



SOUTH VALLEY AREA PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.lacity.org/PLN/index.htm

Determination Mailing Date: NOV 02 2006

CITY COUNCIL
Room 395, City Hall

CASE NO. APCSV-2005-9236-ZC-SPE-CU-SPP
CEQA: ENV 2005-9237-MND
Location: 22621 W. Ventura Boulevard
Council District: 3
Plan Area: Canoga Park-Winnetka-Woodland
Hills-West Hills
District Map: 171B097

Applicant: Bhiknabhaia Patel

At its meeting on September 14, 2006, the following action was taken by the South Valley Area Planning Commission:

1. **Approved** the (T)(Q)C1.5-1VLD zone and **recommended that the City Council adopt the ordinance** to effect the change of zone, subject to the attached conditions of approval.
2. **Approved** the requested **Conditional Use** to permit a motel within 500 feet of an A and R Zone, subject to the attached conditions of approval.
3. **Approved** the requested **Specific Plan Exception** from Section 6 B 3 of the Ventura/Cahuenga Specific Plan, to permit a Floor Area Ratio of 1.13:1 in lieu of the maximum allowable Floor Area Ratio of 1.0:1;
4. **Approved** the requested **Project Permit Compliance** with the Ventura/Cahuenga Specific Plan;
5. **Adopted** Mitigated Negative Declaration No. ENV-2005-9237 MND.
6. **Adopted** the Findings.
7. **Recommended** that the applicant be advised that time limits for effectuation of a zone in the T Tentative classification or Q Qualified 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. **Advised** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
9. **Advised** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

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

This action was taken by the following vote:

Moved: Andros
Seconded: Murley
Ayes: Cochran, Romero, Epstein

Vote: 5-0



Fely C. Ringol, Commission Executive Assistant
South Valley Area Planning Commission

**Case No. APCNV-2005-9236-ZC-SPE-CU-SPP
22621 W. Ventura Boulevard**

Page 2

Appeals: If the Commission has disapproved the *Zone Change* request, in whole or in part, the applicant may appeal that disapproval to the Council within 20 days after the mailing date of this determination. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

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

Attachment: (T) Conditions, Zone Change Ordinance, Zone Change Map, (Q) Conditions, Zone Change Signature Sheet, Findings

C: Notification List

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Los Angeles Municipal Code Section 12.32 G, the (T) Tentative Classification shall be removed by the recordation of a final 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 approvals or guarantees provided to the Planning Department for attachment to the subject City Plan case file.

1. **Dedication(s) 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).
 - A. **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. Prior to 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.
2. **Street Lighting:** Installation of street lights to the satisfaction of the Bureau of Street Lighting (213) 847-6379. If new street light(s) are required, the property within the boundary of the development shall be formed or annexed into a Street Lighting Maintenance Assessment District prior to final recordation or issuance of the certificate of Occupancy. Note: Refer to the Department of Water and Power regarding power pole relocation (213) 367-2715.
3. **Street Trees:** install tree wells with root barriers and plant street trees to the satisfaction of the City Engineer and the Urban Forestry Division of the Bureau of Street Services (213) 485-5675.
4. **Sewers:** All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit. The Bureau of Sanitation may need to investigate the public sewers for sufficient capacity to facilitate the proposed development. Submit a request to the Public counter of the Valley District Office of the Bureau of Engineering (818) 374-5090
5. **Parking/Driveway Plan.** Prior to the issuance of any building permit, the applicant shall submit a parking and driveway plan to the Valley District Office of the Bureau of Engineering and the Department of Transportation for review and approval.
6. 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:

- a. Fire lanes, where required, shall be a minimum of 20-feet in width;
 - b. All structures shall be within 300-feet of an approved fire hydrant;
 - c. Entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
 - d. Submit plot plans indicating access road and turning area for Fire Department approval.
7. The applicant shall make any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City right-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05 N, to the satisfaction of the Information Technology Agency (ITA).
8. **Police.** The building plans shall incorporate design guidelines relative to security, semi-public and private spaces (which may include but not be limited to access control to building), secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities and building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Refer to *Design out Crime Guidelines: Crime Prevention Through Environmental Design* published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room 818, Los Angeles, Phone: 213-485-3134). These measures shall be approved by the Police Department prior to the issuance of building permits.
9. **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 by the property owner in the County recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the recorder's number and date must be given to the City Planning Department for attachment to the subject file.

Notice: Certificates of Occupancies 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.

(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 of the subject property shall be limited to the use and area provisions of the (T)(Q)C1.5-1VLD zone, as defined in Section 12.09. 1 B4, except as otherwise permitted herein.
2. **Density.** Development shall be limited to a maximum 32,500 square foot motel with 86 guest rooms.
14. **Plans.** The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit E-3, dated **September 14, 2006**, and attached to the subject City Plan Case file. Prior to the issuance of building permits, revised, detailed development plans that show compliance with all conditions of approval, including complete landscape and irrigation plans, shall be submitted to the satisfaction of the Planning Department.
15. **Height.** No building or structure on the subject property shall exceed 30 Feet in height. Any structures on the roof, such as air condition units and other equipment, shall be fully screened from view of any abutting properties with single-family dwellings.
16. **Parking.** A minimum of 98 on-site, parking spaces shall be provided.
17. **Landscape Plan.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared consistent with the landscape provisions of Sections 12.40 through 12.43 of the Municipal Code by a licensed landscape architect to the satisfaction of the Planning Department. Development at the rear of the site shall include 30 gallon Podocarpus plants with Liquid Amber trees at each end of the rear wall. Landscaping shall comply with LA Fire Requirements for access.
7. **Trash.** If outdoor trash storage areas are installed, they shall be fully enclosed by a solid decorative masonry wall, a minimum of 6 feet in height. There shall be no openings except for gates.
8. **Maintenance/ Graffiti Removal.** The subject property (including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris. The owners shall maintain the subject property clean and free of debris and rubbish and promptly remove any graffiti from the walls, pursuant to Municipal Code Sections 91.8101-F, 91.8904-1 and 91.1707-E. Exterior walls of new commercial and residential buildings of other than glass may be covered with clinging vines, screened by oleander trees or similar vegetation capable of covering or screening entire walls up to heights of at least 9-feet, excluding windows and signs.

B. Environmental Conditions.

9. **Landscape Buffer.** A minimum five-foot wide landscape buffer shall be planted adjacent to the residential use. A landscape plan prepared by a licensed Landscape Architect to be submitted and approved by the City Planning Department.
19. **Lighting.** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
20. **Air Pollution (Stationary).** Short-Term Air Pollution. (Site Preparation/Construction Activities). 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 Rule 403. 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. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust. 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. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. (City building site Inspector)
21. **Seismic.** The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
22. **Construction (Air Quality).**
 - a. 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.
 - b. The owner or contractor shall maintain the construction area sufficiently dampened to control dust caused by grading, construction and hauling, and at all times provide reasonable control of dust caused by wind.
 - c. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
 - d. All materials transported off-site shall be either sufficiently watered or securely covered to prevent the generation of excessive amounts of dust.
 - e. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent the generation of excessive amounts of dust.
 - f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
19. **Construction (Noise).** The project shall comply with the City of Los Angeles Noise Ordinance Nos. 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.
 - a. 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.

- b. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously that causes high noise levels.
- c. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- d. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, to insure an acceptable interior noise environment.
- e. Construction and demolition shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

20. Grading. All grading activities shall require grading permits from the Department of Building and Safety. Additionally.

- a. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
- b. Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety department these measures include 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.
- c. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

21. General Construction.

- a. 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 shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.
- b. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- c. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- d. Dumpsters shall be covered and maintained. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- e. Where truck traffic frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into streets.
- f. All vehicle/equipment maintenance, repair and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drip cloths shall be used to catch drips and spills.

22. Liquefaction. The project shall comply with the Uniform Building Code 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. Building design consideration 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.

18. **Asbestos Containing Materials.** 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 asbestos containing materials are present in the building. If asbestos containing materials are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules and regulations.
 19. **Increased Noise Levels (Landscape Buffer).** A sturdy, readable construction sign shall be placed on a construction site, visible to the public. The sign shall include approved hours/days of construction and "hot line" pager/telephone number to responsible job captain/foreman.
 20. **Increased Vehicle Trips/Congestion.** Implementing measures(s) detailed in Department of Transportation communication to the Planning Department dated January 4, 2006, attached herein shall be complied with. Such report and mitigation measure(s) are incorporated herein by reference.
- C. **Other Conditions.**
21. **Posting of Construction Activities.** The adjacent residents shall be given regular notification of major construction activities and their duration. A visible and readable sign (at a distance of 50 feet) shall be posted on the construction site identifying a telephone number for inquiring about the construction process and to register complaints.
 23. **Construction-related Parking.** Off-street parking shall be provided for all construction-related employees generated by the proposed project. No employees or subcontractor shall be allowed to park on the surrounding residential streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any residential street in the immediate area. All construction vehicles shall be stored on site unless returned to their owners base of operations.
 24. **Truck Traffic Restricted Hours.** Truck traffic directed to the project site for the purpose of delivering materials or construction-machinery shall be limited to the hours beginning at 9:00 AM and ending at 3:00 PM, Monday through Friday. No truck deliveries shall occur outside of that time period. No truck queuing related to such deliveries to the project site shall occur on any local or collector street within the project vicinity outside of that time period.
- D. **Administrative Conditions.**
25. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review 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.
 26. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein or in the related Adjustment, conditions may vary.

- 27. 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 assigns. The agreement shall be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
- 28. 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.
- 29. 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.
- 30. Building Plans.** Page 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.
- 31. Corrective Conditions.** The authorized use shall be conducted at all times with due regard to 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, including discontinuance and revocation, if, in the Commission's opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
- 32.** The subject Determinations require the completion of all applicable conditions of approval herein to the satisfaction of the Planning Department and the effective date of these grants shall coincide with that of the associated zone change on the property involved.

A. Conditional Use Conditions.

1. **Entitlement:** The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit E-3, dated **September 14, 2006**, and attached to the subject City Plan Case file, except as modified herein.
2. **Location of Use.** Development of the subject motel use shall be permitted within 500 feet of those properties located within the R1-1, subject to the attached Conditions of Approval.

B. Specific Plan Exception Condition.

3. **Floor Area Ratio.** The subject use shall be permitted a maximum Floor Area Ratio of 1.13:1.

C. Project Permit Compliance Conditions.

4. **Approval.** The subject request shall comply with all applicable provisions of the Ventura-Cahuenga Boulevard Corridor Specific Plan, except as conditioned herein. Prior to the issuance of building permits, revised, detailed development plans that show compliance with all conditions of approval, including complete landscape and irrigation plans, shall be submitted to the satisfaction of the Planning Department Valley Division.
5. **Design Review.** The project shall conform to all applicable design standards of the Ventura-Cahuenga Boulevard Specific Plan. In addition, the project shall conform with the following:
 - a. The color palette shall emulate the palette of the remodeled AKU AKU Motel located on Ventura Boulevard as recommended by the PLUM Committee of the Woodland Hills-Warner Center Neighborhood Council.
 - b. Landscaping shall include 30 gallon Podocarpus plants to be located across the rear wall of the property, subject to LA City Fire Department Requirements, with Liquid Amber Trees to be located at each end of the wall.
 - c. The front facade of the building shall have a center panel of different texture/materials to break up the face of the building.

FINDINGS

- 1. General Plan Land Use Designation.** The subject property is located within the area covered by the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan, which was adopted by the City Council on August 17, 1999, (Case No. CPC 97-0041 CPU). The Plan map designates the subject property as General Commercial, with corresponding zone(s) of C1.5, C2, C4, RAS3, RAS4.
- 2. Ventura-Cahuenga Boulevard Corridor Specific Plan.** The subject entitlement request is subject to the provisions of the Ventura-Cahuenga Boulevard Corridor Specific Plan, which was adopted by the City Council on February 16, 1991 (Ordinance No. 166,560).
- 3. Zone Change Findings.** Pursuant to Section 12.32C7 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 recommended zone change from C1.5-1VLD and P-1VLD to (T)(Q)C1.5-1VLD, is consistent with the existing Land Use designation of General Commercial and is within the range of zones permitted by such, which include: C1.5, C2, C4, RAS3 and RAS4. The recommended zone change to (T)(Q)C1.5-1, is consistent with good zoning practice and is in keeping with the Objectives, Policies and Programs established by the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan and the Ventura-Cahuenga Boulevard Corridor Specific Plan.

The subject parcel fronts Ventura Boulevard which contains parcels designated General Commercial, on both the north and south side of the street. The existing pattern of development includes parcels immediately adjacent to the subject site to the east and west that contain a Land Use Designation of General Commercial and C1.5-1VLD, C4-1VLD and P-1VLD zoning. Uses to the north of the commercial parcels are designated as Low Density Residential, zoned R1-1 and contain single family residential uses. The requested zone change will unify the subject site with one zoning designation. Development of the site will be compatible with existing parcels in the area and will allow for development of a project that is more in keeping with the on-going upgrading of the Ventura-Cahuenga Corridor.

The recommended Zone Change will allow for the development of the proposed project which is consistent in scale, height, density and use as surrounding commercial development. The proposed project meets the Objectives and Policies of the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan to conserve and strengthen viable commercial development and encourage recycling of obsolete commercial development and additionally through location new commercial development in areas currently designated for such development.

The action, as recommended, has been made contingent upon compliance with the "T" and "Q" conditions imposed herein. 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.

4. **Conditional Use Findings (To Permit a Motel within 500 feet of an A or R Zone).** Pursuant to Section 12.24.E 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 location of the project will be desirable to the public convenience and welfare, will be proper in relation to adjacent uses or the development of the community, will not be materially detrimental to the character of development in the immediate neighborhood and will be in harmony with the various elements and objectives of the General Plan.

The proposed project is located within the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan area, within an area currently developed with commercial uses fronting Ventura Boulevard. The proposed project is consistent with the existing pattern of development and will be desirable to the public convenience and welfare as the requested project is consistent in scale, design and use as existing development in the immediate area.

The proposed project will include the development of a Holiday Inn Express Motel with 86 rooms. The existing site is developed with a motel use that has become a nuisance to both adjacent commercial uses and nearby residential uses. The redevelopment of the site will not introduce a new type of use into the area, but an improved, modernized use that is more in keeping with the redevelopment of the Ventura Commercial Corridor. Removal of the existing facility will both provide access for a much needed, affordable, national chain motel use for local business and vacation travelers and an ungraded, better regulated use, that will be more compatible with the adjacent residential uses.

Development of the site as a motel will not be detrimental to the character of the development of the immediate neighborhood as the proposed use will conform with the requirements of the Ventura-Cahuenga Boulevard Corridor Specific Plan and will meet the Objectives and Policies of the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan to conserve and strengthen viable commercial development and encourage recycling of obsolete commercial development and additionally through location new commercial development in areas currently designated for such development.

5. **Specific Plan Exception Findings.** Pursuant to Municipal Code Section 11.5.7 F 2.

The strict application of the policies, standards and regulations of the specific plan to the subject property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Plan. There are exceptional circumstances or conditions that are applicable to the subject property or to the intended use or development of the subject property that do not generally apply to other properties within the specific plan area. The requested exception is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property within the geographically specific plan in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question. The granting of the exception will not be detrimental to the public welfare and injurious to property or improvements adjacent to or in the vicinity of the subject property and The granting of the exception is consistent with the principles, intent and goals of the specific plan.

The proposed development of an 86 room Holiday Inn Express Motel with 98 on-site parking spaces will comply with all provisions of the Specific Plan, except the requirement for Floor Area Ratio limitation. It has been indicated that the proposed use needs to have a minimum of 86 rooms with ample on-site parking and all of the ancillary spaces including lobby and offices for normal operations as a franchise facility. Strict adherence to the FAR limitation of 1.0:1 would limit development of the facility by making it difficult to meet the franchise standards for the facility.

The existing use is substandard and has become a nuisance to local businesses and residences. The intent of the upgraded facility is to provide a national franchise motel to serve the local business travelers with a budget priced accommodation that also provides all the amenities of a three star hotel. The floor area needed for development of the facility is unique to this type of use as the number of rooms provided and the amenities provided are a requirement for operations and economic viability.

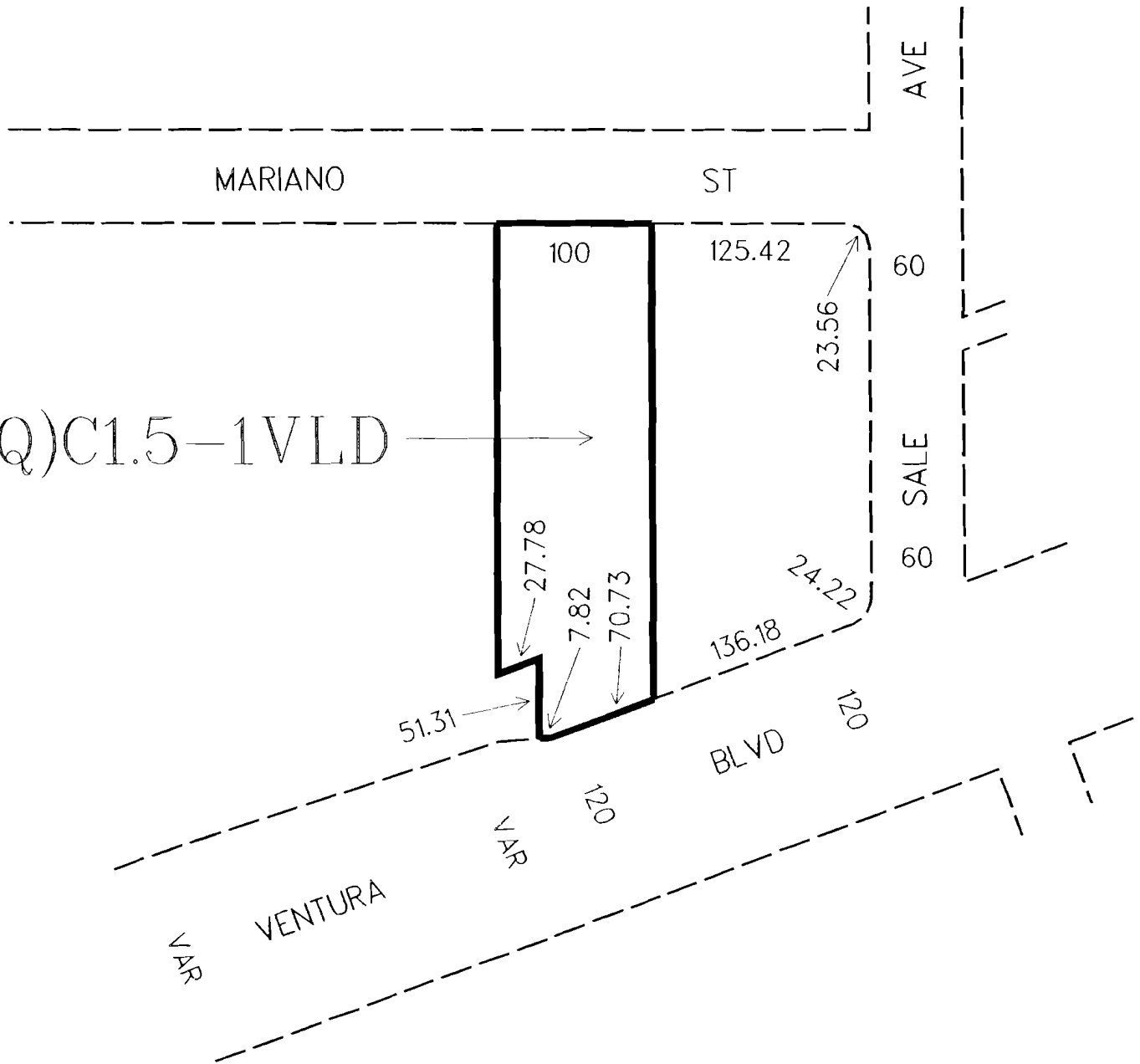
The granting of the Exception will not be detrimental to the public welfare or injurious to adjacent properties as the proposed use will replace an outdated, nuisance use while providing a national franchise offering competitive rates and modern facilities to local users.

The project will comply with the requirements of the Specific Plan, except as permitted herein and will conform to the Specific Plan with regard to use, development and design of the project. The project meets the following Purposes of the Specific Plan:

- a. To provide building and site design guidelines to promote attractive and harmonious multi-family and commercial development.
- b. To assure a balance of commercial land uses in the Specific Plan area that will address the needs of the surrounding communities and greater regional area.
- c. To provide a compatible and harmonious relationship between residential and commercial development where commercial areas are contiguous to residential neighborhoods.

6. **The Transportation Element** of the General Plan will be affected by the recommended action herein. However, any necessary dedication and/or improvement of Ventura Boulevard 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.
7. **Environmental.** For the reasons set forth in Proposed Mitigated Negative Declaration No. ENV 2005-9237 MND, the project will not have a significant effect on the environment.
9. **Fish and Game.** The subject project, which is located in Los Angeles County, will not have an impact on fish or wildlife resources or habitat upon which fish and wildlife depend, as defined by California Fish and Game Code Section 711.2.

(T)(Q)C1.5-1VLD



NOT TO SCALE

C.M. 171 B 097	APCSV 2005-9236 CU ZC SPE SPP
----------------	-------------------------------

AE/02

09/26/06