



# DEPARTMENT OF CITY PLANNING

## RECOMMENDATION REPORT



### City Planning Commission

**Date:** December 18, 2008  
**Time:** 8:30 AM\*  
**Place:** Van Nuys City Hall  
14410 Sylvan Street  
Council Chamber, 2<sup>nd</sup> Floor  
Van Nuys, CA 91401

**Public Hearing:** October 21, 2008  
**Appeal Status:** Pursuant to LAMC Section 12.36, Multiple Entitlements, Zone Change is appealable by Applicant to City Council if disapproved in whole or in part; other entitlements appealable by any party.

**Expiration Date:** December 29, 2008

**Case No.:** CPC-2008-2367-ZC-HD-ZAA-ZAD-SPR  
**CEQA No.:** ENV-2008-2112-MND  
**Incidental Cases:** VTT-70584-CN  
**Related Cases:** CPC-2000-3490-ZC-GPA-HD-SUB-SPR  
**Council No.:** 6  
**Plan Area:** Sun Valley-La Tuna Canyon  
**Specific Plan:** n/a  
**Certified NC:** Sun Valley  
**GPLU:** Light Industrial  
**Zone:** OS-1XL & PF-1XL-G  
**Applicant:** Trammell Crow Co.  
**Representative:** Armbruster and Goldsmith

**PROJECT LOCATION:** 9701, 9713, 9715 N. San Fernando Road, 12450, 12500 West Branford Street, 9600 N. Telfair Avenue

**PROPOSED PROJECT:** The project includes the development of a 33.4 acre site with an approximately 408,800-square-foot of industrial uses and approximately 128,340 square feet of self-storage uses. The industrial uses would consist of four structures, and the self-storage use would consist of eight buildings. Buildings associated with both uses would have a maximum height of 35 to 40 feet, with the exception of Building 1, which would have a height of 50 feet.

**REQUESTED ACTION:**

1. Pursuant to Los Angeles Municipal Code (LAMC) Section 12.32, a **Zone Change** from existing OS-1-XL (Open Space Zone) and PF-1-XL-G (Public Facilities Zone) to (T)(Q)M2-EZ1VL (Manufacturing Zone); and
2. Pursuant to LAMC Section 12.24-X,22, a **Zoning Administrator Determination** from Section 12.21.1-A,10 to permit buildings on lots in the M Zone to exceed the transitional height limitations ranging from 25 to 33 feet; and
3. Pursuant to LAMC Section 12.28, a **Zoning Administrator Adjustment** from Section 12.21.1-A,1 to permit a 50-foot building height for Building 1 as designated on the site plan (or Building A on VTT-70584-CN) in lieu of the required 45-foot height limit established by the proposed (T)(Q)M2-EZ1VL zone; and
4. Pursuant to LAMC Section 16.05, a Site Plan Review for a project consisting of new construction of non-residential floor area greater than 50,000 square feet; and
5. Pursuant to CEQA Guidelines Section 15164, an adoption of an Addendum to a previously adopted Mitigated Negative Declaration and accompanying mitigation measures.

**RECOMMENDED ACTIONS:**

1. **Approve** and **Recommend** that the City Council adopt a Zone Change from OS-1-XL (Open Space Zone) and PF-1-XL-G (Public Facilities Zone) to (T)(Q)M2-EZ1VL (Manufacturing Zone), subject to attached (T) and (Q) Conditions of Approval.
2. **Approve** a Zoning Administrator Determination to permit buildings on lots in M Zone to exceed the transitional height limitations ranging from 25 to 33 feet.
3. **Approve** a Zoning Administrator Adjustment to permit a 50-foot building height for Building 1 as designated on the site plan (or Building A on VTT-70584-CN) in lieu of the required 45-foot height limit established by the proposed M2-EZ-1VL zone.
4. **Approve** a Site Plan Review to permit a development project in excess of 50,000 square feet of non-residential use.
5. **Adopt** the attached Findings.
6. **Adopt** Mitigated Negative Declaration No. ENV-2008-2112-MND, which comprises an Addendum to the previously adopted Mitigated Negative Declaration No. MND-1999-3266-GPA/ZC-SPR-SUB.
7. **Recommend** that the applicant be advised that time limits for effectuation of a zone in the "Q" Qualified Classification and "T" Tentative Classification are specified in Section 12.32.G of the L.A.M.C. Conditions must be satisfied prior to the issuance of building permits and that the (T) Tentative classification be removed in the manner indicated on the attached page.
8. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
9. **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

S. GAIL GOLDBERG, AICP  
Director of Planning

---

Jim Tokunaga, Senior City Planner

---

Jae Kim, City Planning Associate  
Telephone: (213) 978-1383

**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) 978-1247.

# TABLE OF CONTENTS

<b>Project Analysis .....</b>	<b>A-1</b>
Project Summary	
Background	
Issues	
Conclusion	
<b>(Q) Qualified Conditions of Approval .....</b>	<b>Q-1</b>
<b>T Conditions .....</b>	<b>T-1</b>
<b>Findings .....</b>	<b>F-1</b>
General Plan Land Use Designation	
General Plan Text	
Transportation Element	
Sewerage Facilities Element	
Street Lights	
Zone Change Findings	
Zoning Administrator Determination Findings	
Zoning Administrator Adjustment Findings	
Site Plan Review Findings	
Environmental Findings	
<b>Public Hearing and Communications.....</b>	<b>P-1</b>
<b>Exhibits:</b>	
A – Maps	
A1 – Vicinity Map	
A2 – Radius Map	
A3 – Plan Map	
B - Plans	
Site Plan	
Elevation Plan	
Landscape Plan	
C – Environmental Clearance	
D - Others	
(i.e., tract map, photos, agency reports, correspondences)	

## PROJECT ANALYSIS

### Project Summary

The project includes the development of a 33.4 acre site with an approximately 408,800-square-foot of industrial uses and approximately 128,340 square feet of self-storage uses. The industrial uses would consist of four structures, and the self-storage use would consist of eight buildings. Buildings associated with both uses would have a maximum height of 35 to 40 feet, with the exception of Building 1, which would have a height of 50 feet. The proposed buildings would be oriented toward San Fernando Road and Branford Street. This physical configuration of the buildings, along with landscaping, would enhance the streetscape as well as provide screening for the parking and delivery areas. Construction of the project would occur over an estimated 12 to 16 month period. The project is proposed for a total of 861 off-street parking spaces. For industrial uses, at least one space for each 500 square feet of floor area is required; and for warehouse uses, one space for each 500 square feet of floor area for the first 10,000 square feet and one space for each 5,000 square feet thereafter.

### Background

The project site is an "L"-shaped lot on the southwest corner of San Fernando Road and Branford Street, consisting of approximately 33.4 acres, or 1,456,079 square feet, in the OS-1-XL and PF-1-XL-G Zones in the Sun Valley-La Tuna Canyon Community Plan area. Regional access is provided by the Golden State Freeway (Interstate 5 or I-5), located approximately one-half mile west of the proposed project site, and the Hollywood Freeway (SR 101), which is located approximately one-half mile south of the project site. San Fernando Road is a major highway that generally runs northwesterly in the San Fernando Valley.

The project site includes a parcel that was operated as a landfill from 1957 to 1961 under ownership of the City of Los Angeles. The landfill stopped receiving refuse in 1961. The City issued a Final Closure and Post-Closure Maintenance Plan for the landfill dated January 1999. Prior to landfill use, the site was used for rock, sand, and gravel extraction. Only a small east-west aligned basin remains in the southwestern portion of the site. The basin is approximately 40 feet deep and approximately 640 linear feet of this basin lies within the property boundary. With the exception of the basin, the site is generally level with an elevation at street grade of approximately 915 feet with a surface gradient of approximately 1.3 percent sloping gently to the southeast. The majority of the site consists of recently disturbed and developed land that supports little vegetation. The Tujunga Wash is located about 1,000 feet to the southeast.

In the recent past, the City used approximately 4.0 acres of the project site for parking and storage of vehicles and heavy equipment, and approximately 6.9-acres as the City's Refuse Collection Truck Repair Center. Approximately 14 acres in the southeastern portion of the project site is the former Branford Landfill and consists of disturbed cleared fields and dirt access roads. The remaining approximately 8.4 acres of the project site was vacant land.

The subject site is not located within a flood hazard, hillside, floodway or mudprone area, and there are currently no trees on the site.

### Surrounding Properties:

The project site is primarily surrounded by industrial, commercial, residential, and open space uses, with undeveloped, vacant land adjacent to the site to the south and west. The 33.4-acre

project site is currently vacant. Public service facilities are located throughout the area such as the Los Angeles Department of Water and Power (DWP) Steam Plant located to the northeast of the project site. Commercial development located along San Fernando Road consists primarily of the auto related uses such as salvage yards, auto parts and auto repair and support services supplying fast foods, motels, liquor stores, and retail centers. Light industrial, industrial business parks, and warehouse/office buildings are dominant along Branford Street, with the exception of an oil distribution yard across from the proposed project site. Rail freight service is provided by the Southern Pacific Railroad, which runs parallel to San Fernando Road.

#### Street and Circulation:

San Fernando Road is a Major Highway dedicated to a variable 70- and 75-foot width at the project's street frontage. The Bureau of Engineering is requiring a 5-foot wide strip of land be dedicated along the northwesterly 680 feet of San Fernando Road adjoining the subdivision to complete a 75-foot wide right-of-way dedication including a 25-foot radius property line return at the intersection with Branford Street. Branford Street is a Secondary Highway dedicated to a variable 60- and 75-foot width at the project's street frontage. The Bureau of Engineering is requiring a 15-foot wide strip of land be dedicated along Branford Street adjoining the subdivision to complete a 45-foot wide half right-of-way dedication in accordance with Secondary Highway Standards. In addition, the Bureau of Engineering is requiring that the vacation of Telfair Avenue under Engineering File No. VAC-E1400564 be completed by the recordation of the final map.

#### Relevant Cases:

*VTT-70584-CN.* On November 20, 2008, the Deputy Advisory Agency approved the incidental tract map composed of 4 lots for a maximum 12-unit industrial condominium in the proposed (T)(Q)M2-EZ-1VL zone for the subject property. On December 2, 2008, the Applicant appealed the Deputy Advisory Agency's decision, in part.

*CPC-2000-3490-ZC-GPA-HD-SUB-SPR.* On July 24, 2001, the City Council adopted Ordinance No. 174,160 (effective September 24, 2001) and approved Zone and Height District Changes from OS-1XL and PF-1XL-G to (T)(Q)M2-EZ-1VL and a General Plan Amendment from Open Space and Public Facilities to the Light Industrial land use designation for a four-building industrial park with a total of 550,000 square feet and 1,209 parking spaces for the subject property. The entitlement also included the approval of Site Plan Review findings. However, the (T) Tentative Classifications were never removed as required within the time limit of this temporary zone change, and the zone reverted back to the underlying zones of OS-1-XL and PF-1-XL-G.

#### Issues

A joint public hearing on this matter with the Deputy Advisory Agency (DAA) was held at the Marvin Braude San Fernando Valley Constituent Service Center on Tuesday, October 21, 2008. The Applicant presented that the project is seeking to obtain LEED Silver Certification for an industrial building. Although generally in agreement with the staff's recommendation to approve the tract map, the Applicant raised some concerns with regards to the dedications and improvements required as part of the tract conditions. As noted above, the Applicant has appealed the DAA's decision, in part; however, no specifics of this appeal have been made available as of this writing. These conditions are incorporated herein under the "T" Conditions.

At the hearing, the Deputy from the Mayor's Office spoke in support of the project, in that, the development is in line with the visions for creating a "green industrial campus". The Planning

Deputy from Council District 6 also spoke in support of the proposed project. Two members of the Sun Valley Certified Neighborhood Council and two from the local chamber of commerce supported the project as well. However, concerns were raised as to the lack of landscaping throughout the site, including along the perimeter of the project and within the surface parking lot. The Applicant has since submitted a draft landscape plan addressing both of these concerns as part of this zone change request.

A separate request will be submitted for a Conditional Use Permit to allow storage for household goods in the A and R zones.

In July 2001, the City Council approved a previous version of the currently proposed project that included development of the project site with 550,000 square feet of industrial land uses under Case No. CPC-2000-3490-ZC-GPA-HD-SUB-SPR and adopted Ordinance No. 174,160 (effective September 24, 2001). Approval of the project resulted in adopting the following for the site: 1) zone change from OS-1-XL and PF-1-XL-G to (T)(Q)M2EZ-1VL with development requirements T (Tentative Classifications) and Q (Qualified Classification) to allow for industrial land uses; 2) General Plan amendment to change the land use designation from Open Space to Light Industrial to also allow for industrial land uses, and 3) height district change from 1-XL (Extra Limited Height) to 1-VL (Very Limited Height) to allow building heights in excess of 30 feet and up to 45 feet.

The (T) Tentative Classification required satisfaction of certain conditions of project approval, including recording a Final Tract Map or Parcel Map, within six years of the effective date of the zone/height district changes. Failure to do so would result in nullification the zone/height district changes and would cause the zoning/height district to revert back to OS-1-XL and PF-1-XL-G. Because the Applicant for the previously approved project did not move forward with the development of the project site, the approved (T)(Q)M2-EZ-1VL Zone expired in September of 2007 and the site zoning reverted back to the original OS-1XL and PF-1XL-G Zones. However, the previously approved General Plan Amendment for the Light Industrial land use designation remained, and the currently requested zone change is necessary in order to maintain zoning consistency on the subject site.

### **Conclusion**

Based on the information submitted, the public hearing, and the proposed project's compliance with the Sun Valley-La Tuna Canyon Community Plan, the Department of City Planning is recommending that the City Planning Commission approve the requested entitlements.

The requested zone change from the underlying OS-1-XL and PF-1-XL-G zones to (T)(Q)M2-EZ1VL will be consistent, and in fact necessary to maintain, with the Light Industrial land use designation. The reuse of this vacant, former landfill site will be desirable by facilitating the clustering of industries. It will also implement the goals of the Pacoima/Panorama City Earthquake Disaster Assistance Project Area and the Northeast Valley State Enterprise Zone by preserving and promoting the industrial economic base in the community.

## (Q) Qualified Conditions Of Approval

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

### A. Entitlement Conditions

1. **Use.** The use and area regulations for the new development on-site shall be developed for industrial office, manufacturing and self-storage uses as permitted in the M2-EZ1VL Zone as defined in Section 12.19 of the LAMC unless modified by herein conditions or subsequent action.
2. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the Vesting Tentative Tract Map No. 70584-CN labeled Exhibit D. Prior to the issuance of building permits, detailed development plans including a site plan illustrating elevations, facades, and roof treatment, and a landscape/irrigation plan shall be submitted for review and approval by the Planning Department. The plans shall comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization. Any commercial use of the property shall be strictly limited to those commercial uses as first permitted in the MR-1 zone per LAMC Section 12.17.5 B2.
3. **Floor Area.** The floor area of all buildings shall be limited to no more than one-and-one-half times the buildable area of the lot (1.5:1 FAR).
4. **Parking.** Provide off-street parking spaces in accordance with LAMC Section 12.21.

### B. Other Conditions

5. **Height.** The height of all buildings or structures on the subject property shall not exceed 45 feet, with the exception of Building 1 as designated on the site plan (or Building A in VTT-70584-CN) which shall not exceed 50 feet, as defined by LAMC Section 12.21.1-A.1. Any structures on the roof, such as air condition units and other equipment, shall be fully screened from view of any abutting properties with residential dwellings.
6. **Sustainability.** Prior to the issuance of a certificate of occupancy, the Applicant shall endeavor to comply with the requirements of the US Green Building Council in an effort to obtain LEED Silver Certification for an industrial building. The proposed project shall not be subject to the Green Building Program Ordinance No. 179,820 due to the fact that the application was filed prior to the effective date of November 1, 2008.
7. **Landscape/Irrigation Plan.** Prior to the issuance of any grading or building permits, a detailed landscape and irrigation plan (for the entire project site) shall be submitted to the satisfaction of the Planning Department. Landscaping shall include an automatic irrigation system, and be maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, substantially in conformance with the Landscape Plans (Exhibit B) unless modified by herein conditions or subsequent action. The plan shall comply with provisions of the Municipal Code, the subject conditions specifically noted herein, and the intent of the subject permit. (MM)

Open areas. All open areas not used for buildings, driveways, parking areas, or loading spaces, shall be attractively landscaped. As a replacement for loss of desirable trees in the parkway and on the site, a minimum of one 24-inch box shade tree (minimum trunk caliper of two inches and a minimum height of ten (10) feet, at the time of planting) shall

be planted substantially in conformance with the Landscape Plans (Exhibit B) unless modified by herein conditions or subsequent action. (MM)

Surface Parking Areas. Notwithstanding Municipal Code Section 12.21-A.6, at least seven percent of the required public parking area shall be landscaped. No yard or setback required by the LAMC (or these conditions) may be included in the seven percent calculation of the parking areas. A minimum of one 24-inch box shade tree (minimum trunk diameter of two inches and a minimum height of ten (10) feet at the time of planting) shall be planted substantially in conformance with the Landscape Plans (Exhibit B) unless modified by herein conditions or subsequent action. Trees planted above areas of the landfill must be planted in boxes or other means so that the landfill cap is protected. Irrigation must be done in a way that does not cause water to penetrate through the landfill cap into the landfill. Parking area trees shall be arranged in a suitable manner to provide shade to the surface parking area. Parking area trees shall be protected by curbing or other suitable measures, pursuant to LAMC. A portion of the total required number of parking area trees may be planted along the periphery of the parking area, provided that the trees provide shade to a surface parking area. An automatic sprinkler system shall be installed to water the trees.

The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g, use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season). (MM)

This landscape mitigation measure is consistent with that of the one that was approved and adopted by the City Council under Case No. CPC-2000-3490-ZC-GPA-HD-SUB-SPR (Ordinance No. 174,160, effective September 24, 2001). This measure, however, has been modified to reflect the revised project and the current Landscape Plans (Exhibit B). Pursuant to CEQA Guidelines Section 15164, the current applicable environmental clearance document ENV-2008-2112-MND comprises of an Addendum to the previously adopted Mitigated Negative Declaration Case No. MND-1999-3266-GPA/ZC-SPR-SUB (for the above-referenced ordinance).

8. **Street Trees.** Pursuant to Ordinance 177,404, prior to issuance of a demolition permit, the project applicant shall have a Tree Survey conducted of the project site by a reputable tree expert. The survey shall identify and locate on a map all Protected Trees with a four-inch diameter or greater and recommendations for protection and replacement. The project applicant shall comply with all applicable recommendations included in the survey.

### **C. Environmental Conditions**

9. **Graffiti.** Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to LAMC Section 91.8104. The first *nine feet* of exterior walls and doors, measured from grade, and all of any walls enclosing the property shall be built and maintained with a graffiti resistant finish consisting of either a hard, smooth, impermeable surface such as ceramic tile, baked enamel or a renewable coating of an approved, anti-graffiti material or a combination of both pursuant to Section 91.1707-E, and the period for compliance with a graffiti removal order issued by the Building and Safety Department is 15 days following which period with failure to perform the City or its contractor is empowered to enter the property to remove such



graffiti with costs accruing 'to the property owner' (91,8904.1). The period for compliance with a subsequent order for a subsequent occurrence is three days (91.8904.1.),

10. **Signage.** On-site signs shall be limited to the maximum allowable under the LAMC. All signs, except for identification and/or information signs as defined herein, are prohibited:
  - a. On-site signs are limited to the minimum (total number of signs) necessary to identify a business name, a company logo, a generic type of business identification, the name of a single business entity or building, and the situs address. No identification signs may be located within 100 feet of any R-zoned properties.
  - b. Information signs are limited to, those which provide circulation/parking directions, instructions, tenant rules/restrictions or address numerals.
  - c. Prohibited Signs. Pole signs, roof signs, projecting signs, .neon signs. window signs or posters, mural signs, electronic message signs, portable or sandwich signs, temporary or permanent banners or flags (including but not limited to those attached to or suspended from trees, walls, fences or light fixtures or any other structure/pole), balloons, paintings, and off-site advertising signs. No signs with flashing, mechanical, strobe or blinking lights, or moving parts are permitted.
11. **Lighting.** Project lighting, including outdoor security and parking area lighting shall be designed and installed with shielding so that the light source will not result in off-site spill light or light trespass. This condition shall not preclude the installation of low-level security lighting. The exterior of the proposed buildings shall be constructed of materials which reduce glare and reflectivity, such as, high-performance tinted or deep-color glazed glass, pre-cast concrete or fabricated wall surfaces. All exterior windows should be tinted or contain a light-reflective film to reduce illumination levels outside of the building. Landscape and/or architectural screening elements shall be incorporated into project design so as to minimize off-site glare impacts associated with vehicles.
12. **Maintenance.** The subject property including any associated parking facilities, sidewalks and parkway, and exterior walls along the property fines shall be maintained in an attractive condition and shall be kept free of trash and debris.
13. **Safety/Security.** T he property owner shall be responsible for discouraging undesirable activities on the subject property ownership. If conditions warrant, as determined by the Los Angeles Police Department, at least one security personnel shall patrol any associated parking areas and the areas immediately adjacent to the site boundaries so as to discourage nuisance or criminal activity in and around the site.
14. **Screening (Mechanical Equipment).** All exhaust fans and exterior or rooftop mechanical equipment shall be screened with such screening material incorporated in the design of the project. Such equipment shall be set back as far as possible from residential property lines and soundproofed subject to the provisions of LAMC Section 12.21.1-B,3(a) and (b).
15. **Erosion/Grading/Short-Term construction Impacts (Air Quality).**
  - a. That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. The owner is required to post the sign 7 days before construction is to begin.

- b. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.
- c. Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
- d. If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.
- e. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- f. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- g. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- h. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- i. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- j. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

**16. Erosion/Grading/Short-Term construction Impacts (Grading)**

- a. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- b. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- c. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

- d. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non-recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- e. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- f. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- g. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- h. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- i. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop cloths to catch drips and spills.

**17. Erosion/Grading/Short-Term construction Impacts (Noise).**

- a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- b. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- c. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- e. The use of those pieces of construction equipment or construction methods with the greatest peak noise generation potential shall be minimized. Examples include the use of drills, jackhammers, and pile drivers.
- f. Noise construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses to the maximum extent possible.
- g. Flexible sound control curtains shall be placed around drilling apparatuses and drill rigs used within the project site, if sensitive receptors are located at, or within, 50 feet.

- h. All construction truck traffic shall be restricted to truck routes approved by the City of Los Angeles Department of Building and Safety, which shall avoid residential areas and other sensitive receptors to the extent feasible.
- i. The project shall comply with the City of Los Angeles Building Regulations Ordinance No. 178,048, which requires a construction site notice to be provided that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the site, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public and approved by the City's Department of Building and Safety.
- j. Truck deliveries should only be permitted between the hours of 7:00 A.M. and 10:00 P.M. Delivery trucks should use approved haul routes directed away from residential areas.
- k. The design of the facilities and equipment specifications shall include noise control measures to ensure that local noise criteria are not exceeded by equipment operations. For example, mechanical equipment shall be acoustically engineered and shall incorporate quiet designs, mufflers, enclosures, parapets, etc.
- l. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

18. **Air Pollution – Stationary.**

- a. The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 11 or better in order to reduce the effects of diminished air quality on the occupants of the project. (MM)
- b. The project applicant shall require by contract specifications that construction operations rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion engines to the extent feasible.

19. **Biological Resources.** To avoid potential significant impacts to nesting birds, including migratory birds and raptors, one of the following shall be implemented by the project applicant:

- Conduct vegetation removal associated with construction from September 1st through January 31st, when birds are not nesting. Initiate grading activities prior to the breeding season (which is generally February 1st through August 31st) and keep disturbance activities constant throughout the breeding season to prevent birds from establishing nests in surrounding habitat (in order to avoid possible nest abandonment); if there is a lapse in activities of more than five days, pre-construction surveys shall be necessary as described in the bullet below.

OR...

- Conduct pre-construction surveys for nesting birds if vegetation removal or grading is initiated during the nesting season. A qualified wildlife biologist shall conduct weekly

pre-construction bird surveys no more than 30 days prior to initiation of grading to provide confirmation on the presence or absence of active nests in the vicinity (at least 300 to 500 feet around the individual construction site, as access allows). The last survey should be conducted no more than three days prior to the initiation of clearance/construction work. If active nests are encountered, clearing and construction in the vicinity of the nests shall be deferred until the young birds have fledged and there is no evidence of a second attempt at nesting. A minimum buffer of 300 feet (500 feet for raptor nests) or as determined by a qualified biologist shall be maintained during construction depending on the species and location. The perimeter of the nest-setback zone shall be fenced or adequately demarcated with staked flagging at 20-foot intervals, and construction personnel and activities restricted from the area. Construction personnel should be instructed on the sensitivity of the area. A survey report by the qualified biologist documenting and verifying compliance with the mitigation and with applicable state and federal regulations protecting birds shall be submitted to the City and County, depending on within which jurisdiction the construction activity is occurring. The qualified biologist shall serve as a construction monitor during those periods when construction activities would occur near active nest areas to ensure that no inadvertent impacts on these nests would occur.

## 20. Cultural Resources.

- a. If any archaeological materials are encountered during the course of the project development, the project shall be halted. The services of an archaeologist shall be secured by contacting the Center for Public Archaeology - Cal State University Fullerton, or a member of the Society of Professional Archaeologists (SOPA) or a SOPA-qualified archaeologist to assess the resources and evaluate the impact. Copies of the archaeological survey, study or report shall be submitted to the UCLA Archaeological Information Center. A covenant and agreement shall be recorded prior to obtaining a grading permit.
- b. If any paleontological materials are encountered during the course of the project development, the project shall be halted. The services of a paleontologist shall be secured by contacting the Center for Public Paleontology - USC, UCLA, Cal State Los Angeles, Cal State Long Beach, or the County Museum to assess the resources and evaluate the impact. Copies of the paleontological survey, study or report shall be submitted to the Los Angeles County Natural History Museum. A covenant and agreement shall be recorded prior to obtaining a grading permit.
- c. If human remains are discovered at the project site during construction, work at the specific construction site at which the remains have been uncovered shall be suspended, and the City of Los Angeles Public Works Department and County coroner shall be immediately notified. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.

## 21. Geology and Soils.

- a. Projects involving the import/export of 1,000 cubic yards or more of soil shall obtain haul route approval by the Department of Building and Safety.
- b. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.

- c. Construction fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
- d. Prior to the issuance of building or grading permits, the applicant shall submit a geotechnical report prepared by a registered civil engineer or certified engineering geologist to the written satisfaction of the Department of Building and Safety.
- e. The design and construction of the Project shall conform to the Los Angeles Building Code seismic standards as approved by the Department of Building and Safety.
- f. The project shall comply with the LAMC Chapter 18, Division 1, Section 1804.5, Liquefaction Potential and Soil Strength Loss, which requires the preparation of a geotechnical report. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration.
- e. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.

## **22. Hazards And Hazardous Materials.**

- a. Prior to the issuance of the Certificate of Occupancy for each building, the project applicant shall provide a letter from the Los Angeles Fire Department (LAFD) stating that the LAFD has permitted the facility's use, storage, and creation of hazardous substances, if any hazardous substances are used, stored, or created at the facility.
- b. Prior to the issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACBMs are present in the buildings. If ACBMs are found to be present, they will be abated in compliance with the SCAQMD Rule 1403 as well as all other state and federal rules and regulations.
- c. Decommissioning or removal of the underground storage tanks as determined by the LAFD UST Division. If any contamination is found, further remediation measures will be developed with the help of the LAFD and other appropriate State agencies.
- d. If impacted soils or debris in which contamination exceeding regulatory action levels is encountered during the excavation phase of the project, work in the impacted area will be suspended and the area will be clearly marked. Work in the impacted area will be resumed when contamination on that portion of the project site affected by such activity is remediated to the satisfaction of the appropriate regulatory agency.
- e. If remediation is required, a letter certifying that remediation is complete from the appropriate agency (Department of Toxic Substance Control [DTSC] or the Regional Water Quality Control Board [RWQCB]) shall be submitted to the Planning Department prior to issuance of a building permit.
- f. If applicable, a Hazardous Materials Business Plan reporting the use and storage of any hazardous material shall be filed with the LAFD and implemented prior to issuance of a Certificate of Occupancy for each building of the project. The Plan

- shall include an Emergency Procedures Plan outlining employee guidelines and procedures in the event of a fire, medical urgency, and other types of emergencies.
- g. Prior to receipt of construction permits, the applicant shall receive clearance from RWQCB that the identification, sampling and/or removal of unseen hazardous substances has been completed consistent with standard practices and Title 22 of the California Code of Regulations, the California Health and Safety Code and/or in compliance with National Pollution Discharge Elimination System (NPDES) permit requirements, as appropriate. A construction health and safety plan will be provided to include landfill gas monitoring during any excavation or trenching work.
  - h. Prior to issuance of a Certificate of Occupancy the applicant will submit to the CIWMB, RWQCB and Environmental Affairs Department, as the LEA, a certification that the Branford Landfill has been closed consistent with the approved Amended FCPMP. This certification will include record drawings prepared by a Registered Professional Engineer of the environmental containment, landfill gas monitoring, control, and collection systems that will remain on-site during the post-closure maintenance period. The certification will also include construction quality assurance documentation of closure construction.
  - i. Prior to issuance of a Certificate of Occupancy for each building, the applicant shall provide a letter of methane mitigation for that completed building including at a minimum a report of successful installation of the methane mitigation system, methane monitoring within the building following construction, a plan for methane monitoring within the building and a report of construction. These reports shall be submitted to the LEA, LAFD, and Building and Safety Department for review.
  - j. The applicant shall maintain strict compliance with the provisions of the Amended Final Closure and Post-Closure Maintenance Plan as reviewed and approved by Environmental Affairs Department, as the LEA, in consultation with the California Integrated Waste Management Board, the Building and Safety Department, the RWQCB, SCAQMD, and the Planning Department.
  - k. A landfill gas venting system designed to meet the requirements of the City's methane regulation and CCR Title 27 shall be provided beneath all the buildings located at the site irrespective of whether the building is located inside or outside the landfill boundary to intercept and vent any gas escaping from the landfill and to prevent landfill gas intrusion into any structure. The venting system shall be approved by the SCAQMD and designed by an expert familiar with these systems and their use within the City of Los Angeles.
  - l. Vertical landfill gas extraction wells and a gas extraction blower shall be installed to collect landfill gas from the landfill.
  - m. New landfill gas compliance monitoring probes shall be installed to comply with the Amended and approved FCPCP and gas monitoring requirement of CCR Title 27 and to verify that subsurface landfill gas emissions and/or migration are controlled.
  - n. Construction and maintenance activity on the site shall maintain the integrity of the final cover, drainage and erosion control systems, and gas monitoring and control systems. The owner shall demonstrate to the satisfaction of the LEA, SCAQMD or other appropriate agencies that the activities will not pose a threat to public health and safety and the environment. Any proposed modification or replacement of the

low permeability layer of the final cover shall begin upon approval by the LEA or the RWQCB, whichever is designated lead agency.

- o. Building construction shall meet the following conditions or be constructed in accordance with an equivalent design:
  - A 60 mil. HDPE or equivalent membrane shall be installed below each building concrete slab;
  - A vent system shall be installed below the membrane to vent soil gas to the atmosphere and prevent landfill gas intrusion into any structure;
  - Vent risers from the sub-slab vent system shall be fitted with turbine wind hoods to promote removal of soil landfill gas from below each building.
  - Installation of methane gas detectors in key locations within the buildings and approved by the LAFD. The detectors shall have two alarm levels. A pre-alarm shall activate at 10 percent of the lower explosive limit (LEL) of methane to notify the gas system operator of an impending problem. At 25 percent of the LEL, alarms shall activate to evacuate the buildings and the LAFD shall be notified;
  - Gas monitoring probes shall be installed between the membrane and the slab, and they shall monitor continuously for the presence of landfill gas;
  - Enclosed basement construction shall be prohibited;
  - Buildings and utilities shall be constructed to mitigate the effects of differential settlement;
  - All utility connections shall be designed with flexible connections and utility collars;
  - Utilities shall not be installed in or below any low permeability layer of final cover;
  - Pilings shall not be installed in or through any bottom liner unless approved by the RWQCB and the LEA;
  - If pilings are installed in or through the low permeability layer of final cover, then the low permeability layer must be replaced or repaired; and
  - The LEA may require that an additional soil layer or building pad be placed on the final cover prior to construction to protect the integrity and function of the various layers of final cover.
- p. If water quality impairment related to the landfill is found, Pursuant to Section 20080(g) of CCR Title 27, a corrective action program shall be developed and implemented.
- q. Environmental monitoring and maintenance of the closed landfill shall be performed for a minimum of 30 years after the date the landfill was deemed closed in January 1999, in accordance with a schedule as provided in the approved Amended Final Closure and Post Closure Maintenance Plan or until it can be demonstrated to the satisfaction of the LEA, CIWMB, RWQCB, or SCAQMD, whichever is designated the lead agency, that it is no longer required.
- r. An Operations and Maintenance Manual shall be prepared including an Emergency Response Plan. The Emergency Response Plan shall identify steps to be taken if a failure or breakdown of on-site facilities occurs, despite procedures normally conducted to preclude such occurrences. Appropriate agency and business points of contact shall be included in the Emergency Response Plan. The property owner shall supply other safety equipment normally used or found at a landfill gas control system such as fire extinguishers and landfill gas monitors. The Operations and Maintenance Manual shall include a section on safety and safety equipment and proper use and calibration of gas monitors.



**23. Hydrology and Water Quality.**

- a. Prior to issuance of a grading permit, the project applicant shall prepare a hydrology and drainage analysis for the proposed project that assesses the ability of the existing local stormdrain system to accommodate post-project flows based on a 10-year storm event. If detention is required to control discharge from the project site at or below existing discharge levels, a detention basin/facility shall be constructed in the southeastern portion of the project site where detention could be accommodated. The project applicant shall submit the hydrology and drainage study and the proposed drainage plans to the Bureau of Engineering for review and approval.
- b. Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24-hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- c. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- d. Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- e. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- f. Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- g. Install roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, provides groundwater recharge, and reduces excess runoff into storm drains.
- h. Promote natural vegetation by using parking lot islands and other landscaped areas.
- i. Paint messages that prohibit the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Department of Public Works, Stormwater Management Division. Legibility of stencils and signs must be maintained.
- j. Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- k. Storage areas must be paved and sufficiently impervious to contain leaks and spills.
- l. Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.

- m. The owner(s) of the property shall prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post-construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.

**24. Fire Protection.**

- a. Definitive plans and specifications shall be submitted to the LAFD and requirements for necessary permits shall be satisfied prior to commencement of any portion of the proposed development.
- b. All roadway modifications shall be reviewed by the LAFD to assure adequate access to the development and adjacent uses.
- c. A Hazardous Materials Business Plan reporting the use and storage of any hazardous material shall be filed with the LAFD, if applicable, and implemented prior to issuance of a Certificate of Occupancy for each building of the project. The Plan shall include an Emergency Procedures Plan outlining employee guidelines and procedures in the event of a fire, medical urgency, and other types of emergencies.
- d. During demolition and construction, LAFD access shall remain clear and unobstructed, to the satisfaction of the Fire Marshall.
- e. Development shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles (C.P.C. 19708).
- f. Sprinkler systems shall be installed in accordance with the LAMC, Section 57.09.07.
- g. On-site development requiring access shall conform to the standard street dimensions shown on Department of Public Works Standard Plan D-22549.
- h. Access for LAFD apparatus and personnel to and into all structures shall meet the requirements of the Fire Code. Additional vehicular access may be required by the Fire Code where buildings exceed 28 feet in height. If the building height exceeds 28 feet, the alley shall be increased to 28 feet minimum.
- i. The project applicant shall submit plans that show proposed access road(s) and turning area(s) for LAFD approval.
- j. Standard cut-corners will be used on all street corners to permit easy turning access for LAFD vehicles.
- k. The width of private roadways for general fire lanes shall not be less than 20 feet clear to the sky. When a fire lane must accommodate the operation of an LAFD aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width, per Section 57-09.05 of the LAMC.
- l. Where access requires accommodation of LAFD apparatus, overhead clearance shall not be less than 14 feet.

- m. Fire lanes, where required, and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No fire lane or dead ending street shall be greater than 700 feet in length or secondary access shall be required.
  - n. To accommodate an LAFD apparatus, if necessary, the minimum outside radius of paved surface shall be 35 feet. An additional six feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway.
  - o. All access roads, including fire lanes, shall be maintained in an unobstructed manner. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the LAMC.
  - p. Adequate off-site public and on-site private fire hydrants shall be provided. The maximum distance between all structures and fire hydrants shall be 300 feet. The number, location and need for any additional hydrants beyond existing are to be determined after the LAFD's review of the plot plan.
  - q. The development shall be posted with signage clearly identifying the development. In addition, each building shall be designated individually by street address and signage provided for each building in accordance with Section 57.09.11 of the LAMC.
25. **Police Protection.** Project design guidelines shall discuss access control to proposed structures, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public spaces with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. The Design out Crime Guidelines: Crime Prevention Through Environmental Design, published by LAPD, shall be used for reference. These measures shall be approved by the Police Department prior to the issuance of building permits.
26. **School.**
- a. The project applicant shall pay school fees to the LAUSD to offset the impact of additional student enrollment at schools serving the project area.
  - b. School pedestrian routes, as identified by the LAUSD for District schools in the vicinity of the project site, shall be maintained by the project applicant in a safe and convenient condition. The project applicant shall coordinate scheduling with the LAUSD to provide sufficient notice to forewarn children and parents when currently existing school pedestrian routes would be affected by project construction activities.
  - c. Adequate pedestrian routes shall be maintained along at least one side of all roadways.
  - d. If it is necessary to close a sidewalk, adequate warning and guide signs shall be provided to direct pedestrians along a detour route. The signage and any other traffic controls shall conform to the City of Los Angeles Department of Transportation (LADOT) requirements, both for regulating pedestrians and for warning and regulating motorists.

- e. Whenever necessary to protect public safety, the project applicant shall coordinate with the LAUSD to provide flag persons, crossing guards or other appropriate personnel along identified pedestrian routes in the vicinity of the construction site during project construction activities.
- f. During construction, fencing and/or barriers should be installed to secure the project site and construction equipment to minimize trespassing, vandalism, and short-cut attractions.

**27. Transportation and Traffic.**

- a. To mitigate the significant impact at the intersection of Osborne Street & Laurel Canyon Boulevard, prior to issuance of a building permit, the project applicant shall contribute full funding for the design and construction of the Golden State Freeway Corridor ATSAC/ATCS System. The average cost of the ATSAC/ATCS System for this intersection is \$203,000.
- b. To mitigate the significant impact at the intersection of Osborne Street & San Fernando Road, prior to issuance of a building permit, the project applicant shall contribute full funding for the design and construction of the Golden State Freeway Corridor ATSAC/ATCS System. The average cost of the ATSAC/ATCS System for this intersection is \$203,000.
- c. To mitigate the significant impact at the intersection of Branford Street & Laurel Canyon Boulevard, prior to issuance of a building permit, the project applicant shall conduct the following:
  - Contribute full funding for the design and construction of the Golden State Freeway Corridor ATSAC/ATCS System. The average cost of the ATSAC/ATCS System for this intersection is \$203,000.
  - Install dual left-turn lanes in both the northbound and southbound directions on Laurel Canyon Boulevard.
  - Install left-turn phasing on Laurel Canyon Boulevard.
- d. To mitigate the significant impact at the intersection of Branford Street & San Fernando Road, prior to issuance of a building permit, the project applicant shall conduct the following:
  - Contribute full funding for the design and construction of the Golden State Freeway Corridor ATSAC/ATCS System. The average cost of the ATSAC/ATCS System for this intersection is \$203,000.
  - Widen Branford Street between the two San Fernando Roads to Secondary Highway standards. This improvement shall incorporate the existing curb returns and shall not include reconstruction of any existing roadway improvements.
  - Install full left-turn phasing at Branford Street and big San Fernando Road.
- e. To mitigate the significant impact at the intersection of Van Nuys Boulevard & San Fernando Road, prior to issuance of a building permit, the project applicant shall contribute full funding for the design and construction of the Golden State Freeway Corridor ATSAC/ATCS System. The average cost of the ATSAC/ATCS System for this intersection is \$203,000.

- f. To mitigate the significant impact at the intersection of Osborne Street & I-5 Freeway Southbound Ramps, prior to issuance of a building permit, the project applicant shall conduct the following:
  - Widen the south side of Osborne Street by 3 feet for a distance of 280 feet west of the westerly curb prolongation of the I-5 Freeway southbound off-ramp to provide a 40-foot half-roadway and 10-foot sidewalk.
  - Restripe Osborne Street to provide an advance eastbound right-turn-only lane for the I-5 Freeway southbound on-ramp.
  - Install A.M. and P.M. peak-hour parking restrictions adjacent to the eastbound right-turn-only lane on Osborne Street to the satisfaction of LADOT.
- d. Restripe Branford Street along the project site's frontage, terminating in an eastbound shared left/thru lane and a right-turn-only lane at San Fernando Road, to the satisfaction of the Bureau of Engineering.
- e. To ensure that access and internal circulation impacts would be less than significant, design of the project shall comply with the following standards:
  - All driveways shall be designed in accordance with the Bureau of Engineering Stand Plan S-440-3 and shall be designed using case 2, unless LADOT or Bureau of Engineering gives exception.
  - Two-way driveways shall be 30 feet wide and one-way driveways shall be 16 feet wide, exclusive of side slopes.
  - To minimize potential conflicts between vehicles using adjoining driveways, a minimum of 50 feet of full-height curb shall be provided between driveways.

28. **Utilities and Service Systems.** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

#### **D. Administrative Conditions of Approval**

29. **Approval, 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 Planning Department for placement in the subject file.
30. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
31. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in the (Q) 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 assigns. The agreement shall be submitted to the Planning Department for approval before being recorded, after recordation, a copy bearing the Recorder' number and date shall be provided to the Planning Department for attachment to the file.
32. **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.

33. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
34. **Building Plans.** Page No. 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
35. **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.
36. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

### **Conditions For Effectuating (T) Tentative Classification Removal**

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

Dedications and Improvements. Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional, and Federal government agencies as may be necessary).

#### Responsibilities/Guarantees.

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
2. Bureau of Engineering. Prior to the issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.
  - a. Street Dedication.
    - (1) *San Fernando Road* (Major Highway): a 5-foot wide strip of land along the northwesterly 680 feet of the property frontage to complete a 75-foot wide right-of-way dedication including a 25-foot radius property line return at the intersection with Branford Street.
    - (2) *Branford Street* (Secondary Highway): a 15-foot wide strip of land along the property frontage to complete a 45-foot wide half right-of-way dedication in accordance with Secondary Highway Standards.
  - b. Street Improvement.
    - (1) *Branford Street.* Construct additional concrete sidewalk to complete a 10 to 12-foot full-width concrete sidewalk with tree wells to the satisfaction of the City Engineer.
    - (2) *San Fernando Road.* Construct additional surfacing to join the existing pavement and to complete a 62-foot roadway in accordance with Major Highway Street standards, including a concrete curb, a concrete gutter, and a 10-foot full-width concrete sidewalk with tree wells. These improvements should suitably transitions to join the existing improvements to the satisfaction of the City Engineer.

- (3) After submittal of hydrology and hydraulic calculations and drainage plans for review by the City Engineer prior to recordation of the final map, drainage facilities may be required.
- (4) Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. Some tree removal in conjunction with the street improvement project may require Board of Public Works approval. The applicant should contact the Urban Forestry Division for further information (213) 847-3077.

*Trees:* Board of Public Work approval shall be obtained prior to the issuance of the Certificate of Occupancy of the development project, for the removal of any tree in the existing or proposed public right-of-way area associated with the improvement requirements outlined herein. The Bureau of Street Services Urban Forestry Division is the lead agency for obtaining Board of Public Works approval for the removal of such trees.

- c. Sewers. Sewer lines exist in Branford Street and San Fernando Road. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
  - d. Obtain a revocable permit from the Valley District Office of the Bureau of Engineering for any structures, wall, fence and landscaping to remain in the dedicated right-of-way (818) 374-4621.
  - e. Street Lighting. Improvement Condition: Construct two (2) new street lights on San Fernando Road and six (6) on Telfair Avenue. If street widening is required per BOE improvement conditions, relocate and upgrade ten (10) street lights on Branford Street and nine (9) on San Fernando Road.
3. Department of Transportation. Satisfactory arrangements shall be made with the Department of Transportation to assure:
- a. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
  - b. A parking area and driveway plan shall be submitted to the Citywide Planning Coordination Section of Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Suite 400, Station 3.
4. Fire. The requirements of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features (MM):
- a. Submit plot plans for Fire Department approval and review prior to recordation of Tract Map Action.
  - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.



- c. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
- d. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- e. Private streets shall be recorded as Private Streets, **AND** Fire Lane. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement.
- f. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.

Notice: If conditions dictate, connections to the public sewer system may be postponed until adequate capacity is available.

Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.) as required herein, are completed to the satisfaction of the City Engineer.

## FINDINGS

- 1. General Plan Land Use Designation.** The subject property is located within the area covered by the Sun Valley-La Tuna Canyon Community Plan area, which was adopted by the City Council on Aug. 13, 1999. The adopted Community Plan designates the subject property for Light Industrial land use with the corresponding zones of MR2 and M2. The current zoning is inconsistent with the land use designation and the zone change is necessary, pursuant to AB 283 (zoning consistency requirement). The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas); in that, it is located within Flood Zone C which is an area of minimal flooding. This site is located within the Pacoima/Panorama City Earthquake Disaster Assistance Project Area and the Northeast Valley State Enterprise Zone. The project has proposed to provide parking spaces in conformance with the LAMC Section 12.21-A,4. As conditioned, the design and improvements of the proposed project and zone change will otherwise be consistent with the applicable General Plan.

The project is appropriate for the subject property. The proposed uses are consistent with the Community Plan, which designates the subject property for Light Industrial land use. The proposed site plans a minimum 5-foot landscaped buffer along the north-westerly and north-easterly property lines, along the perimeter facing the street frontages of Branford Street and San Fernando Road, respectively. Further, the interior surface parking lot will be designed to include shaded trees. The trees will be plotted in semi-permanent, large planter boxes in lieu of permeable landscaped curbs, as much of the parking area is situated over former landfill area.

The project site is primarily surrounded by industrial, commercial, residential, and open space uses, with undeveloped, vacant land adjacent to the site to the south and west. The 33.3-acre project site is currently vacant. Public service facilities are located throughout the area such as the Los Angeles Department of Water and Power (DWP) Steam Plant, that is located to the northeast of the project site. Commercial development located along San Fernando Road consists primarily of the auto related uses such as salvage yards, auto parts and auto repair and support services supplying fast foods, motels, liquor stores, and retail centers. Light industrial, industrial business parks, and warehouse/office buildings are dominant along Branford Street, with the exception of an oil distribution yard across from the proposed project site. Rail freight service is provided by the Southern Pacific Railroad, which runs parallel to San Fernando Road.

It is the intent of the General Plan Framework Element to preserve industrial lands for the retention and expansion of existing and attraction of new industrial uses that provide job opportunities for the City's residents. Objective 3.14 is to "provide land and supporting services for the retention of existing and attraction of new industries". The Policies of the Framework Element "encourage the provision of flexible zoning to facilitate the clustering of industries and supporting uses and the consideration of potential redesignation of non-industrial properties located adjacent to lands designated and developed with industrial uses for industrial purposes. The zone change to the proposed (T)(Q)M2-EZ1VL zone conforms to these policies as it will not only develop more than 500,000 square feet of industrial and self-storages uses within the Pacoima/Panorama City Earthquake Disaster Assistance Project Area and the Northeast Valley State Enterprise Zone, but also bring outdated zones of OS-1-XL and PF-1-XL-G into consistency with the adopted Light Industrial land use designation.

2. **General Plan Text.** The Sun Valley-La Tuna Canyon Community Plan has a goal of having “sufficient land for a variety of industrial uses with maximum employment opportunities for the community’s work force for the environment and which have minimal adverse impact on adjacent uses.”

The development also satisfies the Sun Valley-La Tuna Canyon Community Plan Policy No. 3-1.1 by “utilizing land use, zoning, and financial incentives to preserve the economic viability of the Plan’s existing industries” and Policy No. 3-2.1 by “planning industrially parcels located in predominantly industrial areas be protected from development by other uses which do not support the industrial economic base of the City and the community”. With the exception of a minor height deviation for one of the four proposed buildings being requested herewith, the development otherwise conforms to the all other Los Angeles Municipal Code requirements for the proposed M2 Zone including height, parking, and lot area.

3. The **Transportation Element** of the General Plan may be affected by the recommended action herein. San Fernando Road is a Major Highway dedicated to a variable 70- and 75-foot width at the project’s street frontage. The Bureau of Engineering is requiring a 5-foot wide strip of land be dedicated along the northwesterly 680 feet of San Fernando Road adjoining the subdivision to complete a 75-foot wide right-of-way dedication including a 25-foot radius property line return at the intersection with Branford Street. Branford Street is a Secondary Highway dedicated to a variable 60- and 75-foot width at the project’s street frontage. The Bureau of Engineering is requiring a 15-foot wide strip of land be dedicated along Branford Street adjoining the subdivision to complete a 45-foot wide half right-of-way dedication in accordance with Secondary Highway Standards. In addition, the Bureau of Engineering is requiring that the vacation of Telfair Avenue under Engineering File No. VAC-E1400564 be completed by the recordation of the final map. These improvements will assure compliance with this Element of the General Plan and with the City’s street improvement standards pursuant to Municipal Code Section 17.05. As conditioned, the proposed project will provide off-street parking spaces in conformance with the LAMC.
4. The **Sewerage Facilities Element** of the General Plan may be affected by the recommended action. However, requirements for construction of sewer facilities to serve the subject project and complete the City sewer system for the health and safety of City inhabitants will assure compliance with the goals of this General Plan Element. There are existing sewers available in Branford Street and San Fernando Road.
5. **Street Lights.** Any City required installation or upgrading of street lights is necessary to complete the City street improvement system so as to increase night safety along the streets, which adjoin the subject property.
6. **Zone Change Findings.**
  - a. 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 subject property and adjacent commercial corner properties are designated for Light Industrial land use in the adopted Sun Valley-La Tuna Canyon Community Plan. The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone. The soils report for the proposed subdivision was found to be adequate by the Grading Division of the Department of Building and Safety as conditioned in their correspondence dated June 26, 2008 (Log No. 63677).

The adopted Sun Valley-La Tuna Canyon Community Plan designates the subject property for Light Industrial land use with the corresponding zones of MR2 and M2. The subject property is an approximately 33.4 net acres (1,456,079 net square feet after required dedication) and is presently zoned OS-1-XL and PF-1-XL-G. The zone change is in conformance with the Community Plan designation, and in fact, the current zoning is inconsistent with the land use designation and the zone change is necessary.

Regional access is provided by the Golden State Freeway (Interstate 5 or I-5), located approximately one-half mile west of the proposed project site, and the Hollywood Freeway (SR 101), which is located approximately one-half mile south of the project site. San Fernando Road is a major highway that generally runs northwesterly in the San Fernando Valley. The 33.3-acre project site is currently vacant.

The project site includes a parcel that was operated as a landfill from 1957 to 1961 under ownership of the City of Los Angeles. The landfill stopped receiving refuse in 1961. The City issued a Final Closure and Post-Closure Maintenance Plan for the landfill dated January 1999. Prior to landfill use, the site was used for rock, sand, and gravel extraction. Only a small east-west aligned basin remains in the southwestern portion of the site. The basin is approximately 40 feet deep and approximately 640 linear feet of this basin lies within the property boundary. With the exception of the basin, the site is generally level with an elevation at street grade of approximately 915 feet with a surface gradient of approximately 1.3 percent sloping gently to the southeast. The majority of the site consists of recently disturbed and developed land that supports little vegetation. The Tujunga Wash is located about 1,000 feet to the southeast.

The Project Site is also a designated Enterprise Zone, which encourages economic revitalization and job-production. The Project would fulfill a principal objective of Enterprise Zone development by strengthening the local employment base and creating light industrial jobs in the Sun Valley area. Approval of the proposed zone/height district change from OS and PF to M2 also furthers the objectives of the City of Los Angeles' and Community Redevelopment Agency's joint industrial preservation policy. The zone/height district change would increase the valley's stock of industrial land, and help reverse the trend in recent years to convert prime industrial land for housing and other non-job producing uses. Approval of the requested entitlements in conjunction with this zone/height district change would ensure that the Site will be used as intended for industrial space and economic development.

Once developed, the Project will revitalize a currently vacant and formerly contaminated plot of land that was operated as a landfill by the City of Los Angeles. The Applicant has completed the necessary environmental remediation measures to prepare the Site for the proposed development. This area of the north San Fernando Valley has historically been used for gravel mining operations, landfills and public storage yards. In fact, directly adjacent to the Site from Wentworth Street to Trousdale Avenue to the south, is the 100-acre Vulcan Mining Operation property (the "Vulcan Site"), which contains an industrial gravel mining facility. Commercial development along San Fernando Road includes various auto body repair and support shops, as well as salvage yards. Light industrial uses, industrial business parks and similar warehouse/office buildings are located along Branford Street.

The proposed project will replace a formerly contaminated and vacant site with a new light industrial park and public storage facility. The zone change provides an opportunity to enhance its underutilized property. Furthermore, the proposed project will comply with all LAMC requirements for parking, yards, and open space. Therefore, as conditioned, the proposed zone change is found consistent with public necessity, convenience, general welfare and good zoning practice.

- b. In July 2001, the City Council approved a previous version of the currently proposed project that included development of the project site with 550,000 square feet of industrial land uses under Case No. CPC-2000-3490-ZC-GPA-HD-SUB-SPR and adopted Ordinance No. 174,160 (effective September 24, 2001). Approval of the project resulted in adopting the following for the site: 1) zone change from OS-1-XL and PF-1-XL-G to (T)(Q)M2-EZ-1VL with development conditions; 2) General Plan amendment to change the land use designation from Open Space to Light Industrial, and 3) height district change from 1-XL (Extra Limited Height) to 1-VL (Very Limited Height).

The current action, as recommended, has been made contingent upon compliance with new “T” and “Q” conditions of approval imposed herein for the proposed project. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

**7. Zoning Administrator Determination Findings (Transitional Height).** In order for a Zoning Administrator’s Determination to be granted, all of the legally mandated findings delineated in Section 12.24-X,22 of the Los Angeles Municipal Code must be made in the affirmative.

- a. *That such permission will result in a building or structure which is compatible in scale with existing adjoining and nearby structures and uses as well as adopted plans.*

Surrounding uses include various auto body repair and support shops, as well as salvage yards along San Fernando Road, and light industrial uses, industrial business parks and similar warehouse/office buildings located along Branford Street. The Southern Pacific Railroad right-of-way runs parallel to San Fernando Road, adjacent to the Site. Residential uses are located approximately 500 feet west of the subject site, and therefore do not trigger the Transitional Height restrictions. Pursuant to the LAMC, sites that are M zoned must not exceed 25 feet in height when located less than 50 feet in distance or 33 feet in height when located between 50 and 99 feet in distance from a lot classified in the RW1 Zone or more restrictive.

The Transitional Height limitations are triggered, in this instance, by the agricultural zoned land to the south of the site (zoned A1 but is not used for agricultural purposes). Although the adjacent Vulcan Site is located in an agricultural zone, the use on the site is not a sensitive agricultural use; it is an industrial mining operation and is considered a “heavy” industrial use.

Transitional height restrictions are primarily aimed at protecting sensitive land uses, including those located in residential and agricultural zones from incompatible adjacent buildings. In this case, the nearest residential zones are approximately 500 feet west of the Site and have no potential to be impacted by the proposed project. Furthermore, Building 1, the project’s tallest building, is located farthest from the residential uses located across Branford Street and Telfair Avenue. This building

arrangement establishes strategic transitional massing that provides visual relief to nearby single family homes and as viewed from Branford Street.

In addition, the Project conforms to the vast majority of the provisions of the LAMC. The proposed zoning on the site, M2-EZ1VL, is an industrial zone that permits a variety of light industrial uses, including the proposed industrial park and public storage facility. In addition, the requested M2-EZ1VL zone/height district change permits an FAR of 1.5:1 at the Site. Development of the Project would result in an FAR of approximately 0.73:1, which is well below the permitted FAR. All structures on the Site will comply with the 45 foot height limitation of height district EZ1VL, with the exception of building number 1, which deviates from this height limit by 5 feet.

The deviation from the transitional height would also meet the goals and objectives of the Earthquake Disaster Assistance Redevelopment Plan. Section 503.3 of the Redevelopment Plan specifically requires that “[a]reas shown in the General Plan for Industrial use shall be developed, maintained and used in accordance with the uses permitted in the General Plan.” This Redevelopment Plan requirement further supports the Applicant’s request to amend the existing zoning at the Site to ensure consistency with the Community Plan Light Industrial land use designation. Development of the proposed light industrial/public storage project would ensure that the uses allowed by the existing General Plan designation would be developed at the site, consistent with Section 503.3 of the Redevelopment Plan.

The waiver of the transitional height standards would enable the industrial/public storage project to be developed in an economically viable manner, in conformity with the goals and polices of the Community Plan and the Redevelopment Plan.

**8. Zoning Administrator Adjustment Findings (Height).** In order for a Zoning Administrator’s Adjustment to be granted, all of the legally mandated findings delineated in Section 12.28 of the Los Angeles Municipal Code must be made in the affirmative.

- a. *The granting of an adjustment will result in development compatible and consistent with surrounding uses.*

The request for the adjustment to exceed the height limit for a maximum of 50 feet in lieu of the required 45 feet applies for Building 1 only. The rest of the buildings of the project are proposed to meet the 45-foot height limit.

Surrounding uses include various auto body repair and support shops, as well as salvage yards along San Fernando Road, and light industrial uses, industrial business parks and similar warehouse/office buildings located along Branford Street. The Vulcan gravel mining site is located adjacent to the Project Site. The Southern Pacific Railroad right-of-way runs parallel to San Fernando Road, adjacent to the Site, adjacent to Building 1. Residential uses are located approximately 500 feet from the Site across Branford Street and Telfair Avenue. Height restrictions are primarily aimed at protecting adjacent sensitive land uses, including residential and agricultural uses, from incompatible adjacent buildings. In this case, the nearest residential uses are approximately 500 feet south of the Site and have no potential to be impacted by Building 1. Although the adjacent Vulcan Site is located in an agricultural zone, the use on the site is not a sensitive agricultural use; it is an industrial mining operation and is considered a “heavy” industrial use.

Development of the Project would transform a currently underutilized, formerly contaminated site into a vibrant, aesthetically pleasing and economically vibrant

industrial park (with ancillary public storage uses). Deviation from the 45 foot height limit is needed in order provide sufficient industrial space on the property considering a large portion of the site cannot be developed due to the landfill. The proposed project would result in a floor area ratio (FAR) of approximately 0.73:1, which is well below the permitted 1.5:1 FAR. Thus, the limited mass and scale of the buildings relative to the size of the site will ensure compatibility to surrounding uses.

- b. *The granting of an adjustment will be in conformance with the intent and purpose of the General Plan.*

Approval of the requested Zoning Administrator's Adjustment would be in conformance with the intent and purpose of the City's General Plan. The adjustment will allow construction of a project which would promote objectives and policies of the Sun Valley-La Tuna Canyon Community Plan:

- Objective 3-1: To provide for the retention of existing industrial uses and promote future industrial development which contributes to job opportunities and minimizes environmental and visual impacts.
- Objective 3-2: To encourage the conservation and strengthening of viable industrial development throughout the plan area.

The Project will fulfill these objectives by providing future light industrial uses which contribute to the industrial job base in the Community Plan area. Environmental impacts will be minimized by replacing a formerly contaminated property with a Project that has been found to result in no significant environmental impacts on Site or its surroundings. Industrial land is scarce in the Community Plan area, and the Project will conserve and strengthen the viability of land designated for such uses.

- Policy 3-2.1: Industrially planned parcels located in predominantly industrial areas should be protected from development by other uses which do not support the industrial economic base of the City and the community.

The Project will fulfill this objective by providing a light industrial project on a site that is designated by the Community Plan for such uses. The City must adopt a zone/height district change that is consistent with the Light Industrial designation in order to comply with California Government Code Section 65860(a). The zone change/height district change allows the Project Site to be developed in a manner that is consistent with this State law and also protects the site from development under the current open space and public facilities zoning, which would not allow industrial uses.

- c. *The granting of an adjustment is in conformance with the spirit and intent of the Planning and Zoning Code of the City.*

Granting of the height adjustment to allow 5 additional feet in height, for a maximum of 50 feet, for Building 1 only is in conformance with the spirit and intent of the LAMC, in that the rest of the 537,140 square feet of development over a more than 33-acre site will not exceed the height limit of 45 feet. This translates to a 0.73:1 FAR for the proposed project, well below the maximum of 1.5:1 FAR.

Much of the project site cannot be developed due to the existence of the former landfill on the Site. Geotechnical conditions do not allow for the construction of

industrial buildings within the landfill boundaries, which are suitable for parking and for the self-storage facility only. It is infeasible to reduce the height of Building 1 because every square foot of space, including mezzanine space, is critical to the Project's viability. Therefore, granting of the minor adjustment for Building 1 is necessary to feasibly implement the Project.

The granting of the 5 foot height increase would allow the project to proceed, converting a formerly underutilized landfill site into a productive employment center. The additional height would also advance the goals of the site's Enterprise Zone designation, which is designed to foster economically productive use of targeted properties. The adjustment is in keeping with the Municipal Code's general approach of relaxing certain zoning and Code requirements for projects developed within designated Enterprise Zones.

In addition to conforming to the provisions of the LAMC, approval of the adjustment, and ultimate development of the Project, would also advance the City and the CRA's citywide industrial land preservation policy. Over the course of the last few years, the City has taken inventory of prime industrial properties throughout the City with the goal of preserving such land for industrial use. The proposed entitlements (including the zone/height district change and the requested height adjustment) would add to the City's stock of industrial land and reverse the trend to convert such land for housing and other purposes.

- d. *There are no adverse impacts from the proposed adjustment or any adverse impacts have been mitigated.*

The Project will improve the environmental quality of the Site. The Project will replace a formerly contaminated and vacant site with a new light industrial park and public storage facility. The Applicant has already completed the necessary environmental remediation measures to prepare the Site for the proposed development. Pursuant to CEQA, the MND adopted by the City for the Sunquest project has already identified a number of feasible mitigation measures that would lessen potentially significant environmental impacts to levels of insignificance, if implemented. Specifically, these mitigation measures addressed impacts related to aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, noise, public services, transportation/circulation, and utilities and service systems. The Project, which proposes development of approximately 531,692 square feet of combined light industrial and public storage uses is less intensive than the originally approved 550,000 square-foot Sunquest Industrial Park project. Furthermore, a Traffic Assessment, prepared by Hirsh Green Transportation Consulting, Inc. and approved by the LADOT concludes that the Project would eliminate multiple traffic impacts that would have been caused by the Sunquest project.

- e. *The site and/or existing improvements make strict adherence to zoning regulations impractical or infeasible.*

The unique consideration which, in this instance, makes strict adherence to the zoning regulations impractical or infeasible is the existence of substantial Site constraints. Much of the Site cannot be developed due to the existence of the former landfill on the Site. Geotechnical conditions do not allow for the construction of industrial buildings within the landfill boundaries. While much of the site has been remediated, it is infeasible to reduce the height of Building 1 because every square foot of space, including mezzanine space, is critical to the Project's viability. The



strict site constraints are highlighted by the fact that the entire Site would be developed at an FAR of 0.73:1, despite the 1.5:1 FAR allowed pursuant to the requested M2-EZ1VL zone/height district. Due to these severe and unique physical and environmental limitations, granting of the minor adjustment for Building 1 is necessary to feasibly implement the Project.

The requested 5 foot height increase for building 1 is a minor deviation from the 45 foot height limit in the underlying M2-EZ1VL zone. Approval of the requested adjustment, and waiver from the 45 foot height standard for this one building would allow the Applicant to develop an underutilized, formerly contaminated site into a vibrant and productive industrial park and public storage area. This would provide a substantial environmental benefit while bringing new jobs to the Sun Valley area. The additional height would also advance the goals of the site's Enterprise Zone designation, which is designed to foster economically productive use of targeted properties. The adjustment is in keeping with the Municipal Code's general approach of relaxing certain zoning and Code requirements for projects developed within designated Enterprise Zones.

**9. Site Plan Review Findings.** In order for the site plan review to be granted, all six 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 complies with all applicable provisions of this Code and any applicable specific plan.*

The subject site is an "L"-shaped lot on the southwest corner of San Fernando Road and Branford Street, consisting of approximately 33.4 acres in the OS-1-XL and PF-1-XL-G Zones in the Sun Valley-La Tuna Canyon Community Plan area. The project includes the development of 408,800-square-foot of industrial uses and approximately 128,340 square feet of self-storage uses. The industrial uses would consist of four structures, and the self-storage use would consist of eight buildings. Buildings associated with both uses would have a maximum height of 35 to 40 feet, with the exception of Building 1, which would have a height of 50 feet.

The development of the project would result in an FAR of approximately 0.73:1, which is well below the permitted 1.5:1 FAR. Additionally, a total of 861 off-street parking spaces would be provided consistent with the parking regulations. For industrial uses, at least one space for each 500 square feet of floor area is required; and for warehouse uses, one space for each 500 square feet of floor area for the first 10,000 square feet and one space for each 5,000 square feet thereafter.

The Applicant is herein requesting a Zone Change from the existing OS-1-XL and PF-1-XL-G zones to (T)(Q)M2-EZ1VL zone; an Adjustment to permit a minor height increase for Building 1 in lieu of the required 45-foot height limit established by the proposed zone; and a Determination to permit buildings on lots in M Zone to exceed the transitional height limitations ranging from 25 to 33 feet.

As conditioned, the proposed project will otherwise comply with the LAMC. The project site is not located within a Specific Plan area.

- b. *This project is consistent with the General Plan.*

The adopted Sun Valley-La Tuna Canyon Community Plan designates the subject property for Light Industrial land use with the corresponding zones of MR2 and M2.

The subject property is an approximately 33.4 net acres (1,456,079 net square feet after required dedication) and is presently zoned OS-1-XL and PF-1-XL-G. The proposed zone change to (T)(Q)M2-EZ1VL zone will be in conformance with the Light Industrial land use designation, and in fact, is necessary to maintain the zoning consistency.

The Sun Valley-La Tuna Canyon Community Plan specifies goals, policies and objectives relating to industrially designated properties. Such goals, policies and objectives applicable to the project include:

- Objective 3-1: To provide for the retention of existing industrial uses and promote future industrial development which contributes to job opportunities and minimizes environmental and visual impacts.
- Objective 3-2: To encourage the conservation and strengthening of viable industrial development throughout the plan area.
  - Policy 3-2.1: Industrially planned parcels located in predominantly industrial areas should be protected from development by other uses which do not support the industrial economic base of the City and the community.

The Project will fulfill these goals by providing future light industrial uses which contribute to the industrial job base in the Community Plan area. Environmental impacts will be minimized by replacing a formerly contaminated property with a Project that has been found to result in no significant environmental impacts on Site or its surroundings. Industrial land is scarce in the Community Plan area, and the Project will conserve and strengthen the viability of land designated for such uses.

c. *The project is consistent with any applicable adopted redevelopment plan.*

The proposed project meets the goals and objectives of the Earthquake Disaster Assistance Redevelopment Plan. Section 503.3 of the Redevelopment Plan specifically requires that “[a]reas shown in the General Plan for Industrial use shall be developed, maintained and used in accordance with the uses permitted in the General Plan.” Development of the proposed light industrial/public storage project would ensure that the uses allowed by the existing General Plan designation would be developed at the site, consistent with Section 503.3 of the Redevelopment Plan.

The Project Site is also a designated Northeast Valley Enterprise Zone, which encourages economic revitalization and job-production. The Project would fulfill a principal objective of Enterprise Zone development by strengthening the local employment base and creating light industrial jobs in the Sun Valley area.

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

The proposed project is designed and arranged to fit into the development of the adjacent property and the neighborhood. Four buildings on the site will be devoted to light industrial uses, totaling 403,352 square feet, and 128,340 square feet will be utilized as public storage area. The development in its style, height and massing is

generally of the same industrial character of the immediately adjoining developed properties, and is compatible with the character of the adjacent and surrounding uses. The site plan implements transitional massing by locating the Project's larger buildings farther from Branford Street and nearby residential uses located northwest of the Site. As a result, the Project design will provide visual relief as viewed from Branford Street and from the single family homes within the vicinity of the Site. Additionally, the proposed buildings would be oriented toward San Fernando Road and Branford Street. This physical configuration of the buildings, along with landscaping, would enhance the streetscape as well as provide screening for the parking and delivery areas. The Site is bounded to the north by Branford Street, to the east by San Fernando Road, to the west by unimproved Telfair Avenue and to the south by Wentworth Street.

The Project will also provide sufficient parking to satisfy LAMC requirements. As mentioned above, a total of 861 off-street parking spaces would be provided consistent with the parking regulations. For industrial uses, at least one space for each 500 square feet of floor area is required; and for warehouse uses, one space for each 500 square feet of floor area for the first 10,000 square feet and one space for each 5,000 square feet thereafter. The surface parking lot will contain landscaped islands, planted with trees and drought tolerant vegetation. Landscaped buffers, also consisting of trees and drought tolerant vegetation, will be provided along the perimeter of the surface parking lot fronting Branford Street and San Fernando Road. The proposed project promotes orderly development, evaluates and mitigates potentially significant environmental impacts, and promotes public safety and the general welfare.

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

On October 15, 2008, a Mitigated Negative Declaration Case No. ENV-2008-2112-MND was prepared for the proposed project. This document comprises of an Addendum to the previously adopted environmental Case No. MND-1999-3266-GPA/ZC-SPR-SUB. The Addendum, consistent with the previous MND, identified impacts related to: Aesthetics, Air Pollution, Biological Resources, Cultural Resources, Erosion/Grading/Short-Term construction Impacts, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use, Noise, Public Services, Transportation and Circulation, and Utilities.

All mitigation measures have been made a part of this action so that, the project as conditioned, will not have a significant impact on the environment. Other identified potential impacts not mitigated by these conditions are mandatory subject to other existing City ordinances (Sewer Ordinance, Grading Ordinance, Water Conservation Ordinance, Landscape Ordinance, Flood Plain Management Specific Plan, etc.), which are specifically intended to mitigate such impacts on all projects.

There are no substantial changes in the proposed project or the circumstances under which the project is undertaken, which will cause any significant environmental effects or require any revisions to the final MND.

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

Not Applicable. The approved use is for industrial and storage uses and has no residential uses.

10. **Environmental.** A Mitigated Negative Declaration (ENV-2008-2112-MND) was prepared for the proposed project. Pursuant to CEQA Guidelines Section 15164, this document comprises of an Addendum to the previously adopted environmental Case No. MND-1999-3266-GPA/ZC-SPR-SUB. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.

Furthermore, staff finds that modifications to and corrections of specific mitigation measures have been required in order to assure appropriate and adequate mitigation of potential environmental impacts of the proposed use of this subdivision.

## **PUBLIC HEARING AND COMMUNICATIONS**

### **Hearing**

A joint public hearing on this matter with the Deputy Advisory Agency was held at the Marvin Braude San Fernando Valley Constituent Service Center on Tuesday, October 21, 2008.

1. Present: The Applicant, (Greg Ames), the Applicant's representative (Dave Rand), a representative from Mayor's Office (Marcella Ayala) and a representative from Council District 6 (Daniel Skolnick).
2. Initial Indication and Testimony: The Applicant's team introduced the project in more depth and described the various sought entitlements. Later they presented that the project is seeking to obtain LEED Silver Certification for an industrial building. Although generally in agreement with the staff's recommendation to approve the tract map, they raised some concerns with regards to the dedications and improvements required as part of the tract conditions. The Applicant has since appealed the incidental tract map decision, in part; however, no specifics of this appeal have been made available as of this writing.

At the hearing, the Deputy from the Mayor's Office spoke in support of the project, in that, the development is in line with the visions for creating a "green industrial campus". The Planning Deputy from Council District 6 also spoke in support of the proposed project. Two members of the Sun Valley Certified Neighborhood Council and two from the local chamber of commerce supported the project as well. However, concerns were raised as to the lack of landscaping throughout the site, including along the perimeter of the project and within the surface parking lot.

### **Communications Received**

A letter dated October 10, 2008 was received from the Sun Valley Chamber of Commerce stating their support of the proposed, including "their intentions to pursue LEED certification".

Another letter was received by the neighboring local contractor, Mission Valley Sanitation, which was encouraged by the business opportunity that the project would bring.