



CITY PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
<http://cityplanning.lacity.org/>

Determination Mailing Date: JAN 26 2015

CASE NO.: CPC-1990-439-DA-M1
CEQA: ENV-2011-1312-ND

Location: 19701 Rinaldi Street
Council District: 12 – Englander
Plan Area: Chatsworth-Porter Ranch
Zone: Various

Applicant: Porter Ranch Development Corp.
Representative: Tom Stemnock, Planning
Assoc. Inc.

At its meeting of November 20, 2014, the City Planning Commission took the following action:

1. **Approved** the amended **Development Agreement** as proposed by the applicant to the 2008 Amended and Restated Development Agreement between Porter Ranch Development Company and the City of Los Angeles, adopted by Ordinance No. 180,084 on July 25, 2008 (effective date: September 9, 2008), to extend the term of the Development Agreement by an additional 2 years from its current expiration date of December 31, 2015 to December 31, 2017.
2. **Adopted** the attached **Findings**.
3. **Adopted**, pursuant to Section 21082.1(c)(3) of the California Public Resources Code, Negative Declaration No. **ENV-2011-1312-ND** for the above referenced project.
4. **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.

Recommendations to City Council:

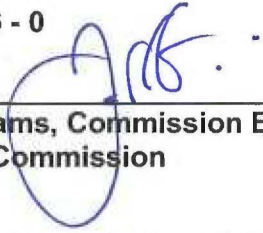
1. **Recommend** that the City Council **approve** the amended Development Agreement as proposed by the applicant to the 2008 Amended and Restated Development Agreement between Porter Ranch Development Company and the City of Los Angeles, adopted by Ordinance No. 180,084 on July 25, 2008 (effective date: September 9, 2008), to extend the term of the Development Agreement by an additional 2 years from its current expiration date of December 31, 2015 to December 31, 2017.
2. **Recommend** that the City Council **adopt**, pursuant to Section 21082.1(c)(3) of the California Public Resources Code, Negative Declaration No. **ENV-2011-1312-ND** for the above referenced project.

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: Perlman
Seconded: Katz
Ayes: Ambroz, Mack, Segura, Dake-Wilson
Absent: Ahn, Cabildo, Choe

Vote: **6 - 0**



James K. Williams, Commission Executive Assistant II
City Planning Commission

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: Findings
Senior City Planner: Robert Duenas

FINDINGS

1. General Plan Land Use Designation. The subject site is located within the area covered by the Chatsworth Porter Ranch Community Plan adopted by the City Council on August 7, 2009. The Community Plan designates the subject site for a variety of Land Use categories, including Community Commercial, Neighborhood and Office Commercial, Low Medium I Residential, Minimum, Very Low I, and Very Low II Residential, Public Facility and Public Open Space. The text of the Community Plan provides the following policy relating to the Specific Plan and the Development Agreement:

Porter Ranch Specific Plan. The adopted Porter Ranch Specific Plan, Ordinance No. 166,068, established a comprehensive set of development regulations for the Plan area which was guided by an Environmental Impact Report (State Clearinghouse No. 88-050420) and which formed the basis for the Development Agreement adopted by the City Council (CF No. 91-2400). The Specific Plan regulations and Development Agreement were consistent with and served as implementing tools of the Plan. The general policies and programs of the Plan relating to land use, service systems, and circulation generally indicated in the Plan text and map, are not intended to alter the specific policies, regulations and agreements relating to this area and as specifically indicated in the Porter Ranch Specific Plan and Development Agreement.

2. The Transportation Element of the General Plan will not be affected by the recommended action herein. The amendment request is to extend the provisions of the existing Development Agreement an additional 2 years and delete the provision for a further 5 year extension. The project was evaluated for transportation impacts under Environmental Impact Report (EIR) No. 88-0026-(SP)(ZC)(PA), State Clearinghouse No. 88050420 (the "EIR"), a Program EIR which was certified by the City Council on July 10, 1990. Amendments to the Specific Plan were assessed in Addendums dated April 2000, September 2000, and October 2006. The scope of the project itself has not changed.
3. State Government Code Sections 65864 through 65869.5 authorize municipalities to enter into binding Development Agreements with persons having legal or equitable interest in real property for the development of such property and authorizes the amendment of a previously approved development agreement. Government Code Section 65867.5 (b) requires findings that the provisions of a development agreement are consistent with the general plan and any applicable specific plan.
4. The City of Los Angeles has adopted rules and regulations establishing procedures and requirements for consideration of Development Agreements under Citywide Development Agreement Procedures (CF 85-2313-S3). In addition, the City Planning Commission adopted guidelines for the processing of Development Agreement applications on November 19, 1992 (CPC 86-404 MSC).
5. The Porter Ranch Development Agreement between the City and the Porter Ranch Development Company ("Porter Ranch") was first entered into on February 18, 1992 and recorded on February 21, 1992, as Document No. 92-290980. An amendment to the Development Agreement was entered into on May 29, 2001 and recorded as Document No. 01-0987873. The latest amendment to the Development Agreement was entered into on October 7, 2008 and recorded on October 10, 2008 as Document No. 20081821875 (the "Development Agreement").

6. Porter Ranch has requested that the City consider amending the Development Agreement to extend its provisions, in accordance with the amendment procedures. The amendment process was initiated by the applicant and all proceedings have been taken in accordance with the City's adopted procedures.
7. The amendment complies with all applicable City and State regulations governing Development Agreements.
8. Pursuant to Section 65867.5 of the Government Code, the Amendment is consistent with the objectives, policies, and programs specified in the City of Los Angeles General Plan, including the Chatsworth Porter Ranch Community Plan, which is part of the General Plan. Amending the Development Agreement to extend the term to allow for the continued development of the Specific Plan uses will provide for the completion of the master planned development. By extending the term of the Development Agreement and providing additional time for the development authorized by the Specific Plan to occur, the amendment ensures that Porter Ranch will continue to provide the public benefits called for by the Development Agreement and contribute to the enhancement of the surrounding area during the term of the extended Development Agreement. The project complies with the provisions of the Community Plan identifying and describing the Porter Ranch Specific Plan area.
9. The amendment to the Development Agreement (and its implementing ordinance) will not be detrimental to the public health, safety and general welfare. The approval of the Amendment extends the term of the existing Development Agreement an additional two years and will not change the obligations therein. Included are several public benefits including: undergrounding of the existing power transmission lines and related facilities; the dedication of a two-acre site for government offices or other municipal buildings and uses; senior housing; and financial contributions for DOT ATSAC systems for the area.
10. The Amendment will promote the orderly development of the subject property in accordance with good land use practice. The Amendment to extend the terms of the existing Agreement provides for comprehensive planning of the subject property and extends Porter Ranch's obligations therein.
11. The Amendment is consistent with conditions of previous discretionary approvals for the subject development, including the Porter Ranch Specific Plan, as amended (Ord. Nos. 166,068, 173872, 175070, 175,641 and 180083).
12. The Amendment is necessary to strengthen the public planning process and to reduce the public and private costs of development uncertainty.
13. Based upon the above findings, the Amendment to the Porter Ranch Development Agreement is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

California Environmental Quality Act (CEQA) Findings.

14. The subject project, log reference number ENV-2011-1312-ND, was issued a Negative Declaration by the City Planning Department, pursuant to an Initial Study that indicates that no significant impacts are apparent which might result from the project's implementation.

The original Development Agreement was evaluated for environmental impacts under Environmental Impact Report (EIR) No. 88-0026-(SP)(ZC)(PA), State Clearinghouse No. 88050420 (the "EIR"), a Program EIR which was certified by the City Council on July 10, 1990, as modified by Addendums dated April 2000, September 2000, and October 2006. The scope of the project itself has not changed nor have any conditions of the prior approval since the recording of the original Development Agreement.

DETERMINATION LETTER
CPC-1990-439-DA-M1
MAILING DATE: 01/26/15

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