

Appendix N



**Copy of Project Permit Compliance
Approval for Crate and Barrel
(Case No.: DIR 2006-9714 -SPP)**

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

CITY PLANNING COMMISSION

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March 8, 2007

David Gensemer (Owner/Applicant)
West Valley Partnership
11601 Wilshire Blvd., 11th floor
Los Angeles, CA, CA 90025

Christopher Murray (Representative)
Rosenheim & Associates, Inc.
21550 Oxnard, Suite 780
Woodland Hills, CA 91367

CASE NO.: DIR 2006-9714 (SPP)
PROJECT PERMIT COMPLIANCE
Location: 6360 Topanga Canyon
Boulevard
Canoga Park-West Hills-Winnetka-
Woodland Hills Community Plan Area
CEQA:EIR-1990-0453 (ZC)(SUB)(ZV)(YY)(HD)
Council District: 3
Neighborhood Council: Woodland Hills-
Warner Center
Zone: (WC) C2-165/1.5
District Map: 177B101, 177B105, 180B101
and 180B105
Legal Description: Lot A, Parcel Map 3700
Assessor Parcel No.: 2148-029-030
DOT File No.: None
Related Case(s): None

Pursuant to Los Angeles Municipal Code Section 11.5.7 C and the Warner Center Specific Plan (Ordinance Nos. 174,061 and 174,884), the Director of Planning hereby CONDITIONALLY APPROVES:

A Specific Plan Project Permit Compliance to permit, on a 24.67 acre (1,074,509 square foot) lot, the demolition of two existing low-rise buildings, totaling approximately 20,479 square feet, and the construction/maintenance of a two-story retail building totaling approximately 36,000 square feet. The maximum height of the Project will be 45 feet. The Project will provide 144 on-site parking spaces located in an adjacent surface parking lot.

This CONDITIONAL APPROVAL is subject to the following additional terms and conditions:



TERMS OF APPROVAL, CONDITIONS, AND FINDINGS

Pursuant to LAMC Section 11.5.7.C, the approval of the subject Property, located at **6360 North Topanga Canyon Boulevard**, is made with the following Terms and Conditions imposed to ensure compliance with applicable requirements of the Warner Center Specific Plan (Ordinance Nos. 174,061 and 174,884), Warner Center Specific Plan Interim Specific Plan Regulation Procedures (ISPRP) as approved by City Council on December 21, 2005 (Council File No. 05-0240), and to promote development compatible with existing and future development of neighboring properties.

TERMS OF APPROVAL

1. **Enforcement.** Prior to the issuance of any permits for the subject Project by the Department of Building and Safety, the Applicant shall submit final construction plans or other required documents to the specified City department (or other agencies indicated below) for verification of compliance with the imposed conditions. Conditions that require the Department of City Planning verification are followed by (DCP), the Department of Transportation verification is shown by (DOT), the Bureau of Engineering verification is shown by (BOE), the Street Tree Division of the Bureau of the Street Maintenance verification is shown by (BSM), the Board of Public Works verification is shown by (BPW), the Bureau of Street Lighting verification is shown by (BSL), the Department of Building and Safety verification is shown by (B&S), the Cultural Affairs Department verification is shown by (CAD), the Los Angeles Fire Department verification is shown by (LAFD), the Police Department verification is shown by (LAPD), the Department of Water and Power verification is shown by (DWP), and The Gas Company verification is shown by (GASCO). Those conditions related to the Specific Plan will be numbered with an "S" prefix and those conditions related to the Project's environmental clearance will be numbered with an "E" prefix. To avoid the duplication of conditions, any "S" conditions followed by "[Env'I]" refer to a condition that is also part of the environmental clearance, but is not included as a separate "E" condition. Any "E" conditions followed by "[Env'IChg]" are conditions imposed by the decision-maker as part of this approval which either are newly added or significantly modify an existing condition in the environmental clearance.
2. **Applicant's Compliance.** The Applicant shall comply with the terms and conditions of this approval that affect the construction and/or operational phases of the Project. Utilization of this approval shall mean that a building permit has been issued and construction work has begun and been carried out diligently. Additionally, it is incumbent on the Applicant to advise any persons or corporations leasing or purchasing this property to be made aware of this approval and the conditions applied.
3. **Approval Verification.** The Applicant shall provide to the Department of City Planning copies, as required by the conditions of approval, of any approvals, covenants, bonds, letters of credit or verification of consultation or review. These items are to be attached to the subject file.
4. **Final Plans.** A copy of the first page of this grant and all conditions and/or any subsequent appeal of this grant and its resultant conditions and/or letters of clarification shall be included in the "notes" portion of the building plans submitted to the Director of Planning and B&S for purposes of having a building permit issued.

5. **Transferability.** This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person, tenant or corporation other than the Applicant, it is incumbent that you disclose all the conditions of this Director Determination.
6. **Violations of the Conditions of this Approval.** LAMC Section 11.00 M states in part: "It shall be unlawful 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 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 such fine and imprisonment.
7. **Effective Date/Appeal Period - Expiration.** 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. All appeals shall be filed pursuant to procedures established under LAMC Section 11.5.7 C 6. Per LAMC Section 11.5.7 C 4 (c), the Determination in this matter will become effective 15 calendar days from the date of mailing of the written decision, unless an appeal is filed on the decision within that period pursuant to 11.5.7 C 6 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 <http://cityplanning.lacity.org>. Planning Department public offices are located at:

DOWNTOWN - FIGUEROA PLAZA
201 North Figueroa Street, #300
Los Angeles, CA 90012
Phone: (213) 977-6083
Hours: 7:30 am- 4:30 pm*, Monday-Friday (*Wednesdays: 9:00 am-4:30 pm)

VAN NUYS - BRAUDE BUILDING
6262 Van Nuys Boulevard, 2nd Floor
Van Nuys, CA 91401
Phone: (818) 374-5050
Hours: 7:30 am- 4:30 pm*, Monday-Friday (*Wednesdays: 9:00 am-4:30 pm)

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 of Los Angeles 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.

8. **Covenants**

Prior to the issuance of any permits relative to this Project Permit approval, the Applicant shall execute separate Covenant and Agreements for the each set of conditions described as follows:

- A. General. Conditions in this Project Permit Compliance Approval pursuant to Specific Plan Compliance Condition Nos. S-1 through S-12; S-20; S-21; and S-24.
- B. Noise and Air Quality Conditions. The noise and air quality mitigation measures pursuant to Condition Nos. S-22 and S-23 of this Project Permit Compliance Approval.
- C. Transportation Mitigation Conditions. The transportation mitigation measures of this Project Permit Compliance Approval (Condition Nos. S-13 through S-19).

These Covenants shall be recorded in the County Recorder's Office on the DCP's Master Covenant and Agreement Form, CP-6770. The Covenant shall also include a declaration, in writing, signed by all Property Owners of the Project, acknowledging the conditions. Each Covenant shall run with the land and shall be binding on any subsequent Property Owners, heirs or beneficiaries. These Covenants shall be submitted to the DCP and DOT for review and approval before being recorded. After recordation, the Applicant shall deliver an executed, certified, recorded copy of each Covenant to the DCP and DOT prior to the issuance of any permit or certificate for which a Covenant is a condition precedent. Recordation of the above Covenants can be done at one of the following County Recorder's Office locations:

NORWALK
Department Headquarters
12400 Imperial Highway
Norwalk, California 90650
Phone: (562) 462-2125
Hours: 8:00 am to 5:00 pm, Monday-Friday

LANCASTER
335 A East Avenue K-6
Lancaster, CA 93535
Phone: (661) 723-4494
Hours: 8:00 am to 5:00 pm, Monday-Friday

WEST LOS ANGELES
LAX Courthouse
11701 South La Cienega Boulevard, 6th Floor
Los Angeles, CA 90045
Phone: (310) 727-6142
Hours: 8:30 am to 4:30 pm, Monday - Friday

VAN NUYS
14340 West Sylvan Street
Van Nuys, CA 91401
Phone: (818) 374-7176
Hours: 8:30 am to 4:30 pm, Monday - Friday

9. **Definitions.** Any agency, public official, or City department referenced in these conditions shall mean that agency, public official, or City department, or its successor(s) or designate(s). Specific Plan shall mean the Warner Center Specific Plan, Ordinance No. 174,061, effective on August 18, 2001, and amended by Ordinance No. 174,884, effective of December 1, 2002, or any subsequent amendment(s) thereto. Any Section or Appendix reference shall mean a section or appendix of said Ordinances. Capitalized words or phases shall be as defined by said Ordinances, this grant or the LAMC.
10. **Gross Buildable Area (GBA) vs. Gross Leasable Area (GLA).** For the purposes of this approval, several conditions are calculated based upon either square footage in GBA or GLA. As examples, the Transportation Impact Assessment (TIA) fee, per the Specific Plan ordinance, is calculated based upon GLA. Parking ratios are based upon GBA. All conditions listed below, where necessary, will specifically state either GBA or GLA.

SPECIFIC PLAN COMPLIANCE CONDITIONS

- S-1. **Site Development.** The subject Project shall be developed in substantial conformance with the site plan, exterior elevations, floor plans by Westfield Design, marked as Exhibit "A" and stamped deemed completed on November 21, 2006, attached to the subject case file, and as modified by the Director of Planning in the conditions of approval for this Project Permit Approval. Prior to obtaining a building permit, the Applicant shall submit a revised plot plan, floor plan, and elevations, which incorporate modifications in response to the conditions of this approval. (DCP)
- S-2. **Height.** In accordance with Section 7 of the Specific Plan, the maximum height of the buildings on the Project site shall not exceed 165 feet in height. The subject Project is approved to permit the construction and maintenance of a two-story, approximately 45-feet in height retail building. Prior to the issuance of any building permits, the Applicant shall submit revised plans demonstrating conformance with this condition. (DCP, B&S)
- S-3. **Permitted Uses.** In compliance with Section 7.C.7 of the Specific Plan, uses on the subject property shall be restricted to those uses permitted by the (WC)C2 Specific Plan zone/land use category. The C2 category permits commercial development consistent with those uses permitted in the C2 Zone, as specified in LAMC Section 12.14. The subject Project is approved to permit the construction and maintenance of a retail building totaling approximately 36,000 square feet with an accessory 144-space surface parking lot. (B&S, DCP)

- S-4. Floor Area Ratio/Floor Area Ratio Averaging.** The total development on the subject property shall not exceed a Floor Area Ratio, as defined in Section 4 of the Specific Plan, of 1.5:1. Floor area shall be computed in accordance with LAMC Sections 12.21.1 A 5 and 12.21.1 B 4. (DCP, B&S)
- S-5. Yard Requirements.** The Project shall be subject to the yard requirements of the C4 zone as specified in LAMC Section 12.16. The Landscape Setback areas along Topanga Canyon Boulevard and Victory Boulevard may be used toward satisfying the yard requirements for these Landscape Setback areas. (DCP, B&S)
- S-6. Lot Coverage.** Pursuant to the provisions of Section 10.D of the Specific Plan, all Projects on lots over 9,000 square feet are limited to a lot coverage for all main and accessory buildings of no more than 70 percent. In accordance with the submitted plot plan, floor plan, and elevations (Exhibit "A"), the subject Project's Lot Coverage shall be limited to a maximum of 18,000 square feet or 1.7 percent of the site. (DCP)
- S-7. Open Space Requirement.** Pursuant to the provisions of Section 10.G.1, all Open Space areas in the Project, including Landscape Setbacks (but excluding plazas, internal roadways, and surface parking lots) shall contain a minimum of 50 percent planted area including trees, shrubs and ground cover. (DCP, B&S)
- S-8. Landscape Setback Area.** Pursuant to Section 10.F of the Specific Plan, the Project shall observe a minimum 40-foot Landscape Setback for Topanga Canyon Boulevard and a minimum 25-foot Landscape Setback for Victory Boulevard. The uses permitted in the Landscape Setback areas shall be limited to: landscaping, public sidewalks, driveways, permitted signage, and surface parking entrances and exits. (DCP, B&S, BOE)
- S-9. Landscaping and Surface Parking Areas.**
- A. Landscaping. Prior to the issuance of any building permit, the Applicant shall submit to the Department of City Planning a final Landscape and Irrigation Plan, prepared by a licensed landscape architect, which demonstrate that all Open Space areas in the Project Site have appropriate landscaping installed, including an automatic irrigation system.
 - B. Surface Parking. A minimum of one 24-inch box tree (minimum trunk diameter of two inches and a height of eight feet at the time of planting) shall be planted for every four uncovered surface parking spaces. The trees shall be dispersed within the parking areas so as to shade the surface parking area. (DCP, B&S)
- S-10. Walkway Plan.** Pursuant to Section 10.J of the Specific Plan, the final Project site plan submitted to the Department of Building and Safety shall include a Walkway Plan with the following design criteria included:
- A. Walkways shall have an unobstructed width of 12 feet, or any alternative width proposed by the Applicant and approved by the City Engineer, as adequate to accommodate anticipated pedestrian traffic;
 - B. At minimum, Walkways shall connect together entrances to the main and any adjacent or accessory buildings on the same lot and the front lot line(s) of the

lot on which the building(s) is located. Walkways may also connect buildings to alternate points on the same lot.

- C. To create a sense of greater depth in the appearance of landscaped Setbacks and to promote the overall urban design character of this Specific Plan area, meandering or serpentine sidewalks shall be provided for public sidewalk purposes in lieu of customary sidewalks in accordance with this Subdivision. Meandering sidewalks may be located partly on private property and shall connect with public sidewalks in the dedicated right of way. Public sidewalks shall be designed satisfactory to the Department of City Planning and the Bureau of Engineering of the Department of Public Works. Easements for public sidewalk purposes shall be granted over private property, as necessary to accommodate the design and construction of meandering sidewalks, as determined by the Bureau of Engineering. Meandering sidewalks shall be:
1. Required between access driveways 100 or more feet apart;
 2. Provided, when feasible, as determined by the Department of City Planning, between access driveways less than 100 feet apart.
- D. Walkways shall be available for public use for the life of the Project(s) they serve. (DCP)
- S-11. **Street Lighting.** Prior to the issuance of any building permits, satisfactory arrangements shall be made to guarantee the installation of street lighting facilities as may be required by the Bureau of Street Lighting. (BSM)
- S-12. **Street Trees.** Prior to the issuance of any permits, satisfactory arrangements shall be made with the Street Tree Division of the Bureau of Street Maintenance for the construction of tree wells and planting of street trees, if necessary, along the portions Topanga Canyon Boulevard and Victory Boulevard. Appendix "E" of the Specific Plan designates the following trees to be planted as the appropriate street trees for each street identified: alternating *Pinus pinea* (Italian Stone Pine) and *Ginkgo biloba* (Ginko Tree) along Topanga Canyon Boulevard alternating *Tipuana tipu* (Tipu Tree) and *Araucaria araucana* (Monkey Puzzle Tree) along Victory Avenue and. (BSM)
- S-13. **Site Access and Internal Circulation.** This determination does not include approval of the driveway, internal circulation, and parking scheme for the proposed Project. Final DOT approval shall be obtained prior to issuance of any building permits. This shall be accomplished by submitting a detailed and fully dimensioned site plan and parking layout, with a minimum scale of 1"=40', to the DOT Valley Development Review Section at 6262 Van Nuys Boulevard, Suite 320, Van Nuys, 91401, before submittal of building plans for plan check to the Department of Building and Safety. (DOT)
- S-14. **Transportation Impact Assessment (TIA) Fee.** Pursuant to Section 11.G of the Specific Plan, the Applicant must pay or guarantee a TIA Fee to DOT prior to issuance of any building permit. DOT has determined, however, that the Project "does not generate any additional p.m. trips" and, thus, "no additional trip fees will be collected." (DOT)
- S-15. **Specific Plan Preparation Fee and Noise/Air Quality Study Preparation Fee.** Prior to the issuance of a building, grading, or use permit, the Applicant shall pursuant to Section 6.C.1 .(a) of the Specific Plan pay to DOT a Specific Plan preparation fee of

\$0.05 per square foot of added gross floor area and pursuant to Section 6.C.1 (b)¹ of the Specific Plan pay an additional fee of \$0.02 per square foot of added floor area to pay for the costs incurred in the preparation of the court-mandated Supplemental Environmental Impact Report (SEIR) to restudy noise and air quality impacts on Canoga Park High School and Parkman Middle School. (DOT, DCP)

- A. Preparation Fees to be deposited in Warner Center Transportation Improvement Trust Fund. Pursuant to Section 6.C.1 (a) of the Specific Plan, the Applicant shall pay to DOT a Specific Plan Preparation Fee of \$0.05 per square foot of added gross floor area.

$$\begin{aligned} \text{Added Floor Area} &= 36,000 \text{ square feet} \\ \text{Project Approval Fee} &= 36,000 \times \$0.05 \\ &= \$1,800.00 \end{aligned}$$

Pursuant to Section 6.C.1 (b) of the Specific Plan, the Applicant shall pay a Noise/Air Quality Study Preparation Fee of \$0.02 per square foot of added gross floor area of which 19 percent is to be deposited into the Warner Center Transportation Improvement Trust Fund.

$$\begin{aligned} \text{Added Floor Area} &= 36,000 \text{ square feet} \\ \text{Project Approval Fee} &= (36,000 \times \$0.02) \times 19 \text{ percent} \\ &= \$136.80 \end{aligned}$$

The total Project Preparation Fees to be deposited into the Warner Center Transportation Improvement Trust Fund are:

$$\begin{aligned} \text{Specific Plan Preparation} &= \$1,800.00 \\ \text{Noise/Air Quality} &= \$136.80 \\ &= \$1,936.80 \end{aligned}$$

- B. Preparation Fees to be deposited into the City's General Fund. Pursuant to Section 6.C.1 (b) of the Specific Plan, the Applicant shall pay a Noise/Air Quality Study Preparation Fee of \$0.02 per square foot of added gross floor area of which 81 percent is to be deposited into the City's General Fund. The fee is calculated as follows:

$$\begin{aligned} \text{Added Floor Area} &= 36,000 \text{ square feet} \\ \text{Project Approval Fee} &= (36,000 \times \$0.02) \times 81 \text{ percent} \\ &= \$583.20 \end{aligned}$$

S-16. Warner Center Transportation Management Organization. Pursuant to Section 11.J of the Plan, since the Project involves greater than 30,000 square feet of non-residential floor area, the Applicant shall demonstrate to the City that they are a

¹ The collected Section 6.C.1 (b) fee is apportioned with 19 percent to be deposited into the Warner Center Transportation Improvement Trust Fund, administered by DOT, and 81 percent deposited into the City's General Fund.

member in good standing of the Warner Center Transportation Management Organization (WCTMO) prior to the issuance of the certificate of occupancy. (DCP, DOT)

- S-17. **Application Fee.** Pursuant to Section 11 B of the Specific Plan, the Applicant shall pay to DOT an initial filing fee of \$400.00. The Applicant has submitted a check of \$400.00 on November 21, 2006. (DOT)[Env'l]
- S-18. **Bicycle Parking Areas.** Bicycle parking shall be provided consistent with LAMC Section 12.21.A16. (DOT)[Env'l]
- S-19. **Engineering Requirements.** Prior to the issuance of any building permits, the applicant shall obtain final BOE approval consistent with the following requirements:

- A. **Street Dedications.** All street dedications shall be completed through the Department of Public Works, BOE, Land Development Group, (213) 977-8933, before the issuance of any building permit for this Project. Since the dedication procedure may be lengthy, the process should be commenced as soon as possible.

The following street dedications shall be made:

Owensmouth Avenue. - None

Victory Boulevard. - Dedicate an 18-foot strip of land along the property frontage to complete a 68-foot half right-of-way and a 20-foot radius property line return at the intersections with Owensmouth Avenue and Topanga Canyon Boulevard, in accordance with Major Highway Class-I Standards.

Topanga Canyon Boulevard. - Dedicate a 5-foot strip of land along the property frontage to complete a 57-foot half right-of-way and a 20-foot radius property line return at the intersections with Victory Boulevard, in accordance with Major Highway Class-II Standards.

- B. **Street Improvements.** All physical street improvements shall be guaranteed before the issuance of any building permit for this Project through the B-permit process of the Bureau of Engineering (BOE), Department of Public Works, and shall be completed before the issuance of any certificate of occupancy to the satisfaction of DOT and BOE. Prior to setting the bond amount of the B-permit, the BOE shall require that the developer's engineer or contractor to contact DOT's B-permit coordinator for Traffic Signal Design at (213) 580-5301 and for Geometric Design at (213) 580-5336 to arrange a pre-design meeting to finalize the design for the required improvements.

The following street improvements shall be made:

Victory Boulevard. Widen roadway by 16 feet along the Project frontage (from Topanga Canyon Boulevard to a point approximately 350 feet east) in accordance with a Major Highway Class I Standards and make the necessary improvements to the street including: type C integral curb and 2-foot gutter and a 12-foot wide concrete sidewalk together with suitable transitions to join the existing improvements.

Topanga Canyon Boulevard. Widen roadway by 3 feet along Project frontage (from Victory Boulevard to a point approximately 400 feet south) in accordance with a Major Highway Class II and make the necessary improvements to the street including: type C integral curb and 2-foot gutter and a 12-foot wide concrete sidewalk together with suitable transitions to join the existing improvements.

- C. Drainage and Grading. The Applicant shall submit drainage and grading plans to the Valley District office of the Bureau of Engineering.
 - D. Sewer Capacity. The Applicant shall submit an application to the Bureau of Engineering requesting an investigation by the Bureau of Sanitation to determine if the existing public sewers have sufficient capacity to facilitate the proposed development. If necessary, all Sewerage Facilities charges and Bonded Sewer fees shall be paid.
- S-20. **Parking (General)**. In accordance with the submitted plans (Exhibit "A"), the proposed development shall provide off-street parking consistent with the parking requirements as established in LAMC Section 12.21A4(c)(5). (DOT, DCP, B&S)[Env'l].
- S-21. **Specific Plan Noise Requirements**. The Project shall comply with the following requirements established in Section 13 A 4 of the Warner Center Specific Plan for the entire Project site:
- A. Construction activities shall be restricted to hours between 7:00 a.m. and 9:00 p.m., Monday through Friday, and between 8:00 a.m. and 6:00 p.m. on Saturday. No noise-generating construction activities shall take place on Sundays or national holidays.
 - B. Noise-generating construction equipment shall be equipped with the most effective state-of-the-art noise control devices, i.e., mufflers, lagging, or motor enclosures. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.
 - C. Effective temporary noise barriers shall be used and relocated, as needed, to block line-of-sight (sound) between the construction equipment and the noise-sensitive receptors.
 - D. Truck deliveries and haul routes, to the extent feasible, shall be directed away from the two schools in order to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day and not access construction sites from De Soto Avenue, along the lot line of Woodland Hills Charter Academy (formerly known as Francis Parkman Middle School) or from Topanga Canyon Boulevard and Vanowen Street along the lot line of Canoga Park High School.
 - E. The Applicant and its contractors shall notify the two schools in advance of any construction activities. The construction manager's (or representative's) telephone number shall also be provided with the notification so that each school may communicate its concerns. The Applicant and its contractors shall

maintain ongoing contact with the administration of both Canoga Park High School and Woodland Hills Charter Academy. (B&S, DCP)[Env'I]

- S-22. **Specific Plan Air Quality Requirements (Construction).** The Applicant shall comply with the following requirements established in Section 13 B 3 (a) of the Specific Plan for the entire Project site:
- A. Spread soil binders on exposed soil to reduce fugitive dust.
 - B. Re-establish ground cover on construction sites through seeding and watering.
 - C. Wash off trucks leaving construction sites.
 - D. Provide rideshare and transit incentives to construction personnel.
 - E. Configure construction parking to minimize interference with traffic.
 - F. Minimize the obstruction of through-traffic lanes.
 - G. Use flag people to guide traffic properly.
 - H. Schedule operations affecting roadways for off-peak periods.
 - I. Assure that construction vehicles avoid, to the extent feasible, traveling on any streets immediately adjacent to Canoga Park High School or Parkman Middle School throughout the construction phase of the Project to reduce potentially significant Project-specific and cumulative construction-related air quality impacts identified.

The Applicant is subject to additional air pollution mitigation measures specified below resulting from the Project's environmental analyses. (B&S, DCP)[Env'I]

- S-23. **Signs.** The Project shall be limited on-site to six (6) Project identification wall signs, the sign area of each not to exceed 10' high by 12' wide (maximum 125 square feet), consistent with Sections 14.C.1 and 14.D.1 of the Specific Plan. (B&S, DCP)
- S-24. **Arts Development Fee/Warner Center Cultural Affairs Trust Fund.** All fees collected from the Applicant for deposit into the Citywide Arts Fund (pursuant to the Arts Development Fee Ordinance, Ordinance No. 166,725) shall be conveyed by the Department of Building and Safety to the Treasurer for deposit into the Warner Center Cultural Affairs Trust Fund No. 577, pursuant to Ordinance No. 168,869, which shall be administered by the Cultural Affairs Department. A record of such conveyance shall be provided by the Applicant to the City Planning Department upon completion of Project plan check.

ENVIRONMENTAL COMPLIANCE CONDITIONS

A draft and final Environmental Impact Report (EIR) No. 90-0453 (ZC)(SUB)(ZV)(YY)(HD) and State Clearinghouse (SCH) No. 90010806, dated May 1992 and December 1992 respectively, has been prepared for the Project. Additionally, an Addendum to this EIR, dated October 1996, has been prepared for the Project. Further, the analyses contained in the Warner Center Specific Plan EIR No. 90-0053 (PP) and SCH No. 90011055 dated August 1991 (Draft EIR), April 1992 (Draft Supplemental), August 1992 (Final EIR), February 1999 (Draft

Supplemental EIR), May 1999 (Final Supplemental EIR), October 2000 (Draft Supplemental EIR), and March 2001 (Final Supplemental EIR) apply to any individual Project which is in compliance with the Specific Plan. All applicable mitigation measures recommended by the Project's EIR, it's Addendum and the Warner Center Specific Plan's EIRs, as they apply to this Project, are incorporated by reference.

FINDINGS OF FACT

As set forth above in Specific Plan Compliance Conditions of Project Approval (Condition Nos. S-1 through S-24), the subject Project complies with all applicable provisions of the Warner Center Specific Plan.

- A. **Project Approval (Section 6).** In compliance with Section 6 of the Specific Plan, the Project has been conditioned (Condition No. S-1) to be developed in substantial conformance with the site plan, exterior elevations, floor plans by Westfield Design, marked as Exhibit "A" and stamped deemed completed on November 21, 2006, attached to the subject case file, except as the Director of Planning may subsequently approve a modification of those plans. The plot plan, elevations, and floor plans have been reviewed by City staff and are consistent with the provisions of the Warner Center Specific Plan.
- B. **Land Use Category/Height Limitation (Section 7).** Pursuant to Condition No. S-2, the Project is located in a WC land use category that permits a maximum height of 165 feet. The Project height will be approximately 44 feet.

Condition No. S-3 limits the proposed Project to those uses permitted by the (WC) C4 Specific Plan zone/land use category. The (WC) C4 category permits commercial development consistent with those uses permitted in the C4, as specified in LAMC Section 12.16. The subject Project's existing and proposed uses are permitted and consistent with this land use category.

Condition No. S-5 imposes the yard requirements of the C4 Zone

- C. **Floor Area Ratios (Section 8).** No provisions of Section 8 apply to the Project.
- D. **Transfer/Increase/Averaging Floor Area (Section 9).** No provisions of Section 9 apply to the Project.
- E. **Urban Design Requirements (Section 10).**
1. Articulation of Building Facades - In accordance with the submitted plot plan (Exhibit "A") dated November 21, 2006, no building facade is over 250 horizontal feet in length and therefore the limitations of Section 10.B of the Specific Plan do not apply to the Project.
 2. Articulation of Building Facades of Parking Structures - Provisions of this requirement do not apply to the proposed Project.
 3. Lot Coverage - Condition No. S-6 imposes the Specific Plan requirement designed to prevent excessive massing of a building on a lot. Pursuant to Section 10.D of the Specific Plan, on any lot containing 9,000 square feet or more of lot area, no Project shall cover more than 70 percent of the lot area.

The net lot area of the Project site is approximately 1,074,509 square feet, and the total structural coverage is approximately 18,00 square feet, for a lot coverage of approximately 1.7 percent for the entire site.

4. Open Space - Provisions of this requirement do not apply to the proposed Project.
 5. Landscape Setbacks and Pedestrian Serving Uses - In accordance with Section 10.F of the Specific Plan, Condition No. S-8 states that the Project shall observe a minimum 40-foot Landscape Setback for Topanga Canyon Boulevard and a minimum 25-foot Landscape Setback for Victory Boulevard.
 6. Landscaping - The Project has been conditioned (see Condition No. S-9(a)) to submit a landscape plan prior to the issuance of any permit to insure that landscaping will be installed in the Landscape Setback areas, open spaces areas, on the periphery of the parking area, and in planter islands within the parking area of the Project. The parking area landscaping satisfies the intent of Section 10.G.5 for providing landscaping within surface parking areas.
 6. Walkway Plan - In accordance with Section 10.J of the Specific Plan, the Director shall approve, modify or disapprove a Walkway Plot Plan for any non-residential construction containing 2,000 square feet or more of floor area. The Project is more than 2,000 square feet and, therefore, subject to this provision. The Project is conditioned to provide a Final Walkway Plan incorporating the requirements of Section 10.J of the Specific Plan, as stated in Condition S-10. The Walkway Plan, as conditioned, will facilitate pedestrian circulation and reduce the conflict between pedestrian and vehicular traffic circulation.
 7. Street Lighting - Condition No. S-11 requires that the applicant make any necessary arrangements with the Bureau of Engineering regarding the street lighting requirements in the area.
 8. Street Trees - Condition No. S-12 requires that the applicant make any necessary arrangements with the Bureau of Engineering / Street Tree Division for the placement, location, type, size, etc. of street trees.
- F. **Transportation Requirements (Section 11)** -- In a letter dated February 7, 2007, DOT completed its traffic assessment, pursuant to Section 11 of the Warner Center Specific Plan. The Project is summarized as follows:
1. Site Access and Internal Circulation - Adverse traffic impacts could occur due to access and circulation issues. Condition No S-13 is designed to prevent these impacts by ensuring that DOT reviews the final access and circulation plans for the Project.
 2. Warner Center Transportation Management Organization (WCTMO). Since the Project involves greater than 30,000 square feet of non-residential floor area, Condition No. S-17 imposes the Specific Plan's requirements regarding membership in the WCTMO.

G. Engineering Requirements.

Street Dedication and Improvements.

Pursuant to Section 11.C of the Specific Plan, street dedications and/or improvements shall be guaranteed by the Applicant of the proposed Project in order to mitigate the transportation impacts of the Project as a condition of granting building, grading or foundation permits. Section 11.A of the Warner Center Specific Plan establishes that no building, grading, demolition, or foundation permit related to a Project shall be issued unless BOE certifies and guarantees the Project and its mitigation measures. In keeping with this, Applicants are required to apply for Project review by BOE prior to the issuance of any Project Permit Compliance approval issued by the Director. Timely BOE recommendations to the Director are included, in whole or in part, in the Project Permit approval letter.

Land dedications are required to be offered to the City prior to the issuance of a building, demolition, grading or foundation permit for a Project. The area of land to be dedicated in connection with this proposed Project is limited to the area of the Project lot or lots required by the LAMC or other applicable ordinances and the dedications required under the Specific Plan are designed to achieve the Plan's designated street standards, specifically Major Highways Class I and Major Highways Class II.

Pursuant to the BOE letter dated February 23, 2007, **Condition No. S-20** imposes that, prior to the issuance of any building permit for the proposed Project, BOE recommendations are prescribed including:

- Street dedication and improvements for Topanga Canyon Boulevard and Victory Boulevard;
- Submittal of drainage and grading plans for review by BOE;
- Submittal of driveway plans to DOT; and
- Review of adequate sewer capacity by the Bureau of Sanitation.

In reviewing the case, the Director of Planning has determined that only the portion of the site along Victory Boulevard and Topanga Canyon Boulevard reserved for the proposed project (Crate and Barrel) shall be required to be subject to street dedication and street improvements. The remainder of the property along Victory Boulevard and Topanga Canyon Boulevard shall only be required to dedicate; no improvements will be necessary until the larger project site is developed.

- H. Parking Requirements (Section 12).** The off-street parking requirements of the Specific Plan apply only to the following: new office developments, hotel, motels, theaters, auditoriums, convention facilities, religious institutions or other similar places of assembly. Since the Project contains none of these above uses, the Specific Plan's parking requirements are not applicable. However, pursuant to Section 12.C of the Specific Plan, **Condition No. S-21** requires that the Project comply with the off-street parking requirements established in LAMC Section 12.21A4(c)(5) for retail Projects.
- I. Noise and Air Quality (Section 13).** Section 13 of the Specific Plan requires all Projects to mitigate the significant noise and air quality impacts of the Project to a

level of insignificance (see Condition Nos. S-22 and S-233). Additionally, any Project located in Noise and Air Quality Impact areas delineated on Maps 8 and 9 of the Specific Plan are required to provide additional mitigation measures. The Project is not located in whole or in part within the Noise and Air Quality Impacts Areas adjacent to either Woodland Hills Charter Academy or Canoga Park High School and is not required to provide the additional noise and air quality mitigations, including the payment of the Construction Air Quality Impact Assessment (CAQIA) fee of \$.10 per each square foot of surface area disturbed.

- J. **Signs (Section 14).** Condition No. S-24 limits the Project to specific signage details in Exhibit "A" of this application. (see Condition No. S-4(d)).
- K. **Mixed-Use Projects (Section 15).** No provisions of Section 15 apply to the Project.
- L. **Child Care Facility Incentives (Section 16).** No provisions of Section 16 apply to the Project.
- M. **Implementation of the Specific Plan (Section 17).** No provisions of Section 17 apply to the Project.
- N. **Cultural Amenities (Section 18).** Warner Center Cultural Affairs Trust Fund (Ordinance No. 168,869) was established as part of the Warner Center Specific Plan program to enable monies collected for the citywide Arts Development Fee to be expended for the purpose of providing cultural and artistic facilities, services, and community amenities for Warner Center Projects and employees in the Warner Center Specific Plan area. Condition No. S-25 herein directs the Department of Building and Safety to transfer to the Treasurer all fees collected from the Applicant for the Citywide Arts Fund so that such fees will be deposited into the Warner Center Cultural Affairs Trust Fund, as authorized pursuant to Ordinance No. 168,869.
- O. **Project Compliance with the Environmental Clearance ((EIR) No. 90-0453 (ZC)(SUB)(ZV)(YY)(HD)).**

As set forth above in Environmental Clearance EIR No. 90-0453 (ZC)(SUB)(ZV)(YY)(HD), the subject Project and its approval complies with the environmental clearance (the Environmental Impact Report and its Addendum). All mitigation measures listed in those environmental clearances are included by reference.

- P. **Consistency with the General Plan.**

The subject property is located within the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan, adopted by City Council on May 14, 1984, and most recently amended by City Council on August 17, 1999. The Community Plan designates the entire area contained within the Warner Center Specific Plan boundary as a single land use category entitled "Warner Center Specific Plan". Instead of designating corresponding zones on the Community Plan for this area, the Specific Plan itself is the primary reference for planned and regulated land use. As noted above, the Project shall be restricted to those uses permitted by the (WC) C4 Specific Plan zone/land use category. The C4 category permits commercial development consistent with those uses permitted in the C4 Zone, as specified in LAMC Section 12.16. Retail uses are permitted within the C4 Zone. The Project, as conditionally approved, conforms with the intended and permitted uses of the Specific Plan.

Q. Fish and Game.

The subject Project, which is located in Los Angeles County, will not have an impact on fish or wildlife resources or habitat upon which fish and wildlife depend, as defined by California Fish and Game Code Section 711.2.

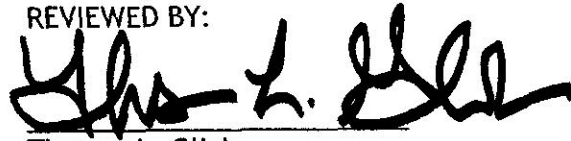
S. GAIL GOLDBERG, AICP
Director of Planning

APPROVED BY:



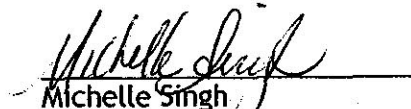
Robert Z. Duenas
Senior City Planner

REVIEWED BY:



Thomas L. Glick
City Planner

PREPARED BY:



Michelle Singh
Planning Assistant

Cc: Jonathan Brand, Council District 3
Woodland Hills-Warner Center Neighborhood Council
Sergio Valdez, DOT
Michael Walters, BOE

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October 29, 2007

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Los Angeles, CA, CA 90025

Mr. Christopher Murray (Representative)
Rosenheim & Associates, Inc.
21550 Oxnard, Suite 780
Woodland Hills, CA 91367

CASE NO: **DIR 2006-9714** (SPP)
PROJECT PERMIT COMPLIANCE - LETTER OF
CLARIFICATION
Location: **6360** Topanga Canyon Boulevard
Canoga Park-West Hills-Winnetka-Woodland Hills
Community Plan Area
CEQA: EIR No. 90-0453
Council District: 3
Neighborhood Council: Woodland Hills-
Wamer Center
Zone: (WC) C2-16511.5
District Map: **177B101, 177B105, 180B101 and
180B105**
Legal Description: Lot A, Parcel Map 3700
Assessor Parcel No.: 2148-029-030
Related **Case(s)**: None

LETTER OF CLARIFICATION

On March 8, 2007, in accordance with Section 6 of the Wamer Center Specific Plan (Ordinance Nos. 174,061 and **174,884**), DIR No. 2006-9714-SPP was conditionally approved by the Director of Planning.

By communication of September 4, 2007, the Project Applicant requested minor clarifications to a portion of the conditional approval. In response to this request and based upon the Department of City Planning staffs review of the Project plans, it has been determined that the language should be modified to clarify items in the original approval, as follows:

1 Revision of Condition No. S-8 (Landscape Setback Area)

Landscape Setback Area. Pursuant to Section **10.F** of the Specific Plan, the Project shall observe a minimum 40-foot Landscape Setback for Topanga Canyon Boulevard and a minimum 25-foot Landscape Setback for Victory Boulevard. The uses permitted in the Landscape Setback areas shall be limited to: landscaping, public sidewalks, driveways, permitted **signage**, surface parking (except for the front 15 feet from any property line adjoining Victory Boulevard and Topanga Canyon Boulevard), and surface parking entrances and exits. (**DCP, B&S, BOE**)

2. Revision of Condition S-19.B (Engineering Requirements)

Street Improvements. All physical street improvements shall be guaranteed before the issuance of any building permit for this Project through the B-permit process of the Bureau of Engineering (BOE), Department of Public Works. To promote development compatible with existing and future development of neighboring properties, the completion of all physical street improvements for this Project shall be deferred and instead completed to the satisfaction of DOT and BOE in conjunction with and before the issuance of any final certificate of occupancy for any adjacent future development requiring physical street improvements along the Project's frontages. Prior to setting the bond amount of the B-permit, the BOE shall require that the developer's engineer or contractor to contact DOT's B-permit coordinator for Traffic Signal Design at (213) 580-5301 and for Geometric Design at (213) 580-5336 to arrange a pre-design meeting to finalize the design for the required improvements.

3. Revision of Finding of Fact No. E.5 (Urban Design Requirements)

Landscape Setbacks and Pedestrian Serving Uses. In accordance with Section 10.F of the Specific Plan, Condition No. S-8 states that the Project shall observe a minimum 40-foot Landscape Setback for Topanga Canyon Boulevard and a minimum 25-foot Landscape Setback for Victory Boulevard. In accordance with Section 10.F.4 of the Specific Plan, Condition No. S-8 allows surface parking for the Project within this Landscaped Setback area except for the front 15 feet from any property line adjoining a public street provided it is landscaped in accordance with Section 10.G.5 of the Specific Plan (see Condition No. S-9 and Finding of Fact No. E.6).

4. Revision of Finding of Fact No. G (Engineering Requirements)

Street Dedication and Improvements. Pursuant to Section 11.C of the Specific Plan, street dedications and/or improvements shall be guaranteed by the Applicant of the proposed Project in order to mitigate the transportation impacts of the Project as a condition of granting building, grading or foundation permits. Section 11.A of the Warner Center Specific Plan establishes that no building, grading, demolition, or foundation permit related to a Project shall be issued unless BOE certifies and guarantees the Project and its mitigation measures. In keeping with this, Applicants are required to apply for Project review by BOE prior to the issuance of any Project Permit Compliance approval issued by the Director. Timely BOE recommendations to the Director are included, in whole or in part, in the Project Permit approval letter.

Land dedications are required to be offered to the City prior to the issuance of a building, demolition, grading or foundation permit for a Project. The area of land to be dedicated in connection with this proposed Project is limited to the area of the Project lot or lots required by the LAMC or other applicable ordinances and the dedications required under the Specific Plan are designed to achieve the Plan's designated street standards, specifically Major Highways Class I and Major Highways Class II.

Pursuant to the BOE letter dated February 23, 2007, Condition No. S-20 imposes that, prior to the issuance of any building permit for the proposed Project, BOE recommendations are prescribed including:

- Street dedication and improvements for Topanga Canyon Boulevard and Victory Boulevard;
- Submittal of drainage and grading plans for review by BOE;
- Submittal of driveway plans to DOT; and,
- Review of adequate sewer capacity by the Bureau of Sanitation.

In reviewing the case, the Director of Planning has determined that the property along Victory Boulevard and Topanga Canyon Boulevard shall be initially subject to the dedication requirements and that no improvements will be necessary until the larger project site is developed. In the interim period, however, the

Applicant is required to guarantee, through the B-Permit process, the improvements for the portion of the site along Victory Boulevard and Topanga Canyon Boulevard that is reserved for the proposed project (Crate and Barrel).

All other conditions of approval, environmental mitigation measures and findings of the previous Determination remain unchanged.

S. GAIL GOLDBERG, AICP
Director of Planning

APPROVED BY:



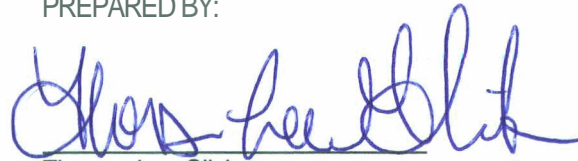
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PREPARED BY:



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