

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
CPC-2021-10278-CU-1A	ENV-2021-10280	12 - Lee
RELATED CASE NOS.		COUNCIL FILE NO:
<input checked="" type="checkbox"/> N/A		<input checked="" type="checkbox"/> N/A
PROJECT ADDRESS / LOCATION:		
9201 North Winnetka Avenue		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Jill Saperstein, Wincal, LLC. 21600 Oxnard St Woodland Hills, CA 91367	(310) 855-8418	jill.saperstein@decurion.com
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Brad Rosenheim, Rosenheim & Associates, Inc. Jill Saperstein, Wincal, LLC 120 N Robertson Boulevard Los Angeles, CA 90048	(818) 716-2659	brad@raa-inc.com
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Marianne King 10041 Farralone Ave. Chatsworth CA, 91311	(818) 298-2026	making@socal.rr.com
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A		
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Oliver Netburn	(213) 978-1382	oliver.netburn@lacity.org
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		
Conditional Use Permit (CU) <input type="checkbox"/> <i>The preparation of a draft ordinance by the City Attorney will be required.</i>		
FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION: (UNAPPEALED OR NON-APPEALABLE ITEMS)		
<input checked="" type="checkbox"/> N/A		
ITEMS APPEALED:		
Conditional Use Permit (CU)		

ATTACHMENTS:	REVISED:	ENVIRONMENTAL DOCUMENT:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination <input checked="" type="checkbox"/> Findings of Fact <input checked="" type="checkbox"/> Staff Recommendation Report <input checked="" type="checkbox"/> Conditions of Approval <input type="checkbox"/> T Conditions <input type="checkbox"/> Proposed Ordinance <input type="checkbox"/> Zone Change Map and Ordinance <input type="checkbox"/> GPA Resolution <input type="checkbox"/> Land Use Map <input checked="" type="checkbox"/> Exhibit A – Plans <input checked="" type="checkbox"/> Mailing List <input checked="" type="checkbox"/> Interested Parties List <input checked="" type="checkbox"/> Appeal <input type="checkbox"/> Development Agreement <input type="checkbox"/> Site Photographs <input type="checkbox"/> Other:	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption) <input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption) <input type="checkbox"/> Negative Declaration (ND) <input type="checkbox"/> Mitigated Negative Declaration (MND) <input type="checkbox"/> Environmental Impact Report (EIR) <input type="checkbox"/> Mitigation Monitoring Program (MMP) <input type="checkbox"/> Sustainable Communities Project Exemption (SCPE) <input type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA) <input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR) <input type="checkbox"/> Appendices <input type="checkbox"/> Other:	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
NOTES / INSTRUCTIONS:			
<input checked="" type="checkbox"/> N/A			
FISCAL IMPACT STATEMENT:			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No *If determination states administrative costs are recovered through fees, indicate "Yes."			
PLANNING COMMISSION:			
<input checked="" type="checkbox"/> City Planning Commission (CPC) <input type="checkbox"/> Cultural Heritage Commission (CHC) <input type="checkbox"/> Central Area Planning Commission <input type="checkbox"/> East LA Area Planning Commission <input type="checkbox"/> Harbor Area Planning Commission		<input type="checkbox"/> North Valley Area Planning Commission <input type="checkbox"/> South LA Area Planning Commission <input type="checkbox"/> South Valley Area Planning Commission <input type="checkbox"/> West LA Area Planning Commission	
PLANNING COMMISSION HEARING DATE:		COMMISSION VOTE:	
November 17, 2022		6 – 0	
LAST DAY TO APPEAL:		DATE APPEALED:	
February 8, 2023		Yes, February 3, 2023	
TRANSMITTED BY:		TRANSMITTAL DATE:	
Cecilia Lamas Commission Executive II		February 14, 2023	



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: **JAN 24 2023**

Case No. CPC-2021-10278-CU
CEQA: ENV-2021-10280-MND
Plan Area: Chatsworth – Porter Ranch

Council District: 12 – Lee

Project Site: 9201 North Winnetka Avenue

Applicant: Jill Saperstein, Wincal, LLC
Representative: Adrienne Asadoorian, Rosenheim & Associates, Inc.

At its meeting of **November 17, 2022**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following Project:

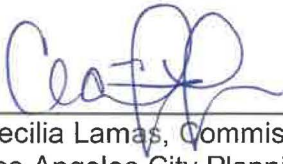
Demolition of approximately 140,000 square feet of floor area and the construction of three buildings to be used for manufacturing, light industrial (including studio production/movie/television/sound production), or warehousing, with a total floor area of approximately 273,500 square feet.

1. **Found**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, Case No. ENV-2021-10280-MND ("Mitigated Negative Declaration"), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the Project will have a significant effect on the environment; **Found** the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; **Found** the mitigation measures have been made enforceable conditions on the Project; and **Adopted** the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration;
2. **Approved**, pursuant to Section 12.24 U.14 of the Los Angeles Municipal Code, a Conditional Use to permit a Major Development Project to allow the construction, use and maintenance of a 273,000 square-foot manufacturing, light industrial (including studio/movie/television/sound production), and/or warehousing;
3. **Adopted** the attached Conditions of Approval; and
4. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Perlman
Second: Campbell
Ayes: Choe, Leung, Millman, Dake Wilson
Absent: Hornstock, López-Ledesma, Mack

Vote: 6 – 0



Cecilia Lamas, Commission Executive Assistant
Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission is appealable to City Council within 15 days after the mailing date of this determination letter. Any appeal not filed within the 15-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: FEB 8 2023

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Conditions of Approval, Findings, Interim Appeal Filing Procedure

c: Heather Bleemers, Senior City Planner
Oliver Netburn, City Planner

CONDITIONS OF APPROVAL

Pursuant to Section 12.24 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. 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 Director to impose additional corrective Conditions, if, in the Director's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file.
7. Authorized herein is the construction, use and maintenance of three (3) buildings to be used for manufacturing, light industrial (including studio production/movie/television/sound production), or warehousing, with a total floor area of approximately 273,500 square feet.
8. **Solar Energy Panels.** The project shall comply with Section 99.05.211.1 of the LAMC.
9. **Electric Vehicle Parking.** All automobile parking spaces shall provide electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) consistent with the regulations outlined in Section 99.05.106 of Article 9, Chapter IX of the LAMC.

Mitigations Measures

10. **Construction Traffic Management Plan.** Prior to the start of construction, a Construction Traffic Management Plan (CTMP) shall be submitted to LADOT for review and approval. The CTMP will include a Worksite Traffic Control Plan, which will facilitate traffic and pedestrian movement, and minimize the potential conflicts between construction activities, street traffic, bicycles, and pedestrians. The CTMP will include, but not limited to, the following measures:
 - Maintaining access for land uses in the vicinity of the Project Site during construction.
 - Schedule construction materials deliveries during off-peak periods to the extent practical.

- Organize deliveries and staging of all equipment and materials in the most efficient manner possible, and on-site where possible, to avoid an impact to surrounding roadways.
- Coordinate deliveries to ensure trucks do not wait to unload or load and impact surrounding roadways, and if needed, utilize an off-site staging area.
- Control truck and vehicle access to the Project Site with flagmen.
- Limit lane closures to the maximum extent possible and avoid peak period hours to the extent possible. Where such closures are necessary, the Worksite Traffic Control Plan will identify the location of lane closures and identify all traffic control measures, signs, delineators, and work instructions to be implemented by the construction contractor through the duration of demolition and construction activity.
- Parking for construction workers will be provided either on-site or at off-site, off-street locations.

11. **Tribal Cultural Resources.** In the event that any tribal cultural resources are discovered during Project construction activities, all work in the immediate vicinity of the find shall cease and the following process shall be followed:

- a. Upon the discovery of a potential tribal cultural resource, the Applicant or its successor, shall immediately stop all ground disturbing activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the Project; and (2) the Department of City Planning, Office of Historic Resources (OHR).
- b. If OHR determines, pursuant to Public Resources Code Section 21074(a)(2), that the object or artifact appears to be a tribal cultural resource in its discretion and supported by substantial evidence, the City shall provide any affected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Applicant, or its successor, and the City regarding the monitoring of future ground disturbing activities, as well as the treatment and disposition of any discovered tribal cultural resources.
- c. The Applicant, or its successor, shall implement the tribe's recommendations if a qualified archaeologist retained by the City and paid for by the Applicant, or its successor, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- d. In addition to any recommendations from the applicable tribe(s), a qualified archaeologist shall develop a list of actions that shall be taken to avoid or minimize impacts to the identified tribal cultural resources substantially consistent with the best practices identified by the Native American Heritage Commission and in compliance with any applicable federal, state, or local laws or regulations.
- e. If the Applicant, or its successor, does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the Applicant, or its successor, may request mediation by a mediator agreed to by the Applicant, or its successor, and the City. The mediator must have the requisite professional qualifications and experience to mediate such a dispute. The City shall make the determination as to whether the mediator is at least minimally qualified to mediate the dispute. After making a reasonable effort to mediate this particular dispute, the City may: (1) require the recommendation be implemented as originally proposed by the archaeologist; (2) require the recommendation, as modified by the City, be implemented as long it is at least as equally effective to mitigate a potentially significant impact; (3) require a substitute recommendation be implemented that is at least as equally effective to mitigate a potentially significant impact to a tribal cultural resource; or (4) not require the recommendation be implemented because it is not necessary to mitigate any significant

impacts to tribal cultural resources. The Applicant, or its successor, shall pay all costs and fees associated with the mediation.

- f. The Applicant, or its successor, may recommence ground disturbing activities outside of the specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and determined to be reasonable and appropriate.
- g. The Applicant, or its successor, may recommence ground disturbing activities inside of the specified radius of the discovery site only after it has complied with all of the recommendations developed and approved pursuant to the process set forth in items 2 through 5, above.
- h. Copies of any subsequent prehistoric archaeological study or tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton, and the Native American Heritage Commission for inclusion in its Sacred Lands File.
- i. Notwithstanding item 8, above, any information that the Department of City Planning, in consultation with the City Attorney's Office, determines to be confidential in nature shall be excluded from submission to the SCCIC and not provided to the public under the applicable provisions of the California Public Records Act, California Public Resources Code, Section 6254, and shall be handled in compliance with the City's AB 52 Confidentiality Protocols.

Administrative Conditions

- 12. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
- 13. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
- 14. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
- 15. **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.
- 16. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

17. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
18. **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.
19. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
20. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

FINDINGS

Conditional Use Findings

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

The proposed project is the demolition of approximately 140,000 square feet of floor area and the construction of three (3) buildings to be used for manufacturing, light industrial (including studio production/movie/television/sound production), or warehousing, with a total floor area of approximately 273,500 square feet.

The project will result in the development of an under-utilized, industrially-zoned property with the flexibility to potentially generate 364 permanent jobs upon completion. Additionally, the Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) identifies the subject property and the surrounding, primarily industrially-zoned properties as located within a Job Center, which are areas with denser employment than their surroundings.

Therefore, through the redevelopment of the subject property with 273,500 square-foot of flexible space for light industrial, manufacturing or warehousing, the project will perform a function that is essential or beneficial to the community, city and region.

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

The subject property is a flat, irregular-shaped 636,198 square-foot (14.61 acres) with a frontage of approximately 915 feet along south side of Prairie Street, approximately 685 feet along the east side of Oso Avenue, and approximately 62 feet along the west side of Winnetka Avenue. The project site currently contains the 132,403 square-foot, multi-plex movie theater along with an associated surface parking.

Surrounding properties are developed with manufacturing/industrial and commercial uses, a mixed-use development and a railroad right-of-way. The properties to the north (across Prairie Street) are zoned MR2-1 and are improved with manufacturing, industrial and self-storage uses. The properties to the east (including across Winnetka Avenue) are zoned [Q]M2-1, P-1, and (Q)CM-1-MPR, and are improved with commercial uses and a large mixed-use development. The properties to the south are zoned [Q]M2-1, and PF-1XL, and are improved with a surface parking lot, a railroad, and undeveloped. The properties to the west (across Oso Avenue) are zoned MR2-1 and are improved with manufacturing and industrial uses.

The proposed project is the demolition of approximately 140,000 square feet of floor area and the construction of three (3) buildings to be used for manufacturing, light industrial (including studio production/movie/television/sound production), or warehousing, with a total floor area of approximately 273,500 square feet.

The project would have a maximum building height of 50 feet and an FAR of 0.43:1. The project has been designed with significant setbacks from the streets, ranging from 62 feet or 83 feet, wherein surface parking and landscaping is proposed (a total of 199 trees). The project has been designed to provide the minimum number of parking spaces depending on the final use(s). The minimum number of parking spaces, based on a manufacturing or light

industrial use, would be 547 spaces; the maximum number of parking space, based on a warehousing use, would be 162 spaces. Lastly, the project includes the ability to install 56 loading docks which would all be centrally located and out of view from the street.

Automobile access would be available via Prairie Street, Oso Avenue, and Winnetka Avenue. Truck access would be provided from Prairie Street, Oso Avenue, and the southerly driveway on Winnetka Avenue.

For the purposes of the environmental review the project was analyzed the potential for warehouse, light industrial (including studio production), and manufacturing options as these would be the most impactful uses to occupy the project site. That analysis considered the following options are referred to and analyzed:

- Option A: The three buildings would contain a combined 243,500 square feet of light industrial floor area, including potential studio production uses. Buildings 1 and 2 would each contain an additional 7,500 square feet of ancillary office space in support of their main uses. Building 3 would contain an additional 15,000 square feet of ancillary office space in support of its main use, for a total of 273,500 square feet.
- Option B: The three buildings would contain a combined 243,500 square feet of manufacturing floor area. Buildings 1 and 2 would each contain an additional 7,500 square feet of ancillary office space in support of their main uses. Building 3 would contain an additional 15,000 square feet of ancillary office space in support of its main use, for a total of 273,500 square feet.
- Option C: The three buildings would contain a combined 243,500 square feet of warehouse floor area. Buildings 1 and 2 would each contain an additional 7,500 square feet of ancillary office space in support of their main uses. Building 3 would contain an additional 15,000 square feet of ancillary office space in support of its main use, for a total of 273,500 square feet. The analysis contained in the environmental review assumes up to 25,000 square feet of refrigerated warehouse space as part of Option C.

Therefore, based on the environmental review, and the project, as described above, will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

3. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code. Except for those entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code.

The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The subject property is located within the Chatsworth–Porter Ranch Community Plan which designates the subject property for Light Manufacturing land use, corresponding to the MR2 and M2 zones. The subject site is zoned [Q]M2-1 and P-1.

Chatsworth–Porter Ranch Community Plan.

The Community Plan text includes the following relevant land use objective:

Objective 4: To promote economic well-being and public convenience through: designating lands for industrial development that can be used without detriment to adjacent uses of other types, and imposing such restrictions on the types and intensities of industrial uses as are necessary to this purpose.

The proposed project has been designed to allow different types and intensities of industrial uses in order to accommodate the changing trends in the industrial/manufacturing sector, while minimizing any detriment to adjacent uses. Additionally, the Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) identifies the subject property and the surrounding, primarily industrially-zoned properties as located within a Job Center, which are areas with denser employment than their surroundings.

Therefore, the project is consistent with the Chatsworth–Porter Ranch Community Plan in that the project will implement the abovementioned objective of the Plan.

Framework Element

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

Goal 3A: A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.

Objective 3.1: Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

Policy 3.1.1: Identify areas on the Long-Range Land Use Diagram and in the community plans sufficient for the development of a diversity of uses that serve the needs of existing and future residents (housing, employment, retail, entertainment, cultural/institutional, educational, health, services, recreation, and similar uses), provide job opportunities, and support visitors and tourism.

Policy 3.1.5: Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram.

Objective 3.2: Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.

Policy 3.2.1: Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and character. This shall be accomplished by considering factors such as the existing concentrations of use, community-oriented activity centers that currently or potentially service adjacent neighborhoods, and existing or potential public transit corridors and stations.

Objective 3.3: Accommodate projected population and employment growth within the City and each community plan area and plan for the provision of adequate supporting transportation and utility infrastructure and public services.

Policy 3.3.1: Accommodate projected population and employment growth in accordance with the Long-Range Land Use Diagram and forecasts in Table 2-2 (see Chapter 2: Growth and Capacity), using these in the formulation of the community plans and as the basis for the planning for and implementation of infrastructure improvements and public services.

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.4.2: Encourage new industrial development in areas traditionally planned for such purposes generally in accordance with the Framework Long-Range Land Use Diagram (Figure 3-2) and as specifically shown on the community plans.

The subject property is 636,198 square feet in size and is zoned [Q]M2-1 with a land use designation of Light Industrial. The project site currently contains the 132,403 square-foot, multi-plex movie theater along with an associated surface parking. Surrounding properties are developed with manufacturing/industrial and commercial uses, a mixed-use development and a railroad right-of-way.

The proposed 273,500 square feet of manufacturing, light industrial (including studio production/movie/television/sound production), or warehousing uses will convert the current use from a commercial/entertainment use to an appropriately located industrial/manufacturing use on an industrially-zoned property.

The industrial/manufacturing use on an industrially zoned and planned-for district will reduce vehicular trips, vehicle miles traveled, and air pollution as other necessary supportive uses either currently exist in the area, or would to developed in the immediate area without encroaching on or diminishing the quality of life in established residential districts.

Lastly, the Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) identifies the subject property and the surrounding, primarily industrially-zoned properties as located within a Job Center, which are areas with denser employment than their surroundings.

Goal 3J: Industrial growth that provides job opportunities for the City's residents and maintains the City's fiscal viability.

Objective 3.14: Provide land and supporting services for the retention of existing and attraction of new industries.

Policy 3.14.1: Accommodate the development of industrial uses in areas designated as "Industrial-Light," "Industrial-Heavy," and "Industrial-Transit" in accordance with Tables 3-1 and 3-9. The range and intensities of uses permitted in any area shall be determined by the community plans.

Policy 3.14.2: Provide flexible zoning to facilitate the clustering of industries and supporting uses, thereby establishing viable "themed" sectors (e.g., movie/television/media production, set design, reproductions, etc.).

Policy 3.14.3: Promote the re-use of industrial corridors for small scale incubator industries.

The proposed industrial/manufacturing uses are permitted uses in the [Q]M2-1 Zone, and is only required a Conditional Use due to its size. The project will encourage the growth of and attract new industries that will provide new job opportunities for the City's residents, thereby contributing to the City's fiscal viability and employment base. The redevelopment of the site from a commercial/entertainment use to an appropriately located industrial/manufacturing use on an industrially-zoned property will support and spur the development of other necessary supportive uses which either currently exist in the area, or maybe to developed in the immediate area.

Therefore, the project is consistent with the General Plan Framework Element in that the project will implement the abovementioned goals, objectives and policies of the Plan.

Mobility Element

The Mobility Element of the General Plan (Mobility Plan 2035) is not likely to be affected by the action herein.

Mobility Plan 2035 includes the following Policies relevant to the instant request:

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

The project will provide 27-short-term and 31-long-term bicycle parking spaces, all of which will be distributed among the three (3) separate buildings.

Policy 5.4: Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

As conditioned, the project will provide electric vehicle charging spaces and electric vehicle charging stations, as required by the LAMC

Lastly, the Department of Transportation submitted a Traffic Impact Assessment of the proposed project, dated January 14, 2022, and that determined that traffic impacts from trips generated from the project will be less than significant.

Therefore, the project is consistent with Mobility Plan 2035 in that the project will implement the abovementioned policies of the Plan.

Air Quality

The Air Quality Element of the General Plan will be implemented by the recommended action herein. The Air Quality Element sets forth the goals, objectives and policies which will guide the city in the implementation of its air quality improvement programs and strategies. The Air Quality Element recognizes that air quality strategies must be integrated into land use decisions and represent the city's effort to achieve consistency with regional Air Quality, Growth Management, Mobility and Congestion Management Plans. The Air Quality Element includes the following Goal and Objective relevant to the instant request:

Goal 5: Energy efficiency through land use and transportation planning, the use of renewable resources and less polluting fuels, and the implementation of conservation measures including passive methods such as site orientation and tree planting.

Objective 5.1: It is the objective of the City of Los Angeles to increase energy efficiency of City facilities and private developments.

As conditioned, project shall comply with the City's Solar-Ready requirements and the California Energy Code.

Therefore, the project is in substantial conformance with the purpose, intent and provisions of the General Plan and the applicable community plan.

4. **The project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.**

As discussed in Finding No. 2 above, project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

5. **The project complies with the height and area regulations of the zone in which it is located.**

The subject property is zone [Q]M2-1 (Light Industrial Zone). The M2 Zone has no minimum front, side or rear yard setbacks and no minimum lot area or lot width. Height District No. 1, in the M2 Zone has no height limit and a maximum permitted Floor Area Ratio of 1.5 to 1.

Therefore, as the [Q]M2-1 has no setback, lot area or lot width requirements, and no building height limitations, and the project's 0.43 to 1 FAR is within the maximum permitted FAR of 1.5 to 1, the proposed project would comply with the height and area regulations of the M2-1 Zone in which it is located.

6. **The project is consistent with the City Planning Commission's design guidelines for Major Development Projects.**

The City Planning Commission has not adopted design guidelines for Major Development Projects, however the project is consistent with the following objectives of the Industrial Citywide Design Guidelines:

Objective 1: Consider Neighborhood Context and Compatible Design of Uses

The project has been thoughtfully designed to be compatible with existing industrial/manufacturing uses and development in the surrounding area.

Objective 2: Employ High Quality Architecture to Define the Character of Industrial Districts

The project's design and architecture allow for flexibility to accommodate a variety of potential tenants.

Objective 3: Create Active Pedestrian and Employee Amenities

The proposed project includes outdoor seating areas adjacent to the main entrances for each building. Additionally, all loading docks are centrally located and away from view by pedestrians.

Objective 4: Facilitate Safe Access for Loading Areas While Buffering Pedestrians and Non-Industrial Uses

All loading docks are centrally located and away from view by pedestrians, and truck circulation has been considered and designed into the parking layout to avoid truck/pedestrian conflicts.

Objective 5: Include Open Space to Create Opportunities for Pedestrian and Employee Amenities

The proposed project includes outdoor seating areas adjacent to the main entrances for each building.

Objective 6: Improve the Streetscape Experience by Reducing Visual Clutter

The project has been conditioned to provide a berm between the surface parking and the abutting sidewalks.

Therefore, as proposed and conditioned, the project is consistent with the Industrial Citywide Design Guidelines.

Environmental Findings

7. **Environmental Finding.** Base on the whole of the administrative record, including the Mitigated Negative Declaration, Case No. ENV-2021-10280-MND ("Mitigated Negative Declaration"), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment.
8. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, an area of minimal flooding.

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check.

Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

Metro DSC

(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC

(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment