

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

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Date Issued:

REVISED

City Plan Case No. CPC-2007-237-ZC-GPA  
Council District No. 12  
8401 North Fallbrook Avenue, Chatsworth

Honorable City Council  
City of Los Angeles  
200 N. Spring Street, Room 395  
Los Angeles, CA 90012

Dear Honorable Councilmembers:

### **A PROPOSED GENERAL PLAN AMENDMENT AND CORRESPONDING ZONE CHANGE FOR THE FOLLOWING PROPERTIES WITHIN THE CHATSWORTH-PORTER RANCH COMMUNITY PLAN:**

#### **8401 NORTH FALLBROOK AVENUE**

Pursuant to the provisions of Sections 551, 555 and 558 of the City Charter, transmitted herewith is the February 26, 2009, action of the City Planning Commission approving a proposed General Plan Amendment to the Chatsworth-Porter Ranch Community Plan to redesignate the above mentioned property from Minimum Density Residential to Limited Industrial. City Planning Commission in their action also recommended Council adoption of a corresponding zone change from A1-1 to [T][Q]M1-1.

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 the 1950's and 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.

The City Planning Commission, as evidenced by the attached Findings, has determined that the proposed land use designation will conform to the City's General Plan, will be compatible with adjacent land uses, and is appropriate for the subject properties.

The proposed General Plan Amendment was submitted to the Mayor whose recommendation will be forwarded to you as specified by Section 11.5.6 of the Los Angeles Municipal Code.

## THE CITY PLANNING DEPARTMENT RECOMMENDS

That the City Council:

1. **Concur** with the attached Action of the City Planning Commission relative to its approval of the proposed General Plan Amendment for the subject property from Minimum Density Residential to Limited Industrial;
2. **Concur** with the attached Action of the City Planning Commission relative to its approval of the proposed zone change for the subject property from A1-1 to [T][Q]M1-1;
3. **Adopt** the attached Findings of the City Planning Commission as the Findings of the City Council;
4. **Adopt** by Resolution, the plan amendment, as shown in the attached exhibit; and
5. **Find** that the proposed zone change and general plan amendment was issued a proposed Mitigated Negative Declaration No. ENV-2006-10437-MND that has been prepared in accordance with the City's Guidelines for implementation of the California Environmental Quality Act (CEQA).

Sincerely,



S. GAIL GOLDBERG, AICP  
Director of Planning

### Attachments:

1. City Planning Case File
2. City Planning Commission action, including Findings
3. Resolution Amending the Community Plan
4. General Plan Amendment Map

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Date Issued:

**JUN 15 2009**

City Plan Case No. CPC-2007-237-ZC-GPA  
Council District No. 12  
8401 North Fallbrook Avenue, Chatsworth

Honorable City Council  
City of Los Angeles  
200 N. Spring Street, Room 395  
Los Angeles, CA 90012

Dear Honorable Councilmembers:

**A PROPOSED GENERAL PLAN AMENDMENT FOR THE FOLLOWING  
PROPERTIES WITHIN THE CHATSWORTH-PORTER RANCH COMMUNITY PLAN:**

**8401 NORTH FALLBROOK AVENUE**

Pursuant to the provisions of Sections 551, 555 and 558 of the City Charter, transmitted herewith is the April 23, 2009, action of the City Planning Commission approving a proposed General Plan Amendment to the Chatsworth-Porter Ranch Community Plan to redesignate the above mentioned property from Minimum Density Residential to Limited Manufacturing. 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.

The City Planning Commission, as evidenced by the attached Findings, has determined that the proposed land use designation will conform to the City's General Plan, will be compatible with adjacent land uses, and is appropriate for the subject properties.

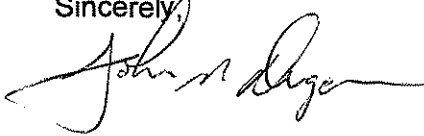
The proposed General Plan Amendment was submitted to the Mayor whose recommendation will be forwarded to you as specified by Section 11.5.6 of the Los Angeles Municipal Code.

THE CITY PLANNING DEPARTMENT RECOMMENDS

That the City Council:

1. **Concur** with the attached Action of the City Planning Commission relative to its approval of the proposed General Plan Amendment for the subject property;
2. **Adopt** the attached Findings of the City Planning Commission as the Findings of the City Council;
3. **Adopt** by Resolution, the plan amendment, as shown in the attached exhibit; and
4. **Find** that the proposed general plan amendment was issued a proposed Mitigated Negative Declaration No. ENV-2006-10437-MND that has been prepared in accordance with the City's Guidelines for implementation of the California Environmental Quality Act (CEQA).

Sincerely,

A handwritten signature in black ink, appearing to read "S. Gail Goldberg", written over a horizontal line.

S. GAIL GOLDBERG, AICP  
Director of Planning

Attachments:

1. City Planning Case File
2. City Planning Commission action, including Findings
3. Resolution Amending the Community Plan
4. General Plan Amendment Map



# Los Angeles City Planning Commission

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

[www.cityofla.org/PLN/index.htm](http://www.cityofla.org/PLN/index.htm)

## CORRECTED DETERMINATION (2<sup>ND</sup> 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:**

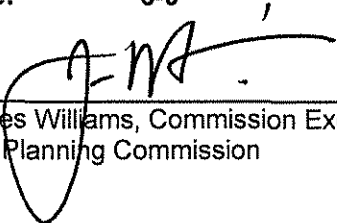
1. **Disapproved** the request, as filed.
2. **Approved** and recommend to the City Council, pursuant to LAMC Section 11.5.6, a General Plan Amendment to the Chatsworth-Porter Ranch Community Plan from Minimum Density Residential to Limited Manufacturing land use on the applicant's site at 8401 North 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.

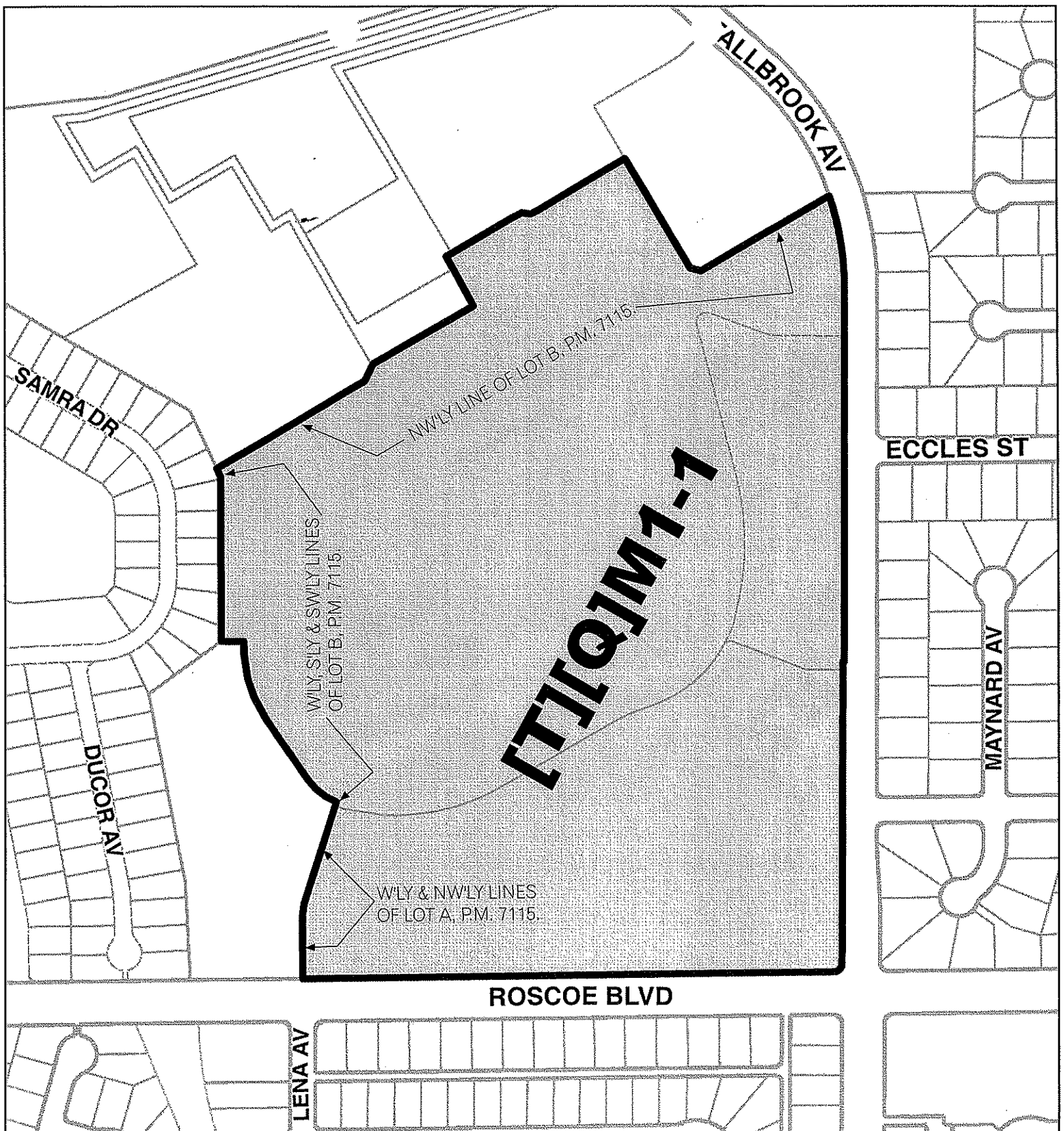
If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate. (**Environmental Mitigation**)

ORDINANCE NO. \_\_\_\_\_

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

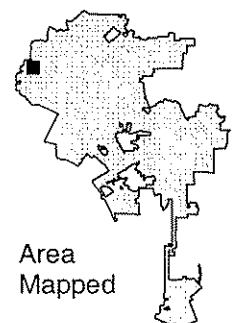
THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

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



Area  
Mapped



## **[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.

Sec. \_\_\_\_\_. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of \_\_\_\_\_.

\_\_\_\_\_  
JUNE LAGMAY, City Clerk

By \_\_\_\_\_  
Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Pursuant to Section 558 of the City Charter,  
the City Planning Commission on February 26, 2009,  
recommended this ordinance be adopted by the City Council.

  
\_\_\_\_\_  
James Williams, Commission Executive Assistant I  
City Planning Commission

File No. \_\_\_\_\_

## 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.<sup>1</sup>

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

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<sup>1</sup> 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 Industrial 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 Industrial 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.

## 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.

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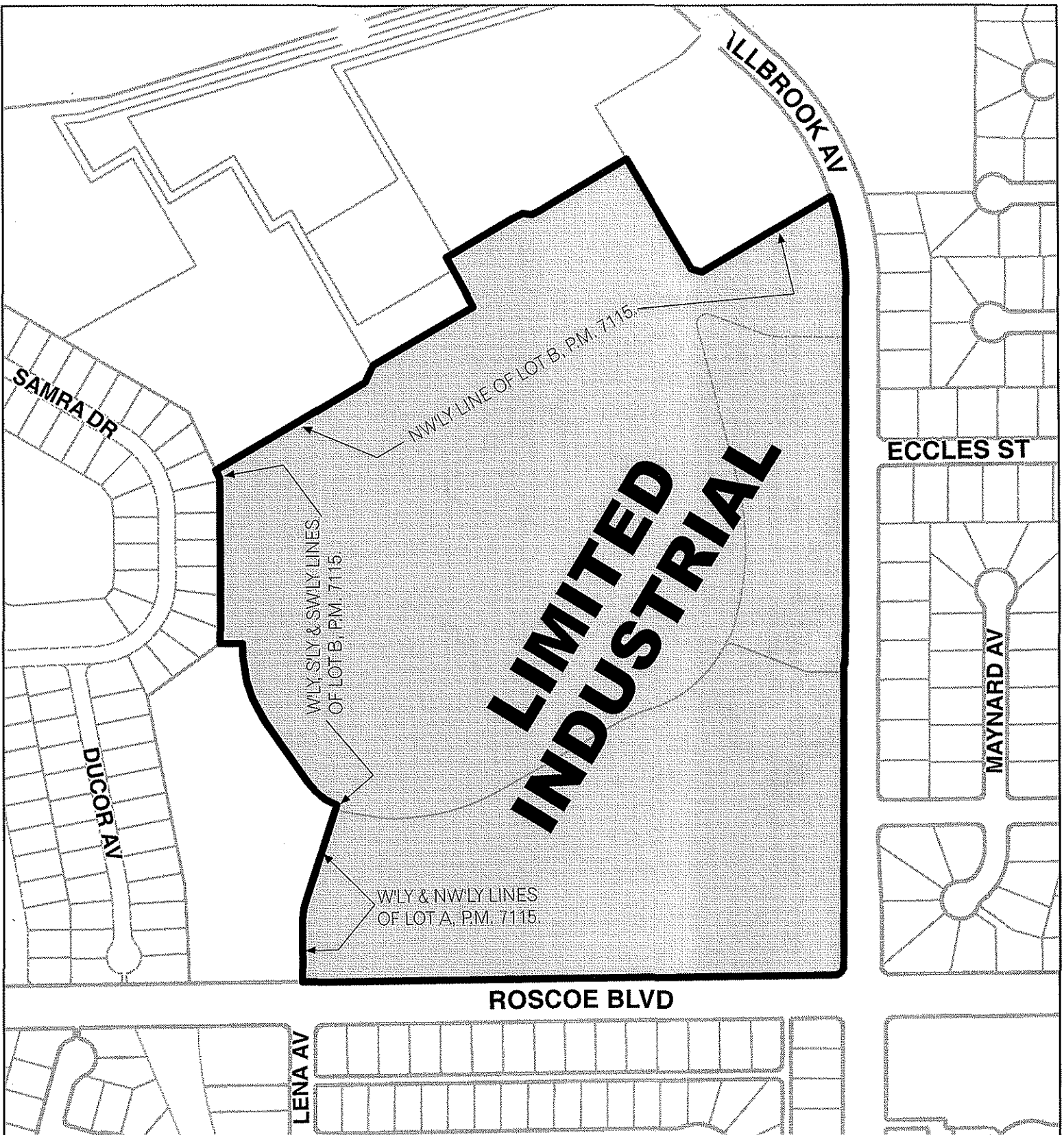
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**WHEREAS**, the General Plan amendment, and corresponding zone change, would promote the general welfare by allowing the continued use, maintenance and improvement of the established research and development campus providing thousands of jobs over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

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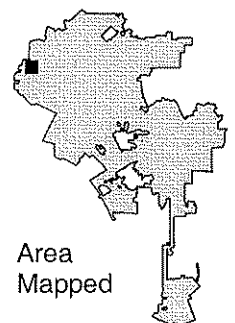
NOT TO SCALE

D.M. 192 B 097	CPC 2007-0237 ZC GPA
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AE/1"=40'

CHATSWORTH

031109



# TRANSMITTAL TO CITY COUNCIL

<b>Case No.(s)</b>	<b>Planning Staff Name(s) and Contact No.</b>	<b>C.D. No.</b>
CPC-2007-237-ZC-GPA-CU-SPR	TOM GLICK 818-374-5062	12
<b>Items Appealable to Council:</b>	<b>Last Day to Appeal:</b>	<b>Appealed:</b>
ZC, CU, SPR	June 11, 2009	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Location of Project (Include project titles, if any.)</b>		
8401 N. FALLBROOK AVENUE		
<b>Name(s), Applicant / Representative, Address, and Phone Number.</b>		
MULTI-EMPLOYER TRUST, WEST HILLS, LLC c/o JEFFER, MANGELS, BUTLER, MARMARO LLP 1900 Ave of the Stars 7 <sup>th</sup> Floor Los Angeles, CA 90067 REP: KEVIN MCDONNELL 310-203-8080		
<b>Name(s), Appellant / Representative, Address, and Phone Number.</b>		
<b>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.)</b>		
<p>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 <i>DeVry University</i>) 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).</p>		
<b>Fiscal Impact Statement</b>	<b>Environmental No.</b>	<b>Commission Vote:</b>
<small>*Determination states administrative costs are recovered through fees.</small> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	ENV-2006-10437-MND	5-0

 JAMES WILLIAMS, Commission Executive Assistant I	Date: JUNE 15, 2009
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