



APPLICATIONS:

APPEAL APPLICATION

This application is to be used for any appeals authorized by the Los Angeles Municipal Code (LAMC) for discretionary actions administered by the Department of City Planning.

1. APPELLANT BODY/CASE INFORMATION

Appellant Body:

- Area Planning Commission
- City Planning Commission
- City Council
- Director of Planning

Regarding Case Number: CPC-2016-837-SP-MCUP-DRB-SPP-SPR

Project Address: 11401-11405 North Porter Ranch Dr, 20200 West Rinaldi St.

Final Date to Appeal: 12/19/2016

- Type of Appeal:
- Appeal by Applicant/Owner
 - Appeal by a person, other than the Applicant/Owner, claiming to be aggrieved
 - Appeal from a determination made by the Department of Building and Safety

2. APPELLANT INFORMATION

Appellant's name (print): Jason Hector

Company: N/A

Mailing Address: 11630 Seminole Cir.

City: Porter Ranch State: CA Zip: 91326

Telephone: 818-257-9658 E-mail: jhector@socal.rr.com

- Is the appeal being filed on your behalf or on behalf of another party, organization or company?

Self Other: _____

- Is the appeal being filed to support the original applicant's position? Yes No

3. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

*3 pages including the appeal form and excluding the determination letter
Date 12/19/16*

4. JUSTIFICATION/REASON FOR APPEAL

Is the entire decision, or only parts of it being appealed? Entire Part

Are specific conditions of approval being appealed? Yes No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal
- Specifically the points at issue
- How you are aggrieved by the decision
- Why you believe the decision-maker erred or abused their discretion

5. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: Jason Hector Date: 12/19/2016

6. FILING REQUIREMENTS/ADDITIONAL INFORMATION

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
 - Appeal Application (form CP-7769)
 - Justification/Reason for Appeal
 - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
 - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
- All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of the receipt.
- Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered Original Applicants and must provide noticing per LAMC 12.26 K.7, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. [CA Public Resources Code ' 21151 (c)].

| This Section for City Planning Staff Use Only | | |
|---|---------------------------------------|---|
| Base Fee: | Reviewed & Accepted by (DSC Planner): | Date: |
| Receipt No: | Deemed Complete by (Project Planner): | Date: |
| <input type="checkbox"/> Determination authority notified | | <input type="checkbox"/> Original receipt and BTC receipt (if original applicant) |



APPLICATIONS:

Appeal Application

This application is to be used for any appeals authorized by the Los Angeles Municipal Code (LAMC) for discretionary actions administered by the Department of City Planning.

1. APPELLANT BODY/CASE INFORMATION

Appellant Body:

- Area Planning Commission
- City Planning Commission
- City Council
- Director of Planning

Regarding Case Number: CPC-2016-837-SP-MCUP-DRB-SPP-SPR

Project Address: 11401-11405 North Porter Ranch Dr., 20200 West Rinaldi St.

Final Date to Appeal: 12/19/2016

- Type of Appeal:
- Appeal by Applicant/Owner
 - Appeal by a person, other than the Applicant/Owner, claiming to be aggrieved
 - Appeal from a determination made by the Department of Building and Safety

2. APPELLANT INFORMATION

Appellant's name (print): Jason Hector

Company: N/A

Mailing Address: 11630 Seminole Cir.

City: Porter Ranch State: CA Zip: 91326

Telephone: 818-257-9658 E-mail: jhector@social.RR.com

- Is the appeal being filed on your behalf or on behalf of another party, organization or company?
 Self Other: _____
- Is the appeal being filed to support the original applicant's position? Yes No

3. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

3 pages including the appeal form and including the determination JH 12/19/16

4. JUSTIFICATION/REASON FOR APPEAL

Is the entire decision, or only parts of it being appealed? Entire Part
 Are specific conditions of approval being appealed? Yes No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal
- Specifically the points at issue
- How you are aggrieved by the decision
- Why you believe the decision-maker erred or abused their discretion

5. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: Jason Hector Date: 12/19/2016

6. FILING REQUIREMENTS/ADDITIONAL INFORMATION

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
 - Appeal Application (form CP-7769)
 - Justification/Reason for Appeal
 - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
 - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
- All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of the receipt.
- Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered Original Applicants and must provide noticing per LAMC 12.26 K.7, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. [CA Public Resources Code ' 21151 (c)].

| This Section for City Planning Staff Use Only | | |
|---|---------------------------------------|---|
| Base Fee: | Reviewed & Accepted by (DSC Planner): | Date: |
| Receipt No: | Deemed Complete by (Project Planner): | Date: |
| <input type="checkbox"/> Determination authority notified | | <input type="checkbox"/> Original receipt and BTC receipt (if original applicant) |

Appeal Justification for 11401-11405 North Porter Ranch Drive, 20200 W. Rinaldi St.

Case #'s CPC-2016-837-SP-MCUP-DRB-SPP-SPR, CPC-2016-838-DA and ENV-1998-26-EIR Addendum

1. The City Planning Commission stated their intent was to ensure that (item #2) a 2 acre site for a library or other municipal facilities would be available for future need, however **this site has not been dedicated and there is no time limit for the developer to turn this property over to the City of Los Angeles.** Language addressing this issue was removed prior and now there is no time certain for the developer to provide this public benefit. **I am respectfully appealing for addition of a date certain (ex. by end of 2018 or prior to breaking ground), for turning this 2 acre site over to the City to guarantee that the City of Los Angeles does not lose out on 2 acres of very valuable land.** This land can be deeded to the city and then be paved over as part of the parking. This would benefit the assets of the City of Los Angeles and force the developer to make good on this required public benefit.

Additionally, as Granada Hills North Neighborhood Council August 2nd, 2016 motion explains it well, **“the city should require the developer to make good on the agreement to dedicate a 2-acre site to the city for future development of services, even if the City today does not have the funds to build on the site... There is no reason to relieve the developer of this agreed-upon responsibility. The City should realize that many years hence it will be immensely harder to re-acquire land for such uses, and the land can meanwhile stay undeveloped;”**

2. **4000 square foot community room made available 7 days a week to be maintained at the expense of the developer in perpetuity was voted and approved 7-0** to be INCLUDED in the motion by the City Planning Commission on August 25, 2016, however I cannot find in the determination letter where this language is included. Perhaps I am not looking in the right place but the planning commission made it clear that they intended to **add language requiring the community room to be maintained at the expense of the developer and be available 7 days a week for the community.**

After reviewing the **audio transcript on the City Planning website for the August 25 hearing, the motion discussion can be found at about the 98 minute mark** and the general community room discussion at the 43 minute mark. As discussed by the public and the planning commission, the current community room at the school is NOT available on weekends or when school is out or when it is being used by LAUSD which clearly does not meet the intent of the Specific Plan to have a room available to the community at all times. Additionally, there is an expiration date to the joint use agreement with LAUSD and no assurance this benefit will continue in perpetuity. It is very possible the LAUSD will not renew this 10 year joint use agreements to avoid the headaches of sharing this space.

Thank you for taking the time to read my comments and I look forward to the honorable City Council members and the PLUM committee and addressing my concerns as a Porter Ranch resident.

Sincerely,



Jason Ian Hector, Porter Ranch Resident



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE*: NOV 28 2016

CORRECTED VERSION
(Appeal Period)**

CPC-2016-837-SP-MCUP-DRB-SPP-SPR
CEQA: EIR 88-0026-SP-ZC-PA, SCH No. 88050420,
ENV-1998-26-EIR, Addendum

Council District: 12 – Englander
Plan Area: Chatsworth-Porter Ranch

Project Site: 11401 -11405 North Porter Ranch Drive, 20200 West Rinaldi Street

Applicant: John Love, Shapell Liberty
Representative: Kyndra Casper, Liner, LLP

At its meeting of **August 25, 2016**, the Los Angeles City Planning Commission took the following actions related to the proposed ordinance and project below:

An ordinance amending Ordinance No. 173,872, commonly known as the Porter Ranch Land Use/Transportation Specific Plan (as previously amended by Ordinance Nos. 175,070, 175,641, and 180,083).

Construction, use, and maintenance of a new 345,295 square-foot shopping center on two sites located on the northern and southern side of Rinaldi Street.

1. **Found**, pursuant to CEQA Guidelines Sections 15162 and 15164, after consideration of the whole of the administrative record; the project was assessed in EIR No. 88-0026-SP-ZC-PA, SCH No. 88050420, certified on July 10, 1990, and as supported by the addendum dated August 16, 2016, no major revisions are required to the EIR and no subsequent EIR is required for approval of the project.
2. **Denied** the Specific Plan Amendment to the Porter Ranch Land Use/Transportation Specific Plan to permit a 4,000 square foot community room in lieu of a library and other municipal facilities.
3. **Denied** the Specific Plan Amendment to the Porter Ranch Land Use/Transportation Specific Plan to permit a digital display pole sign within the A1-2D Zone.
4. **Recommended Approval** of a Specific Plan Amendment to the Porter Ranch Land Use/Transportation Specific Plan to permit signage that is otherwise not permitted within the Specific Plan.
5. **Approved** a Master Conditional Use Permit for the sale of alcoholic beverages for on- and/or off-site consumption for a total of twenty-four (24) establishments.
6. **Approved** the Design Review Determination and Project Permit Compliance in compliance with LAMC Sections 16.50-E,3, 11.5.7-C and Section 10 of the Porter Ranch Land Use/Transportation Specific Plan.
7. **Approved** the Site Plan Review for a project that creates, or results in an increase of 50,000 gross square feet or more of non-residential floor area and creates, or results in an increase of 50 or more guest rooms.

8. **Adopted** the attached modified Conditions of Approval.
9. **Adopted** the attached Findings.
10. **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; and 10) Advise the applicant that pursuant to State Fish and Wildlife Code Section 711.4, a Fish and Wildlife Fee and/or Certificate of Wildlife Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

RECOMMENDATIONS TO CITY COUNCIL:

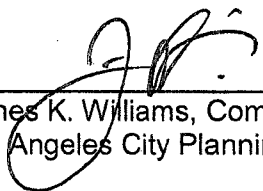
1. **Recommend** that the City Council **Find**, pursuant to CEQA Guidelines Sections 15162 and 15164, after consideration of the whole of the administrative record; that the project was assessed in EIR No. 88-0026-SP-ZC-PA, SCH No. 88050420, certified on July 10, 1990, and as supported by the addendum dated August 16, 2016, no major revisions are required to the EIR and no subsequent EIR is required for approval of the project.
2. **Recommend** that the City Council **adopt** a Specific Plan Amendment to the Porter Ranch Land Use/Transportation Specific Plan to permit signage that is otherwise not permitted within the Specific Plan.
3. **Recommend** that the City Council **adopt** the attached Findings.

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: Ambroz
Seconded: Choe
Ayes: Ahn, Katz, Millman, Padilla-Campos, Dake-Wilson
Absent: Mack, Perlman

Vote: 7 - 0


James K. Williams, Commission Executive Assistant II
Los Angeles City Planning Commission

Effective Date/Appeals: *The Los Angeles City Planning Commission's decision is appealable to the Los Angeles City Council within 20 days after the mailing date of this determination letter. 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. ***

FINAL APPEAL DATE: **DEC 19 2016**

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: Modified Conditions of Approval, Findings
C: May Sirinopwongsagon, City Planner

NOTE: *This Letter of Determination was originally mailed on November 16, 2016 with an appeal end date of December 5, 2016. Any appeals accepted within that appeal period are valid and will transmit to the City Council along with this corrected version of the City Planning Commission's decision. **