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CITY PLANNING

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PORTER RANCH SPECIFIC PLAN  
PROJECT PERMIT COMPLIANCE REVIEW & DESIGN REVIEW

December 20, 2016

**Applicant / Owner**

John Love  
Shappell Liberty Investment  
Properties, LLC  
8383 Wilshire Blvd, Suite 700  
Beverly Hills, CA 90211

**Representative**

Kyndra Casper  
Liner, LLP  
633 West Fifth Street, 32 Floor  
Los Angeles, CA 90071

**Case No.** DIR-2016-1555-DRB-SPP-SPR  
**CEQA:** EIR 88-0026(SP)(ZC)(GPA)  
**Location:** 11401 – 11405 North Porter  
Ranch Drive

**Council District:** 12  
**Neighborhood Council:** Porter Ranch  
**Community Plan Area:** Chatsworth – Porter Ranch  
**Land Use Designation:** Community Commercial  
**Zone:** (T)C4-2D; [T]C4-2D  
**Legal Description:** Lot Sec 9 T2N R16W Arb 54 and  
55, Ex Mission De San Fernando  
Tract

**Last Day to File an Appeal:** January 4, 2017

Pursuant to Los Angeles Municipal Code Section 11.5.6-C and 16.50, and based upon the recommendation of the Porter Ranch Design Review Board, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

**Conditionally Approve** a Project Permit Compliance and Design Review for the construction, use and maintenance of a new multi-family residential development with 266 dwelling units;

Pursuant to Los Angeles Municipal Code Section 16.05, as the designee of the Director of Planning, I hereby:

**Conditionally Approve** a Site Plan Review for the construction, use and maintenance of a new multi-family residential development with 266 dwelling units;

This approval is subject to the following terms and conditions:



**CONDITIONS OF APPROVAL**

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the conceptual architectural and landscape plans, renderings, and materials submitted by the Applicant, stamped Exhibit A. No change to the plans shall be made without prior review by the Department of City Planning and written approval of the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, or the project conditions.
2. **Modifications.** Modifications which increases the square footage of building(s) or structure(s), or number of dwellings shall be required to comply with the requirements and obtain the necessary approvals pursuant to the Porter Ranch Land Use/Transportation Specific Plan.
3. **Height.** Residential buildings shall not exceed three (3) stories.
4. **Setback.** All buildings and structures shall observe a minimum setback of 25 feet from Porter Ranch Drive between Corbin Avenue and the 118 Freeway.
5. **Open Space.** Open space shall be provided in compliance with LAMC Section 12.21-G.
6. **Landscaping.**
  - a. At least 50 percent of the required setback shall be landscaped.
  - b. For all required open landscaped areas there shall be at least one 24-inch box size tree planted for each 500 square feet of landscaped area. Trees required by any other paragraph of this subsection may be substituted for and shall count on a one-for-one basis against this requirement.
  - c. Except as otherwise prohibited in LAMC Section 62.200, the following requirements apply. All surface parking adjoining a street shall be screened by a solid wall or a landscaped berm or landscaped screen approximately three feet in height. In addition, the wall, berm or screen shall be separated from any adjacent public right-of-way by a minimum continuous width of five feet of landscaped area. However, where the minimum continuous width of the landscaped area is at least 15 feet, no wall, berm or screen is required.
  - d. At least ten percent of the total area of every open parking lot shall be landscaped. At least one-half of the landscaped area shall be planted with non-deciduous, shade producing trees at a minimum rate of one tree for every four parking spaces. These trees shall be a minimum 24-inch box size when planted and shall be as evenly distributed as possible throughout the parking lot. The trees chosen shall be ones that, when mature, are anticipated to shade at least fifty percent of all surface parking areas.

**ADMINISTRATIVE**

7. **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 Department of City Planning for placement in the subject file.
8. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.



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 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 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.
10. **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.
11. **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.
12. **Building Plans.** Page 1 of this grant and all conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
13. **Utilization of Concurrent Entitlement.** Site Plan Review requires completion of all applicable conditions of approval to the satisfaction of the Department of City Planning. The applicant/owner shall have a period of three years from the effective date of the subject grant for the Site Plan Review to effectuate the terms of this entitlement by securing a building permit. Thereafter, the entitlements shall be deemed terminated and the property owner shall be required to secure a new authorization for the use. If a building permit is obtained during this period, but subsequently expires, this determination shall expire with the building permit.
14. **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 of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
15. **Expedited Process Section Fees.** 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.
16. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.



- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

## **FINDINGS**

Based on a review of the plans labeled Exhibit A, attached to the administrative file DIR-2016-1555-DRB-SPP-SPR, and as modified by the conditions contained herein, the Director of Planning makes the following findings in accordance with the applicable review criteria of Section 10, Design Review of the Porter Ranch Specific Plan, Ordinance Number 166,068.



**1. A recommendation was made by the Porter Ranch Design Review Board, pursuant to Los Angeles Municipal Code Section 16.50:**

The design review board met on June 13, 2016 and convened a quorum of five Board Members and conducted a public hearing. The vote was 5-0 recommending approval of the project since the project would substantially comply with Section 16.50 Subsection E of the Los Angeles Municipal Code as well as the relevant design guidelines and development provisions of the Specific Plan.

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

The project site is located within the Porter Ranch Land Use/Transportation Specific Plan. The Specific Plan consists of three areas: Community Center Area, Single Family Area, and Open Space/Public Facility Area. Each area is subsequently divided into subareas. The project site is located within the Community Center Area, which consists of Subareas I-V. The proposed development of multi-family dwelling units is located within Subarea II.

The project proposes to develop the site with 266 residential dwelling units and recreational facilities to be located within ten, three-story buildings on the 12.6 acre site. As proposed, the buildings are consistent with the number of stories and height regulations of the Specific Plan, which permit a maximum of four-stories or a height of 60 feet. The buildings will be setback 25 feet from Porter Ranch Drive, consistent with the requirements of Section 6-G,2. The project has been designed to have an integrated architectural style, with use of common roofing materials and compatible colors throughout the project site. The project has been conditioned to comply with the requirements of the Specific Plan as it relates to the proposed development.

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

Pursuant to the City CEQA Guidelines, the proposed project has been granted an environmental clearance as part of EIR 88-0026(SP)(ZC)(GPA) and subsequent addenda.

### **SITE PLAN REVIEW FINDINGS**

I have reviewed the subject development project and make the following findings based on the information contained in the application, the report of the Site Plan Review staff, reports received from other departments, supplemental written documents submitted and review of environmental impacts associated with the project pursuant to Section 16.05-C of the Municipal Code, I hereby find the following:

### **SITE PLAN REVIEW FINDINGS**

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

The project site is located within the Chatsworth – Porter Ranch Community Plan, which is one of 35 Community Plans that the Land Use Element of the General Plan is comprised of. Additionally, the site is located within the Porter Ranch Land Use/Transportation Specific Plan. The site is not located within a community design overlay. The Community Plan designates the site with the Community Commercial land use designation, which lists the following



corresponding zones: CR, C2, C4, RAS3, P, and PB. The site is zoned [T]C4-2D and (T)C4-2D, which is consistent with the land use designation.

The project site is located within the Porter Ranch Land Use/Transportation Specific Plan, which consists of three areas: Community Center Area, Single Family Area, and Open Space/Public Facilities Area. Each of the areas are divided into subareas where the boundaries of each subarea is intended to correspond with the boundaries of the recorded final tract map (Exhibit II of the Specific Plan). The project site is located within Subarea II of the designated Community Center Area. The Specific Plan established a comprehensive set of development regulations for the Plan Area. The Specific Plan regulates the maximum permitted base density within Subarea II of the Community Center Area with an average density per acre of no greater than 24 dwelling units per acre with no lot having a density greater than 40 dwelling units per acre. As proposed the project will developed a total of 266 dwelling units, or approximately 20 dwelling units per acre. The proposed project is consistent the maximum permitted development within Subarea II of the Community Center Area. As designed, the project would provide landscape buffers and comply with the landscaping requirements for surface parking lots and setbacks. Architecturally, the project is designed to have a unified architectural style and utilizes compatible colors and materials with varying elevations to provide breaks in the massing of the buildings. As proposed and conditioned herein, the project is consistent with the purpose, intent, and provisions of the General Plan, Community Plan, and Specific Plan.

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

The project proposes to develop the 12.6 acre project site with 266 residential dwelling units, within ten buildings. Each building will be three-stories and will include covered parking and residential dwelling units on the first floor and two-floors of residential dwelling units. The primary vehicular access will be provided from Porter Ranch Drive, with a secondary access provided along the western property line. The secondary access driveway connects to the driveway for the proposed shopping center located on the adjacent southern site. The buildings located on the western portion of the site will be arranged into two clusters, around common open space. Additional vehicular parking spaces will be arranged throughout the site. The project includes pedestrian pathways providing access throughout the site and to the clubhouse located at the center of the site. Pedestrian pathways also allow for access to the proposed shopping center located on the adjacent southern site. As proposed, the project's site configuration consists of an arrangement of buildings and structures that is compatible with the existing and future development on neighborhood properties.

6. **The residential project provides recreational and service amenities to improve habitability for the residents and minimize impacts on neighboring properties.**

As proposed, the project is required to provide 30,925 square feet of open space. The project proposes to provide 90,546 square feet of common open space. The common open space will be provided within three centralized areas. Area A is located on the western side of the project site, with five residential buildings arranged around the outside of the central courtyard. Area B is located within the center of the site, surrounded by two residential buildings and the proposed club house and lobby. Area C is located around three adjacent residential buildings. The common open space area will include enclosed recreational space, swimming pool, seating areas, and gaming areas. Additionally, a total of 20,568 square feet of private open, of which 13,300 square feet may be counted, will be provided in the form of balconies. As such, the project would be



providing recreational and service amenities to improve the habitability for future residents and minimizing impacts on neighboring properties.

### **ADDITIONAL MANDATORY FINDINGS**

7. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, which are areas determined to be outside the 0.2% annual chance floodplain.
8. An Environmental Impact Report (EIR 88-0026-(SP)(ZC)(PA) and related Addenda was prepared to analyze the potential environmental effects that could result from the construction of the project as adopted by the Specific Plan, as amended in 2006. The EIR identified mitigation measures, monitoring measures when necessary, and alternatives which would mitigate the negative environmental effects of the project. Four prior Addenda to the Certified EIR were prepared and adopted in conjunction with previous amendments to the Specific Plan (the Specific Plan was amended on the following dates: May 17, 2001, March 9, 2003, December 29, 2003, and September 9, 2008).

### **Authorization - Time Limit and Transferability**

The authorization granted herein shall be for a three year period from the effective date. If building permits are not issued and construction work is not begun within such time and carried on diligently so that building permits do not lapse, this approval shall become null and void. There are no time extensions available beyond this three year period. Furthermore, this grant is not a permit or license and that permits and licenses required by all applicable laws must be obtained from the proper agency.

In the event the property is sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise such person or corporation regarding the conditions of this authorization. If any portion of the authorization is utilized, the conditions and requirement of the grant will become operative and must be strictly observed.

### **Appeal Period - Effective Date**

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code.

**The Determination in this matter will become effective after fifteen (15) days from the date of mailing of this determination** unless an appeal form is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at [www.lacity.org/pln](http://www.lacity.org/pln).** Planning Department public offices are located at:

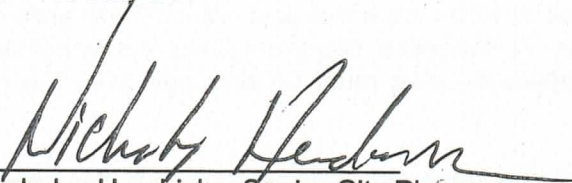
Figueroa Plaza 201 North Figueroa Street, Fourth Floor Los Angeles, CA 90012-2601 Phone: (213) 482-7077	Marvin Braude San Fernando Valley Constituent Services Center 6262 Van Nuys Boulevard, Suite 251 Van Nuys, CA 91401 Phone: (818) 374-5050
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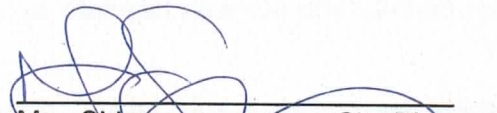
The applicant is further advised that all subsequent contact with this office regarding this Determination must be with the decision-maker who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished by appointment only, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

VINCENT P. BERTONI, AICP  
Director of Planning

APPROVED BY:

  
Nicholas Hendricks, Senior City Planner

  
May Sirinopwongsagon, City Planner  
(213)978-1372

Attachments:  
Exhibit A: Site Plan and Elevations