



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT

City Planning Commission

Date: August 25, 2016
Time: After 8:30 A.M.*
Place: Van Nuys City Hall
Council Chambers, 2nd Floor
14410 Sylvan Street
Van Nuys, California 91401

Public Hearing: July 13, 2016
Design Review Board: June 13, 2016
Appeal Status: Specific Plan Amendment is appealable by Applicant to City Council if disapproved in whole or in part. Conditional Use, Design Review, Project Permit Compliance, and Site Plan Review are appealable to the City Council by any party.
Expiration Date: September 26, 2016
Multiple Approval: Yes

Case No.: CPC-2016-837-SP-MCUP-DRB-SPP-SPR
CEQA No.: EIR 88-0026(SP)(ZC)(PA) (State Clearing House No. 88050420; ENV-1998-26-EIR) Addendum
Incidental Cases: CPC-2016-838-DA
Related Cases: DIR-2016-1555-DRB-SPP-SPR
Council No.: 12
Plan Area: Chatsworth – Porter Ranch
Specific Plan: Porter Ranch Land Use/Transportation
Certified NC: Porter Ranch
Zone: [Q]C2-2D, (T)C4-2D, [T]C2-2D, and A1-2D
Applicant: John Love / Shapell Liberty
Representative: Kyndra Casper / Liner, LLP

PROJECT LOCATION: 11401 – 11405 North Porter Ranch Drive and 20200 West Rinaldi Street

PROPOSED PROJECT: The construction, use, and maintenance of a new 345,295 square foot shopping center on two sites located on the northern and southern side of Rinaldi Street. The northern portion of the project will consist of 221,804 square feet of commercial space consisting of a grocery store, movie theater, restaurant, and retail. There will be 1,236 vehicular parking spaces and 100 bicycle parking spaces. The southern portion of the project will consist of 48,941 square feet of medical office, 12,045 square feet of retail and restaurant uses, and a 57,775 square foot hotel with 120 guest rooms and multi-purpose rooms. There will be 499 vehicular parking spaces and 39 bicycle parking spaces.

- REQUESTED ACTION:**
- 1) Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, review and consider the Addendum to the previously certified Subsequent Final EIR SCH No. 88050420;
 - 2) Pursuant to LAMC Section 11.5.7-G, a Specific Plan Amendment to permit a 4,000 square foot community room in lieu of a library and other municipal facilities and to amend the signage provisions to permit a digital display pole sign, information signs, and identification signs;
 - 3) Pursuant to LAMC Section 12.24-W,1, a Master Conditional Use Permit for the sale of alcoholic beverages for on- and/or off-site consumption for a total of twenty-four (24) establishments:
 - a. One (1) venue for on-site and off-site consumption for a full line of alcoholic

- beverages sales in conjunction with a grocery with in-store dining and beverage services;
- b. One (1) venue for on- and off-site consumption of a full line of alcoholic beverages in conjunction with an on-site brewery/microbrewery;
 - c. Eight (8) venues for on-site consumption for a full line of alcoholic beverages in conjunction with eight (8) restaurants;
 - d. Eleven (11) venues for on-site consumption for beer and wine sales in conjunction with eleven (11) restaurants and eating establishments;
 - e. One (1) venue for on-site consumption of beer and wine in conjunction with a microbrewery/restaurant;
 - f. One (1) venue for on-site consumption of a full line of alcoholic beverages in conjunction with a movie theater with food service and bar/lounge; and
 - g. One (1) venue for consumption of a full line of alcoholic beverages on site in conjunction within the hotel, consisting of a restaurant, room service, and in-room mini-bars/portable bars.
- 4) Pursuant to LAMC Section 16.50-E,3 and 11.5.7-C, a Director's Determination for Design Review and Project Permit Compliance for the Porter Ranch Land Use/Transportation Specific Plan;
 - 5) Pursuant to Los Angeles Municipal Code Section 16.05, Site Plan Review for a project that creates, or results in an increase of 50,000 gross square feet or more of nonresidential floor area and creates, or results in an increase of 50 or more guest rooms.

RECOMMENDED ACTIONS:

- 1) **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 the addendum dated August 16, 2016, no major revisions are required to the EIR and no subsequent EIR is required for approval of the project;
- 2) **Approve and Recommend** that the City Council adopt a **Specific Plan Amendment** to the Porter Ranch Land Use/Transportation Specific Plan to permit a 4,000 square foot community room in lieu of a library and other municipal facilities;
- 3) **Deny the Specific Plan Amendment** to the Porter Ranch Land Use/Transportation Specific Plan to permit a digital display pole sign within the A1-2D Zone;
- 4) **Approve and Recommend** that the City Council adopt a **Specific Plan Amendment** to the Porter Ranch Land Use/Transportation Specific Plan to permit signage that is otherwise not permitted within the Specific Plan;
- 5) **Approve a Master Conditional Use Permit** for the sale of alcoholic beverages for on- and/or off-site consumption for a total of twenty-four (24) establishments;
- 6) **Approve the Design Review Determination and Project Permit Compliance** in compliance with LAMC Sections 16.50-E,3, 11.5.7-C and Section 10 of the Porter Ranch Land Use/Transportation Specific Plan;
- 7) **Approve the Site Plan Review** for a project that creates, or results in an increase of 50,000 gross square feet or more of nonresidential floor area and creates, or results in an increase of 50 or more guest rooms;
- 8) **Adopt** the attached Findings;

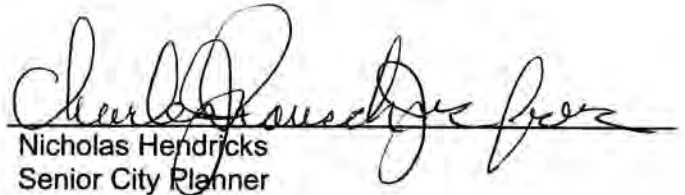
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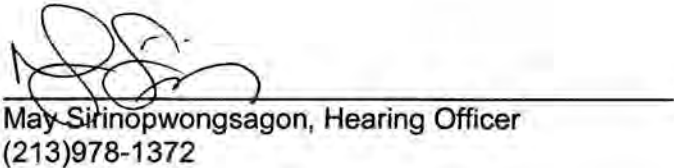
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- 9) **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring; and
- 10) **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Game Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

VINCENT P. BERTONI
Director of Planning


Charles J. Rausch
Associate Zoning Administrator


Nicholas Hendricks
Senior City Planner


May Sirinopwongsagon, Hearing Officer
(213)978-1372

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 532, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1295.

PROJECT ANALYSIS

Project Summary

Project

The construction, use, and maintenance of a new 345,295 square foot shopping center on two sites located on the north and south sides of Rinaldi Street on the western side of Porter Ranch Drive.

The site located on the north side of Rinaldi Street, to be referred to as the Northern Site, would consist of 221,804 square feet of commercial space consisting of a grocery store, movie theater, restaurant, and retail. Additionally, a 4,000 square foot community room is proposed as part of the center. There will be 1,236 vehicular parking spaces and 100 bicycle parking spaces.

The site located on the south side of Rinaldi Street, to be referred to as the Southern Site, would consist of 48,941 square feet of medical office, 12,045 square feet of retail and restaurant uses, and a 57,775 square foot hotel with 120 guest rooms and multi-purpose rooms. There will be 499 vehicular parking spaces and 39 bicycle parking spaces.

Amendment to the Porter Ranch Land Use/Transportation Specific Plan

The proposed amendment to the Porter Ranch Land Use/Transportation Specific Plan consists of two amendments:

1. Providing a 4,000 square foot community room in lieu of the dedication of a 2 acre site and the construction of a government building, municipal buildings, including a public library; and
2. Signage as it pertains to the proposed development.

The proposed 345,295 square foot shopping center is allowed within Subarea II of the existing Community Center Area regulations of the Specific Plan. As the Development Agreement required that the 2 acre site, government buildings, and public library be dedicated and constructed within either Subarea I, II, III, or IV, the applicant has requested an amendment to permit the construction of a community room within Subarea II. The community room is proposed as part of the shopping center.

Background

Project Site

The project site is a vacant, irregularly shaped site that is located on the northwestern and southwestern corners of Porter Ranch Drive and Rinaldi Street. The Northern Site is approximately 24 acres and the Southern Site is approximately 11 acres. The project site is located within the Chatsworth – Porter Ranch Community Plan and is located within the Porter Ranch Land Use/Transportation Specific Plan. The Northern Site has a land use designation of Community Commercial and is zoned primarily [T]C4-2D, a portion of the site along Rinaldi Street is zoned (T)C4-2D. The Southern Site has a land use designation of Community Commercial and Minimum Residential and is [T]C2-2D, [T]C4-2D, and A1-2D. The portion of the site that is designated as Minimum Residential is zoned A1-2D is located along the southern edge of the site, adjacent to the 118 freeway.

The Specific Plan is comprised of three areas: Community Center, Single Family, and Open Space/Public Facilities. The areas are further divided into subareas, where the boundaries of the subareas are intended to correspond with boundaries of the future recorded tract and parcel maps. The site is located primarily within Subarea II of the Community Center area and within the commercially zoned portions of the site. The project does propose to construct a digital display pole sign within the A1-2D zone that is located within Subarea IV of the Community Center area.

EIR 88-0026(SP)(ZC)(PA) (SCH No. 88050420) and Subsequent Addenda

In conjunction with the proposed Porter Ranch Land Use/Transportation Specific Plan, Environmental Impact Report (EIR) No. 88-0026-(SP)(ZC)(PA), State Clearing House No. 88050420, was prepared to determine the environmental impacts of the proposed project (the Specific Plan). The City Council certified the EIR on July 10, 1990 and adopted a mitigation monitoring and reporting program. Additionally, the City Council adopted a statement of overriding considerations for the following impacts: Earth (Seismicity), Earth (Grading), Air Quality (Mobile and Stationary), Air Quality (Meteorology), Water (Surface Water Runoff/Hydrology/Flood Hazard), Plant Life, Animal Life, Light (Artificial), Land Use-General Plan Elements (Equestrian and Bike Trails), Transportation and Circulation (Traffic), Public Services (Police Protection), Public Services (Schools), Energy Conservation, Utilities (Water Conservation), Utilities (Sanitary Sewers), Utilities (Water Conservation), Utilities (Solid Waste and Disposal), and Aesthetics/View. On December 21, 1990, the trial court ruled that the Final Supplemental EIR (FSEIR) was adequate, the ruling subsequently became final.

Subsequent to the adoption of the Specific Plan and certification of the EIR, there were numerous amendments to the Specific Plan. Three addenda were prepared (1990, 2000, and a second one in 2000) to analyze requested amendments to the Specific Plan as it related to the amount of wetlands identified in the Specific Plan and additional senior housing. The addenda were prepared to analyze requested amendments to the Community and Specific Plan. The amendment to the Community Plan were approved by the City Council on November 21, 2000 and the amendments to the Specific Plan, zoning and Development Agreement, were approved by City Council on March 28, 2001.

In 2006, an amendment to the Specific Plan was requested to amend various sections of the Specific Plan as well as the Development Agreement between the City and Porter Ranch Development Company. The amendments included allowing additional types of residential uses within certain subareas, the reduction of non-residential floor area, reductions in lot area requirements and other development requirements for the Single Family Area, and modifications to the requirements of the public benefits as part of the Development Agreement. An addendum, dated October 2006, was prepared which analyzed the impacts of the project under the Specific Plan, as amended in 2001, and the proposed amendments to the Specific Plan. The City Planning Commission considered the addendum, and found and determined that based on substantial evidence that no subsequent or supplemental EIR was required pursuant to CEQA Guidelines Section 15162 or 15163. Additionally, it concluded that the amendments were minor in scope and did not exceed the scope of the original FSEIR.

The addendum, dated August 2016, prepared for the proposed "modified project" analyzes the impacts of the project under the Specific Plan, as amended in 2006, and the proposed "modified project" per the Specific Plan. The scope of the "modified project" consists of the following:

1. Providing a 4,000 square foot community room in lieu of the dedication of a 2 acre site and the construction of a government building, municipal buildings, including a public library; and
2. Signage as it pertains to the proposed development

The applicant proposes to construct the 4,000 square foot community room as part of the proposed 345,295 square foot shopping center within Subarea II of the Community Center Area. The proposed shopping center was previously analyzed as part of the Certified EIR and Addenda.

Project

The project proposes to develop the vacant site with a new commercial center to provide services and amenities to the residents of the community. The Northern Site is proposed to be developed with 221,804 square feet of commercial space. Proposed uses include a grocery store, a movie theater, and various retail and restaurant uses. The project proposes to provide 1,236 vehicular parking spaces and 100 bicycle parking spaces. The primary driveway will be located at the center of the site along Rinaldi Street. Secondary driveways are located at the southwest corner of the site along Rinaldi Street and at the northern end of the site along Porter Ranch Drive. The secondary driveway along Rinaldi Street could be used to access the proposed residential development to the north of the site. However, guests of the proposed residential development would only be able to use the secondary driveway to exit the site.

The Northern Site has been designed to create a "main street" along the primary driveway. The driveway will be flanked by commercial buildings on both sides which vary in height from 20 to 30 feet. The central driveway will be improved with pedestrian pathways and the central portion of the driveway will have parking. The driveway leads to a central common area, designated as the "town green." The "town green" is intended to act as a centralized community gathering space in conjunction with the main central driveway. The project proposes to utilize the space to serve multiple functions, such as providing a space for outdoor events for the community. The main commercial development is located to the northern portion of the site, with parking and landscaping located behind the buildings. The buildings will be one- to two-stories, with tenant spaces varying in size to allow for a mixture of tenants. Additionally, the project proposes to construct smaller commercial buildings at the southeast and southwest corners of the site.

As part of the development, the project proposes to construct and maintain a 4,000 square foot community room on the second floor of Building A4, which is located to the northeast of the "town green." The community room is proposed to have an outdoor patio as well.

The Southern Site is similarly designed to have the primary driveway located towards the center of the site along Rinaldi Street. The site is proposed to be developed with 12,045 square feet of general retail and restaurant uses, which will be located within two buildings located along Rinaldi Street on either side of the primary driveway. A 120 guest room hotel is proposed to be developed on the western portion of the site and a three-story medical office building is proposed on the eastern portion of the site. The site will provide 499 vehicular parking spaces and 30 bicycle parking spaces.

Surrounding Properties

To the north of the project site, the applicant is proposing to develop 266 dwelling units with 514 vehicular parking spaces, 155 bicycle parking spaces, and 90,546 square feet of common area open space. While the projects were designed in consideration of one another, such as for

pedestrian and vehicular access purposes, the development of the site is a separate development from the subject commercial development.

Surrounding properties to the north, east, and west are zoned C4-2D and are located within Subarea II of the Community Center area of the Specific Plan. The properties are developed with a senior, affordable housing development and multi-family residential developments. The northeast corner of Porter Ranch Drive and Rinaldi Street is developed with a commercial center consisting of various retail and restaurant uses.

The southern portion of the Southern Site is surrounded by A1-2D zoned property. The site is currently vacant and is located within Subarea IV of the Community Center area. The area is designated for residential uses permitted in the A1 zone, parking, and public or quasi-public uses as.

Streets and Circulation

Porter Ranch Drive is a designated Avenue II with an approximate width of 110 feet at the project's street frontage, and is improved with sidewalks, curb and gutter, and street trees. Portion of the street is improve with a landscaped median.

Rinaldi Street is a designated Avenue I and is dedicated to a varying width of 100 to 115 feet and is improved with sidewalks, curb and gutter, and street trees. Portions of the street is improved with a landscaped median.

California State Route 118 (Ronald Reagan Freeway) is located approximately 163 feet to the south of the project site.

Relevant Cases

Case No. CPC-2006-8999-GPA-ZC-SP: On October 19, 2007, the City Planning Commission accepted the applicant's withdrawal for a General Plan Amendment and Zone Change, approved and recommended that the City Council adopt an amendment to the Porter Ranch Specific Plan and to the development agreement.

Case No. CPC-2002-5138-SP: On May 22, 2003, the City Planning Commission approved an amendment to the Porter Ranch Specific Plan to amend the minimum lot width requirements for single family developments.

Case No. CPC-1990-439-DA-M1: On January 26, 2015, the City Planning Commission approved and recommended that City Council adopt an amendment to the development agreement to extend the term by an additional 2 years from its current expiration date of December 31, 2015 to December 31, 2017.

Case No. TT-54154-M1: On December 30, 2015, the Advisory Agency approved a modification of the previously approved TT-54154 for a maximum seven (7) lot commercial subdivision plus 1 quasi-public open space lot as show on a map stamp-dated July 24, 2015 for a property located at 20200 Rinaldi Street.

Case No. DIR-2015-2477-ZBA: On December 30, 2015, the Director of Planning approved a Zone Boundary Adjustment to allow an exchange of approximately 63,594 square feet from A1-2D zone to [T]C4-2D zone and approximately 38,649 square feet from [T]C4-2D zone to A1-2D zone as depicted on Exhibit A, dated December 22, 2015.

Case No. DIR-2016-1555-DRB-SPP-SPR: On May 3, 2016, the applicant filed an applicant for the development of 266 dwelling units with 514 vehicular parking spaces, 155 bicycle parking spaces, and 90,546 square feet of common area open space.

Surrounding Properties:

Case No. ZA 2015-3947(CUB): On February 3, 2016, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with a proposed restaurant in the C2-2D zone located at 19953 West Rinaldi Street.

Case No. ZA 2003-2890(CUB): On September 12, 2003, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption for a property located at 11400 Porter Ranch Drive.

Case No. ZA 2000-4971(CUB): On August 10, 2001, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed TGI Friday restaurant located at 19941 Rinaldi Street.

Case No. DIR-2014-1409-DRB-SP: The Director of Planning, based upon the recommendation of the Porter Ranch Design Review Board, approved a Project Permit Compliance and Design Review to allow for the re-design of 88 yet to be developed units located on the eastern and northern side of the subject property located at 20305 West Avenida Alegre.

Public Hearing

A public hearing on this matter with the Design Review Board was held at the Porter Ranch Community School on Monday June 13, 2016 (see Public Hearing and Communications, Page P-1).

A public hearing on this matter with the Hearing Officer was held at City Hall on Wednesday, July 13, 2016 (see Public Hearing and Communications, Page P-1).

Issues

Commercial Shopping Center

The applicant is proposing to develop two vacant sites with a new commercial center that would include a hotel and medical office building. The project is consistent with the square footage permitted by the Specific Plan in Subarea II of the Community Center area.

Generally, comments about the proposed development have been supportive and indicating that the project would bring services and amenities to the area. Many residents indicated that they were often driving out to different centers outside of the community and that they would no longer have to do that with this development. Comments have included statements that the site has long been vacant and that the residents are looking forward to having the development.

Comments in opposition to the project raised questions about the need for twenty-four establishments with the sale of alcoholic beverages within the development. Comments in opposition were not necessarily in regards to the development itself, but the requested entitlement to amend the Specific Plan and the Development Agreement to provide the community room in lieu of the dedication of a 2 acre site and the construction of government

buildings and library. Comments in opposition are discussed in further detailed under the specific issues.

Signage

As part of the proposed project, the project will provide signage throughout the entirety of the site, which includes signs for the name of the development, tenants, and wayfinding. The types of signs include wall signs, roof signs, banner signs, projecting signs, identification signs, information signs, monument signs, and a pole sign. The types of signs proposed are generally permitted within commercially zoned properties, provided that they meet the regulations of the Los Angeles Municipal Code (LAMC).

The Specific Plan regulates prohibited and permitted signage, as well as regulating the number, size, and locations of the signs. The Specific Plan does not expressly prohibit certain types of signs, it also does not expressly permit them as well, such as identification and informational signs. The applicant has requested an amendment to the Specific Plan to consider additional types of signage that would be permitted by right pursuant to LAMC.

The project proposes to construct a pole sign that is approximately 54 feet in height and 27 feet wide. The pole sign would consist of panel signs, as well as a 25-foot by 22-foot digital display. The pole sign is currently proposed within the A1-2D zone, which is in Subarea IV of the Community Center area. Development within Subarea IV is intended to be limited to residential uses permitted within the A1 Zone, open space, public and quasi-public uses, or incidental parking. As proposed, the pole sign would not be permitted within the Specific Plan or by LAMC due to its size and the location within the A1 zone. As part of the amendment, the applicant has requested to permit the digital pole sign within the A1-2D zone within Subarea IV.

Planning Staff has recommended modifications to the requested amendment to the Specific Plan as it relates to the signage for the proposed project. The recommended modifications include defining the project site as "The Village" within the Specific Plan and establishing a process in which a master sign plan is submitted and approved for the project. The master sign plan would identify the number, size, and location of all signage within the development. Additionally, staff recommends an amendment to Section 12 Other Approvals to allow for a Director's Sign-Off for any sign permits for signs approved as part of the master sign plan.

Community Center, Library, and Public Facilities

As part of the Development Agreement, the Specific Plan includes provisions for the dedication of a 2 acre site within the Community Center Area for the development of government offices or other municipal buildings and uses, including a public library facility. The applicant has requested an amendment to the Specific Plan to coincide with a proposed revised Development Agreement to permit the construction of a 4,000 square foot community room. The community room would be in lieu of the requirements to dedicate a 2 acre site and construct the government buildings and public library.

At the Design Review Board (DRB) meeting, members of the public raised concerns about the loss of the two acre site, public library, and that the community room was not necessary.

At the public hearing before the Hearing Officer, members of the public made the following comments and concerns:

- The 2 acre site and public library should not be amended for a community room

- The 2 acre site could be dedicated and used for open space or should remain vacant until it can be developed with the library and government buildings
- Needs more open space and not another community room
- The community should be part of the discussion for changes to the Development Agreement
- There are a lack of schools, hospitals, child care services, and other services that are needed in the area in lieu of the community room
- Operations and maintenance of the community room are unknown
- There is already a requirement for a Community Meeting Facility

The Hearing Officer clarified that the applicant is not required to construct a school, hospital, or other services; however, that at the time of building permit process the applicant would be required to pay school fees. Although the project does not propose to construct a hospital, the project does include the construction, use, and maintenance of a medical office building. The applicant indicated that the amendment to provide a community room in lieu of the library and other municipal facilities was the result of discussions with the Council Office. A Motion was adopted on December 8, 2015, Council File No. 15-1367, for the Planning Department to initiate a Specific Plan Amendment as it pertains to community space and signage. The applicant indicated that there is an existing public library located at 11371 Tampa Avenue, approximately 2 miles from the project site. The proposed amendment is in addition to the existing community meeting facility requirement of the Development Agreement.

In addition to the proposed amendments that would coincide with the Development Agreement, Planning Staff recommends amending Section 10 F as it relates to the design review requirement for the Library Facility to the Community Room. It should be noted that the community room has been reviewed by the DRB on June 13, 2016 as part of the entire development.

Sustainability

At the DRB meeting on June 13, 2016, members of the public made the following comments and raised the following concerns:

- The community has suffered from largest gas leak, there is a need to move towards more sustainable development
- Surface parking lot would become a heat island
- Should provide carports with solar panels, similar to the proposed residential development to the north
- Solar panels should be included as part of the construction of the buildings and not an option
- Buildings should be LEED certified
- Greywater recycling

At the DRB meeting, the applicant indicated that the medical office building was intending to seek LEED Certification, possibly LEED Gold. The remaining buildings were intended to be solar ready. The applicant stated the use of the building may require alterations to the roof for ventilation and other equipment, pre-installed solar panels may have to be moved. Additionally, the applicant indicated that tenants have generally liked to enter into their own contracts regarding solar panels. In regards to the carports for the commercial uses, the applicant indicated that due to requirements for trees and landscaping, it would not be as effective. After the public comments, the DRB recommended approval of the project as proposed and requested that the applicant consider the installation of solar panels throughout the

development. After the DRB meeting, Planning Staff requested that the applicant consider providing EV charging stations, as well as providing solar panels.

At the public hearing before the Hearing Officer on July 13, 2016, the applicant presented the project and clarified various elements of the project that were previously raised at the DRB meeting such as:

- Location and methods for recycled irrigation
- Re-confirmed that the medical office building is intended to be LEED Gold
- That tenants within the A1 and C1 have agreed to the installation of solar panels, which are the two largest roof spaces (approximately 40,000 square feet)
- Providing additional parking with EV Chargers, a total of 18 spaces
- Will have heat / drought tolerant landscaping
- The applicant reiterated that the parking lot was required to provide trees and landscaping as required by the Specific Plan

At the public hearing, members of the public indicated that they wanted to see more solar added to the project, particularly within the parking area. Some members indicated that additional buildings should be seeking LEED Certification in order to promote more sustainable development within the community. After public comment, the applicant indicated that the buildings would meet the Green Building Code requirements and may provide additional sustainable features, but would not be seeking LEED Certification.

Traffic and Parking

At the public hearing before the DRB and the Hearing Officer, members of the public indicated that the project would increase traffic in the area. Additionally, it would be possible that the project would end up serving those from outside of the community such as the center located on the eastern side of Porter Ranch Drive. A few residents of the senior residential development located north of the site indicated that crossing Porter Ranch Drive is difficult and unsafe due to the slope of the street.

At both public hearings, there were members of the public who supported the proposed project as it would bring a new commercial development to the area and develop a long vacant site. With the amenities and services, it would reduce their need to drive to developments outside of their community. A resident indicated that he often rode his bicycle and was happy to have a development that he could ride his bicycle to and that perhaps additional bicycle parking spaces could be provided. Another resident of the area indicated that he liked that the project was providing all standard size parking spaces in lieu of compact spaces, as many of the residents have full size cars.

The Hearing Officer indicated that the square footage and uses of the commercial development was previously analyzed as part of the adoption of the Porter Ranch Specific Plan and that traffic impacts were analyzed as part of the previously certified Environmental Impact Report (EIR). Additionally, the Specific Plan contains provisions of the Development Agreement as it pertains to the construction of street, circulation, and transportation demand management. The applicant indicated that they were working with the Department of Transportation in regards to installing traffic signals at the driveway entrances located at Rinaldi Street and Porter Ranch Drive.

Conclusion

Based on the information submitted, the surrounding uses, input from the public hearing, and good planning and zoning practices, the Department of City Planning recommends that the City Planning Commission approve the requested entitlements, with the exception of the request for the pole sign. As the pole sign is proposed within the A1-2D zone and Subarea IV of the Community Center Area, staff recommends that the amendment be denied. Staff recommends the approval of amendment for all other signage. The project site has long been vacant, with previously approved projects that were not constructed. The development will bring a uniformly designed development on the northwestern and southwestern corners of Porter Ranch Drive and Rinaldi Street that would complement one another. The development would provide a LEED Certified building and would provide additional sustainable features. As proposed, the project is consistent with the development regulations of the Porter Ranch Land Use/Transportation Specific Plan. As conditioned, the project would create a development that would provide services and amenities for current and future residents, as well as creating a space for social activities.

CONDITIONS OF APPROVAL

Pursuant to Section 11.5.7, 12.24-W,1, 16.05, and 16.50 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

Entitlement Conditions

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the architectural and landscape plans, renderings, and materials submitted by the Applicant, stamped Exhibit A. No change to the plans shall be made without prior review by the Department of City Planning and written approval of the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, or the project conditions.
2. **Development Agreement.** Prior to the issuance of a building permit, the Department of Building and Safety shall confirm that the public benefits, as identified in Case No. CPC-2016-838-DA, have been satisfied.
3. **Floor Area.** The combined total floor area on the project site, located at the northwest and southwest corner of Porter Ranch Drive and Rinaldi Street, shall not exceed 345,295 square feet.
 - a. The total floor area for the medical office building located on the south site shall be limited to 48,941 square feet of floor area;
 - b. The total floor area for the hotel located on the south site shall be limited to 57,775 square feet.
4. **Modifications.** Modifications which increases the square footage of building(s) or structure(s) shall be required to comply with the requirements and obtain the necessary approvals pursuant to the Porter Ranch Land Use/Transportation Specific Plan.
5. **Use.** Commercial uses shall be in compliance with the Porter Ranch Land Use/Transportation Specific Plan. The hotel shall not exceed 120 guest rooms.
6. **Setbacks.** All buildings and structures observe the minimum setbacks, consistent with the Porter Ranch Land Use/Transportation Specific Plan:
 - a. The north side of Rinaldi Street: 25 feet
 - b. The south side of Rinaldi Street: 25 feet
 - c. Porter Ranch Drive between Corbin Avenue and the 118 Freeway: 25 feet
7. **Height.**
 - a. On the north side of Rinaldi Street, commercial buildings shall not exceed a height of 40 feet;
 - b. On the south side of Rinaldi Street, non-residential building or structures may not exceed five stories or 75 feet in height.

8. Parking.

- a. Automobile parking shall be provided in conformance with L.A.M.C. Section 12.21-A,4.
- b. **Electric Vehicle Parking.** The project shall include at least twenty percent (20%) of the total Code-required parking spaces provided for all types of parking facilities, but in no case less than one location, shall be capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Of the 20% EV Ready, five (5)% of the total Code-required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the 20% or 5% results in a fractional space, round up to the next whole number. A label stating "EVCAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.
- c. Bicycle parking shall be provided in conformance with L.A.M.C. Section 12.21-A,16.
- d. A minimum of five cart collection areas shall be provided within the parking lot provided that there is a grocery store or similar tenant.

9. Landscaping.

- a. At least 50 percent of the required setback shall be landscaped.
- b. Any commercial buildings abutting a lot in a residential zone or a lot which is improved with a residential use shall have a minimum 15-foot landscaped buffer.
- c. Except as otherwise prohibited in LAMC Section 62.200, the following requirements apply. All surface parking adjoining a street shall be screened by a solid wall or a landscaped berm or landscaped screen approximately three feet in height. In addition, the wall, berm or screen shall be separated from any adjacent public right-of-way by a minimum continuous width of five feet of landscaped area. However, where the minimum continuous width of the landscaped area is at least 15 feet, no wall, berm or screen is required.
- d. All surface parking adjoining residential development shall be screened by a solid decorative wall or landscaped berm having a minimum height of six feet.

In addition, the wall or berm shall be separated from any parking area by a minimum continuous width of five feet of landscaped area. However, where the minimum continuous width of the landscaped area is at least 15 feet, no wall or berm is required.

- e. At least ten percent of the total area of every open parking lot shall be landscaped. At least one-half of the landscaped area shall be planted with non-deciduous, shade producing trees at a minimum rate of one tree for every four parking spaces. These trees shall be a minimum 24-inch box size when planted and shall be as evenly

distributed as possible throughout the parking lot. The trees chosen shall be ones that, when mature, are anticipated to shade at least fifty percent of all surface parking areas.

- f. For all required open landscaped areas there shall be at least one 24-inch box size tree planted for each 500 square feet of landscaped area. Trees required by any other paragraph of this subsection may be substituted for and shall count on a one-for-one basis against this requirement
10. **Signage.** Except as modified herein, signage shall be in substantial compliance with the approved Master Sign Plan, stamped Exhibit A-2 and dated August 16, 2016. Compliance shall be required prior to the issuance of a sign permit.
 11. **Solar-ready Buildings.** The project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.

Solar panels shall be installed on Buildings A1 and C1 on the north site, as identified on the site plan of Exhibit A.
 12. **Trash/recycling.** Trash and Recycling pick-up and emptying or disposing of trash/recycling into outside containers is permitted to occur only between the hours of 7:00 a.m. and 8:00 p.m., Monday through Friday, and 10 a.m. to 4 p.m., Saturdays and Sundays.
 - a. Trash/recycling containers shall be locked when not in use.
 - b. Trash/recycling containers shall not be placed in or block access to required parking.
 13. The applicant shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, including the sidewalk.
 14. No pay phone may be maintained on the exterior of the premises.

Conditions of Approval Related to Alcohol

15. Approved herein is a Master Conditional Use Permit for the sale of alcoholic beverages for on- and off-site consumption in conjunction with twenty-four (24) establishments, to be located in substantial conformance with Exhibit A-4:

Twelve establishments for full line alcoholic beverages:

- a. One (1) venue for on-site and off-site consumption for a full line of alcoholic beverages sales in conjunction with a grocery with in-store dining and beverage services;
- b. One (1) venue for on-site and off-site consumption of a full line of alcoholic beverages in conjunction with an on-site brewery/microbrewery;
- c. Eight (8) venues for on-site consumption for a full line of alcoholic beverages in conjunction with eight (8) restaurants;

- d. One (1) venue for on-site consumption of a full line of alcoholic beverages in conjunction with a movie theater with food service and bar/lounge; and
- e. One (1) venue for consumption of a full line of alcoholic beverages on site in conjunction within the hotel, consisting of a restaurant, room service, and in-room mini-bars/portable bars.

Twelve establishments for beer and wine:

- f. Eleven (11) venues for on-site consumption for beer and wine sales in conjunction with eleven (11) restaurants and eating establishments;
 - g. One (1) venue for on-site consumption of beer and wine in conjunction with a microbrewery/restaurant;
16. Prior to the utilization of the authorizations specified in Condition No. 14, above, the property owner or individual operator shall file a Plan Approval pursuant to Section 12.24-M of the Los Angeles Municipal Code, with the Director of Planning as the decision maker, in order to implement and utilize the Conditional Use Permit authorized for each establishment. The Plan Approval application shall be accompanied by the payment of appropriate fees and must be accepted as complete by the Department of City Planning. Mailing labels shall be provided by the applicant for all abutting owners, the Council Office, the Neighborhood Council and the Los Angeles Police Department. The purpose of the Plan Approval filing is to review each proposed venue in greater detail and tailor specific conditions for each premise including -but not limited to- hours of operation, seating capacity, size, security, the length of a term grant and/or any requirement for a subsequent Approval of Plans application to evaluate compliance and effectiveness of the conditions of approval. Conditions herein shall be incorporated into each Plan Approval unless in the opinion of the decision-maker the applicant has justified otherwise. Future operators may request beer and wine sales in lieu of a full line of alcoholic beverages when they file their Plan Approval.
17. **Prior to the effectuation of the Master Conditional Use Permit**, approval shall be obtained from the County Health Department to serve alcoholic beverages in conjunction with the proposed establishment. The applicant shall provide a copy of the Health Department approved plans to the Condition Compliance Unit to be maintained in the Case File.
18. The business operator shall maintain on the premises, and present upon request to any law enforcement officer, a copy of the Business Permit, Insurance information, and a valid emergency contact phone number used by the business.
19. Petitioner shall maintain a 24-hour hotline number for the purpose of complaints. Petitioner shall respond to citizen complaints within 24 hours. The hotline phone number shall be posted on the exterior front and rear walls of the establishment. A log containing the time, date, and nature of the complaint, and the resolution of the matter shall be maintained on the premises.
20. A laminated copy of the approved conditions shall be posted at the premises at all times and produced immediately upon request of the Police Department. All employees working in the restaurant shall be knowledgeable of these conditions and shall sign a document acknowledging receipt of these conditions.

21. Should there be a change in the ownership of the property/the establishment and/or the business operator, the property owner and the business owner/operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator, shall be submitted to the Condition Compliance Unit (CCU) in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the CCU within 30-days of the beginning day of his/her new operation of the establishment.
22. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator shall have the right to require the applicant to file a plan approval application together with the associated fees and to hold a public hearing to review the applicant's compliance with, and effectiveness of, the conditions of the grant. The applicant shall be required to submit a summary and supporting documentation demonstrating how compliance with each condition of the grant has been attained. Upon review, the Zoning Administrator may modify, add or delete conditions and reserves the right to conduct the public hearing for nuisance abatement revocation purposes if so warranted by documentation.

Administrative Conditions

23. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
24. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
25. **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 Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
26. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
27. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

28. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
29. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
30. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
31. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

In approving the instant grant, the City Planning Commission has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the City Planning Commission has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution. The City Planning Commission has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the City Planning Commission acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the City Planning Commission.

- There shall be no exterior window signs of any kind or type promoting alcoholic products.
- The alcoholic beverage license for the restaurants shall not be exchanged for "public premises" license unless approved through a new conditional use authorization. "Public Premises" is defined as a premise maintained and operated for sale or service of alcoholic beverages to the public for consumption on the premises, and in which food is not sold to the public as a bona fide eating place.

- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.
- There shall be no advertising of any alcoholic beverages visible from the exterior of the premises from the food and beverage areas within the museum, promoting or indicating the availability of alcoholic beverages.
- Alcohol sales and dispensing for on-site consumption shall only be served by employees.
- Signs shall be posted in a prominent location stating that California State Law prohibits the sale of alcoholic beverages to persons under 21 years of age. "No loitering or Public Drinking" signs shall be posted outside the subject facility.
- The venue operator, owner and the venue personnel shall at all times maintain a policy of not serving to obviously intoxicated patrons and shall take preventative measures to help avert intoxication-related problems.
- No person under the age of 21 years shall sell or deliver alcoholic beverages.
- The sale of distilled spirits by the bottle for same day or future consumption is prohibited.
- There shall not be a requirement to purchase a minimum number of drinks.
- There shall be no portable self-service bar(s) at either location. A wait person or bartender shall conduct all alcoholic beverage service, which may be from a portable bar.
- In the off-site venue, there shall not be any sale of single cans or bottles of beer, wine coolers, or malt liquor from pre-packaged 6- or 4- packs. The sale of individual cans or bottles of craft beer from 15+ fluid ounce containers is permissible.
- No sale of alcohol shall be permitted at any self-service, automated check-out station (checkout conducted primarily by the customer, with assistance by a store monitor) if such are available on the site. All sales of alcohol shall be conducted at a full-service checkout station directly attended by a cashier/checkout clerk specifically assigned solely to that station.

FINDINGS

General Plan/Charter Findings

1. **General Plan Land Use Designation.**

The project site is located within the Chatsworth – Porter Ranch Community Plan, which was adopted by the City Council on September 4, 1993. The project site is located on the western side of Porter Ranch Drive and is comprised of two sites located on the northern and southern side of Rinaldi Drive, referred to as the Northern and Southern Sites. The Community Plan designates the Northern Site with the Community Commercial land use designation, which lists the following corresponding zones: CR, C2, C4, RAS3, P, and PB. The Northern Site is zoned [T]C4-2D and (T)C4-2D, which is consistent with the land use designation. The Southern Site is designated with the Community Commercial and Minimum Residential land use designation. The Minimum Residential land use designation lists the following corresponding zones: OS, A1, A2, and RE40. The Southern Site is zoned [T]C2-2D and A1-2D, which is consistent with the land use designation.

The project site is located within the Porter Ranch Land Use/Transportation Specific Plan, which consists of three areas: Community Center, Single Family, and Open Space/Public Facilities. Each of the areas are divided into subareas where the boundaries of each subarea is intended to correspond with the boundaries of the recorded final tract map (Exhibit II of the Specific Plan). On December 30, 2015, the Advisory Agency approved a modification to tentative tract map TT-54154, for a maximum of seven lot commercial subdivision and one quasi-public open space lot. Incidental to the modification of the tract map, the Director of Planning approved a Zone Boundary Adjustment to correspond with the modified tract map. The modification of the map would adjust future lot and zone boundary lines for the south side of the project site. As such, the proposed project would be located within the commercially zoned portions of the project site and would be consistent with the specific plan regulations, zones, and land use designations.

2. **General Plan Text.** The Chatsworth – Porter Ranch Community Plan text includes the following relevant provision:

LAND USE: Commerce: The plan provides approximately 620 acres of commercial land and related parking uses. The Chatsworth Business District, Northridge Fashion Center, and the Porter Ranch Regional Center will serve as focal points for shopping, civic and social activities for the community. These commercial areas should contain professional offices, department stores, restaurants and entertainment facilities.

The project site is located within the Porter Ranch Land Use/Transportation Specific Plan and is located within the designated Community Center Area. The Specific Plan contains the following relevant provisions:

- To ensure that land use mix and intensity are balanced with infrastructure, particularly the circulation system and other public facilities;
- To ensure that the mix of residential and commercial use is balanced with the social and economic needs of the community and greater regional area and to provide flexibility to accommodate both residential and commercial uses in future market trends;
- To provide a compatible and harmonious relationship where commercial areas are contiguous to residential neighborhoods;

- To preserve and enhance community aesthetics by:
 - Signs and Lighting: Ensuring an attractive visual character of the area and establishing appropriate sign and lighting standards;
 - Landforms and Views: Preserving, protecting, or creating unique and distinctive landforms and views by requiring sensitive site design, landscaping, and by a judicious combination of retaining or reforming the natural terrain consistent with accepted principles of good grading practice and urban design.

The project proposes to develop a vacant site with a 345,295 square foot commercial shopping center which will be located on two sites. The project proposes to develop the Northern Site with 221,804 square feet of commercial space which will provide a variety of services and amenities. The project proposes to construct a grocery store, a movie theater, restaurants, and general retail tenants. The site has been designed to not only provide a center for shopping, but to provide a place for social activities for the community. The project proposes to provide a 4,000 square foot community room to be located on the Northern Site. Additionally, the project proposes to provide outdoor gathering spaces which would provide a multi-purpose function for pedestrian and vehicular access throughout the site, but could function as a space for outdoor activities such as farmer's markets.

The Southern Site will be developed with 12,045 square feet of retail and restaurant uses. In addition to the general commercial uses, the site would be developed with a three-story medical office building and a five-story hotel building. The Southern Site will provide less intensive commercial uses, while providing additional services to the community and an amenity for those visiting the community.

As proposed, the project will develop the two sites with a cohesive, unified development that is consistent with the land use designations of the Community Plan. The project has proposed a comprehensive design and has provided a comprehensive sign plan which will be utilized throughout the project site. As designed, the project is consistent with the provisions and policies of the Community Plan and Specific Plan.

3. **Framework Element.** The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following provisions, objectives and policies relevant to the instant request:

Community Centers

Objective 3.9: Reinforce existing and encourage new community centers, which accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood and community activity, are compatible with adjacent neighborhoods, and are developed to be desirable places in which to live, work and visit, both in daytime and nighttime.

The Framework Element designates the project site and surrounding areas as a Community Center. The Community Center is defined as being a focal point for

surrounding residential neighborhoods, containing a diversity of uses. As proposed, the construction of the commercial center would be located within the commercially designated and zoned portion of the site. The construction of the proposed commercial center would develop a long vacant site, surrounded by residential development, and would provide services and amenities such as: a new medical office, grocery store, movie theater, and a hotel. Additionally, the commercial center would locate new retail and restaurant tenants within proximity to existing residential development. The development includes outdoor gathering places to allow for outdoor dining and activities such as farmer's markets. As proposed, the project is consistent with the objectives of Community Centers.

4. **The Mobility Element.** The Mobility Element (Mobility Plan 2035) of the General Plan is not likely to be affected by the recommended action herein. The project site is located within the Porter Ranch Land Use/Transportation Specific Plan contains regulations pertaining to the construction and development of streets within the area. Additionally, the improvement of the streets within the Specific Plan were part of the improvement requirements that were assured by the Development Agreement. The project would be required to comply with improvement requirements which may not have been completed at this time as required by the Specific Plan and the Development Agreement. The project would be required to comply with the requirements of the Bureau of Engineering, Department of Transportation, and the Bureau of Street Lighting.
5. **The Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.
6. **Charter Finding – City Charter Finding 556.** When approving any matter listed in Section 558, such as a legislative action amending a specific plan, the City Planning Commission and the Council shall make findings showing that the action is in substantial conformance with the purposes, intent and provisions of the General Plan. If the Council does not adopt the City Planning Commission's findings and recommendations, the Council shall make its own findings.

The project site is located within the Chatsworth – Porter Ranch Community Plan and is located within the Porter Ranch Land Use/Transportation Specific Plan. The entire site has a land use designation of Community Commercial and Minimum Residential and is zoned [T]C4-2D, (T)C4-2D, [T]C2-2D, and A1-2D. The commercially zoned portions of the site correspond with the Community Commercial Land Use Designation, while the A1-2D zoned portion of the site corresponds with the Minimum Residential Land Use Designation. The construction, use, and maintenance of the shopping center will be located primarily within the commercially zoned portions of the site. The project proposed to construct a digital display pole sign within the A1-2D, located at the southern end of the site that is south of Rinaldi Street, facing the 118 freeway.

The amendment to the Porter Ranch Land Use/Transportation Specific Plan is consistent with the General Plan as discussed in Section 1-5 above. It is also consistent with the General Plan because it requests to permit the development of a community room within the commercial center in lieu of the dedication of a 2 acre site and the construction of a library and other municipal buildings. The construction, use, and maintenance of a

community room is consistent with the zone and land use designation of the site. Additionally, the amendment requests to amend the signage regulations to permit identification and wayfinding signs that are permitted by the Zoning Code, but are not expressly permitted by the Specific Plan. Tenant identification signage and wayfinding signs are permitted signs within the commercially zoned properties. As indicated in LAMC Section 14.4.1, the objective of providing signage is to ensure that both the public and sign users will benefit from signs having improved legibility, readability and visibility. However, the project proposed to construct a digital display pole sign, which would be located within the A1-2D Zone and would face the 118 Freeway. Although pole signs are permitted within the Specific Plan, the height, area, and location of the proposed pole sign would exceed the regulations of the Specific Plan. Additionally, pole signs are not permitted within the A1-2D and would therefore not be consistent with the provisions of the General Plan.

7. **Charter Finding – City Charter Finding 558.** The proposed Amendment to the Porter Ranch Land Use/Transportation Specific Plan will be in conformance with public necessity, convenience, general welfare and good zoning practice as discussed in Section 9 of this report below.

The proposed amendments consists of two amendments to the Porter Ranch Land Use/Transportation Specific Plan. The first amendment is to Section 9.I as it relates to Development and Improvements to be assured by the Development Agreement(s), specifically the dedication of a 2 acre site, the construction of government buildings, municipal buildings, and a public library. The amendment to the Specific Plan is in conjunction with the modification of the Development Agreement. The applicant proposes to provide a 4,000 square foot community room to be located within the Northern Site. The community room would provide a space to engage and promote civic and social activities, consistent with the goals and objectives of the Community Centers. As the community room would be located within an accessible shopping center, the community center would be accessible and usable by the public at all times. Additionally, the community room is consistent with the existing zone and land use designation.

The second amendment is to amend Section E as it relates to permitted signage within the Community Center Area. Presently, the Specific Plan permits signage that is typical to commercial developments. However, it does not take into consideration various types of signage that are defined within the LAMC. The amendment would permit additional types of signage which would be allowed by right pursuant to the LAMC. The signage would promote wayfinding and identification within a commercial development. As such the amendments would be in conformance with public necessity, convenience, general welfare and good zoning practice.

Entitlement Findings

8. **Specific Plan Amendment Findings.** Pursuant to Section 12.32-C of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

The amendment to the Specific Plan would permit the development of a community room as part of the proposed commercial center to be located within Subarea II of the Community Center Area of the Porter Ranch Specific Plan. Additionally, the amendment would permit additional types of signs within the Specific Plan which would allow for increased wayfinding and identification signage within the development.

Community Room:

- a. Public Necessity, Convenience, and General Welfare: The proposed 4,000 square foot community room would be located on the Northern Site of the project site. It would be located within the Community Center Area of the Specific Plan. The community room would provide a service and amenity to local residents by creating an accessible space which would promote civic and social activities. The community room would be developed as part of a larger shopping center that would provide a variety of services and amenities for local residents such as a grocery store, a movie theater, hotel, and medical office in conjunction with general retail and restaurant uses. As the community room would be located within the shopping center, it would be easily accessible and would provide a variety of options for events that could occur there due to the proposed design. As the community room is proposed to be located on the second floor of a building overlooking the "town green," events and activities would be able to use the outdoor space, and create a more engaging environment.
- b. Good Zoning Practice: As previously discussed, the Framework Element contains the following objective as it pertains to the project site:

Community Center:

Objective 3.9: Reinforce existing and encourage new community centers, which accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood and community activity, are compatible with adjacent neighborhoods, and are developed to be desirable places in which to live, work and visit, both in daytime and nighttime.

Additionally, the Chatsworth – Porter Ranch Community Plan contains the following provision:

LAND USE: Commerce: The plan provides approximately 620 acres of commercial land and related parking uses. The Chatsworth Business District, Northridge Fashion Center, and the Porter Ranch Regional Center will serve as focal points for shopping, civic and social activities for the community. These commercial areas should contain professional offices, department stores, restaurants and entertainment facilities.

The construction, use, and maintenance of a 4,000 square foot community room would be consistent with the objectives of the Framework Element as it relates to the development of areas considered to be Community Centers. Additionally, as the community room would be located within the proposed shopping center, it would be centrally located and accessible to residents within the community. It would serve to help promote civic and social activities within the center, consistent with the provisions and objectives of the Framework Element and Community Plan.

Pole Sign - Disapprove:

The applicant proposes to construct a digital display pole sign within the A1-2D zone, which is located within Subarea IV of the Community Center. Currently, pole signs are permitted within the Specific Plan provided that the height not exceed 20 feet in height and that the area of each face may not exceed 75 square feet. Additionally, pole signs are permitted along the street frontage of the lot. The Specific Plan is silent in regards to digital displays. The proposed pole sign would have a maximum height of approximately 54 feet and width of 27 feet, with a sign area total of 2,008 square feet.

The sign is not proposed to be located along the street frontage, but would be located facing the 118 freeway. As the sign is located within the A1-2D zone, it would not be permitted by right per the LAMC. As such, the recommended denial is deemed consistent with the public necessity, convenience, general welfare and good zoning practice.

All other signs:

- a. Public Necessity, Convenience, and General Welfare: The project proposes to install various types of signs throughout the development for the purposes of wayfinding and identification. Certain signs are permitted by the Specific Plan; however, are limited in the number of signs, as well as the size and location. The project site consists of approximately 24 acres on the north side and 11 acres on the south side of Rinaldi Street. As designed, the buildings will be located within various clusters and would have multiple frontages. The additional signs would help to promote wayfinding and identification within the development, by increasing legibility and visibility for patrons of the shopping center.
- b. Good Zoning Practice: The various proposed signs would allow for additional methods of identification to occur within the development, whether it is for general wayfinding or for the identification of tenants. The proposed signage is consistent with the types of signs that would be permitted within the C2 and C4 zones per the Zoning Code. As previously discussed, the project site consist of 24 acres on one site and 11 acres on the second site. Limiting signage to that which is currently permitted would not meet the objective of providing signage which is for the public to benefit from having signage that is legible, readable, and visible.

9. Conditional Use Findings.

- a. **That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

The applicant is requesting a Master Conditional Use Permit to permit the sale of alcoholic beverages for on- and off-site consumption within twenty-four different establishments. The establishments would be located within the proposed construction of a 345,295 square foot shopping center that will be located on two sites. One site is located on the northern side of Rinaldi Street and will consists of 221,804 square feet of commercial space, which would include a grocery store, movie theater, restaurants, and general retail uses. The second site is located on the southern side of Rinaldi Street, which will consist of 12,045 square feet of retail and restaurant uses, 48,941 square feet of medical office space, and a 57,775 square foot hotel with 120 guest rooms and multi-purpose rooms.

The project site is currently vacant and will be developed with a new commercial center that would provide additional services and amenities to residents in the area. One of the establishments is anticipated to be a movie theater, which would provide an additional amenity for movie goers. Another establishment is for the sale of alcoholic beverages within the operations of the proposed hotel. The sale of alcoholic beverages would serve as an additional amenity for hotel guests. Additional establishments include a proposed grocery store and various restaurants. The sale of alcoholic beverages, whether full-line or beer and wine, is anticipated to be an ancillary use to the tenant uses. As proposed and conditioned herein, the project would enhance the

built environment in the surrounding neighborhood and would provide a service that would be beneficial to the community.

- b. That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety.**

The project site is located in the Porter Ranch Land Use/Transportation Specific Plan, and to the west of Porter Ranch Drive. The project site consists of two sites, one site located on the northern side of Rinaldi Drive and the second site located on the southern side of Rinaldi Drive. The project site is located within the Subarea II of the Community Center Area of the Specific Plan. As proposed, the commercial center is within the permitted square footage of development within the Subarea. Additionally, the proposed buildings are consistent with the maximum permitted height and stories for the buildings. The Northern Site will consist of one- to two-story buildings. The Southern Site will consist of one-story commercial buildings, a three-story medical office building, and a five-story hotel. The proposed sale of alcoholic beverages will be in conjunction with the operations of a grocery store, a movie theater, hotel, and various restaurants. The sale for on- and off-site consumption is anticipated to be ancillary to the previously mentioned uses. The development of the project site has been conditioned so that the project's location, size, height, and operations would not adversely affect or further degrade the adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

- c. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.**

The project site is located within the Chatsworth – Porter Ranch Community Plan and is located within the Porter Ranch Land Use/Transportation Specific Plan. The Specific Plan consists of three areas: Community Center Area, Single Family Area, and Open Space/Public Facilities Area. The project site is located within the designated Community Center Area and is primarily located within a designated Regional area per Exhibit I of the Specific Plan. The project site is zoned [T]C4-2D, (T)C4-2D, [T]C2-2D, and A1-2D. Although a portion of the site is zoned A1-2D, the commercial development would be limited to the commercially zoned portions of the property. The proposed commercial center is consistent with the zone and with the development regulations of the Specific Plan. The Community Plan and Specific Plan are silent in regards to the sale of alcohol. For these reasons, and the reasons discussed in the General Plan / Charter Findings section, the project substantially conforms with the purpose, intent and provisions of the General Plan and the Community Plan.

- d. Additional required findings for the sale of alcoholic beverages:**

- i. The proposed use will not adversely affect the welfare of the pertinent community.**

The approval of the Conditional Use to permit the sale of alcoholic beverages for on- and off-site consumption within twenty-four establishments will not adversely affect the welfare of the community. One of the establishments is for a proposed movie theater, to be located on the Northern Site. The amenity would be for on-site consumption while watching a movie or within a bar/lounge area. The sale and consumption of a full line of alcoholic beverages would be an ancillary use to the

movie watching experience. A second establishment is for a proposed grocery store that will be located on the Northern Site. The grocery store proposes to have an ancillary eating area as part of its operations. As such, the grocery store proposes to provide alcohol sales for on- and off-site consumption. A third establishment is for a proposed 120 guest room hotel, to be located on the Southern Site. The sale of a full line of alcoholic beverages would be provided within the hotel restaurant and would be provided within minibars located within the guest rooms. The primary service of the hotel is to provide lodging for guest and the sale of alcoholic beverages would be a service and amenity provided to guests.

The remaining twenty-one establishments would be for on-site consumption of either a full line of alcoholic beverages or beer and wine in conjunction with the operations of restaurants or restaurants with ancillary microbreweries. Currently, live entertainment and dancing are not proposed as part of the operations of the potential restaurant tenants. It is anticipated that the proposed tenants would operate as a bona-fide restaurant where the sale of alcoholic beverages would be ancillary to the sale of food items. Furthermore, there has been no correspondences from either LAPD or ABC indicating opposition to the sale of alcoholic beverages in conjunction with either operation.

As conditioned herein, each establishment would be required to file for a Plan Approval application in order for the City to review and condition the operations of the proposed tenants as appropriate. These conditions can be additive to the proposed Master Conditional Use Permit contained in this recommendation depending on each individual venue. Therefore, as conditioned, the proposed use will not adversely affect the welfare of the pertinent community.

- ii. **The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

According to the California State Department of Alcoholic Beverage Control (ABC) licensing criteria, there are four on-site and three off-site licenses allocated to the subject Census Tract Number 1082.02, based on a population of 4,895. Presently, there are zero active licenses within this census tract. Within 600 feet of the project site, there are presently eight establishments that which have an ABC license. The licenses include three for on-site beer and wine, and three for on-site and two for off-site full line of alcoholic beverages. The establishments are located within the commercial shopping center located on the northeast corner of Porter Ranch Drive and Rinaldi Street.

Statistics from the Los Angeles Police Department reveal that the Crime Reporting District No. 1701, which has jurisdiction over the subject property, a total of 201 crimes were reported in 2015, compared to the citywide average of approximately 181 crimes and the high crime reporting district average of approximately 217 crimes for the same period. Part 1 Crimes reported by LAPD include: Robbery (2),

Aggravated Assault (13), Burglary (10), Auto Theft (7), and Larceny (116). Part II Crimes include: Other Assaults (2), Fraud/Embezzlement (2), Weapons Violence (1), Sexual Offences (1), Narcotic (6), Drunk (1), DWI Related (9), Moving Traffic Violations (5), Miscellaneous Other Violations (16), Other Agency (1), and Other Offenses (9).

Currently, there is not an over-concentration of licenses within the census tract. The approval of the Conditional Use would allow for up to twenty-four licenses to be issued within the project site. The approval would exceed the ABC guidelines and would be considered an over concentration if the establishments were in operation at the same time. Over concentration can be undue when the addition of a license will negatively impact a neighborhood. Over concentration is not undue when the approval of a license does not negatively impact an area, but rather such a license would benefit the public welfare and convenience. The approval of the Conditional Use is in conjunction with the development of a 345,295 square foot commercial center that would be located on two sites. The proposed development would provide an alternative location for residents in the area to dine with varying options of to consume alcoholic beverages as part of their meal. Additionally, it would provide an entertainment amenity, the proposed movie theater, which is not presently available in the area. The approval has been conditioned to require that each establishment file for a Plan Approval so that the individual operations may be evaluated and the operations conditioned so as to not be a negative impact on the surrounding community.

The above statistics indicate that the crime rate in the census tract where the subject site is located is higher than the city average, but slightly lower than high crimes reported. However, there has been no evidence submitted for the record indicating the subject site has been the subject of any nuisance or criminal activity. No comments have been submitted by the Los Angeles Police Department as to their concerns for the proposed project. As conditioned herein, the use is not expected to negatively impact the surrounding uses and is not expected to increase or contribute to the area's crime rate.

- iii. **The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

The following sensitive use is located within 1,000 feet of the project site:

- Sheppard of the Hills Church – 19700 Rinaldi Street

In addition to being located within 1,000 feet of a church, the site is located within proximity to existing single- and multi-family residential development. While residential development are located within 500 feet of the project site, they are physically buffered from the proposed project. Direct access through the project site to residential development would be limited to a secondary driveway located at the southwest corner of the project site. The driveway serves to provide access the shopping center and as an access point for the proposed residential development to the north of the site. As proposed, the sale of alcoholic beverages will be ancillary to the main use of the tenant space. The approval has been conditioned to require that a plan approval be filed and approved prior to the establishment of

each of the tenants. This would allow for the individual evaluation of the operations of each tenant. As conditioned herein, the sale of alcoholic beverages in conjunction with the proposed hotel and restaurant is not anticipated to detrimentally affect nearby residentially zoned communities or sensitive uses in the area.

10. Design Review and Project Permit Compliance Findings.

- a. **That the project substantially complies with the applicable regulations, findings, standards and provisions of the specific plan.**

The project site is located within the Porter Ranch Land Use/Transportation Specific Plan. The Specific Plan consists of three areas: Community Center Area, Single Family Area, and Open Space/Public Facility Area. Each area is subsequently divided into various subareas. The project site is located within the Community Center Area which consists of Subareas I-V, the development is located primarily within Subarea II. The Specific Plan contains the following regulations as it pertains to development within Subarea II of the Community Center Area:

Section 6-C,2(b) Subarea II – 2,050,000 total square feet of floor area consisting of the following based Permitted Floor Area subtotals: 460,000 square feet of commercial office use, including governmental office use; 80,000 square feet of medical office use; 140,000 square feet of hotel use (300 rooms); and 1,370,000 square feet of retail use.

Section 6-D,2 Subarea II – No residential building shall exceed four stories or 60 feet in height, and no non-residential building or structure may exceed five stories or 75 feet in height, unless the Director of Planning has approved additional height pursuant to Section 12 B of this Specific Plan...

Section 6-F The Community Center Area – Lighting – All exterior lamp fixtures shall be shielded to minimize illumination of adjacent properties and to reduce glare. Street lights shall be either contemporary or traditional units of a type approved by the Bureau of Street Lighting.

Section 6-G,1 Parking Lots and Parking Buildings –

- (a) *Except as otherwise prohibited in LAMC Section 62.200, the following requirements apply. All surface parking adjoining a street shall be screened by a solid wall or a landscaped berm or landscaped screen approximately three feet in height. In addition, the wall, berm or screen shall be separated from any adjacent public right-of-way by a minimum continuous width of five feet of landscaped area. However, where the minimum continuous width of landscaped area is at least 15 feet, no wall, berm or screen is required.*
- (b) *All surface parking adjoining residential development shall be screened by a solid decorative wall or landscaped berm having a minimum height of six feet. In addition, the wall or berm shall be separated from any parking area by a minimum continuous width of five feet of landscaped area. However, where the minimum continuous width of the landscaped area is at least 15 feet, no wall or berm is required.*
- (c) *At least ten percent of the total area of every open parking lot shall be landscaped. At least one-half of the landscaped area shall be planted with non-deciduous, shade producing trees at a minimum rate of one tree for every four parking spaces. These trees shall be a minimum 24-inch box size when planted and shall be as*

evenly distributed as possible throughout the parking lot. Trees chosen shall be ones that, when mature, are anticipated to shade at least fifty percent of all surface parking areas.

Section 6-G,2 Setbacks –

(c) The north side of Rinaldi Street between Porter Ranch Drive and Mason Avenue: 25 feet.

(e) The south side of Rinaldi Street between Porter Ranch Drive and the 118 Freeway in Subareas II, III, and IV: 25 feet.

(g) Porter Ranch Drive between Corbin Avenue and the 118 Freeway: 25 feet.

As proposed, the project would develop the vacant site with a 345,295 square foot commercial shopping center on two sites located to the west of Porter Ranch Drive. The project site consists of a site located on the northern side of Rinaldi Street, which is proposed to be developed with a 221,804 square feet of general commercial uses and restaurants. General commercial uses include a grocery store, a movie theater, and various retail uses. The site located on the southern side of Rinaldi Street will be developed with 12,045 square feet of retail and restaurant uses, a 48,941 square foot medical office building, and 57,775 square foot hotel with 120 guest rooms. The project has been designed to have an integrated architectural style, uses common roofing materials, and compatible colors. Although the two sites are separated by Rinaldi Street, which is dedicated to a width of 100 feet, the sites have been designed in conjunction with one another to create a visually unified site. The project has been conditioned herein to comply with the requirements of the Specific Plan as it relates to the proposed development.

- b. That the project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

Pursuant to the City CEQA Guidelines, the proposed project has been granted an environmental clearance as part of ENV-1998-26-EIR and the subsequent addendum.

- 11. Site Plan Review Findings.** In order for the site plan review to be granted, all three of the legally mandated findings delineated in Section 16.05-F of the Los Angeles Municipal Code must be made in the affirmative:

- a. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.**

The project site is located within the Chatsworth – Porter Ranch Community Plan, which is one of 35 Community Plans that the Land Use Element of the General Plan is comprised of. Additionally, the site is located within the Porter Ranch Land Use/Transportation Specific Plan. The site is not located within a community design overlay. The Community Plan designates the Northern Site with the Community Commercial land use designation, which lists the following corresponding zones: CR, C2, C4, RAS3, P, and PB. The Northern Site is zoned [T]C4-2D and (T)C4-2D, which is consistent with the land use designation. The Southern Site is designated with the Community Commercial and Minimum Residential land use designation. The Minimum Residential land use designation lists the following corresponding zones: OS, A1, A2,

and RE40. The south site is zoned [T]C2-2D and A1-2D, which is consistent with the land use designation.

The project site is located within the Porter Ranch Land Use/Transportation Specific Plan, which consists of three areas: Community Center Area, Single Family Area, and Open Space/Public Facilities Area. Each of the areas are divided into subareas where the boundaries of each subarea is intended to correspond with the boundaries of the recorded final tract map (Exhibit II of the Specific Plan). On December 30, 2015, the Advisory Agency approved a modification to tentative tract map TT-54154, for a maximum of seven lot commercial subdivision and one quasi-public open space lot. Incidental to the modification of the tract map, the Director of Planning approved a Zone Boundary Adjustment to correspond with the modified tract map. The modification of the map would adjust future lot and zone boundary lines for the south side of the project site. With the exception of the proposed pole sign, the project would be located within the commercially zoned portions of the project site.

The Specific Plan established a comprehensive set of development regulations for the Plan Area. The Specific Plan regulates the maximum permitted square footage of commercial development which can occur within each of the subareas of the Community Center Area, as well as the permitted uses and maximum density of uses such as hotels. The proposed project is consistent the maximum permitted development within Subarea II of the Community Center Area. As designed, the project would provide landscape buffers and comply with the landscaping requirements for surface parking lots and setbacks. Architecturally, the project is designed to have a unified architectural style throughout the northern and southern sites and utilizes compatible colors and materials with varying elevations to provide a breaks in the massing of the buildings. As proposed and conditioned herein, the project is consistent with the purpose, intent, and provisions of the General Plan, Community Plan, and Specific Plan.

- b. 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, that is or will be compatible with existing and future development on adjacent properties and neighboring properties.**

The project site consists of two sites, located on the northern and southern side of Rinaldi Street, on the western side of Porter Ranch Drive. The project proposes to construct a 221,804 square feet of commercial center on the northern side of Rinaldi Street. The commercial center will consists of one- to two-story buildings, arranged to have the primary entrance to the center located on Rinaldi Street. Secondary driveway entrances will be located at the western end of the site along Rinaldi Street and on the Porter Ranch Drive. Two buildings are proposed to be located at the southeast corner of the site at the intersection of Porter Ranch Drive and Rinaldi Street. The corner is designed to have outdoor seating and a courtyard with pedestrian pathways connecting to the sidewalks along either street. One building is proposed to be located at the southwest corner of the site, designed with pedestrian pathways connecting to the sidewalks and parking lot. The central driveway, located along Rinaldi Street, is designed with buildings located on either side. Although parking is provided along the central driveway, driveway has been designed with pedestrian pathways which lead to a central courtyard, referred to as the "town green." The main portion of the development is located to the rear of the site and consists of one- to two-story buildings. The common open area is designed to provide outdoor seating areas, community gathering spaces, and is proposed to be improved with an outdoor water feature.

The site located on the southern side of Rinaldi Street is proposed to be improved with 12,045 square feet of commercial space, a 48,941 square-foot medical office building, and a 57,775 square-foot hotel with 120 guest rooms and multi-purpose rooms. Similar to the site located on the northern side, the main driveway is located on Rinaldi Street providing for direct access from one site to the other. A secondary driveway is located at the northwest corner of the site. The commercial buildings are proposed to be located on either side of the main driveway. The medical office is proposed to be located on the eastern side of the site, while the hotel is proposed on the western side of the site. As proposed, the proposed arrangement of the buildings and incidental facilities are compatible with the existing and future development on the adjacent properties and neighboring properties.

c. Any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

The project consists of the construction of a new 345,295 square foot shopping center which will be located on two sites. The site which is located on the northern side of Rinaldi Street will consist of 221,804 square feet of commercial space which would be utilized for a grocery store, movie theater, restaurant, and general retail uses. The northern site would not consist of residential development. The site located on the southern side of Rinaldi Street will consist of 12,045 square feet of retail and restaurant uses, a 48,941 square foot medical office, and a 57,775 square foot hotel with 120 guest rooms. Although the hotel use is defined as a residential use due to the habitable rooms, it is not required to provide open space pursuant to LAMC Section 12.21-G, which is required for dwelling units. Although the project is not required to provide recreational and service amenities, the project proposes to provide outdoor gathering spaces within the northern portion of the site to allow for social activities.

Environmental Findings

- 12. Environmental Finding.** An Environmental Impact Report (EIR 88-0026-(SP)(ZC)(PA) 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 prior 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 current Specific Plan Amendment modifies 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 adopt the subsequent addendum to Final Environmental Impact Report ("Final EIR") No. 88-0026-(SP)(ZC)(PA) SCH No. 88050420 that was previously certified on July 10, 1990. Adoption of the addendum to a previously certified environmental impact report is appropriate when the commission having considered the whole administrative record, including Final EIR No. 88-0026-(SP)(ZC)(PA), the previously adopted addendums, and exercising its independent judgement, determines based upon substantial evidence that (1) only minor technical changes or additions to the Final EIR are necessary (Guidelines Section 15164(b)) or (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 that was not available at the time the Final EIR was certified, that would require a subsequent EIR or major revisions to the Final EIR.

13. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.

PUBLIC HEARING AND COMMUNICATIONS

A public hearing before the Porter Ranch Design Review Board (DRB) was conducted on June 13, 2016 at 6:30 p.m. at the Porter Ranch Community School, Multi-Purpose Room.

The following Board Members were present:

Vic Sampson, Chair
Eric Blankenburg, Vice Chari
Jonathan Chance
Dan McCombs
Mel Mitchell

The following Board Members were not present:

Tom Cestarte
Jane Stanton

At the DRB hearing, the applicant, Mr. John Love, present the overall project for the project site. Mr. Love indicated that the intent and overall design concept of the project was to create a gathering space for the community. The architectural design was inspired by "upscale California wineries" and focused more on using natural materials. The landscaping throughout the site would be drought tolerant, indigenous plants.

Members of the public were generally in support of the proposed project, indicating that the new development would be an improvement from the existing commercial center. It would bring new places for residents in the community to frequent and not require that they drive out to other communities to other shopping centers. Members of the public also indicated that the site had stayed vacant for too long and that the center should be built soon.

The DRB posed questions regarding the proposed landscaping, the size of the trees, and the types of the trees. Additional questions were in regards to the proposed signage and how they would be illuminated. The Board inquired about the use of solar panels or other sustainable features for the development.

Opposition to the project consisted of the following comments:

- Lack of sustainable features, such as LEED certified buildings and solar panels.
- The surface parking lot would become a heat island, consider use of carports with solar panels
- Porter Ranch suffered from the largest gas leak, and the new development would be an opportunity to promote a more sustainable community, health and safety concerns
- Increase in traffic
- Pedestrian safety across Porter Ranch Drive
- Lack of schools

In response to public comment, Mr. Love indicated that it was the intention for the medical office building to receive LEED certification and that the other buildings would meet the Green Building Code requirements of the City. He also indicated that for commercial developments, carports and pre-installed solar panels were not favorable towards consumers and future tenants. Mr. Love indicated that the buildings would be solar-ready for any tenant who wanted to install solar panels. Mr. Love reiterated that the proposed landscaping would consist of drought tolerant plants.

The DRB members voted to recommend approval of the project as proposed, with an amendment to the motion requesting that the applicant consider modifications to the project to accommodate solar panels and other sustainable features.

A public hearing was conducted on July 13, 2016 1:00 p.m., at the Marvin Braude Municipal Building, Conference Room 1B in Van Nuys.

The public hearing was attended by the applicant, Mr. John Love, the applicant's representative, Ms. Kyndra Casper, members of the public, and a representative of Council Office 12.

The applicant, Mr. John Love, gave an overview of the proposed project, providing additional information which was requested from the DRB public hearing. Information included the following:

- Reiterating that the medical office building is intended to be LEED Certified
- Two tenants have agreed to install solar panels, which include the proposed grocery store tenant and movie theater, amounting to approximately 40,000 square feet of solar panels
- Location of requirements for LID, recycle water system

Members of the public spoke in general support of the project, indicating that the site has long been vacant and should be developed. The development would be an improvement to the existing commercial center and that they would no longer have to go to different communities and cities for restaurants and entertainment.

Members of the public who spoke in opposition of the project raised the following concerns:

- A new community room in lieu of the public library is not needed
- The community wants the library
- Questions about compliance with other requirements of the Development Agreement, such as the community facility, child care services, art fees
- The 2 acre site should still be dedicated and remain vacant or open space until it can be developed
- Need public facilities such as schools and hospitals
- Additional traffic and safety
- Should consider installing carports over the surface parking lot and solar panels
- Digital display pole sign along the freeway is not necessary

Ms. Hannah Lee, Chief Planning and Land Use Deputy for Council District 12, spoke in support of the project as proposed.

After public comments, the Hearing Officer clarified that the project is not required to construct schools or hospitals. However, if the project is approved, the applicant would be required to pay school fees which would be used for future schools. Additionally, the Hearing Officer clarified that the amendment to the Specific Plan in regards to the proposed 4,000 square foot community room and the 2 acre site and library were part of a proposed Development Agreement. The Hearing Officer requested additional information regarding the location of the proposed digital display pole sign, which Mr. Love agreed to provide additional information on.

Mr. Love indicated that the medical office was always intended to be a LEED Certified building and the rest of the development would be solar-ready. However, after the DRB meeting, the

applicants went back to their tenants and were able to secure an agreement to provide solar panels as part of the construction of the development. Mr. Love indicated that they were working with the Department of Transportation to align the proposed driveways and are discussing the installation of traffic signals.

Communications:

There have been several emails received from the public in regards to the proposed project. Written comments are attached as part of Exhibit E.

Emails in support of the project indicated that the project would be beneficial to the community, and that the project should be constructed as soon as possible. Comments regarding the support of the project are similar to those raised at the public hearing.

Emails in opposition of the project indicated that the project should be required to comply with the requirements to dedicate the 2 acre site and construction of the public library and that a community room is not needed. Comments and concerns were similar to those raised at the public hearing.