

**PLANNING DEPARTMENT TRANSMITTAL  
TO THE CITY CLERK'S OFFICE**

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|---|--|--|
| <b>CITY PLANNING CASE:</b>  | <b>ENVIRONMENTAL DOCUMENT:</b>               | <b>COUNCIL DISTRICT:</b>   |
| CPC-1990-439-DA-M2  | ENV-1988-0026-SP-ZC-DA<br>(SCH No. 88050420) | 12 – Englander   |
| <b>PROJECT ADDRESS:</b>   |  |  |
| 19701 Rinaldi Street  |  |  |
| <b>APPLICANT</b>  | <b>TELEPHONE NUMBER:</b>                     | <b>EMAIL ADDRESS:</b>  |
| Porter Ranch Development Company<br>11280 Corbin Avenue<br>Porter Ranch, CA 91326<br><input type="checkbox"/> New/Changed |  |  |
| <b>APPLICANT'S REPRESENTATIVE</b>   | <b>TELEPHONE NUMBER:</b>                     | <b>EMAIL ADDRESS:</b>  |
| Planning Associates<br>Tom Stemnock<br>4040 Vineland Avenue #108<br>Studio City, CA91604                                  |  |  |
| <b>APPELLANT</b>  | <b>TELEPHONE NUMBER:</b>                     | <b>EMAIL ADDRESS:</b>  |
| N/A   |  |  |
| <b>APPELLANT'S REPRESENTATIVE</b>   | <b>TELEPHONE NUMBER:</b>                     | <b>EMAIL ADDRESS:</b>  |
| N/A   |  |  |
| <b>PLANNER CONTACT INFORMATION:</b>   | <b>TELEPHONE NUMBER:</b>                     | <b>EMAIL ADDRESS:</b>  |
| Luci Ibarra   | 213-978-1378                                 | <a href="mailto:luciralia.ibarra@lacity.org">luciralia.ibarra@lacity.org</a> |
| <b>ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION</b>  |  |  |
| Amended Development Agreement   |  |  |

**FINAL ENTITLEMENTS NOT ADVANCING:**

N/A

**ITEMS APPEALED:**

N/A

**ATTACHMENTS:**

**REVISED:**

**ENVIRONMENTAL CLEARANCE:**

**REVISED:**

- Letter of Determination
- Findings of Fact
- Staff Recommendation Report
- Conditions of Approval
- Ordinance
- Zone Change Map
- GPA Resolution
- Land Use Map
- Exhibit A - Site Plan
- Mailing List
- Land Use
- Other \_\_\_\_\_

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- Categorical Exemption
- Negative Declaration
- Mitigated Negative Declaration
- Environmental Impact Report
- Mitigation Monitoring Program
- Other \_\_\_\_\_

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**NOTES / INSTRUCTION(S):**

**FISCAL IMPACT STATEMENT:**

Yes

No

\*If determination states administrative costs are recovered through fees, indicate "Yes".

**PLANNING COMMISSION:**

- City Planning Commission (CPC)
- Cultural Heritage Commission (CHC)
- Central Area Planning Commission
- East LA Area Planning Commission
- Harbor Area Planning Commission

- North Valley Area Planning Commission
- South LA Area Planning Commission
- South Valley Area Planning Commission
- West LA Area Planning Commission

|  |                          |
|--|--------------------------|
| <b>PLANNING COMMISSION HEARING DATE:</b> | <b>COMMISSION VOTE:</b>  |
| September 28, 2017                       | 6 - 1                    |
| <b>LAST DAY TO APPEAL:</b>               | <b>APPEALED:</b>         |
| N/A                                      | N/A                      |
| <b>TRANSMITTED BY:</b>                   | <b>TRANSMITTAL DATE:</b> |
| James Williams                           | September 29, 2017       |



# LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300  
[www.planning.lacity.org](http://www.planning.lacity.org)

## LETTER OF DETERMINATION

MAILING DATE: SEP 29 2017

**Case No.: CPC-1990-439-DA-M2**

Council District: 12 – Englander

CEQA: ENV-1988-0026-SP-ZC-DA (SCH No. 88050420)

ENV-2011-1312-ND

Plan Area: Chatsworth – Porter Ranch

Related Cases: CPC-1990-439-DA; CPC-1990-439-DA-M1

**Project Site:** 19701 Rinaldi Street

**Applicant:** Porter Ranch Development Company  
Representative: Tom Stemnock, Planning Associates

At its meeting of **September 28, 2017**, the Los Angeles City Planning Commission took the actions below in conjunction with the following:

An amendment of a Development Agreement regarding Equestrian Staging Area, and to extend the term an additional 4 years.

1. **Recommended** that the City Council **find**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in EIR No. 88- 0026(SP)(ZC)(PA) SCH No.88050420 certified on July 10, 1990; and pursuant to CEQA Guidelines 15162 and 15164, and as supported by Addendums dated April 2000, September 2000, October 2006, and August 16, 2016, no major revisions are required to the EIR and no subsequent EIR, negative declaration, or addendum is required for approval of the project;
2. **Approved and recommended** that the City Council **approve** the amended Development Agreement between Porter Ranch Development Company and the City of Los Angeles adopted by Ordinance Nos. 166,068 and 171,568;
3. **Adopted** the attached Findings;

The vote proceeded as follows:

Moved: Perlman  
Second: Millman  
Ayes: Khorsand, Mack, Mitchell, Dake Wilson  
Nays: Ambroz  
Absent: Choe, Padilla-Campos

**Vote: 6 - 1**



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

**Effective Date/Appeals:** The decision of the Los Angeles City Planning Commission is final and not appealable.

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: Ordinance, Development Agreement, Findings

c: Charles Rausch Jr., Acting Chief Zoning Administrator  
Luciralia Ibarra, Senior Planner

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

An ordinance authorizing the execution of an amendment to that certain 2008 Amended and Restated Development Agreement by and between the City of Los Angeles (City) and Porter Ranch Development Company (Developer) relating to real property in the Chatsworth-Porter Ranch Community Plan area within the area covered by the Porter Ranch Specific Plan, adopted by Ordinance No. 166,068, as amended.

**WHEREAS**, the 2008 Amended and Restated Development Agreement between the City and Developer was entered into on November 30, 2015, and recorded on December 7, 2015, in the Official Records of Los Angeles County, California as Instrument No. 2015-1531116 (Amendment to the Development Agreement) after adoption by the City Council of Ordinance No. 183,579 on May 20, 2015;

**WHEREAS**, on \_\_\_\_\_, the City Planning Commission recommended that the City Council approve an amendment to the Development Agreement to extend its term an additional four years from December 31, 2017 to December 31, 2021, and to amend Section V.A.2.o.iii to locate the Equestrian Staging Area in proximity to the 118 Freeway, which Amendment is hereby incorporated by reference into the provisions of this Ordinance.

**WHEREAS**, after due notice, the City Planning Commission and the City Council did conduct public hearings on this matter;

**WHEREAS**, pursuant to California Government Code Sections 65864. Et seq., the City Planning Commission has transmitted its findings and recommendations;

**WHEREAS**, the Amendment is in the public interest and is consistent with the City's General Plan, including the Chatsworth-Porter Ranch Community Plan;

**WHEREAS**, the Amendment is hereby incorporated by reference into the provisions of this ordinance; and,

**WHEREAS**, the City Council has reviewed and considered the Amendment and the findings and recommendations of the City Planning Commission.

**NOW, THEREFORE,**

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

Section 1. The City Council finds, with respect to the Amendment, that:

(a) It is consistent with the objectives, policies and programs specified in the General Plan, including the Chatsworth-Porter Ranch Community Plan, and is compatible with the uses authorized in, and the regulations prescribed for, the specific plan and zone in which the real property is located;

(b) It will not be detrimental to the public health, safety and general welfare because it does not propose the construction of, or intensification of uses beyond those which are already permitted and covered by the Specific Plan and the Development Agreement. Furthermore, the Amendment does not modify those provisions of the Development Agreement that specifically permit application to the project of rules and regulations under Los Angeles Municipal Code Sections 57.01.01 and 91.0101 relating to public health and safety;

(c) It is desirable and beneficial to the public;

(d) It complies with all applicable City and State regulations governing development agreements;

(d) It is necessary to strengthen the public planning process and to reduce the public and private costs of development uncertainty.

Section 2. The City Council hereby approves the Second Amendment and authorizes and directs the Mayor to execute the Amendment in the name of the City of Los Angeles.

Section 3. 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 \_\_\_\_\_.

HOLLY L. WOLCOTT, City Clerk

By \_\_\_\_\_

Approved \_\_\_\_\_

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By \_\_\_\_\_  
Deputy City Attorney

Date \_\_\_\_\_

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



RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

Porter Ranch Development Co.  
11280 Corbin Avenue  
Porter Ranch, CA 91326

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AMENDMENT TO  
THE DEVELOPMENT AGREEMENT

This Amendment to Development Agreement (the “Amendment”) is entered into as of the day of \_\_\_\_\_, 2017 by and between the CITY OF LOS ANGELES, a municipal corporation (the “City”) and PORTER RANCH DEVELOPMENT COMPANY, a joint venture (“Porter Ranch”).

RECITALS

**A.** The City and Porter Ranch entered into that certain 2008 Amended and Restated Development Agreement by and between the City and Porter Ranch dated November 30, 2015, and recorded on December 7, 2015, in the Official Records of Los Angeles County, California as Instrument No. 2015-1531116 (the “Amendment to Development Agreement”) after adoption by the City Council of Ordinance No. 183579 on May 20, 2015.

**B.** The Development Agreement currently expires by its terms on December 31, 2017.

**C.** The City and Porter Ranch wish to amend the Development Agreement, pursuant to Section VII.K thereof, to modify the provisions regarding the term of the Development Agreement to extend the term an additional four (4) years to December 31, 2021, and to amend Section V.A.2.o.iii to provide for the improvement of an equestrian staging area located within 1000-foot north or south of the 118 Freeway, between De Soto Avenue to the east and Topanga Canyon Boulevard to the west.

NOW, THEREFORE, the City and Porter Ranch hereby agree to amend the Development Agreement as follows:

1. Section VII.J is hereby deleted and replaced in its entirety as follows:

VII.J. Term.

The term of this Amended Agreement (“Term”) shall commence on the Effective Date and shall expire on December 31, 2021, unless said Term is otherwise terminated, modified or extended by circumstances set forth in this Amended Agreement or by mutual consent of the parties hereto. Following the expiration of this Term, this Amended Agreement shall terminate and be of no further force and effect; provided, however, that this termination shall not affect any right or duty arising from entitlements or approvals, including the Project Approvals on the Project Site approved concurrently with, or subsequent to, the Effective Date of this Amended Agreement. The Term of this Amended Agreement shall automatically be extended for the period of time of any actual delay resulting from any enactments pursuant to Sections IV.B.1 and IV.B.2 and moratoria pursuant to Section VI.C.

2. Section V.A.2.o.iii is hereby deleted and replaced in its entirety as follows:

V.A.2.o.iii **Equestrian Staging Area.** Prior to or concurrent with the issuance of a certificate of occupancy for a building permit for a Project located south of the 118 Freeway, Porter Ranch shall provide for the improvement of an equestrian staging area located within 1000-feet north or south of the 118 Freeway, between De Soto Avenue to the east and Topanga Canyon Boulevard to the west, at a location identified and provided by the City of Los Angeles, in consultation with the affected Council office(s). The improvement of property as an equestrian staging area may be used as a set-off against the requirements of Section 17.12 of the Los Angeles Municipal Code for dedication of real property for park and recreational purposes, or for payment of an in lieu fee, in connection with the construction of any and all dwelling units within the Specific Plan Area.

3. If any provision of this Amendment should be determined by a court to be invalid or unenforceable, the remaining provisions of this Amendment shall remain in full force and effect and continue to be binding on both parties.

Except as amended herein, the Development Agreement remains in full force and effect.

[SIGNATURES TO FOLLOW ON NEXT PAGE]

Remainder of page intentionally left blank.

IN WITNESS WHEREOF, the parties have each executed this Amendment as of the date first above written,

APPROVED AS TO FORM:

\_\_\_\_\_, 2017

By: Deputy City Attorney

By: \_\_\_\_\_  
ERIC GARCETTI, Mayor

ATTEST:  
HOLLY L. WOLCOTT, City Clerk

By: \_\_\_\_\_

PORTER RANCH DEVELOPMENT COMPANY, a  
California joint venture

By: \_\_\_\_\_  
Name: Frank Su  
Title: Division Vice President

By: PRD Investors, Inc., a Delaware  
Corporation, General Partner

By: \_\_\_\_\_  
Name: Frank Su  
Title: Division Vice President

## FINDINGS

1. Pursuant to State Government Code Section 65868 et seq., a development agreement may be amended by mutual consent of the parties.
2. The City of Los Angeles ("City") 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, on November 19, 1992, the City Planning Commission adopted new guidelines for the processing of development agreement applications (CPC No. 86-404 MSC).
3. In accordance with Section 12.32 of the LAMC and California Government Code Section 65867, notification in the form of approximately 3,709 notices, within a 500 foot radius of the Project Site, were mailed out on July 18, 2017 to all occupants and property owners, neighborhood council and others as identified in the mailing affidavit located in the administrative record. Further, notice of the public hearing was posted on the project site on August 4, 2017 identified in the proof of posting located in the administrative record.
4. Pursuant to Section 65867.5 of the Government Code, the proposed Second Amendment to Development Agreement is consistent with the objectives, policies, and programs specified in the City of Los Angeles General Plan, including the Chatsworth-Porter Ranch Community Plan adopted by City Council on September 4, 1993 (CF 91-1045-43). Orderly development of the Project Site is further governed by the Porter Ranch Land Use/Transportation Specific Plan adopted by City Council of July 10, 1990 (CF 86-2001-S2).
5. The Transportation Element of the General Plan (adopted by City Council on January 16, 2016) will not be affected by the recommended action herein. The amendment request is to amend the provisions of public benefits, expanding the location by which an equestrian staging area can be located, and extending the term an additional 4 years, to expire on December 31, 2021. This amendment is administrative and technical in nature and will have no impact on the previously approved project under Environmental Impact Report ENV-2007-254-EIR (State Clearinghouse No. 2007971036) certified by the City Council on November 14, 2012, or the Transportation Element of the General Plan. The scope of the project has not changed. The proposed Amendment to the Development Agreement will not be detrimental to the public health, safety and general welfare. Approval of the Second Amendment to the Development Agreement will promote the expeditious delivery of public benefits and is therefore consistent with the Transportation Element.
6. The proposed Amendment to Development Agreement complies in form and substance with all applicable City and State regulations governing development agreements.
7. Based upon the above Findings, the proposed Amendment to Development Agreement is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

### CEQA Findings

1. **Environmental Finding.** An Environmental Impact Report (EIR 88-0026-(SP)(ZC)(GPA) and related Addenda was prepared to analyze the potential environmental effects that could result from the construction of the project as adopted by the Specific Plan, as amended in 2006. The EIR identified mitigation measures, monitoring measures when

necessary, and alternatives which would mitigate the negative environmental effects of the project. Four other Addenda to the Certified EIR were prepared and adopted in conjunction with previous amendments to the Specific Plan (the Specific Plan was amended on the following dates: May 17, 2001, March 9, 2003, December 29, 2003, and September 9, 2008). The most recent Specific Plan Amendment modified the scope of the project by proposing a 4,000 square foot community room in lieu of a 2 acre site, government buildings, and library, as well as additional signage.

Staff is recommending the City Planning Commission find that based on the whole of the administrative record, that the previously certified Final Environmental Impact Report ("Final EIR") No. 88-0026-(SP)(ZC)(GPA) SCH No. 88050420 (previously certified on July 10, 1990), and previously adopted addendums are adequate environmental clearances when considering the proposed amendment to the term to the Development Agreement and language regarding the required equestrian staging area, and in exercising its independent judgment, determine that based upon substantial evidence that (1) no minor technical changes or additions to the Final EIR are necessary (Guidelines Section 15164(b)); and that (2) none of the conditions described in CEQA Guidelines, Section 15162 calling for the preparation of a subsequent EIR have occurred. Specifically, Staff recommends that City Planning Commission find that there are no substantial changes to the project or to the circumstances under which the project will be undertaken, and no new information has been submitted that was not available at the time the Final EIR was certified, or when previous addenda were prepared, that would require a subsequent EIR or major revisions to the Final EIR.