



NORTH VALLEY AREA 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: **JUN 16 2022**

Case No. DIR-2021-7970-SPR-VHCA-1A
CEQA: ENV-2021-7971-CE
Plan Area: Chatsworth – Porter Ranch

Council District: 12 – Lee

Project Site: 9450 North Shirley Avenue

Applicant: James Varsamis, GGP Northridge Fashion Center, LP
Representative: Jonathan Lonner, Burns and Bouchard, Inc.

Appellants: Andrew Krowne
Jennifer Krowne

At its meeting of **June 2, 2022**, the North Valley Area Planning Commission took the actions below in conjunction with the approval of the following Project:

Construction of a new 309,169-square-foot, five-story, 350-unit multi-family residential building, and a new six-level, 466-stall above-grade automobile parking garage.

1. **Determined**, based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15332, Article 19, Class 32, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Denied** the appeal and **sustained** the Planning Director's Determination dated February 9, 2022;
3. **Approved** with conditions, pursuant to Section 16.05 of the Los Angeles Municipal Code, a Site Plan Review for the construction of a new 309,169-square-foot, five-story, 350-unit multi-family residential building, and a new six-level, 466-stall above-grade automobile parking garage;
4. **Adopted** the attached Conditions of Approval; and
5. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Sampson
Second: Parseghian
Ayes: Diaz, Nam
Abstain: Collado

Vote: 4 – 0 – 1

Cecilia Lamas, Commission Executive Assistant
North Valley Area 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 North Valley Area Planning Commission is final and effective upon the mailing of this determination letter and not further appealable.

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. The applicant is advised that any work undertaken while the CEQA clearance is on appeal is at his/her/its own risk and if the appeal is granted, it may result in (1) voiding and rescission of the CEQA clearance, the Determination, and any permits issued in reliance on the Determination and (2) the use by the City of any and all remedies to return the subject property to the condition it was in prior to issuance of the Determination.

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: Determination Letter dated February 9, 2022, Interim Appeal Filing Procedures (CEQA)

c: Heather Bleemers, Senior City Planner
Eric Claros, City Planner

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

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**DIRECTOR'S DETERMINATION
SITE PLAN REVIEW**

February 9, 2022

Applicant/Owner

James Varsamis
GGP Northridge Fashion Center, LP
350 N. Orleans Street, #300
Chicago, IL 60654

Representative

Jonathan Lonner
Burns & Bouchard, Inc.
9619 National Boulevard
Los Angeles, CA 90034

Case No. DIR-2021-7970-SPR-VHCA

CEQA: ENV-2021-7971-CE

Location: 9450 North Shirley Avenue

Council District: 12 – Lee

Neighborhood Council: Northridge West

Community Plan Area: Chatsworth – Porter Ranch

Land Use Designation: Regional Center Commercial

Zone: C4-1

Legal Description: Lots 2 and 3 (Arb 1); Tract
25011

Last Day to File an Appeal: February 24, 2022

DETERMINATION – SITE PLAN REVIEW

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

- 1. Determine** based on the whole of the administrative record, that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15332, Article 19 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
- 2. Approve with Conditions** a Site Plan Review for the construction of a new 309,169 square foot, five-story, 350-unit multifamily residential building, and a new six-level, 466-stall above-grade automobile parking garage; and
- 3. Adopt** the attached Findings.

CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. Minor deviations may be allowed in order to comply with the provisions of the LAMC or the project conditions. Changes beyond minor deviations required by other City Departments or the LAMC may not be made without prior review by the Department of City Planning, Expedited Processing Section, and written approval by the Director of Planning. Each change shall be identified and justified in writing.
2. **Use.** The use of the subject site shall be limited to the uses permitted in the underlying zone.
3. **Residential Density.** The project is limited to a maximum of 350 residential dwelling units
4. **Floor Area.** The project is limited to a maximum of 309,169 square feet of floor area.
5. **Vehicular Parking.** On-site automobile parking shall be provided in accordance with L.A.M.C. Section 12.21-A, 4 of the Municipal Code.
6. **Vehicular Access.** Vehicular Access shall be limited to one driveway along Shirley Avenue.
7. **Bicycle Parking.** All bicycle parking shall be provided in conformance with the bicycle parking requirements of L.A.M.C. Sections 12.21-A.4 and 12.21-A.16.

Design Conformance Conditions

8. **Pedestrian Connectivity and Access.** Provide direct and clearly identifiable path of travel for pedestrians from Shirley Avenue using landscaping, special paving, or otherwise well-marked pedestrian walkways to, from and across the site.
9. **Landscaping.**
 - a. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.
 - b. Planting of any required trees within the public right-of-way shall obtain approval from the Urban Forestry Division prior to obtaining approval from the Department of City Planning. In the event that a required tree cannot be planted within the public right-of-way, those trees shall be planted on-site.
10. **Tree Requirement.** The project shall provide at least the minimum number of trees on-site to comply with the landscape requirement (LAMC Section 12.21 G(a)(3)). Pursuant to Ordinance No. 170,978, required trees shall not be palm trees.
11. **Street Trees.** Install street trees and tree wells as required by Urban Forestry Division.
12. **Streetlights.** Install streetlights as required by Bureau of Street Lighting.

13. **Building Materials.** Each façade of the building shall incorporate a minimum of three (3) different building materials. Windows, doors, balcony/deck railings, and fixtures (such as lighting, signs, etc.) shall not count towards this requirement.
14. **Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view. The transformer(s), if located at-grade and facing the public right-of-way, shall be screened with landscaping consistent with LADWP access requirements.
15. **Parking Screening.** With the exception of vehicle and pedestrian entrances and/or fresh air intake grilles, all vehicle parking shall be completely enclosed along all sides of the building.
16. **Electric Vehicle Parking.** All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.
17. **Solar Energy.** The project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211.1, to the satisfaction of the Department of Building and Safety.
18. **Maintenance.** The subject property (including all trash storage areas, associated parking facilities, walkways, common open space and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
19. **Trash.** All trash collection and storage areas shall be located on-site and not visible from the public right-of-way.
20. **Graffiti.** 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.
21. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source does not illuminate adjacent residential properties or the public right-of-way, nor the above night skies.

Administrative Conditions

22. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building & Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building & Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building & Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
23. **Notations on Plans.** Plans submitted to the Department of Building & Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
24. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.

25. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
26. **Department of Building & Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the LAMC, Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building & Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building & Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
27. **Department of Water and Power.** Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Rules Governing Water and Electric Service. Any corrections and/or modifications to plans made subsequent to this determination in order to accommodate changes to the project due to the under-grounding of utility lines, that are outside of substantial compliance or that affect any part of the exterior design or appearance of the project as approved by the Director, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
28. **Enforcement.** Compliance with and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
29. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
30. **Expedited Processing Section Fee.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
31. **Indemnification and Reimbursement of Litigation Costs.**
- Applicant shall do all of the following:
- (i) 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.
 - (ii) 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, 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.

- (iii) 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 (ii).
- (iv) 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).
- (v) 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 includes 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.

PROJECT BACKGROUND

The subject property is located within the Chatsworth – Porter Ranch Community Plan and consists of two contiguous lots encompassing a total area of approximately 208,371 square feet (4.784 acres). The community plan designates the subject property for Regional Center Commercial land uses, which accommodates the C4-1 Zone designated for the subject property. The subject property has a street frontage of approximately 426 feet along the westerly side of Shirley Avenue. The subject property is not located within the boundaries of any specific plan or interim control ordinance.

The northern portion of the is currently improved with a single-story, single-tenant commercial building (currently occupied by a U.S. Bank branch) of approximately 4,186 square feet of floor area and surface automobile parking lots. The eastern portion of the subject property is improved with a north/south, multi-lane driveway providing vehicular and pedestrian access to Plummer Street to the north and the Northridge Fashion Center shopping mall to the south. The remainder of the subject property is improved with surface automobile parking lots and sparse landscaping of various trees and plantings. No protected tree or shrub (as defined by Section 17.02 of the LAMC) is present on or adjacent to the subject property. No street trees are located along the subject property's frontage along Shirley Avenue.

The subject property is located in a highly urbanized area with surrounding parcels that are generally fully developed with a variety of residential, commercial, and industrial uses. To the west across Shirley Avenue is a large multi-tenant strip mall shopping center (Plaza Di Northridge) and surface parking lots located in the (Q)C4-1, M2-1, and P-1 Zones. To the north adjoining the subject property is a surface parking lot in the P-1 Zone. Further to the north across Plummer Street is a tract of single-family dwellings located in the RE11-1 Zone. To the east adjoining the subject property are four (4) single-story, single-tenant commercial buildings and associated surface automobile parking lots in the C4-1 and P-1 Zones. To the south adjoining the subject property is the Northridge Fashion Center, a regional shopping, dining, and entertainment complex with associated above-grade automobile parking structures and surface automobile parking lots in the C4-1 and P-1 Zones. To the southwest across Shirley Avenue is an industrial warehouse complex (Public Storage) in the MR2-1 Zone.

The project includes the demolition and clearing of the existing single-story commercial building and surface parking lots to the west of the Northridge Fashion Center driveway. The existing Northridge Fashion Center driveway and the surface parking lots to the east of the Northridge Fashion Center driveway will remain. Proposed new construction includes a five-story, 350-unit multifamily residential building located on the norther portion of the subject property as well as a new six-level, 466-stall above-grade automobile parking garage located in the southern portion of the subject property. The unit mix for the residential building will consist of 92 studio units, 176 one-bedroom units, and 82 two-bedroom units. The project will contain 309,169 square feet of total floor area with a corresponding Floor Area Ratio of 1.5:1. A total of 224 short and long-term bicycle parking spaces will be provided. Vehicular ingress and egress to the new parking garage will be provided by a relocated two-way driveway on Shirley Avenue.

Pedestrian entrances to the residential building include two entrances from Shirley Avenue into two ground floor courtyards, two from the Northridge Fashion Center driveway into the lobby, leasing, and amenity spaces, and one from the adjoining property to the north. Residential amenities on the ground floor are provided in the form of three outdoor landscaped courtyards (one of which contains a swimming pool), a fitness center, lounge, and clubroom. An outdoor deck area is provided at the fifth floor. The project also provides ground-level patios as well as balconies for use as private open space for individual units.

Streets

Shirley Avenue, adjoining the subject property to the west, is a collector street, dedicated to a roadway width of 40 feet and dedicated to a right-of-way width of 66 feet and improved with asphalt roadway, concrete curb, gutter, and sidewalk.

Public Correspondence

None.

SITE PLAN REVIEW FINDINGS

- 1. The project is in substantial conformance with the purposes, intent, and provisions of the General Plan, applicable community plan, and does not conflict with any applicable regulations, standards, and any applicable 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. Most of the policies derived from these Elements are in the form of code requirements of the Los Angeles Municipal Code. The project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code.

The subject property is located within the Chatsworth – Porter Ranch Community Plan, which is one of 35 community plans which together form the land use element of the General Plan. The community plan designates the site for Regional Center Commercial land uses corresponding to the C2, C4, RAS3, P, and PB Zones. The subject property is zoned C4-1 and is thus consistent with the existing land use designation. The subject property is not located within the boundaries of and is not subject to any other specific plan or community design overlay. The project is consistent with the requirements of the underlying zone.

Framework Element

The Framework Element for the General Plan 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 subject property. 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 project will be in substantial conformance with the following goals and objectives of the Framework Element:

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 livable city.

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

The project is consistent with all underlying zoning regulations and all its pertinent improvements will be compatible with neighboring properties. The project is only subject to discretionary approval because of the regulations in LAMC 16.05. The project will incorporate a 350-unit multi-family residential building into an area that is already developed with a diversity of uses. To the west across Shirley Avenue is a large multi-tenant strip-mall shopping center (Plaza Di Northridge) and surface parking lots located in the (Q)C4-1, M2-1, and P-1 Zones. To the north adjoining the subject property is a surface parking lot situated on a parcel in the P-1 Zone. Further to the north across Plummer Street is a tract of single-family dwellings located in the RE11-1 Zone. To the east adjoining the subject property are four (4) single-story, single-tenant commercial buildings and associated surface automobile parking lots in the C4-1 and P-1 Zones. To the south adjoining the subject property is the Northridge Fashion Center, a regional shopping, dining, and entertainment complex with associated above grade automobile parking structures and surface automobile parking lots in the C4-1 and P-1 Zones. To the southwest across Shirley Avenue is an industrial warehouse complex (Public Storage) in the MR2-1 Zone.

The project has the unique opportunity to provide new housing opportunities in the immediate vicinity of a multitude of neighborhood-serving and regional uses. Specifically, the project is located adjacent to a regional employment center (Northridge Fashion Center), thus satisfying the need for housing for the employees of the center without requiring the use of vehicular transportation and thereby furthering the conservation of natural resources and improvement of environmental justice while also supporting the City's existing and future residents, visitors and businesses.

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.*

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

The project satisfies the objectives of the Framework Element by concentrating higher residential density along commercial corridors with increased access to transit options. The project is situated approximately 100-feet south of Plummer Street and 850-feet west of Tampa Avenue, designated an "Avenue II" and "Boulevard II," respectively, by the City's Mobility Plan 2035, and which are currently served by Metro local bus lines and Antelope Valley Transit Authority commuter bus lines. Future residents will have access to public

transit and nearby commercial and retail services and employment opportunities, which will reduce the need for vehicular trips and vehicle miles traveled, resulting in lessened air pollution and improved quality of life. The project also includes ample short and long-term bicycle parking spaces, which encourage the use of alternative modes of transportation.

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.*

The Framework Element identifies the site as a “Regional Center.” Per the Framework Element's Long Range Land Use Diagram for the San Fernando Valley, a Regional Center is a focal point of regional commerce, identity and activity and containing a diversity of uses such as corporate and professional offices, residential, retail commercial malls, government buildings, major health facilities, major entertainment and cultural facilities and supportive services. Regional Centers are higher density places that also fall within the range of floor area ratios from 1.5:1 to 6.0:1. Some will only be commercial oriented; others will contain a mix of residential and commercial uses. Generally, Regional Centers are characterized by 6 to 20-stories (or higher).

Consistent with the intent of a Regional Center, the project will introduce multi-family residential housing in a high-activity, desirable area where existing and future employees can live near their jobs and future residents can live near shopping, public transit, and service amenities. The design is mindful of the existing surrounding uses, including residential neighborhoods to the north, and is consistent with the height, mass, and bulk of developments, both existing, proposed, and approved, in the vicinity to the west and south.

Land Use Element: Chatsworth – Porter Ranch Community Plan

The Land Use Element of the General Plan consists of the 35 community plans within the City of Los Angeles. The community plans establish goals, objectives, and policies for future developments at a neighborhood level. The subject property is located within the Chatsworth – Porter Ranch Community Plan, adopted on September 4, 1993, and recently amended on September 7, 2016, as part of the Mobility Plan 2035 update.

The community plan is intended to promote an arrangement of land use, circulation, and services, which will encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the community, within the larger framework of the City; guide the development, betterment, and change of the community to meet existing and anticipated needs and conditions; contribute to a healthful and pleasant environment; balance growth and stability; reflect economic potentialities and limitations, land development, and other trends; and protect investment to the extent reasonable and feasible. The project adheres to the following objectives of the community plan:

Objective 3: *To make provisions for the housing required to satisfy the varying needs and desires of all economic segments of the Community, maximizing the opportunity for individual choice.*

The project will incorporate a 350-unit multifamily residential building into an area that is already developed with a diversity of uses. The project has the unique opportunity to provide new housing opportunities in the immediate vicinity of a multitude of neighborhood-serving and regional uses. Specifically, the project is located adjacent to a regional employment center (Northridge Fashion Center), thus satisfying the need for housing and uses that support the City's existing and future residents, visitors, and businesses.

Residential zones and uses in the Chatsworth – Porter Ranch Community Plan are predominantly characterized by low density single-family dwellings. Limited multifamily zones and uses exist along and in proximity to thoroughfares such as De Soto Avenue, Devonshire Street, and Topanga Canyon Boulevard. The project meets this Objective of the community plan by providing multifamily housing units of varying sizes and types in a desirable area that enhances the variety of housing typology in the area and increases individual choices in the housing market.

Objective 4a: *To promote economic well-being and public convenience through allocating and distributing commercial lands for retail, service, and other facilities in quantities and patterns based on Los Angeles City Planning Department accepted planning principles and standards.*

As previously stated, the project will incorporate a 350-unit multi-family residential building into an area that is already developed with a diversity of uses. To the west across Shirley Avenue is a large multi-tenant strip-mall shopping center (Plaza Di Northridge) and surface parking lots located in the (Q)C4-1, M2-1, and P-1 Zones. To the north adjoining the subject property is a surface parking lot situated on a parcel in the P-1 Zone. Further to the north across Plummer Street is a tract of single-family dwellings located in the RE11-1 Zone. To the east adjoining the subject property are four (4) single-story, single-tenant commercial and associated surface automobile parking lots in the C4-1 and P-1 Zones. To the south adjoining the subject property is the Northridge Fashion Center, a regional shopping, dining, and entertainment complex with associated above-grade automobile parking structures and surface automobile parking lots in the C4-1 and P-1 Zones. To the southwest across Shirley Avenue is an industrial warehouse complex (Public Storage) in the MR2-1 Zone.

As previously mentioned, the project will provide new higher-density, multi-family housing options to meet the growing housing demand in the Chatsworth – Porter Ranch Community Plan area. Current accepted Los Angeles Department of City Planning principles and standards include concentrating new housing opportunities in proximity to neighborhood-serving commercial uses and Regional Centers in order to lessen the public's reliance on the automobile for transportation and to reduce vehicle miles traveled per household in the city. The project conforms with current Department principles and standards by concentrating housing adjacent to the nearby uses described above, while also conforming to the spirit of this community plan objective by restricting redevelopment to existing surface parking lots only so that the continuing commercial uses in this Regional Center are enhanced and not diminished.

Mobility Element: Mobility Plan 2035

The Mobility Element guides development of a citywide transportation system with the goal of ensuring the efficient movement of people and goods. The Mobility Element recognizes that primary emphasis must be placed on maximizing the efficiency of existing and proposed transportation infrastructure through advanced transportation technology, reduction of vehicle trips, and focused growth in proximity to public transit. The project as designed and conditioned meets the following policies of the Mobility Plan 2035:

Policy 3.3: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhoods services.

The project is situated in proximity to major employment centers and amenities such as restaurant, retail, office, and entertainment uses, and its location helps to facilitate easy access to the public transportation network. Walkable destinations, as well as the provision of ample bicycle parking within the project, will encourage residents and visitors to avoid extraneous vehicle trips to shopping, employment, or other destinations. The project seeks to optimize the use of the land for residential apartments that will benefit from transit, services, and retail in proximity, subsequently reducing overall reliance on vehicle trips and ensuring that a larger proportion of households are within one mile of transit.

Housing Element – The Plan to House LA

The 2021-2029 Housing Element of the General Plan establishes a blueprint to meet housing and growth challenges in the City of Los Angeles. The Housing Element defines goals, objectives, and policies relating to housing production and preservation; safe, livable, and sustainable neighborhoods; housing opportunities without discrimination and ending and preventing homelessness. The project is consistent with the following goals, objectives, and policies of the Housing Element:

Goal 1: *A City where housing production results in an ample supply of housing to create more equitable and affordable options that meet existing and projected needs.*

Objective 1.2: *Facilitate the production of housing, especially projects that include Affordable Housing and/or meet Citywide Housing Priorities.*

Policy 1.2.2: *Facilitate the construction of a range of different housing types that addresses the particular needs of the city's diverse households.*

The project will meet the Housing Element's goals of providing new housing and a variety of types of housing, while promoting safe, livable, and sustainable neighborhoods. The project will introduce a multifamily residential building with 350 dwelling units in an area where rental housing is in high demand. The project will serve to improve the city's overall housing stock by providing a variety of sizes and types of dwelling units, oriented to the

needs of a diverse variety of residents.

Goal 3: *A City in which housing creates healthy, livable, sustainable, and resilient communities that improve the lives of all Angelenos.*

Objective 3.2: *Promote environmentally sustainable buildings and land use patterns that support a mix of uses, housing for various income levels and provide access to jobs, amenities, services and transportation options.*

Policy 3.2.1: *Promote the integration of housing with other compatible land uses at both the building and neighborhood level.*

Policy 3.2.2: *Promote new multi-family housing, particularly Affordable and mixed-income housing, in areas near transit, jobs and Higher Opportunity Areas, in order to facilitate a better jobs-housing balance, help shorten commutes, and reduce greenhouse gas emissions.*

The project will introduce a multifamily residential building with 350 units to an area in proximity to major employment centers and its location helps to facilitate easy access to the public transportation network. A multifamily residential building with 350 units is compatible with the variety of surrounding uses such as the Northridge Fashion Center, a regional shopping, dining, and entertainment complex. The project seeks to optimize the use of the land for residential apartments that will benefit from transit, services, and retail in proximity, subsequently reducing overall reliance on vehicle trips and ensuring that a larger proportion of households are within one mile of transit.

- 2. 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 subject property consists of two contiguous lots encompassing a total area of approximately 208,371 square feet (4.784 acres). The subject property is irregular-shaped and is located along Shirley Avenue approximately 100-feet south of its intersection with Plummer Street. The subject property is currently improved with a single-story commercial building, a north/south multi-lane driveway, surface automobile parking lots, and sparse landscaping. The project includes the demolition and clearing of the existing single-story commercial building and surface parking lots to the west of the Northridge Fashion Center driveway. Proposed new construction includes the construction of a new five-story, 350-unit multifamily residential and a new six-level, 466-stall above-grade automobile parking garage.

The project is consistent with all underlying zoning regulations and all its pertinent improvements will be compatible with neighboring properties. The project is a desirable residential development in a location and neighborhood zoned and designated for such uses. The project will provide much-needed housing and will not preclude any future development on the subject property or on any adjacent property. Accordingly, the project has been designed such that its significant features and improvements will be compatible with the surrounding area, as follows:

Height

The project's residential building will be five stories and 75-feet in height, which is permitted because the C4-1 Zone allows for unlimited building height. The proposed height is compatible with surrounding existing and approved development, including a large strip mall complex (Plaza Di Northridge) to the west, a warehouse facility (Public Storage) to the southwest, and the Northridge Fashion Center, a regional shopping, dining, and entertainment complex, to the south. To the north of the subject property are single-family dwellings in the RE11-1 Zone. Section 12.21.1 A.10 of the LAMC sets forth transitional height requirements for developments in a C or M zone situated 199 feet or less from lots in the RW1 or more restrictive zones. Approximately 2.5-feet of the northern edge of the project is located within this 199-foot distance, requiring compliance with Section 12.21.1 A.10 of the LAMC. In this instance, the northern 2.5-feet of the project is subject to a 61-foot height limit, which the project complies with. No adjustment or variance is requested, and the project therefore complies with the height limits of the C4-1 Zone and the transitional height requirements of Section 12.21.1 A.10 of the LAMC.

Bulk/Massing

The northern portion of the subject property is proposed to be improved with a five-story multifamily residential building. As discussed above, approximately 2.5-feet of the northern edge of the project is subject to transitional height limits. The intent of the transitional height regulations codified in Section 12.21.1 A.10 of the LAMC is to ensure that the bulk and massing of any proposed development in proximity to low density residential uses and zones is appropriate and compatible. The project complies with all transitional height requirements and is requesting no deviation therefrom. The project is separated from the single-family homes to the north by Plummer Street and an existing surface parking lot on an adjoining parcel. Additionally, the project includes two ground-floor outdoor courtyards along the Shirley Avenue frontage to provide articulation and a breaking up of the building's massing along this adjoining public right-of-way. The southern portion of the subject property is proposed to be improved with a six-level automobile parking garage. The parking garage will be situated across Shirley Avenue from a large strip mall complex (Plaza Di Northridge) to the west, a warehouse facility (Public Storage) to the southwest, and the Northridge Fashion Center, a regional shopping, dining, and entertainment complex, to the south. The parking garage will be separated from existing single-family dwellings to the north by the proposed multifamily residential component of the project and will therefore not be visible from those properties. Concentrating the bulk and massing of the parking garage towards the existing high intensity Regional Center retail, warehouse, and big box store uses is appropriate and compatible with the surrounding vicinity.

Building Materials

The project's residential building provides a variety of materials and differentiating planes to create distinct breaks, while creating a pedestrian scaled project at the street level with glass

to encourage transparency and façade elements with a variety of materials. The residential building's design further incorporates a variety of recesses, balconies, and architectural features to add interest to the building. The project's parking garage will be screened by architectural features providing visual continuity between the residential building and garage, as well as climbing vines and other landscaping features. These features enhance both the visual appearance of the project and help to reduce the urban "heat island" effect typically associated with buildings and parking lots in the San Fernando Valley.

Entrances

Pedestrian entrances to the project's residential building include two from Shirley Avenue into two ground floor courtyards, two from the Northridge Fashion Center driveway into the lobby, leasing, and amenity spaces, and one from the adjoining property to the north. The subject property is 208,367 square-feet in size. Multiple pedestrian entrances are appropriate for a development of this size and scope, creating through passageways for residents and thereby eliminating the need to circle the perimeter of the project to enter and exit.

Setbacks

The subject property is an interior lot with a front yard on Shirley Avenue and side as well as rear yards along the other interior lot lines. The project will comply with the setback requirements of the C4 Zone, which is zero feet for front yards. For side and rear yards in entirely residential developments, the setback provisions of the R4 Zone apply. For side yards, the setback requirement is 5 feet plus 1 foot for each story above the 2nd. For rear yards, the setback requirement is 15 feet plus 1 foot for each story above the 3rd. The setback requirements for the project's five-story residential building are therefore 8 feet for side yards and 17 feet for rear yards. The project features compliant side and rear yards of 8 feet and 17 feet, respectively. No adjustment or variance to the setback requirement is requested to complete the project.

Parking/Loading

The project is providing automobile parking pursuant to the general multifamily provisions of the LAMC, codified in Section 12.21 A.4. LAMC Section 12.21 A.4 requires parking spaces at the following ratios: 1 space per every unit containing less than three habitable rooms, 1.5 spaces per every unit containing three habitable rooms, and 2 spaces per every unit containing greater than three habitable rooms. The project includes 23 units containing less than three habitable rooms, 235 units containing three habitable rooms, and 92 units containing more than three habitable rooms. Therefore, the project would be required to provide a total of up to 560 automobile parking spaces. The project provides a code compliant 504 automobile parking spaces, which is allowed because Section 12.21 A.4 of the LAMC grants up to a 10 percent vehicular parking reduction by providing 4 bicycle parking stalls for every auto parking stall deducted from the initial requirement. The project includes 224 bicycle parking spaces which is four times the amount of auto parking stalls deducted. Electric vehicle charging spaces and electric vehicle charging stations will comply with all applicable regulations of the LAMC.

The required parking is provided in the form of a six-level automobile parking garage immediately south of the proposed multifamily residential building. The project will relocate an existing curb cut on Shirley Avenue to the south to provide ingress to and egress from the parking garage. The project will also include passenger and delivery loading/unloading

zones accessible from the Northridge Fashion Center driveway to the east to avoid potential vehicular and pedestrian traffic conflicts on Shirley Avenue.

Lighting

The project will provide ancillary lighting along pedestrian and vehicular accessways, and all pedestrian walkways and vehicle access points will be well lit with lighting fixtures that are harmonious with the building design. All outdoor lighting provided on-site will be shielded to prevent excessive illumination and spillage onto adjacent public rights-of-way, adjacent properties, and the night sky.

Landscaping/Open Space

Common open space on the ground floor is provided in the form of three outdoor landscaped courtyards (one of which would include a swimming pool), a fitness center, lounge, and clubroom. An outdoor deck area is provided at the fifth floor. The project also provides ground-level patios as well as balconies for use as private open space for individual units. The open space areas will meet the minimum dimension, landscaping, and amenity requirements of Section 12.21 G.2 of the LAMC, and 88 trees will also be provided in conformance with this section. Additionally, landscaping is proposed as a screening technique on the southern façade of the proposed parking garage, which adds a significant amount of greenery visible from both adjoining properties and the public right-of-way.

Trash Collection

Trash and recycling areas will be located within the interior parking garage area to ensure they are not visible from public view and from abutting streets. Service providers will access the trash area from driveways along Shirley Avenue and enter the parking garage for trash collection. Therefore, trash collection will not affect circulation for surrounding properties.

3. That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.

The project provides recreational and service amenities that will improve habitability for the residents and minimize any impacts on neighboring properties. Common open space on the ground floor is provided in the form of three outdoor landscaped courtyards (one of which contains a swimming pool), a fitness center, lounge, and clubroom. An outdoor deck area is provided at the fifth floor. The project also provides ground-level patios as well as balconies for use as private open space for individual units.

As previously described, the project is situated along Shirley Avenue approximately 100-feet south of its intersection with Plummer Street. To the north of Plummer Street is a tract of single-family dwellings in the RE11 Zone. The project is separated from this tract by a parcel abutting the subject property to the north, improved with a surface parking lot. This parcel is 100-feet in width and in the P-1 Zone. Further north is Plummer Street, designated an "Avenue II" by the City's Mobility Plan 2035, widened to a total right-of-way of 85-feet. Additionally, a 34-foot-wide easement runs along the southerly Plummer Street frontage of the single-family tract, which is improved with a private street and sidewalk for separate pedestrian and vehicular access from Plummer Street.

Provision of the recreational and service amenities described above, taken together with the

project's distance from the nearest single-family dwellings, increases the self-containment of the project, provides relief from the presence of the project, and reduces the demand for public open space in the vicinity. Therefore, the project provides sufficient recreational and service amenities to improve habitability for both its residents and surrounding residents.

ADDITIONAL FINDINGS

4. 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 outside of a flood zone.
5. It has been determined based on the whole of the administrative record that the project is exempt from CEQA pursuant to State CEQA Guidelines, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2, applies.

The project qualifies for a Class 32 Categorical Exemption because it conforms to the definition of "In-fill Projects". The project can be characterized as in-fill development within urban areas for the purpose of qualifying for Class 32 Categorical Exemption as a result of meeting five established conditions and if it is not subject to an Exception that would disqualify it. The Categorical Exception document dated January 4, 2022 and attached to the subject case file provides the full analysis and justification for project conformance with the definition of a Class 32 Categorical Exemption.

TIME LIMIT – OBSERVANCE OF CONDITIONS

All terms and conditions of the Director's Determination shall be fulfilled before the use may be established. Pursuant to LAMC Section 12.25 A.2, the instant authorization is further conditional upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

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 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 LAMC, or the approval may be revoked.

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles, the Marvin Braude Constituent Service Center in the Valley, or the West Los Angeles Development Services Center in West Los Angeles. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077, (818) 374-5050, (310) 231-2901, or through the Department of City Planning website at <http://cityplanning.lacity.org>. The applicant is further advised to notify any consultant representing you of this requirement as well.

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be

guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment.”

TRANSFERABILITY

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

APPEAL PERIOD - EFFECTIVE DATE

The Determination in this matter will become effective after February 24, 2022, unless an appeal there from 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.cityplanning.lacity.org.

Planning Department public offices are located at:

Downtown
Figueroa Plaza
201 North Figueroa Street,
Fourth Floor
Los Angeles, CA 90012
(213) 482-7077
planning.figcounter@lacity.org

San Fernando Valley
Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard,
Room 251
Van Nuys, CA 91401
(818) 374-5050
planning.mbc2@lacity.org

West Los Angeles
West Los Angeles Development
Services Center
1828 Sawtelle Boulevard,
Second Floor
Los Angeles, CA 90025
(310) 231-2598
planning.westla@lacity.org

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.

Note of Instruction Regarding the Notice of Exemption: Applicant is hereby advised to file the Notice of Exemption for the associated categorical exemption after the issuance of this letter. If filed, the form shall be filed with the County of Los Angeles, 12400 Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). More information on the associated fees can be found online here: <https://www.lavote.net/home/county-clerk/environmental-notices-fees>. The best practice is to go in person and photograph the posted notice in order to ensure compliance. Pursuant to Public Resources Code Section 21167 (d), the filing of this notice of exemption starts a 35-day statute of limitations on court challenges to the

approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations, **and the possibility of a CEQA appeal**, being extended to 180 days.

VINCENT P. BERTONI, AICP
Director of Planning

Approved by:



Heather Bleemers
Senior City Planner

Prepared by:



Eric Claros
City Planner

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