR REVIEW IN THE CASE FILE.	XV a1 REFER TO DEPARTMENT OF TRANSPORTATION INTER-DEPARTMENTAL CORRESPONDENCE, DATED JULY 10, 2008.
c.	NO IMPACT	NO CHANGE IN AIR TRAFFIC PATTERNS WILL RESULT.	
d.	LESS THAN SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT PER DOT ISAF DATED 2/1/2007.	
e.	LESS THAN SIGNIFICANT IMPACT	POTENTIAL IMPACTS RELATED TO EMERGENCY SERVICE ARE CONSIDERED LESS THAN SIGNIFICANT.	

Impact?	Explanation	Mitigation Measures
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f.	NO IMPACT	ISSUES RELATED TO PARKING CAPACITY ARE CONSIDERED NO IMPACT.	
g.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	PER THE INITIAL STUDY ASSESSMENT FORM PREPARED BY THE DEPT. OF TRANSPORTATION (DOT) ON 2/1/2007, THE PROJECT HAS THE POTENTIAL TO HAVE SIGNIFICANT IMPACTS IN THIS CATEGORY; A TRAFFIC STUDY WAS PREPARED BY CRAIN & ASSOCIATES AND SUBMITTED TO DOT ON FEBRUARY 5, 2008; IN AN INTER-DEPARTMENTAL CORRESPONDENCE DATED JULY 10, 2008, DOT APPROVED THE TRAFFIC STUDY SUBJECT TO SPECIFIED PROJECT REQUIREMENTS; THIS INTER-DEPARTMENTAL CORRESPONDENCE IS INCLUDED IN THIS MND BY REFERENCE AND AVAILABLE FOR REVIEW IN THE CASE FILE.	REFER TO DEPARTMENT OF TRANSPORTATION INTER-DEPARTMENTAL CORRESPONDENCE, DATED JULY 10, 2008.

XVI. UTILITIES

a.	LESS THAN SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT BASED UPON THE ESTIMATED OUTPUT OF GALLONS OF WASTEWATER PER DAY IN CONJUNCTION WITH THE CITY OF LOS ANGELES' CURRENT CAPACITY.	
b.	LESS THAN SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT BASED UPON THE ESTIMATED OUTPUT OF GALLONS OF WASTEWATER PER DAY IN CONJUNCTION WITH THE CITY OF LOS ANGELES' CURRENT CAPACITY.	
c.	NO IMPACT	THE PROJECT WILL NOT REQUIRE THE CONSTRUCTION OR EXPANSION OF EXISTING STORMWATER DRAINAGE FACILITIES; THEREFORE, NO IMPACT.	
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE PROPOSED PROJECT HAS THE POTENTIAL TO CUMULATIVELY CONTRIBUTE TO IMPACTS ON EXISTING WATER SUPPLIES; THE REFERENCED MITIGATION MEASURES SHALL APPLY TO REDUCE POTENTIAL IMPACTS TO A LESS THAN SIGNIFICANT LEVEL.	XVI d
e.	LESS THAN SIGNIFICANT IMPACT	THE ESTIMATED OUTPUT OF THE PROPOSED SITE WILL NOT BE SUBSTANTIAL TO IMPACT THE CITY OF LOS ANGELES' CURRENT CAPACITY.	

Impact?	Explanation	Mitigation Measures
---------	-------------	---------------------

f.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE PROPOSED PROJECT HAS THE POTENTIAL TO CUMULATIVELY CONTRIBUTE TO IMPACTS TO SOLID WASTE MANAGEMENT CAPACITY; THE REFERENCED MITIGATION MEASURE SHALL APPLY.	XVI f
g.	NO IMPACT	NO FURTHER IMPACTS RELATED TO SOLID WASTE ARE ANTICIPATED WITH APPLICATION OF THE ABOVE REFERENCED MITIGATION MEASURE.	

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

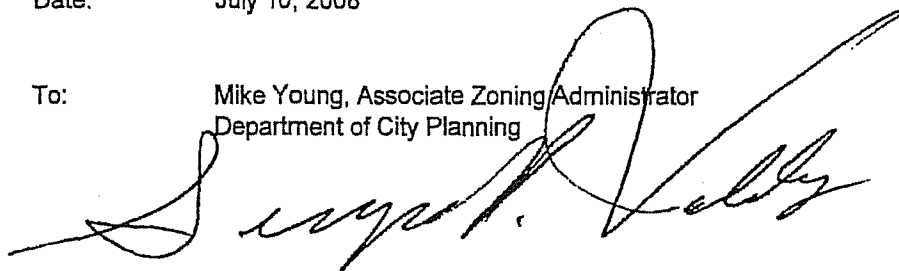
a.	LESS THAN SIGNIFICANT IMPACT	THIS PROJECT DOES NOT HAVE THE POTENTIAL TO DEGRADE THE QUALITY OF THE ENVIRONMENT, SUBSTANTIALLY REDUCE THE HABITAT OF FISH OR WILDLIFE SPECIES, OR THREATEN TO ELIMINATE A PLANT OR ANIMAL COMMUNITY WITH APPLICATION OF THE ABOVE-REFERENCED MITIGATION MEASURES.	
b.	LESS THAN SIGNIFICANT IMPACT	THE CUMULATIVE IMPACTS ASSOCIATED WITH THE PROPOSED PROJECT WILL RESULT IN A LESS THAN SIGNIFICANT IMPACT WITH THE INCORPORATION OF THE ATTACHED MITIGATION MEASURES.	
c.	LESS THAN SIGNIFICANT IMPACT	AFTER IMPLEMENTATION OF MITIGATION MEASURES, THE PROPOSED PROJECT DOES NOT HAVE SIGNIFICANT IMPACTS TO HUMAN BEINGS.	

**CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE**

8401-8531 Fallbrook Ave.
DOT Case No. SFV 2007-21

Date: July 10, 2008

To: Mike Young, Associate Zoning Administrator
Department of City Planning



From: Sergio D. Valdez, Transportation Engineer
Department of Transportation

Subject: **REVISED TRAFFIC ASSESSMENT FOR THE PROPOSED OFFICE/RETAIL USES AND
PARKING STRUCTURE AT THE WEST HILLS CORPORATE POINTE DEVELOPMENT
LOCATED AT THE NORTHWEST CORNER OF ROSCOE BOULEVARD AND
FALLBROOK AVENUE**

The Department of Transportation (DOT) has completed the traffic assessment for the proposed office/retail uses and parking structure to be added to the West Hills Corporate Pointe site located at the northwest corner of the intersection of Roscoe Boulevard and Fallbrook Avenue. This traffic assessment is based on a traffic study prepared by Crain & Associates submitted on February 5, 2008. After careful review of the pertinent data, DOT has determined that the traffic study, as revised, adequately describes the project related traffic impacts of the proposed development.

DISCUSSION AND FINDINGS

The proposed project consists of approximately 406,000 square feet of office use (including reuse of a 106,000 square-foot DeVry University building), a 14,000 square-foot supermarket, 4,160 square feet of retail use, 3,012 square feet of bank use, 5,310 square feet of high turnover restaurant use, and 8,448 square feet of coffee shop/juice bar use. A 980-space parking structure will also be constructed for the office use. Currently, the project site is occupied by the DeVry University building, surface parking lots and a helipad. The proposed project will generate approximately 4,230 net daily trips, 539 new a.m. peak hour trips and 563 new p.m. peak hour trips, as shown in Table 1. The trip generation estimates are based on formulas published by the Institute of Transportation Engineers (ITE) Trip Generation, 7th Edition, 2003.

The traffic study reviewed nine intersections and one residential street segment for traffic impacts:

Study Intersections:

1. Lena Avenue and Roscoe Boulevard
2. Fallbrook Avenue and Roscoe Boulevard
3. Fallbrook Avenue and Saticoy Street
4. Fallbrook Avenue and Sherman Way
5. Fallbrook Avenue and Vanowen Street
6. Fallbrook Avenue and Victory Boulevard
7. Fallbrook Avenue and Oxnard Street
8. Shoup Avenue and Roscoe Boulevard
9. Topanga Canyon Boulevard and Roscoe Boulevard

Residential street segment:

Eccles Street/Chase Street between Fallbrook Avenue and Shoup Avenue.

The traffic study was revised by DOT to accurately reflect the level of service (LOS) methodology and significant impact criteria used by DOT for the studied intersections, as shown in Table 2. After a review of the pertinent data, DOT has determined that the proposed project will have significant impacts at seven of the nine studied intersections, as shown in Table 3, which is a summary of the volume-to-capacity (V/C) ratios and levels of service (LOS) at the study intersections. The project can mitigate its project traffic impacts at above-mentioned intersection to a less than significant level with the mitigation suggested. DOT also determined that the proposed project would not have significant traffic impacts at the residential street segment studied, as shown in Table 4. However, the developer is voluntarily proposing to install a median on Fallbrook Avenue north of Roscoe Boulevard to restrict vehicles from making southbound left-turn onto either Schoenborn Street or Eccles Street.

DOT recommends that the following Project Requirements be adopted as conditions of project approval in order to mitigate the project's traffic impact to less than significant levels.

PROJECT REQUIREMENTS**A. Signal system upgrades: Automated Traffic Surveillance and Control (ATSAC) with Adaptive Traffic Control Systems (ATCS)**

Intersections 4, 5, 8 and 9 will be mitigated to a less-than-significant level and intersection 2 will be partially mitigated by funding a proportionate share of the cost for the design and construction of the Canoga Park and Platt Ranch ATSAC/ATCS Systems. The Project's proportionate share of the cost for these systems is equal to the average cost per intersection, which currently is \$158,700 for a total of \$793,500 for all five locations.

B. Signal system upgrade: Adaptive Traffic Control Systems (ATCS)

Intersection 6, Fallbrook Avenue at Victory Boulevard will be mitigated to a less-than-significant level by funding a proportionate share of the cost for the design and construction of the Platt Ranch ATCS System. The Project's proportionate share of the cost for this system is equal to the average cost per intersection, which currently is \$55,000.

As of today, the City has received two payments for the full amount due of \$839,800 for ATSAC/ATCS improvements at the six impacted intersections mentioned above.

C. Mitigation Measures for Fallbrook Avenue and Roscoe Boulevard

This intersection will be fully mitigated to a less-than-significant level by re-striping Fallbrook Avenue to provide dual left-turn lanes, two through lanes and one right-turn lane in the northbound direction, and dual left-turn lanes, one through lane and one through/right shared lane in the southbound direction. Signal modification is also required to provide left-turn signal phases in the northbound and southbound directions. Additionally, the developer is proposing to install a median on Fallbrook Avenue north of Roscoe Boulevard to restrict vehicles from making southbound left-turn onto either Schoenborn Street or Eccles Street. These improvements are guaranteed through a cash payment prior to the issuance of any building permit, if approved by DOT.

D. Mitigation Measures for Fallbrook Avenue and Saticoy Street

This intersection will be fully mitigated to a less-than-significant level by re-striping Saticoy Street to provide an exclusive right-turn lane in the eastbound direction. A shift on the striping would be required along the north and south side of Saticoy Street, east and west of Fallbrook Avenue by approximately two feet. In the event that the re-striping mitigation measure turns out to be not

feasible, the developer must provide an alternative mitigation to mitigate the project impact at this location. These improvements are guaranteed through a cash payment prior to the issuance of any building permit, if approved by DOT.

E. Mitigation Measures for Lena Avenue and Roscoe Boulevard

This intersection will be fully mitigated to a less-than-significant level by re-striping the project driveway to provide one left-turn lane and one left/through/right shared lane in the southbound direction. Signal modification is also required to provide split signal phasing in the northbound and southbound direction. These improvements are guaranteed through a cash payment prior to the issuance of any building permit, if approved by DOT.

F. Transportation Demand Management (TDM)

The applicant is required to implement a TDM program for the project to reduce and manage employee commute-related trips in private vehicles.

G. Neighborhood Traffic Impact Mitigation

The applicant volunteers to install a raised landscaped median along Fallbrook Avenue north of Roscoe Boulevard to restrict vehicles from making southbound left-turns onto either Schoenborn Street or Eccles Street. Installation of the Fallbrook median will mitigate any potential neighborhood traffic impacts associated with neighborhood cut-through traffic from the project site, thus eliminating the need for a neighborhood traffic protection plan. The costs associated with the installation of the Fallbrook median will be borne entirely by the applicant and are in excess of any otherwise required payment into a Neighborhood Traffic Management fund. Therefore, no further payment is required.

H. Highway Dedications and Improvements

Fallbrook Avenue is a designated Secondary Highway in the Streets and Highways Element of the City's General Plan. Standard Plan S-470-0, effective November 10, 1999, dictates that the standard cross section for a Secondary Highway is a 35-foot half-roadway on a 45-foot half right-of-way. Fallbrook Avenue currently consists of a 50-foot half right-of-way; therefore, no dedication or widening is required.

Roscoe Boulevard is a designated Major Highway in the Streets and Highways Element of the City's General Plan. Standard Plan S-470-0, effective November 10, 1999, dictates that the standard cross section for a Major Highway is a 40-foot half-roadway on a 52-foot half right-of-way. Roscoe Boulevard currently consists of a 40-foot half-roadway on a 50-foot half right-of-way; therefore, a 2-foot dedication is required along the entire project frontage on Roscoe Boulevard to bring the sidewalk up to the Major Highway Class II standard required by the General Plan.

The applicant should contact the Bureau of Engineering (BOE) to determine exact dedication and widening standards and to ensure compliance of these requirements of the municipal code. The applicant should contact BOE to determine any other required street improvements.

All required street improvements shall be guaranteed through the B-permit process of BOE before the issuance of any building permit for this project. The street dedication shall be completed through Edmond Yew in the Land Development Group, (213) 977-7095. These measures shall be completed to the satisfaction of DOT and BOE prior to the issuance of any certificate of occupancy.

I. Site Access and Internal Circulation

This determination does not include final approval of the project's driveways, internal circulation, and parking scheme. However, the following general comments do apply:

1. All loading/unloading of goods shall be accomplished on site and shown on the site plan.
2. Two-way driveways shall be 30 feet wide and one-way driveways shall be 16 feet wide, exclusive

of side slopes. To minimize conflict between vehicles using adjoining driveways, a minimum of 50-feet of full-height curb shall be provided between driveways.

3. To avoid vehicles encroaching onto the public right-of-way, a minimum 40-foot reservoir space (distance between property line and first parking stall) shall be provided at all ingress driveways for lots containing 100 to 300 spaces, and a minimum 60-foot reservoir space shall be provided at all ingress driveways for lots containing more than 300 spaces.

Final DOT approval shall be obtained prior to issuance of any building permits. This should be accomplished by submitting a detailed site and/or driveway plan, at a scale of at least 1" = 40', to DOT's Valley Development Review Section at 6262 Van Nuys Boulevard, Suite 320, Van Nuys, 91401, prior to submittal of building plans for plan check to the Department of Building and Safety.

If you have any questions, you may contact me or Vicente Cordero of my staff at (818) 374-4699.

c: Twelfth Council District
Ken Firoozmand, DOT West Valley District
Jim Williams, DOT ATSAC
Guido Marucut, DOT Accounting
Shu Hua Chen, DOT Accounting
Edmond Yew, BOE Land Development Group
Mike Walters, BOE Valley District
Moe Irilian, BOE Valley District
George Rhyner, Crain & Associates
Kevin McDonnell, JMBM

Table 1: Project Trip Generation Estimates

Use	Notes	Use Description	Size Unit	Daily Trips	A.M. Peak Hour			P.M. Peak Hour		
					In	Out	Total	In	Out	Total
		<u>Proposed development:</u>								
1	ITE 710	Office building, general	406,000 S.F. Gross Floor Area	3,924	506	69	575	91	443	534
		internal capture	N/A of use 1	-	-	-	-	-	-	-
		internal capture	N/A of use 1	-	-	-	-	-	-	-
		transit discount	5%	(196)	(25)	(3)	(28)	(5)	(22)	(27)
2	ITE 850 PM	Supermarket	14,000 S.F. Gross Floor Area	1,431	28	18	46	74	72	146
		internal capture	20% of use 2	(286)	-	-	-	(18)	(14)	(29)
		internal capture	N/A of use	-	-	-	-	-	-	-
		transit discount	N/A	-	-	-	-	-	-	-
3	ITE 814 PM	Specialty retail	4,160 S.F. Gross Floor Area	184	3	2	5	5	6	11
		internal capture	20% of use 3	(37)	-	-	-	(1)	(1)	(2)
		internal capture	N/A of use	-	-	-	-	-	-	-
		transit discount	N/A	-	-	-	-	-	-	-
4	ITE 912 PM	Bank, drive-in	3,012 S.F. Gross Floor Area	742	21	16	37	69	69	138
		internal capture	20% of use 4	(148)	-	-	-	(14)	(14)	(28)
		internal capture	N/A of use	-	-	-	-	-	-	-
		transit discount	N/A	-	-	-	-	-	-	-
5	ITE 932	Restaurant, high turnover sit down	5,310 S.F. Gross Floor Area	675	32	29	61	35	23	58
		internal capture	25% of use 5	(169)	(8)	(7)	(15)	(9)	(6)	(15)
		internal capture	N/A of use 1	-	-	-	-	-	-	-
		transit discount	N/A	-	-	-	-	-	-	-
6	ITE 934	Fast food with drive thru	8,448 S.F. Gross Floor Area	4,191	229	220	449	152	141	293
		internal capture	25% of use 6	(1,048)	(57)	(55)	(112)	(38)	(35)	(73)
		internal capture	N/A of use	-	-	-	-	-	-	-
		transit discount	N/A	-	-	-	-	-	-	-
		Total new adjacent proposed trips:		9,263	729	289	1,018	344	662	1,006
		<u>Pass-by reductions for vehicles:</u>								
1		Office building, general		-	-	-	-	-	-	-
2	PM	Supermarket	40%	(458)	-	-	-	(24)	(23)	(47)
3	PM	Specialty retail	10%	(15)	-	-	-	-	(1)	(1)
4	PM	Bank, drive-in	20%	(119)	-	-	-	(11)	(11)	(22)
5		Restaurant, high turnover sit down	20%	(101)	(5)	(4)	(9)	(5)	(3)	(8)
6		Fast food with drive thru	50%	(1,572)	(86)	(83)	(169)	(57)	(53)	(110)
		Total new non-adjacent proposed trips:		6,998	638	202	840	247	571	818
		<u>Existing development:</u>								
9	ITE 540	Community college	106,000 S.F. Gross Floor Area	2,914	235	82	317	156	113	269
		internal capture	N/A of use	-	-	-	-	-	-	-
		internal capture	N/A of use	-	-	-	-	-	-	-
		transit discount	5%	(146)	(12)	(4)	(16)	(8)	(6)	(14)
		Total existing adjacent trips:		2,768	223	78	301	148	107	255
		<u>Pass-by reductions for vehicles:</u>								
9		Community college		-	-	-	-	-	-	-
		Total existing non-adjacent trips:		2,768	223	78	301	148	107	255
Net project trips: Adjacent				6,495	506	211	717	196	555	751
Non-Adjacent				4,230	415	124	539	99	464	563

Table 2: Significant Transportation Impact Thresholds

Level of Service	Projected Future Volume to Capacity Ratio (V/C), Including Project	Project-Related Impact (Δ V/C)
C	between 0.701 and 0.800	≥ 0.040
D	between 0.801 and 0.900	≥ 0.020
E, F	≥ 0.901	≥ 0.010

**Table 3: Summary of Volume to Capacity Ratios (v/c) and Levels of Service (LOS)
West Hills Corporate Pointe (8405 Fallbrook Avenue)**

Intersection	Peak Hour	Year 2007 Existing		Year 2012 w/out Project		Year 2012 with Project		Project Impact	Year 2012 with mitigation	
		v/c	LOS	v/c	LOS	v/c	LOS	Δ v/c	v/c	Δ v/c
1. Lena Ave & Roscoe Bl	AM	0.326	A	0.397	A	0.619	B	0.222	N/A	N/A
	PM	0.400	A	0.502	A	0.620	B	0.118	N/A	N/A
2. Fallbrook Ave & Roscoe Bl	AM	0.740	C	0.841	D	0.966	E	0.125*	0.825	-0.016
	PM	0.812	D	0.911	E	1.020	F	0.109*	0.878	-0.033
3. Fallbrook Ave & Saticoy St	AM	0.740	C	0.838	D	0.862	D	0.024*	0.787	-0.051
	PM	0.594	A	0.670	B	0.739	C	0.069*	0.705	-0.035
4. Fallbrook Ave & Sherman Way	AM	0.765	C	0.874	D	0.896	D	0.022*	0.796	-0.078
	PM	0.777	C	0.881	D	0.937	E	0.056*	0.837	-0.044
5. Fallbrook Ave & Vanowen St	AM	0.572	A	0.660	B	0.670	B	0.010	0.570	-0.090
	PM	0.743	C	0.839	D	0.873	D	0.034*	0.773	-0.066
6. Fallbrook Ave & Victory Bl	AM	0.781	C	0.888	D	0.897	D	0.009	0.867	-0.021
	PM	0.798	C	0.897	D	0.935	E	0.038*	0.905	-0.008
7. Fallbrook Ave & Oxnard St	AM	0.679	B	0.791	C	0.795	C	0.004	N/A	N/A
	PM	0.546	A	0.631	B	0.635	B	0.004	N/A	N/A
8. Shoup Ave & Roscoe Bl	AM	0.778	C	0.885	D	0.947	E	0.062*	0.847	-0.038
	PM	0.750	C	0.847	D	0.915	E	0.068*	0.815	-0.032
9. Topanga Cyn Bl & Roscoe Bl	AM	0.977	E	1.092	F	1.105	F	0.013*	1.005	-0.087
	PM	0.920	E	1.041	F	1.061	F	0.020*	0.961	-0.080

*Significant traffic impact

Table 4: Residential Street Impact Analysis

Location	Year 2007 Existing ADT	Year 2012 Without Project ADT	Year 2012 Project Traffic	Year 2012 With Project ADT	Year 2012 % Project Traffic	Significant Impact
Eccles St/Chase St between Fallbrook Ave & Shoup Ave	2,771	3,059	212	3,271	6.5%	NO



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
9211 Oakdale Avenue
Chatsworth, California CA 91311



Arnold Schwarzenegger
Governor

August 5, 2008

RECEIVED
CITY OF LOS ANGELES

AUG 13 2008

ENVIRONMENTAL
UNIT

Mr. Hadar Plafkin
City Planner
City of Los Angeles, Department of City Planning
200 North Spring Street
Room 525, City Hall
Los Angeles, California 90012-4801

**DEPARTMENT OF TOXIC SUBSTANCES CONTROL (DTSC) ENVIRONMENTAL
OVERSIGHT OF RAYTHEON CANOGA PARK SITE; CORPORATE POINTE AT
WEST HILLS; WEST HILLS, CALIFORNIA (THE "PROPERTY"), CAD0411692124**

Dear Mr. Plafkin:

DTSC received a letter from your office dated July 16, 2008 concerning the Property. DTSC understands that the City of Los Angeles, Department of City Planning (LADCP) is in the process of completing its environmental review associated with the application for General Plan Amendment, Zone Change, Conditional Use for Commercial Development and Site Plan review for the Property.

DTSC's understanding of the plans for development on the Property includes two new office buildings, a parking garage, retail space, and other modifications. The areas of the proposed developments are located primarily on the southern half of the Property near or within a Solid Waste Management Unit (SWMU) or an Area of Concern (AOC) (see attached map). DTSC's understanding is that there is no development proposed in the vicinity of the northwest groundwater plume located on the northwest portion of the Property.

The Property was formerly a portion of a Hughes Aircraft research facility. Hughes successor, Raytheon Corporation, has an agreement with the current owners for the continued responsibilities to address the environmental issues for the property. DTSC is the lead agency for environmental issues at the Property. The California Regional Water Quality Control Board (Regional Board) has been overseeing the Interim Remediation of groundwater at the Property. On July 15, 2008 the Regional Board issued an Order to Raytheon Corporation requiring a work plan for additional groundwater investigation at the Property.

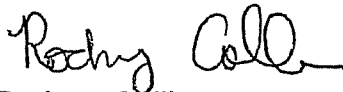
Mr. Hadar Plafkin
August 5, 2008
Page 2

In response to LACDP request for clarification and confirmation of the conditions on which the development can occur without impeding the investigation and cleanup of the Property, DTSC offers the following guidance:

1. There will be no restrictions on development in those areas on the Property not identified as an AOC or a SWMU in the document entitled, "RCRA Facility Assessment., Hughes Missile Systems Company, Canoga Park Facility (Raytheon), EPA ID – CAD041162124", dated January 30, 2008.
2. A soil sampling work plan will be submitted to DTSC for approval, before the issuance of a building permit for any construction in an identified AOC or SWMU within the Property.
3. Development and use of the Property may continue without further DTSC requirements, if DTSC determines that contaminants are at or below acceptable levels for the intended use of the particular areas of the Property
4. If DTSC determines that contaminants are above acceptable levels for the intended use on a particular area of the Property, DTSC would require submission and approval of a remediation plan to address the contamination prior to issuance of a building permit.

If you have any questions, please contact me at (818) 717-6597.

Sincerely,



Rodney Collins
Project Manager
Brownfields and Environmental Restoration Program

Attachment

Mr. Hadar Plafkin
August 5, 2008
Page 3

cc: Mr. Allan Plaza, Unit Chief
Brownfields and Environmental Restoration Program
Department of Toxic Substances Control
9211 Oakdale Avenue
Chatsworth, California CA 91311

Mr. Phil Chandler, Unit Chief
Brownfields and Environmental Restoration Program
Department of Toxic Substances Control
9211 Oakdale Avenue
Chatsworth, California CA 91311

Ms. Ann Chang, Ph.D. (via email)
Water Resources Control Engineer
Los Angeles Regional Water Quality Control Board
nchang@waterboards.ca.gov

Mr. Neal Holdridge (via email)
Environmental Manager
Trammel Crow Company
nholdridge@trammellcrow.com

Mr. Kenneth J. Katich (via email)
Development & Investment
Trammel Crow Company
kkatich@trammellcrow.com

Legend

- Current Building Outline and Building Number
- Former Building Outline and Building Number
- Assessors Parcel Number (APN)
- Sewer Line
- Assessors Parcel Property Boundary
- DTSC "Zone 1"
- DTSC "Zone 2"
- DTSC "Zone 3"
- SWMU/AOC Designator per DTSC 2008 RCRA Facility Assessment
- ADC-10 (T7, T8, T9)



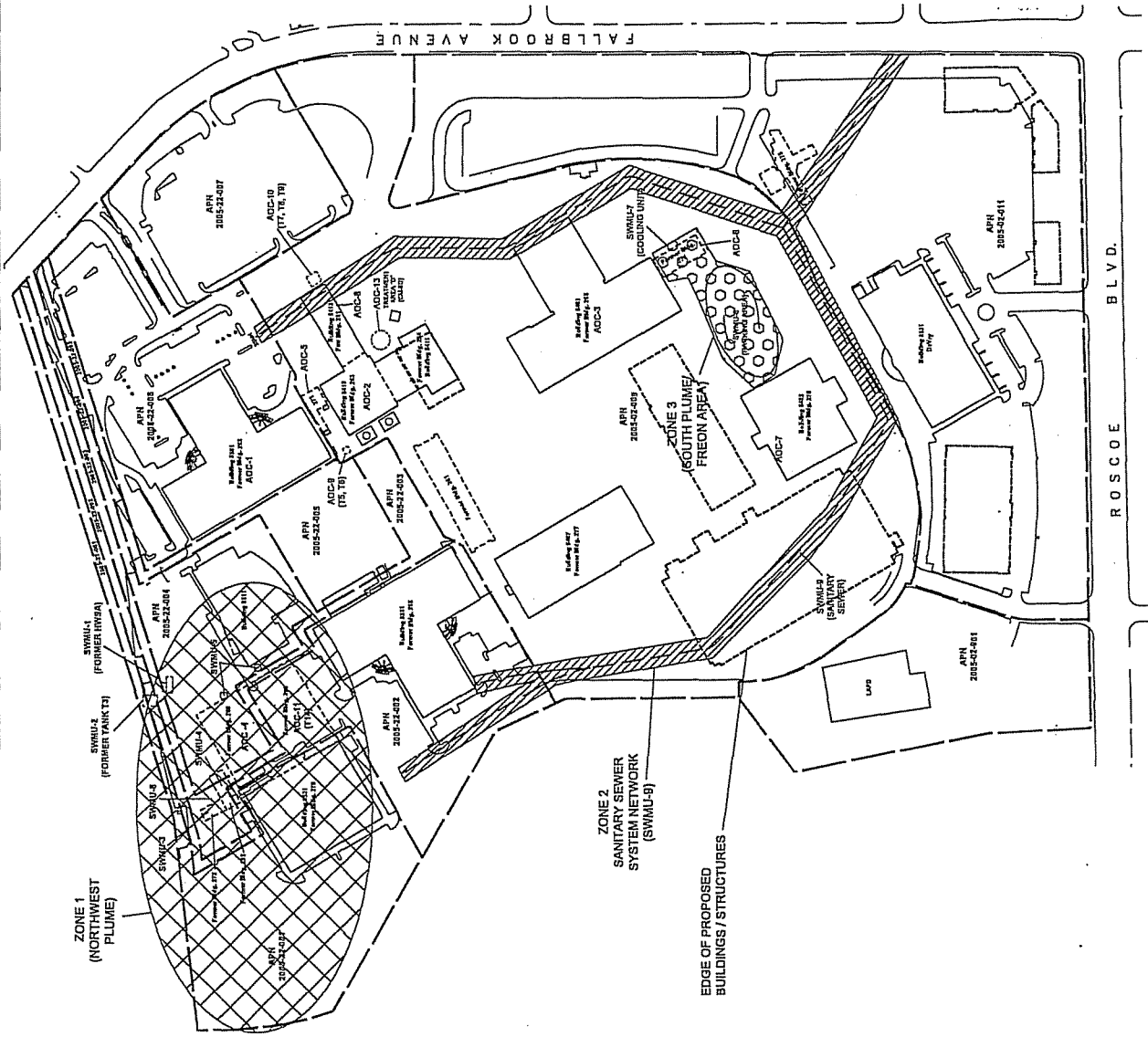
Approximate Scale in Feet



Figure 1
Canoga DTSC Figure

Former Canoga Park Facility
Canoga Park, California

	<p>T N & Associates, Inc.</p>	<p>Date: May 12, 2008</p>
	<p>Engineering and Sciences</p>	<p>File: Canoga_DTSC.dwg</p>



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DEPARTMENT OF
BUILDING AND SAFETY
201 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

ANDREW A. ADELMAN, P.E.
GENERAL MANAGER

RAYMOND CHAN
EXECUTIVE OFFICER

SOILS REPORT APPROVAL LETTER

November 15, 2007

Log # 59977
SOILS FILE - 2

MEPT West Hills, LLC
1215 Fourth Ave., 2400 Financial Ctr.
Seattle, WA 98161

TRACT: PM 7115
LOT: Par A & B
LOCATION: 8405 Fallbrook Ave (aka 8401 Fallbrook Ave)

<u>CURRENT REFERENCE</u>	<u>REPORT</u>	<u>DATE(S) OF</u>	<u>PREPARED BY</u>
<u>REPORT/LETTER(S)</u>	<u>NO.</u>	<u>DOCUMENT</u>	
Soil Report	07G118B-1	03/26/2007	Southern California Geotechnical

The referenced soil report concerning the proposed development of an office building has been reviewed by the Grading Division of the Department of Building and Safety. It is expected to be a 4-story tall building with slab-on grade.

The site is within a zone requiring investigation and mitigation for earthquake-triggered ground failure potential as designated by the State of California (Public Resources Code, Section 2690 et. seq., Seismic Hazard Mapping Act). The liquefaction study included as a part of the report indicate that the site soils are not subject to liquefaction due to shallow bed rock and fill that will be removed and replaced with engineered fill. This satisfies the State of California Seismic Hazard Mapping Act.

The report is acceptable, provided the following conditions are complied with during site development:

(Note: Numbers in parenthesis () refer to applicable sections of the 2002 City of LA Building Code. P/BC numbers refer the applicable Information Bulletin. Information Bulletins can be accessed on the internet at LADBS.ORG.)

1. The soils engineer shall review and approve the detailed plans prior to issuance of any permits. This approval shall be by signature on the plans which clearly indicates that the

soils engineer has reviewed the plans prepared by the design engineer and that the plans include the recommendations contained in his report.

2. All footings shall be founded in engineered fill, as recommended.
3. The soil engineer shall inspect all excavations to determine that conditions anticipated in the report have been encountered and to provide recommendations for the correction of hazards found during grading. (7008.2)
4. The applicant is advised that the approval of this report does not waive the requirements for excavations contained in the State Construction Safety Orders enforced by the State Division of Industrial Safety. (3301.1)
5. The building shall be connected to the public sewer system. (P/BC 2001-27)
6. Grading shall be scheduled for completion prior to the start of the rainy season, or detailed temporary erosion control plans shall be filed in a manner satisfactory to the Grading Division of the Department and the Department of Public Works, Bureau of Engineering, B-Permit Section, for any grading work in excess of 200 cu yd. (7007.1)
6262 Van Nuys Blvd. Ste 351, Van Nuys (818) 374-4605
7. A grading permit shall be obtained. (106.1.2)
8. All roof and pad drainage shall be conducted to the street in an acceptable manner. (7013.10)
9. All recommendations of the report which are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.
10. A copy of the subject and appropriate referenced report and this approval letter shall be attached to the District Office and field set of plans. Submit one copy of the above report to the Building Department Plan Checker prior to issuance of the permit. (7006.1)
11. All man-made fill shall be compacted to a minimum 90 percent of the maximum dry density of the fill material per the latest version of ASTM D 1557. Where cohesionless soil having less than 15 percent finer than 0.005 millimeters is used for fill, it shall be compacted to a minimum of 95 percent relative compaction based on maximum dry density (D1556). Placement of gravel in lieu of compacted fill is allowed only if complying with Section 91.7011.3 of the Code. (7011.3)
12. Prior to the placing of compacted fill, a representative of the soils engineer shall inspect and approve the bottom excavations. He shall post a notice on the job site for the City Grading Inspector and the Contractor stating that the soil inspected meets the conditions of the report, but that no fill shall be placed until the LADBS Grading Inspector has also inspected and approved the bottom excavations. A written certification to this effect shall be included in the final compaction report filed with the Grading Engineering Section of the Department. All fill shall be placed under the inspection and approval of the soils engineer. A compaction report together with the approved soil report and Department approval letter shall be submitted to the Grading Division of the Department upon completion of the

compaction. In addition, an Engineer's Certificate of Compliance with the legal description as indicated in the grading permit and the permit number shall be included. (7011.3)

13. Prior to the pouring of concrete, a representative of the consulting Soil Engineer shall inspect and approve the footing excavations. He shall post a notice on the job site for the LADBS Building Inspector and the Contractor stating that the work so inspected meets the conditions of the report, but that no concrete shall be poured until the LADBS Building Inspector has also inspected and approved the footing excavations. A written certification to this effect shall be filed with the Department upon completion of the work. (108.9 & 7008.2)
14. The LABC Soil Type underlying the site is S_D . (1636A)


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ANDREW A. ADELMAN, P.E.
GENERAL MANAGER

RAYMOND CHAN
EXECUTIVE OFFICER

SOILS REPORT APPROVAL LETTER

LOG # 59976-01
SOILS FILE - 2
LIQ

December 6, 2007

Mept Roscoe Blvd LLC
1215 Fourth Avenue, Suite 2400
Seattle, WA 98161

TRACT: PM 7115
LOT: A and B
LOCATION: 22801 W Roscoe Boulevard

<u>CURRENT REFERENCE</u>	<u>REPORT</u>	<u>DATE(S) OF</u>	<u>PREPARED BY</u>
<u>REPORT/LETTER(S)</u>	<u>NO.</u>	<u>DOCUMENT</u>	
Soils Report	07G118D-2	10/30/2007	Southern California Geotechnical
<u>PREVIOUS REFERENCE</u>	<u>REPORT</u>	<u>DATE(S) OF</u>	<u>PREPARED BY</u>
<u>REPORT/LETTER(S)</u>	<u>NO.</u>	<u>DOCUMENT</u>	
Soils Report	07G118D-1	3/22/2007	Southern California Geotechnical
Correction List	Log #59976	10/1/2007	LADBS

The Grading Division of the Department of Building and Safety has reviewed the current report dated 10/30/07 providing supplementary recommendations for the proposed construction of three 1-story retail buildings.

According to the reports, the subsurface materials are moderately expansive and consist of fill, alluvial native soils, and bedrock. Groundwater was encountered at 48 feet below grade. The historic-high groundwater is at 10 to 20 feet below grade. The reports recommend removing and recompacting the upper unsuitable soil to 22 feet below grade for the building support, and 2 to 3 feet for the retaining wall support. Temporary excavations will be by open cuts. The report of 10/30/07 recommends designing the proposed building with mat foundations to be supported on the compacted fill. This report also recommends an allowable bearing pressure of 1,000 psf to limit the total and differential static settlements to 0.5 inch and 0.25 inch, respectively. The existing fill slopes located south and east of the site with gradients of 2.5:1 to 3.5 :1 (H:V) will remain.

The site is located within the Liquefaction Hazard Zone as mapped by the State of California. The liquefaction study in the reports shows that the project site is subject to a potential of liquefaction. The report of 10/30/07 revises the liquefaction analysis and calculates a seismic total settlement of 2.4 inches after recompacting the upper 22 feet of soils. The geotechnical consultant has determined that the proposed mat footing will be adequate in liquefaction. This satisfies the requirement of the State of California Public Resources Code, Section 2690 et seq. (Seismic Hazard Mapping Act). It should be noted that SP 117 published by the State of California recommends a seismic differential settlement equal to half of the total settlement in homogenous soils, which for this project is 1.2 inch.

The reports are acceptable, provided the following conditions are complied with during site development:

(Numbers in parentheses refer to applicable sections of the 2002 Building Code, or the Information Bulletin Number. The Information Bulletins can be accessed on the internet at LADBS.ORG.)

1. The existing upper fill and soils shall be removed for remedial grading. The depth of the removal shall be verified by the soils engineer, but not less than 22 feet as recommended in the reports.
2. The proposed buildings shall be designed with mat foundations to be supported on compacted fill designed for an allowable bearing pressure of 1,000 psf, as recommended in the reports.
3. The soil engineer shall review and approve the detailed plans prior to issuance of any permits. This approval shall be by signature on the plans which clearly indicates that the soil engineer has reviewed the plans prepared by the design engineer and that the plans include the recommendations contained in the reports.
4. All the recommendations of the reports, which are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.
5. Footings supported on approved compacted fill shall be reinforced with a minimum of four (4) ½-inch diameter (#4) deformed reinforcing bars. Two (2) bars shall be placed near the bottom and two (2) bars placed near the top. (1804.4)
6. Compacted fill shall extend laterally beyond the footings a minimum distance equal to the depth of the fill below the bottom of footings or a minimum of 3 feet whichever is greater.
7. Frictional and lateral resistance of soils may be combined, provided the lateral bearing resistance does not exceed two-thirds of the allowable lateral bearing.
8. Concrete floor slabs placed on approved compacted fill or expansive soil shall be at least 3½ inches thick and shall be reinforced with ½-inch diameter (#4) reinforcing bars spaced a maximum of 16 inches on center each way.
9. Footings or slabs to supported on expansive soil shall be designed and constructed to the requirements as recommended by the soils engineer, which shall be no less than as stipulated in Code Section 1804.4.

10. The LABC Soil Type underlying the site is Sd. The minimum horizontal distances to known seismic sources shall conform to the Maps of Known Active Fault Near Source Zones published by ICBO. (Table 16 A-J)
11. If the actual foundation design loads do not conform to the foundation loads assumed in the report, the soil engineer shall submit a supplementary report containing specific design recommendations for the heavier loads to the Department for review and approval prior to issuance of a permit.
12. Existing uncertified fill shall not be used for support of footings, concrete slabs or new fill.
13. If import soils are used, no footings shall be poured until the soil engineer has submitted a compaction report containing in-place shear test data and settlement data to the Department, and obtained approval.
14. The building design shall incorporate provisions for anticipated differential settlements no less than 0.25 inch due to static load, and 1.2 inches due to seismic loads.
15. A grading permit shall be obtained. (106.1.2.)
16. All man-made fill shall be compacted to a minimum 90 percent of the maximum dry density of the fill material per the latest version of ASTM D 1557; Where cohesionless soil having less than 15 percent finer than 0.005 millimeters is used for fill, it shall be compacted to a minimum of 95 percent relative compaction based on maximum dry density.
17. Grading shall be scheduled for completion prior to the start of the rainy season, or detailed temporary erosion control plans shall be filed in a manner satisfactory to the Department and the Department of Public Works, for any grading work in excess of 200 cu yd.
18. All roof and pad drainage shall be conducted to the street in an acceptable manner. (7013.10)
19. The applicant is advised that the approval of this report does not waive the requirements for excavations contained in the State Construction Safety Orders enforced by the State Division of Industrial Safety.
20. A supplemental report shall be submitted to the Grading Division containing recommendations for shoring, underpinning, and sequence of construction in the event that any excavation would remove lateral support to the public way or adjacent structures. A plot plan and cross-section(s) showing the construction type, number of stories, and location of the structures adjacent to the excavation shall be part of the excavation plans. (7006.2)
21. Prior to the issuance of any permit which authorizes an excavation where the excavation is to be of a greater depth than are the walls or foundation of any adjoining building or structure and located closer to the property line than the depth of the excavation, the owner of the subject site shall provide the Department with evidence that the adjacent property owner has been given a 30-day written notice of such intent to make an excavation.

22. Unsupported temporary excavations shall not be subject to surcharged load, and shall be sloped to a gradient no steeper than 1.5:1 (H:V), as recommended in the reports.
23. Retaining walls shall be designed for the minimum equivalent fluid pressures as recommended in page 25 of the report dated 3/22/07. The soils engineer and structural engineer shall determine and include all additional surcharge loads into the retaining wall design.
24. All retaining walls shall be provided with a standard surface backdrain system and all drainage shall be conducted to the street in an acceptable manner and in a non-erosive device.
25. All retaining walls shall be provided with a subdrain system to prevent built up of hydrostatic pressure. The subdrain system shall be as recommended in the report, but shall not be less than the traditionally acceptable method of (a) 4-inch weepholes at 8-foot center wrapped with 1-foot cube of drainage rock, or (b) a continuous 4-inch perforated drain-pipe surrounded by 1-foot square of drainage rock. Prior to the issuance of any permit, the retaining wall subdrain system shall be incorporated into the foundation plan which shall be reviewed and approved by the soils engineer of record. (7015.5 & 108.9)
26. Prefabricated drainage composite, including Miradrains, for use in the retaining wall subdrains shall be installed in addition to the traditionally accepted methods for draining retained earth.
27. Installation of the subdrain system shall be inspected and approved by the soil engineer of record and the City grading/building inspector. (7015.5 & 108.9)
28. Prior to the placing of compacted fill, a representative of the soils engineer shall inspect and approve the bottom excavations. He shall post a notice on the job site for the City Grading Inspector and the Contractor stating that the soil inspected meets the conditions of the report, but that no fill shall be placed until the LADBS Grading Inspector has also inspected and approved the bottom excavations. A written certification to this effect shall be included in the final compaction report filed with the grading Division of the Department. All fill shall be placed under the inspection and approval of the soils engineer. A compaction report together with the approved soil report and Department approval letter shall be submitted to the Grading Division of the Department upon completion of the compaction. An engineer's certificate of compliance shall include the grading permit number and the legal descriptions as described in the permit. (7011.3)
29. Prior to the pouring of concrete, a representative of the soil engineer shall inspect and approve the footing excavations. A notice shall be posted on the job site for the City Building Inspector and the Contractor stating that the work so inspected meets the conditions of the report, but that no concrete shall be poured until the City Building Inspector has also inspected and approved the footing excavations. A written certification to this effect shall be filed with the Department upon completion of the work.
30. The soil engineer shall inspect all excavations to determine that conditions anticipated in the report have been encountered and to provide recommendations for the correction of hazards found during construction.

Page 5

22801 W Roscoe Boulevard

31. Prior to excavation, an initial inspection shall be called at which time protection fences and dust and traffic control will be scheduled.


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