



DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT



ITEM 8

City Planning Commission

Date: September 11, 2014
Time: 8:30 a.m.
Place: City Hall
200 N. Spring St., Room 1010
Los Angeles, CA 90012

Public Hearing: Required
Appeal Status: Appealable to City Council
Expiration Date: September 11, 2014
Multiple Approval: N/A

Case No.: CPC-2011-1923-CU-SPR-PA1
CEQA No.: ENV-2011-1924-MND
Related Cases:
Council No.: 11 – Bonin
Plan Area: West Los Angeles
Specific Plan: West Los Angeles
Transportation Improvement
and Mitigation
Certified NC: West Los Angeles
GPLU: Light Manufacturing
Zone: M2-1
Applicant: New West Charter School
Representative: Neill Brower, Jeffer Mangels
Butler & Mitchell, LLP

PROJECT LOCATION: 1905, 1911, and 1915 Armacost Avenue

PROPOSED PROJECT: Plan Approval pursuant to Condition 11 of CPC-2011-1923-CU-SPR for the New West Charter School to review the effectiveness of, and the level of compliance with, the terms and conditions of the grant. In addition, modification of conditions related to maximum student enrollment, parking, school hours and traffic studies.

REQUESTED ACTION:

1. Pursuant to Los Angeles Municipal Code Section 12.24M:
 - a. A Plan Approval for Condition Compliance.
 - b. Modification of Condition Nos. 1 and 2 to increase enrollment from 750 to 875 students.
 - c. Modification of Condition No. 4 to allow parking requirements to be met off-site.
 - d. Modification of Condition No. 5 to extend school hours from 8:00 p.m. to 10:00 p.m. for teacher preparations, school maintenance, parent/teacher conferences, school board meetings and similar school activities.
 - e. Modification of Condition No. 15.h. to reduce the number of required traffic studies to one per semester.

RECOMMENDED ACTIONS:

1. **Approve** a Plan Approval for Condition Compliance in accordance with Condition 11 of CPC-2011-1923-CU-SPR, and find that New West Charter School has fully complied with the use and operating requirements of the Conditional Use Permit.
2. **Conditionally Approve** an increase in enrollment from 750 to 875 students for the 2015-2016 school year.
3. **Conditionally Approve** parking requirements to be met on- or off-site.
4. **Conditionally Approve** extended school hours to 10:00 p.m. for teacher preparations, school maintenance, parent/teacher conferences, school board meetings and similar school activities.
5. **Conditionally Approve** a reduction in the number of required traffic studies to one per semester.

6. **Find** that the previously adopted Mitigated Negative Declaration, ENV-2011-1924-MND, adequately serves as environmental clearance for the project pursuant to the California Environmental Quality Act and Section 21082.19(c)(3) of the California Public Resources Code.

MICHAEL J. LOGRANDE
Director of Planning

Approved by:



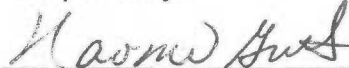
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PROJECT ANALYSIS

Project Summary

New West Charter School (NWCS) is a State-licensed charter middle and high school, authorized for grades 6 through 12. NWCS obtained a Certificate of Occupancy on October 11, 2012 for a campus at 1905-1915 Armacost Avenue. Pursuant to Condition 11 of the Conditional Use Permit (CPC-2011-1923-CU-SPR) approving this school use, NWCS seeks approval of the school's compliance with the Conditions of Approval. NWCS also seeks modification of conditions of approval to allow increased student enrollment, off-site parking, extended school hours, and fewer traffic studies each year. No physical changes to the site and/or improvements are proposed.

Background

Pursuant to the Conditional Use Permit (CPC-2011-1923-CU-SPR), granted by the City Council on appeal (Council File No. 12-0088), NWCS renovated an existing one-story, 49,885 square-foot warehouse for its middle and high school, including grades 6 through 12. The building now includes 28 classrooms, a library, music room, faculty space, administrative offices, student common areas, exercise rooms and interior activity space. The site includes 55 parking spaces and 60 bicycle parking spaces. The approved hours of operation are 7:00 a.m. to 3:45 p.m., including student drop-off and pick-up. An after-school program may operate up to 6:00 p.m. Teacher preparations, school maintenance and customary school activities (such as parent/teacher conferences, school board meetings) may take place up to 8:00 p.m. Enrollment for the 2012-2013 school year was 572 students and for the 2013-2014 school year was 643 students.

NWCS uses Stoner Recreation Center, located one block east at 1835 Stoner Ave., for exercise and sports activities. The facilities include: an indoor gymnasium with a capacity for 300 persons; lighted and unlighted baseball diamonds; outdoor basketball courts; an outdoor children's play area; lighted football field; picnic tables; lighted soccer field; unlighted tennis courts; and lighted volleyball courts.

The subject site is at the southwest corner of Missouri Ave. and Armacost Ave., with 225 feet of frontage along Missouri Ave. and 315 feet of frontage along Armacost Ave. The site is zoned M2-1 with a Light Manufacturing land use designation in the West Los Angeles Community Plan. The site is also located within the West Los Angeles Transportation Improvement Mitigation Specific Plan area, a Specific Plan administered by the City of Los Angeles Department of Transportation (LADOT).

The subject site is at the border of a light manufacturing area that abuts single-family residences. Properties across Missouri Ave. to the north and across Armacost Ave. to the east are zoned R1-1 and are improved with single-family residences. Adjacent properties to the south and west are zoned M2-1 and include offices, a gym and surface parking lots. Within the larger neighborhood bounded by Santa Monica Blvd, Sawtelle Blvd., Olympic Blvd. and Bundy Ave. (to the north, east, south and west, respectively), the R1-1 zone extends east from the subject site for three blocks, and the zoning then changes to R2-1 with multi-family development for the next eight blocks to Sawtelle Blvd. To the north of the subject site, the R1-1 zone extends north for one block, and the zoning then changes to RD1.5-1 and R3-1, with multi-family development for the next three blocks to Santa Monica Blvd. The M2-1 zone extends south for two blocks to Olympic Blvd. and continues south of Olympic Blvd., and extends west one block to Bundy Ave. and continues west of Bundy Ave.

The conditional use permit (CUP) was granted on March 20, 2012, and NWCS obtained a Certificate of Occupancy on October 11, 2012. On October 9, 2013, NWCS filed an application for Plan Approval in conformance with Condition No. 11 of the CUP which requires filing the application one year from the date that the Certificate of Occupancy was issued. The purposes of the Plan Approval are to review the effectiveness of, and the level of compliance with, the terms and conditions of the CUP, including:

- the effectiveness of the carpool program,
- the adequacy of the parking plan,
- the promptness of the school's response to neighborhood complaints, and
- the management of circulation impacts associated with events and any documented noise impacts on the surrounding residential properties.

Upon the review of the effectiveness of and compliance with the conditions, the City Planning Commission (CPC) may add new terms and conditions as well as modify or delete one or more conditions. Per Los Angeles Municipal Code Section 12.24M, under the Plan Approval process:

"new buildings or structures may be erected, enlargements may be made to existing buildings, and existing uses may be extended on an approved site...provided that plans are submitted to and approved by the Zoning Administrator, the Area Planning Commission, or the City Planning Commission, whichever has jurisdiction at the time. The Zoning Administrator, the Area Planning Commission, or the City Planning Commission may deny the plans if the Zoning Administrator or the Commission find that the use does not conform to the purpose and intent of the findings required for a conditional use under this section, and may specify the conditions under which the plans may be approved."

With this Plan Approval, NWCS seeks modifications to some of the CUP conditions of approval.

1. NWCS seeks approval to increase enrollment from 750 students to 875 students (modification of Condition Nos. 1 and 2).
2. NWCS seeks approval to provide the required 55 parking spaces off-site (modification of Condition Nos. 4, 4.d., and 4.e), and within 750 feet of the NWCS site.
3. NWCS seeks approval to use the school facilities up to 10:00 p.m., two hours beyond the current limit of 8:00 p.m. (modification of Condition No. 5.b.).
4. NWCS seeks approval to reduce the required traffic studies from four per school year to two (modification of Condition No. 15.h).

Although the Plan Approval was filed, the case was placed on hold at NWCS' request to allow NWCS more time to address community concerns. The public hearing was held on June 23, 2014. Twenty-two people spoke at the hearing, including eight in favor of NWCS's requested modification, twelve in opposition, one with general comments, and one representative for Councilmember Bonin, Council District 11 (see "Public Hearing and Communications," page P-1, below).

Issues

1. Increased Enrollment to 875 Students

NWCS requests approval to increase student enrollment to 875 students from the current cap of 750 students. The City Planning Commission (CPC) approved a maximum enrollment of 875 students when they approved the CUP. However, in response to appeals, the City Council approved the CUP with a maximum student enrollment of 750. NWCS argues that their facility is underutilized. However, community concerns persist regarding the impacts of increased enrollment, including increased traffic, inadequate parking, deterioration of City recreational facilities, and increased disturbance of residents' peaceful enjoyment of their homes and neighborhood.

NWCS has adhered to the conditions of approval, which were imposed by the City Council to address the impacts of the school's operations. The project is located on a site that supports the school use, in an area characterized by commercial and residential uses and more broadly characterized by other community-serving uses, such as the Stoner Recreation Center and other schools in the community. The surrounding uses have been thoroughly considered by the decision makers, and the project has been conditioned to protect and mitigate potential impacts on the neighboring single-family residences. NWCS conducts neighborhood outreach as outlined in the conditions of approval, including regular meetings of a working group of school, community and City Council Office representatives for the purpose of identifying and resolving impacts on the neighborhood. Furthermore, implementation of the TMMP, with review by LADOT, ensures that traffic impacts are managed and minimized. The requested enrollment increase and changes to operations will be adequately addressed by the modified conditions of approval along with the existing conditions to remain un-changed.

2. Off-Site Parking

NWCS requests flexibility in satisfying the requirement to provide a minimum of 55 parking spaces; that is, NWCS would like the option to provide the spaces on- or off-site, with all off-site spaces provided within 750 feet of the school site. However, adequate parking for the school staff, faculty, visitors and students was a concern at the time of the CUP approval, and continues to be a community concern. The existing surface parking lot included 55 parking spaces, and specific Conditions of Approval, cited here, were imposed to ensure that these spaces would be maintained.

Per existing Condition No. 4 of the CUP:

"4. Parking. A minimum of 55 on-site parking spaces shall be provided to serve the school in accordance with the provisions of Section 12.21 A.5 of the Los Angeles Municipal Code."

The CUP also requires at least 37 of the 55 on-site parking spaces serve faculty and staff. Per existing Condition No. 4.d.:

"4.d. A minimum of 37 parking spaces, located along the western edge of the school's parking lot, shall be accessible at all times for faculty and staff and shall not be blocked off for drop-off and pick-up activities."

NWCS argues that in order to provide parking spaces that are not obstructed by the carpool drop-off and pick-up activity and which have full access throughout the school day, parking spaces off-site are needed. Per the LAMC, parking requirements may be satisfied with off-site parking

arrangements, and the location of the parking may be up to 750 feet from the subject site (LAMC Section 12.21. A.4(g)). To ensure that such off-site parking spaces will be maintained, a Covenant and Agreement must be recorded and run with the land on which the parking spaces are provided for as long as the building or use the spaces serve is maintained (LAMC Section 12.26 E.5.). Thus, NWCS may satisfy all required parking at another site and be in conformance with the LAMC.

3. Extend Use of Facility to 10:00 p.m.

NWCS requests use of the school facility up to 10:00 p.m., rather than 8:00 p.m. per the CUP. Currently, Condition No. 5.b allows certain activities between 6:00 p.m. and 8:00 p.m. Allowable activities include teacher preparations, normal school maintenance, parent conferences with teachers, school board meetings and similar customary school activities.

No concerns or complaints regarding use of the school facility after 6:00 p.m. (when classroom instruction and any after-school academic program conclude) have been raised through the complaint hotline or website, at Working Group meetings, at the public hearing for this Plan Approval application, or in written correspondence to the City concerning this Plan Approval application. In addition, no specific concerns regarding extending school hours to 10:00 p.m. were identified at the public hearing or in written correspondence to the City regarding the Plan Approval application.

4. Traffic Studies

NWCS requests a reduction in the number of required traffic studies. Condition No. 15 of the CUP requires a Traffic Management Monitoring Program (TMMP) to mitigate the projected traffic impacts to a less than significant level. The TMMP established a maximum number of allowable trips to and from the site ("trip cap") as well as goals for student use of various modes of transit to and from the site. Among other items, the TMMP requires the applicant, NWCS, to conduct a traffic study during both morning and afternoon pick-up/drop-off sessions for a one-week period in the third week of each school term. The purpose of these traffic studies is to measure the number of trips and monitor the drop-off and pick-up operations. The monitoring is done at the designated school drop-off zone and at the project driveways (Condition No. 15.h.).

In addition, Condition No. 15.i. requires two traffic studies during the months of November and April. The purpose of these traffic studies is to determine if the TMMP implementation and school operations are within the trip caps for the school and if the goals for the student participation rates in the various transportation options are being met. These trip cap reviews must be submitted to LADOT with a copy to the local Council Office. A determination from LADOT confirming that the school is in compliance with the TMMP Plan is also required before enrollment is to increase each year, within the first 5 years of operation.

NWCS has submitted two traffic studies for each school year of operations at the new site (2012-2013 and 2013-2014), in compliance with Condition No. 15. NWCS does not propose any change to the trip cap or other terms of the TMMP. The request is solely to reduce the number of annual traffic studies. However, the community is very concerned about increased traffic from NWCS operations, and the capacity of NWCS to manage and meet student transportation needs through carpools and shuttle buses. Community members have observed parents driving around the neighborhood, parents dropping students off at points throughout the neighborhood, parents waiting in cars, and shuttle buses not parked in the designated drop-off/pick-up location. Community members argue that frequent monitoring is still necessary, and the number of traffic studies should not be reduced.

Conclusion

NWCS has substantially complied with the Conditions of Approval pursuant to Case No. CPC-2011-1923-CU-SPR. The requested CUP modifications to allow 875 students, off-site parking, extended hours for non-instruction activities, and two annual monitoring studies conform to the purpose and intent of the Conditional Use findings. The continuation and expansion of the existing school will meet a need for public middle and high schools, as evidenced by the demand for more enrollment at NWCS. In addition, NWCS serves the surrounding student population and the surrounding community, evidenced in part by a condition of approval that gives preference to Brockton Elementary School graduating students for admissions to New West Charter School. In addition to its core curriculum, NWCS provides enrichment opportunities in world languages, visual and performing arts, physical education and health, and information technology. NWCS also provides a program of mandatory community service and extracurricular activities.

CONDITIONS OF APPROVAL

The project continues to be subject to all conditions of approval as required by CPC-2011-1923-CU-SPR, except as modified below (strike-out denotes removed text and underline denotes added text):

Condition No. 1:

1. Use. The project is approved for the operation of a 49,885 square-foot charter school serving grades 6 through 12 and shall be limited to a maximum enrollment of ~~750~~ 875 students.

Condition No. 2:

2. Enrollment. Student enrollment shall be limited to the following:

- a. 2012-2013: 575 students
- b. 2013-2014: 680 students
- c. 2014-2015: 750 students
- d. 2015-2016: 875 students

Condition No. 4:

4. Parking. A minimum of 55 on-site parking spaces shall be provided to serve the school in accordance with the provisions of Section 12.21-A.5 of the Los Angeles Municipal Code. All or a portion of the required 55 parking spaces may be provided on another lot within 750 feet of the subject lot, as allowed per Section 12.21 A.4(g) and provided that an agreement is recorded as a covenant running with the land to maintain the off-site parking for as long as the NWCS school use is maintained, per Section 12.26 E.5.

Condition No. 4.d.:

4.d. A minimum of 37 parking spaces, located along the western edge of the school's parking lot, shall be accessible at all times for faculty and staff and shall not be blocked off for drop-off and pick-up activities. All or a portion of the required 37 parking spaces may be provided on another lot within 750 feet of the subject lot, as allowed per Section 12.21 A.4(g) and provided that an agreement is recorded as a covenant running with the land to maintain the off-site parking for as long as the NWCS school use is maintained, per Section 12.26 E.5.

Condition No. 5.b.:

5.b. Teacher preparations, normal school maintenance, parent conferences with teachers, school board meetings and similar customary school activities may extend beyond the hours set forth above, but shall conclude by ~~8:00 p.m.~~ 10:00 p.m.

Condition No. 15.a.:

15.a. The TMMP shall document the school's requirement to maintain a 65% reduction in its student enrollment trips for the high school morning peak hour (7:00 a.m. to 8:00 a.m.), a 75% reduction in trips for the middle school morning peak hour (8:00 a.m. to 9:00 a.m.), and a 75% reduction in trips for the combined high school and middle school afternoon peak hour (2:45 p.m. to 3:45 p.m.), or reductions in trips as applicable based on a maximum student enrollment of ~~750~~ 875 students, in order to achieve a trip cap of 151 trips for high school during the a.m. peak hour (7:00 a.m. to 8:00 a.m.), 90 trips for the middle school during the a.m. peak hour (8:00 a.m. to 9:00 a.m.) and 126 trips for the combined high school and middle school during the p.m. peak hour (2:45 p.m. to 3:45 p.m.), for the high school at full occupancy.

Condition No. 15.h.:

15.h. The measurements of actual trips and monitoring shall cover the peak hours that include the school's two separate starting times and combined dismissal time, Tuesday through Thursday (excluding school holidays), over a one-week period ~~during the third week of~~ each school term. The monitoring shall also include a review of bus drop-off/pick-up operations and after-school pick-up hours. The monitoring shall take place at the school drop-off zone and project driveways, at the school's expense. The data and information collected during the monitoring periods shall be incorporated into the trip cap review and submitted to DOT, per Condition No. 15.i.

Condition No. 15.i.:

15.i. The trip cap review period shall be for a minimum of five (5) years, twice per year (November and April), at which time the review must show accomplishment of the trip cap goal reduction for this entire 5-year review period. Such review periods shall be conducted without prior notification to the school. The trip cap review, including the measurements and monitoring per Condition No. 15.h., must be submitted to DOT with a copy to the local Council Office. Should the review show that the trip cap goal was not achieved, the school will have one (1) year to correct its deficiency. If the school cannot achieve the trip cap goal within the corrective year, the school will be required to reduce its enrollment in an amount commensurate with the trip cap and a new five year review period will commence with the following school year. A determination from DOT confirming that the school is in compliance with the TMMP Plan shall also be required before enrollment is permitted to increase each year within the first 5 years of operation.

Administrative Condition of Approval

Indemnification. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

FINDINGS

A. General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is located in the West Los Angeles Community Plan, which was adopted by the City Council on July 27, 1999 (Case No. CPC-1997-0048). The Plan Map designates the subject property for Light Industrial land uses with the corresponding zone(s) of MR2, M2, and P. The subject property contains approximately 70,876 square feet (1.67 acres) and is currently zoned M2-1. The zones permit uses consistent with light manufacturing and commercial, and other uses, including public schools, with a Conditional Use permit.

The site is improved with a one-story 49,885 square-foot structure and associated surface parking. The applicant, New West Charter School previously operated at a separate location, at 11625 Pico Boulevard in the [Q]C2C2-1VL-CDO Zone.

2. **General Plan Text.**

The West Los Angeles Community plan text includes the following relevant land use discussion:

Schools

- | | |
|----------------------|---|
| Objective 6-1 | To site schools in locations complimentary to existing land uses with buffering, convenient to the Community with access to recreational opportunities. |
| Objective 6-3 | Maximize the use of local schools for Community use and of local open space and parks for school use. |
| Policy 6-3.1 | Encourage the siting of community facilities (libraries, parks, schools and auditoriums) together. |

Framework Element. The Framework Element for the General Plan (Framework Element) 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 project site. 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.

While the Framework element references the City's participation in working with the Los Angeles Unified School District in the planning and coordination of public schools, it does not specifically address efforts with charter schools. To that end, however, enabling the continued use of the school would be consistent with several important goals, objectives, and policies of the Framework Element, including:

Goal 9N – Public schools that provide a quality education for all of the City's children, including those with special needs, and adequate school facilities to serve every

neighborhood in the City so that students have an opportunity to attend school in their neighborhoods.

Objective 9.33: Maximize the use of local schools for community use and local open space and parks for school use.

The continuation and expansion of the existing school will provide more public educational opportunities to the student population and the surrounding community, evidenced in part by a condition of approval that gives Brockton Elementary School graduating students preference for admissions to New West Charter School. The proposed project is located adjacent to a variety of uses, including single family residential uses across the street to the north and east. These uses have been thoroughly considered by the decision makers, and the project has been conditioned to protect and mitigate potential impacts on the neighboring single-family residences.

3. **The Transportation Element** of the General Plan is not likely to be affected by the recommended action herein. No new construction or increase in floor area is proposed as part of this request. However, due to the number of trips projected by the use, the Department of Transportation recommended in a memo dated November 30, 2011, a series of project requirements in order to minimize the traffic-related impacts. Those requirements, along with additional mitigation measures related to the project's Transportation Mitigation and Monitoring Program, are incorporated in the project conditions of approval. In addition, improvements were required by the Bureau of Engineering to assure compliance with this Element of the General Plan and with the City's street improvement standards pursuant to Municipal Code Section 17.05.
4. **The Sewerage Facilities Element** of the General Plan will not be affected by the recommended action.
5. **Street Lights.** No new street lights are required as no new construction or increase in floor area is proposed. If street widening per BOE improvement conditions is required, then the Applicant will also be required to relocate any pre-existing street lights that may be affected by the improvements.
6. **Charter Findings.** Pursuant to Section 556 of the City Charter, the subject Conditional Use is in substantial conformance with the purposes, intent and provisions of the General Plan. The Los Angeles Municipal Code permits the filing, review, and determination of conditional use applications as outlined in Section 12.24. Provided findings of fact are made herein for the subject case action.

B. Condition Compliance Findings

The following table documents the Conditions of Approval imposed in the Conditional Use Permit, Case No. CPC-2011-1923-CU-SPR, and the compliance status of each:

Conditions of Approval	Compliance Status
<u>A. School Conditions</u>	
<p>1. Use. The project is approved for the operation of a 49,885 square-foot charter school serving grades 6 through 12 and shall be limited to a maximum enrollment of 750 students.</p>	<p>In Compliance. The existing building was renovated to create a school facility. The floor area of the building was not changed and remains at 49,885 square feet, as reflected on the building permit and certificate of occupancy. The use of the property is a charter middle and high school operated by the original applicant, NWCS. A total of 657 middle and high school students were enrolled for the 2013-2014 school year.</p>
<p>2. Enrollment. Student enrollment shall be limited to the following:</p> <ul style="list-style-type: none"> a. 2012-2013: 575 students b. 2013-2014: 680 students c. 2014-2015: 750 students 	<p>In Compliance. Total enrollment for the school in the 2012-2013 school year was 571 students; total enrollment for the 2013-2014 school year was 657 students.</p>
<p>3. Site Plan. The use and development of the site shall be in substantial conformance with the site plan and elevations labeled Exhibit "A", attached to the subject case file. Minor deviations may be allowed in order to comply with provisions of the Municipal Code and the conditions of approval.</p> <ul style="list-style-type: none"> a. In conformance with the revised floor plan, dated February 28, 2012, the school building shall include indoor areas designated for exercise rooms and interior activity space, totaling a minimum of approximately 5,777 square feet 	<p>In Compliance. The Department of City Planning (DCP) approved the construction plans, dated 3/10/12. The site plan was in conformance with Exhibit A, including 55 parking spaces and bicycle parking within the surface parking lot. The revised floor plan approved by the City Council shows a building area of 49,885 square feet, which includes five exercise rooms totaling 5,777 square feet.</p>
<p>4. Parking. A minimum of 55 on-site parking spaces shall be provided to serve the school in accordance with the provisions of Section 12.21-A.5 of the Los Angeles Municipal Code.</p> <ul style="list-style-type: none"> a. Students are prohibited from driving to the school and from parking at the site or on residential streets. 	<p>In Compliance. As shown on the site plan, 53 parking spaces plus 3 disabled access parking spaces are provided within the on-site surface parking lot.</p> <p>In Compliance. School parking policy prohibits students from driving to school (see Traffic Mitigation and Monitoring Program (TMMP) Policy and Agreement). Moreover, as the oldest students this school year are in the 9th grade and younger than 16 years of age, no students are licensed</p>

Conditions of Approval	Compliance Status
<p>b. When school is in session, one or more parking monitors in orange vests or other distinctive attire shall be located at each driveway entrance during all drop off and pick up hours and at all special events to preclude noise from car horns, car radius, car alarms, and loud voices, and to maintain smooth ingress and egress from parking areas, and to direct traffic to assure that school-related vehicles do not queue on adjacent streets, block any public right-of-way and/or private driveways.</p> <p>c. Subject to review and approval by DOT, busses or vans shall be permitted and shall load and unload within the on-site surface parking lot and not along residential streets, unless DOT determines under the applicant's TMMP that such buses may load and unload adjacent to the project site along Missouri Avenue. Loading and unloading of busses or vans shall not occur during pick-up or drop-off hours listed under Condition No. 13(g) below, unless such loading and unloading is permitted along Missouri Avenue.</p> <p>d. A minimum of 37 parking spaces, located along the western edge of the school's parking lot, shall be accessible at all times for faculty and staff and shall not be blocked off for drop-off and pick-up activities.</p>	<p>In Compliance. Monitors in distinctive clothing are present during drop-off and pick-up hours. Additionally, NWCS uses some plain-clothed volunteers and staff to monitor nearby vehicle activity, and Dr. Sharon Weir, Principal of NWCS, personally monitors morning carpool activity.</p> <p>To increase compliance, community members suggest installing signage at each driveway to direct carpool vehicles as well as to direct parents who are dropping-off students late regarding where to park and enter the school.</p> <p>In Compliance. As shown in Figure 3 of the approved TMMP, school busses were approved by the City Department of Transportation (LADOT) to queue on Missouri Avenue, adjacent to the school, for drop-off and pick-up. NWCS is working with the community to determine whether queuing on Armacost Avenue, in front of the school, would provide better circulation.</p> <p>In Compliance. As shown on the site plan, 37 parking spaces are provided along the western property line for faculty and staff. The on-site parking lot is used by carpools for student drop-off and pick-up. The parking lot accommodates two travel lanes, with a capacity of 13 cars in each, for a maximum queue of 26 cars at any point in time. During the 2012-2013 year, 114 students travelled to and from the site in carpools; and, at an average of 3 students per carpool, this represents 38 vehicles. Results of the Trip Monitoring Reports for Fall 2012 and Spring 2013 indicate that the 37 parking spaces were not likely blocked for a significant amount of time because hourly trips were below or within the capacity of the parking lot, as follows: between 7:00 am and 8:00 am, the number of inbound and outbound trips ranged from 9 to 13; between 8:00 am and 9:00 am, trips ranged from 26 to 31; and,</p>

Conditions of Approval	Compliance Status
<p>e. If at any time the parking provided on-site is inadequate, as determined by the applicant or the Department of City Planning at the time of Plan Approval review pursuant to Condition No. 11, then arrangements shall be made for off-site, off-street parking providing the additional parking spaces necessary. Such parking arrangements shall be reviewed by DOT and the Department of City Planning, pursuant to Condition Nos. 11 and 15.</p> <p>f. A minimum of 60 bicycle parking spaces shall be provided on-site.</p>	<p>between 2:45 pm and 3:45 pm, trips ranged from 28 to 31.</p> <p>In Compliance. NWCS independently determined that although the provided on-site parking spaces were adequate for staff and visitors, supplemental off-site parking ensured greater access to staff and visitor parking during the day and during pick-up and drop-off periods. NWCS has contracted for 40 additional parking spaces at the immediately adjacent L.A. Fitness parking lot, accessible from Bundy Dr. and from Missouri Ave., to ensure the provision of adequate parking at all times.</p> <p>In Compliance. As shown on the site plan, 60 bicycle parking spaces are provided within three designated areas of the on-site parking lot.</p>
<p>5. Hours of Operation.</p> <p>a. The school shall have classroom instruction between the hours of 7:00 a.m. to 3:45 p.m., which includes drop-off and pick-up of students. Bus drop-off and pick-up may occur outside of these hours, subject to DOT review and approval. An after-school academic program for up to 20% of the enrolled students shall be allowed until 6:00 pm.</p> <p>b. Teacher preparations, normal school maintenance, parent conferences with teachers, school board meetings and similar customary school activities may extend beyond the hours set forth above, but shall conclude by 8:00 p.m.</p> <p>c. A maximum of four (4) parent-teacher conferences are permitted each year on weekdays, and generally between the hours of 12:00 p.m. and 7:30 p.m. These conferences shall be arranged such that parent arrival</p>	<p>In Compliance. The current instruction schedule for the school is:</p> <ul style="list-style-type: none"> • Middle School: 8:30 a.m. to 3:30 p.m. M, T, Th, Fr, with dismissal at 1:30 p.m. on designated Wednesdays. • High School: 7:30 a.m. to 2:30 p.m. M, T, Th, Fr, with dismissal at 1:30 p.m. on designated Wednesdays. • After-School Program: concludes at 6:00 p.m., and enrolls 48 students, comprising less than ten percent of current enrollment. • Bus drop-off begins at about 7:00 a.m., and bus arrivals are staggered due to difference in routes. <p>In Compliance. Teacher preparation and other activities conclude by 8:00 p.m. No impacts or complaints regarding these after-school activities have been identified.</p> <p>In Compliance. As shown on the calendar for the 2013-2014, the school holds parent-teacher conferences over a four-day period from January 13 to 16, 2014. The start time of individual conferences is staggered.</p>

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<p>times shall be staggered throughout the day and scheduled on an appointment basis only.</p> <p>d. Activities outside normal school hours, including parent teacher conferences, school meetings, and other customary school activities shall be scheduled so as to adequately provide parking on-site for all staff and visitors. Arrangements shall be made to provide off-street parking for events exceeding the parking capacity on-site.</p>	<p>In Compliance. As shown on the attached calendar for the 2013-2014, the school holds back-to-back school nights and other customary school activities. For these events, NWCS contracts for off-site parking at 1990 Bundy Drive and requires attendees to park at that location, rather than at the school facility.</p>
<p>6. Use Restrictions</p> <p>a. Rental or lease of the facilities is not permitted. The term "rental of the facilities" is not dependent upon the payment of a fee.</p> <p>b. Parking provided on-site shall not be utilized for events or uses occurring at off-site locations unless the property owner files a shared parking application pursuant to Section 12.27-1.15 of the Los Angeles Municipal Code, and is granted such request.</p> <p>c. Filming for commercial purposes shall be prohibited on the property. Student filming and filming for school functions shall be permitted, provided that such filming is not done outdoors after work where the use of artificial light is employed.</p> <p>d. No incidental gaming activities as defined in Section 12.21-A.13 of the Los Angeles Municipal Code shall be permitted on the site.</p>	<p>In Compliance. NWCS has not and does not rent or lease its facilities to other entities.</p> <p>In Compliance. NWCS does not permit parking at the school facility for any off-site use or event.</p> <p>In Compliance. No commercial filming has occurred at the school.</p> <p>In Compliance. No incidental gaming activities (e.g., bingo) are permitted at the school facility.</p>
<p>7. Events. Events and activities involving parents and/or other visitors where more than 55 vehicles are anticipated at one time are prohibited from the site and shall be arranged to occur at an off-site location where the vehicles can be properly accommodated. School administrative board meetings and parent/teacher conferences are exempt.</p>	<p>In Compliance. Major school events, such as back-to-school nights, are held at the school site and parking is made available off-site at 1990 Bundy Drive or other nearby parking facilities.</p>
<p>8. Emergency Procedures. An Emergency Procedures Plan shall be established identifying guidelines and procedures to be utilized in the event of fire, medical urgency, earthquake or other emergencies to the satisfaction of the Police Department and Fire Department prior to the issuance of a certificate of occupancy. A copy of</p>	<p>In Compliance. NWCS has prepared an Emergency Drills and Procedures plan, a copy of which has been submitted to the Department of City Planning with this Plan Approval application. The plan includes: evacuation plan; plan for student dispersal; emergency drills for fire, earthquake,</p>

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such document shall be submitted to the City Planning Department upon its approval	explosion/shooting incident/other surprise attack, and lock-downs during police action or campus intrusion emergency; and, a list of staff certified in C.P.R. and those trained in First Aid.
9. Security. The property shall be internally secured when not in use.	In Compliance. Gates at the entrance and exit driveways of the parking lot are locked when the school is closed, as are all doors and security grates. A burglar alarm system and cameras have been installed.
10. Neighborhood Outreach. At the start of each school year, the applicant shall mail or hand deliver a notice to all property owners and residents within a four-block radius of the school, as well as the council office, information containing the school year calendar, hours of operation, and a copy of the carpool and commuting provisions required under the Traffic Mitigation and Monitoring program by DOT, as presented to parents and staff of the school. a. The notice shall also include a phone number to a designated Community Relations representative, where residents can report concerns or complaints, which are to be filed and maintained for the record for the Plan Approval process (Condition No. 11). This representative shall be available between the hours of 7 AM to 4 PM, Monday through Friday, and all calls shall be responded to within two business days. b. The complaint log shall include the complainant's name, date and time of complaint, phone number, the nature of the complaint, the date and time of the response to the complaint, and a description of how the issue was responded to or resolved. Record of all complaints must be maintained on the premises.	In Compliance. At the beginning of the 2012-2013 school year, the designated Traffic Coordinator and Community Relations contact mailed a letter to residents within a four-block area adjacent to the school site. The letter identified the first day of the school year, described the TMMP provisions, and described how the school operations are designed to conform to the TMMP. The school calendar for the year was attached. In Compliance. The letter included at telephone number and web page for community feedback, concerns, and complaints. The current coordinator for the NWCS complaint line is Lauren Rawles. In Compliance. The letter clearly stated that records of concerns and complaints will be maintained at the school. NWCS has such logs for the 2012-2013 school year and for 2013-2014. The logs include the required details for each complaint received.
11. Plan Approval. One year from the issuance of a Certificate of Occupancy, and five years after the issuance of the Certificate of Occupancy for the school, the school operator shall file a Plan Approval application and associated fees together with mailing labels for all property owners and tenants within 500 feet of the property. The matter shall be set for public hearing with appropriate notice. The purposes of the Plan Approval shall be	In Compliance. The application for a Plan Approval was filed with the City on 10/9/2013, one year from the date of the Certificate of Occupancy (which was issued on 10/11/12), in accordance with this condition. A public hearing was held by a Hearing Officer on 6/23/14.

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<p>to review the effectiveness of, and the level of compliance with, the terms and conditions of this grant, including the effectiveness of the carpool program, the adequacy of the parking plan, the promptness of the school's response to neighborhood complaints, and the management of circulation impacts associated with events and any documented noise impacts on the surrounding residential properties. Upon review of the effectiveness of and compliance with the conditions, the City Planning Commission or their designee may add new terms and conditions or delete one or more of them, all as deemed appropriate. The application shall include the following minimum information:</p> <ul style="list-style-type: none"> a. The number of students enrolled by grade level. b. Operational changes to the school such as hours of operation and parking policy. c. The implementation status of the Traffic Management and Mitigation Program (TMMP) set forth in Condition No. 15. Copies shall be simultaneously sent to the Council office and to all interested parties who have requested such notification. d. The log of inquiries filed with the school's designated representative and the Council Office, if any, pertaining to the school's operations and compliance with conditions. 	<p>In Compliance. Information submitted with the Plan Approval application includes the number of enrolled students by grade level.</p> <p>In Compliance. Information submitted with the Plan Approval application includes descriptions of school operations, such as hours of operation. No change in operations has been implemented. However, additional parking is now provided at the adjacent LA Fitness surface parking lot.</p> <p>In Compliance. Information submitted with the Plan Approval application includes a copy of the TMMP, descriptions of the implementation of the various provisions, and copies of traffic monitoring and trip count reports required per the TMMP. Copies of these materials and the Plan Approval application were sent to Council Office 11 and the West Los Angeles Neighborhood Council.</p> <p>In Compliance. The complaint logs for 2012-2013 and 2013-2014 were submitted with the Plan Approval application.</p>
<p>12. West LA TIMP Specific Plan. Pursuant to Section 4.B of the WLA TIMP, the owner(s) of the property must sign and record a Covenant and Agreement prior to issuance of any building permit, acknowledging the contents and limitations of this Specific Plan in a form designed to run with the land.</p>	<p>In Compliance. A covenant and Agreement was signed and recorded, acknowledging the contents and requirements of the Specific Plan.</p>

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<p>13. Site Access and Internal Circulation. To improve traffic flow and enhance vehicular and pedestrian safety, the project shall consult with DOT'S Western District office to determine the feasibility of installing the following traffic controls:</p> <ul style="list-style-type: none"> a. All-way stop sign controls at Missouri Avenue and Armacost Avenue, and Armacost Avenue and La Grange Avenue intersections. b. New pedestrian crosswalks (painted) at the intersections of Missouri Avenue and Armacost Avenue and La Grange Avenue and Armacost Avenue. c. A crossing guard shall be provided at the intersection of Missouri Avenue and Armacost Avenue to ensure the safety of students crossing this intersection during both the morning student arrival periods and afternoon student dismissal periods, and as appropriate, following the after-school program. d. All carpool vehicles transporting students to and from the school shall load and unload on the surface parking lot at the site. e. Carpool and visitor vehicles shall access the school site with ingress from Missouri Avenue and egress on Armacost Avenue. f. Final DOT Approval shall be obtained prior to issuance of any building permits. This should be accomplished by submitting detailed site/driveway plans, at a scale of 1"=40', separately to DOT'S West LA/Coastal Development Review Section at 7166 West Manchester Avenue, Los Angeles, 90045 as soon as possible but prior to submittal of building plans for plan check to the Department of Building and Safety. 	<p>In Compliance. All-way stop signs have been installed at the intersections of Missouri Avenue and Armacost Avenue, and at Armacost Avenue and La Grange Avenue.</p> <p>In Compliance. Painted pedestrian crosswalks have been installed at the intersections of Missouri Avenue and Armacost Avenue, and at Armacost Avenue and La Grange Avenue.</p> <p>In Compliance. NCWS provides crossing guards at the intersection of Missouri Avenue and Armacost Avenue.</p> <p>In Compliance. As indicated in the TMMP and on the site plan, all carpool vehicles drop off and pick up students only within the on-site surface parking lot.</p> <p>In Compliance. All vehicles using the on-site parking lot enter the lot at Missouri Avenue driveway and exit at the Armacost Avenue driveway. A large, white arrow painted on the pavement at the Missouri Avenue driveway indicates entrance only at this driveway. In addition, the TMMP/Student Transportation and Parking Policy includes this requirement and is distributed to all parents.</p> <p>In Compliance. All LADOT approvals and clearances were obtained for building permits.</p>

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<p>g. Student Drop-Off and Pick-Up schedule shall be as follows:</p> <ul style="list-style-type: none"> i. Grades 6-8: Arrival drop-off hours are limited to 8:00 a.m. to 8:25 a.m.; Dismissal pick-up hours are limited to 3:25 p.m. to 3:45 p.m. ii. Grades 9-12: Arrival drop-off hours are limited to 7:00 a.m. to 7:25 a.m.; Dismissal pick-up hours are limited to 2:55 p.m. to 3:10 p.m. 	<p>In Compliance. The TMMP/Student Transportation and Parking Policy identifies the required student drop-off and pick-up times. Traffic and trip monitoring reports reflect adherence to the schedule.</p>
<p>14. Highway Dedication and Physical Street Improvements. Pursuant to Section 4.E.2 of the WLA TIMP, and in order to mitigate potential access and circulation impacts, the applicant may be required to make highway dedications and improvements. The applicant shall consult the Bureau of Engineering for any additional highway dedication or street widening improvements.</p> <p>These requirements must be guaranteed before the issuance of any building permit through the B-permit process of the Bureau of Engineering, Department of Public Works. They must be constructed and completed prior to the issuance of any certificate of occupancy to the satisfaction of DOT and the Bureau of Engineering.</p>	<p>In Compliance. Per a letter to the applicant from the Department of Public Works/Bureau of Engineering (BOE), dated 4/6/12, dedications and completion of public improvements were required prior to BOE providing clearance for the Certificate of Occupancy. The required dedication concerned the radius return at the southwest corner of Armacost Avenue and Missouri Avenue. Required public improvements included: repair of driveway aprons and sidewalks; trimming tree roots; and, repair of curb return access ramp at the corner. The dedication and improvements were completed to the satisfaction of BOE, as evidenced by the issuance of the Certificate of Occupancy on 10/11/12.</p>
<p>15. Traffic Management & Monitoring (TMMP) Program. In order to mitigate the projected traffic impacts to a less than significant level, as well as to minimize the likelihood of school-related vehicles queuing on the public roadway, a traffic management and monitoring program (TMMP) shall be implemented to survey the actual on-site vehicle operations and insure that sufficient queuing capacity is available on-site. This TMMP shall be consistent with the discussion and project requirements outlined in the Department of Transportation Memorandum, dated November 30, 2011, and as outlined herein. If the school is unable to maintain its ingress traffic entirely on-site, enrollment shall be reduced until compliance is achieved.</p> <p>a. The TMMP shall document the school's requirement to maintain a 65% reduction in its student enrollment trips for the high school</p>	<p>In Compliance. NWCS prepared a TMMP and recorded a Covenant and Agreement agreeing to implement the TMMP. The TMMP reflects the 11/30/11 LADOT Memorandum.</p> <p>In Compliance. This condition is included verbatim on page 7 of the TMMP. Pages A-2 through A-6 include a</p>

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<p>morning peak hour (7:00 a.m. to 8:00 a.m.), a 75% reduction in trips for the middle school morning peak hour (8:00 a.m. to 9:00 a.m.), and a 75% reduction in trips for the combined high school and middle school afternoon peak hour (2:45 p.m. to 3:45 p.m.), or reductions in trips as applicable based on a maximum student enrollment of 750 students, in order to achieve a trip cap of 151 trips for high school during the a.m. peak hour (7:00 a.m. to 8:00 a.m.), 90 trips for the middle school during the a.m. peak hour (8:00 a.m. to 9:00 a.m.) and 126 trips for the combined high school and middle school during the p.m. peak hour (2:45 p.m. to 3:45 p.m.), for the high school at full occupancy.</p> <p>b. The school shall achieve these trip reductions through an aggressive TMMP Plan that would require a minimum average vehicle occupancy of 3.0 students per vehicle and a shuttle bus program for student pick-up and drop-off activities, public transit incentives for students (including, but not limited to, bus passes provided to eligible students at no charge, assistance with transit route and schedule planning, etc.), and assistance for students to travel to and from school by bicycle or foot.</p> <p>c. Under the TMMP, the school shall establish the following percentage goals (at maximum student enrollment) for student transport to and from school:</p> <p><u>Morning Student Arrival Period</u> (7:00 to 9:00 AM) – Cap = 241 trips</p> <ul style="list-style-type: none"> i. Approximately 47% of the maximum student enrollment to participate in the carpool program, ii. Approximately 30% of the maximum student enrollment to participate in the shuttle bus program, and iii. Approximately 23% of the maximum student enrollment to walk, bike, or use public transit. The school shall provide free transit passes to students utilizing public transit. <p><u>Afternoon Student Dismissal Period</u></p>	<p>detailed description of the implementation of various modes of transportation for students that will achieve the trip reductions and maintain the number of trips below the trip caps.</p> <p>In Compliance. Pages A-2 through A-6 of the TMMP include a detailed description of the implementation of required modes of transportation for students. The TMMP includes one additional element that is not included in the conditions of approval; that is, a morning tutoring program for middle school students, so that middle school students may arrive with high school students and have a place to be prior to the start time of middle school classes. This will further reduce the number of trips generated by the school.</p> <p>In Compliance. Student participation levels in each of the modes of transit are addressed on pages A-3 through A-7 of the TMMP, with specific goals summarized in Tables A-1 and A-2.</p>

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<p>(2:45 to 3:45 PM) – Cap = 126 trips</p> <ul style="list-style-type: none"> i. Approximately 24% of the maximum student enrollment to participate in the carpool program, ii. Approximately 30% of the maximum student enrollment to participate in the shuttle bus program, iii. Approximately 20% of the maximum student enrollment to participate in after-school academic programs, and iv. Approximately 26% of the maximum student enrollment to walk, bike or use public transit. The school shall provide free transit passes to students utilizing public transit. <p>d. The shuttle bus program shall include a minimum of 4 buses (with approximately 57 students in each), or alternatively the shuttle bus program shall include the minimum number and size of buses necessary to transport approximately 30% of the student population (at maximum enrollment), to access the school site each morning and each afternoon per school day. Buses must load and unload on-site only and shall access the school site with ingress from Missouri Avenue and egress on Armacost Avenue, or may load and unload adjacent to the project site along Missouri Avenue if deemed acceptable following a review of the TMMP by LADOT, as provided for under Condition No. 4.c.</p> <p>e. As part of the TMMP shuttle bus program, the applicant shall identify and secure off-site parking lot locations where parent and shuttle pick-up and drop-off activities would occur, and shall provide evidence of securing such off-site locations to the Department of City Planning and local Council Office prior to the issuance of a Certificate of Occupancy. DOT shall also review the potential off-site parking lot locations and their anticipated operations to ensure that any potential traffic impacts surrounding those locations resulting from the shuttle bus program will be mitigated.</p> <p>f. The TMMP Plan shall also include a traffic mitigation plan to address any identified impacts resulting from the after-school</p>	<p>In Compliance. As described on page A-2 of the TMMP, the shuttle bus program includes five buses, each with a capacity for 72 riders. LADOT approved a shuttle bus zone along Missouri Avenue for the loading and unloading of riders.</p> <p>In Compliance. As described on pages A-7 and A-8, the shuttle bus program includes five off-site locations for the pick-up and drop-off of students. The five locations were approved by LADOT, as evidenced by LADOT's approval of the TMMP, the Covenant and Agreement to implement the TMMP, and the Certificate of Occupancy.</p> <p>In Compliance. An After-School Program Student Dismissal Transportation Program is described on pages A-</p>

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<p>academic program, including incorporation of a combination of carpooling, transit ridership and walking and biking incentives to ensure that any such impacts are fully mitigated.</p> <p>g. The TMMP Plan shall be implemented by an on-site Traffic Demand Management (TDM) Coordinator at the school who will assist parents in signing up for the appropriate transportation program based on where the students live. The transportation program should be introduced to parents at the time of school registration/orientation, and before each school semester. Once all student residence locations are identified, the TDM Coordinator shall assign students to the appropriate transportation program (walk, bicycle, public transit, carpool, and shuttle bus), with parent approval. Student participation in the required transportation mode will be monitored throughout the school year to assure compliance. The TDM Coordinator shall be responsible for gathering feedback and reviewing the TMMP for ongoing improvement.</p> <p>h. The measurements of actual trips and monitoring shall cover the peak hours that include the school's two separate starting times and combined dismissal time, Tuesday through Thursday (excluding school holidays), over a one-week period during the third week of each school term. The monitoring shall also include a review of bus drop-off/pick-up operations and after-school pick-up hours. The monitoring shall take place at the school drop-off zone and project driveways, at the school's expense.</p> <p>i. The trip cap review period shall be for a minimum of five (5) years, twice per year (November and April), at which time the review must show accomplishment of the trip cap goal reduction for this entire 5-year review period. Such review periods shall be conducted without prior notification to the school. The trip cap review must be submitted to DOT with a copy to the local Council Office. Should the review show that the trip cap goal was not achieved, the school will have one (1) year to correct its deficiency. If the school cannot</p>	<p>9 and A-10 of the TMMP. The Program includes walking/bicycling as well as shuttle buses or a mix of shuttle buses and carpools.</p> <p>In Compliance. TMMP Implementation and management, as described on page A-2 of the TMMP, conforms to the condition of approval. This includes appointing a Transportation Coordinator stationed at the school who will inform parents of transportation options, assign students and parents of the appropriate mode, and will review and gather feedback on the TMMP in order to make improvements in the TMMP, as needed. Currently, Lauren Rawles is the Transportation Coordinator. Ms. Rawles attends meetings of the NWCS' Working Group of neighbors and stakeholders as one method of gathering feedback. Regular monitoring reports are completed by an outside consultant.</p> <p>Not In Compliance. Two reports were not submitted for the 2012-2013 school year. However, two reports were submitted for the 2013-2014 school year, with monitoring done 9/17/13 – 9/20/13 and 1/21/14 – 1/24/14. Results show that the number of trips at each driveway does not exceed the trip cap and the average vehicle occupancy (AVO) of trips to the shuttle bus collection points is generally below AVO targets. These reports were submitted to LADOT. NWCS has not received a response.</p> <p>In Compliance. Two monitoring reports have been submitted for the school's first year of operation at the site (2012-2013), with monitoring done 11/12/12 – 11/15/12 and 3/5/13 – 3/7/13. The reports include the number of trips observed at each driveway as well as the number of vehicle trips associated with each of the shuttle bus collection points. Results show that the number of trips at each driveway does not exceed the trip cap and the average vehicle occupancy (AVO) of trips to the shuttle bus collection points is generally close to AVO targets.</p>

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<p>achieve the trip cap goal within the corrective year, the school will be required to reduce its enrollment in an amount commensurate with the trip cap and a new five year review period will commence with the following school year. A determination from DOT confirming that the school is in compliance with the TMMP Plan shall also be required before enrollment is permitted to increase each year within the first 5 years of operation.</p> <p>j. A full TMMP Plan, and all subsequent TMMP reporting, shall be prepared by a licensed Traffic Engineer and submitted to DOT for review. The full TMMP Plan, as described herein, shall be submitted to DOT and the Department of City Planning for review and approval, prior to the issuance of any Certificate of Occupancy or Temporary Certificate of Occupancy. A copy of the TMMP review and DOT's determination of the review shall be submitted to the Planning Department to be included in the file for the public record.</p>	<p>These reports were submitted to LADOT. NWCS has not received a response.</p> <p>In Compliance. The TMMP was prepared by Hirsch/Green Transportation Consulting, Inc. It was approved by LADOT in their initial traffic assessment memorandum dated 10/6/11 and their supplemental assessment dated 11/20/11. Both assessments are in the case file. LADOT approved NWCS' covenant and agreement to implement the TMMP.</p>
<p>16. Construction Impact (Traffic). The Department of Transportation recommends that a construction work site traffic control plan be submitted to DOT's Western District Office for review and approval prior to the start of any construction work. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. DOT also recommends that construction related traffic be restricted to commuting off-peak hours, as well as school off-peak hours when school is in session.</p>	<p>In Compliance. Construction occurred with all required permits. LADOT approval of a construction work site traffic control plan is evidenced by the issuance of required building permits and issuance of the Certificate of Occupancy.</p>
<p>17. All school administrators, faculty, and school board members shall be provided a copy of the instant determination.</p>	<p>In Compliance. All NWCS administrators, faculty, and school board members were provided a copy of the Modified Conditions of Approval, as adopted by the City Council. This is reflected in many NWCS documents. For example, the 2013-2014 Home School Contract includes the statement, "The ability of the Charter School to operate at the school site and maintain its enrollment is conditioned upon compliance by New West families with the Home-School Contract and the TMMP/Student Transportation & Parking Policy."</p>

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<p>18. Recreational Activities.</p> <p>a. Prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy, the school shall submit to the Department of City Planning and the local Council Office an itemized breakdown of physical education, sports and after-school programs with locations and times, and signed contracts and/or permits for those physical education, sports and after-school programs located off-site. This documentation shall be submitted to the Department of City Planning and the local Council Office on an annual basis.</p> <p>b. Any student pedestrian activity to and from the school during school hours (i.e. students walking to Stoner Park or other recreational or fitness facilities for school-related recreational activities) shall be supervised by an adult.</p> <p>i. The pedestrian route to Stoner Park shall be as follows – Exit school site and travel north, cross Missouri Avenue at Armacost Avenue, travel east on Missouri (north sidewalk), cross Westgate Avenue, enter park at corner of Westgate and Missouri.</p> <p>ii. The pedestrian route to the YMCA at La Grange Avenue and Sawtelle Boulevard shall be as follows – Exit school site and travel south on Armacost Avenue (west sidewalk), cross La Grange Avenue, travel east along La Grange Avenue (south sidewalk), cross La Grange again at Purdue Avenue, continue east on La Grange, enter YMCA.</p>	<p>In Compliance. Documentation of physical education, sports and after-school programs and the locations where the activities take place was submitted to the Department of City Planning with this Plan Approval application. This includes the agreements for use of Stoner Recreation Center and with the YMCA. A copy of the application and documentation was submitted to the Council District 5 personnel.</p> <p>In Compliance. Students and faculty adhere to the required pedestrian routes to Stoner Recreation Center and the YMCA.</p>
<p>19. Student “loitering” in the front of the school and in the neighborhood shall be strictly prohibited at all times.</p>	<p>In Compliance. NWCS faculty and administrators ensure that students do not loiter in front of the school. Monitors are present during all drop-off and pick-up times to ensure that students remain in designated pick-up and drop-off areas during school hours, including the pick-up and drop-off periods.</p>
<p>20. The school shall create and maintain a Home-School Contract for all parents, students and teachers to agree to and sign, and shall use its authority to enforce the provisions of the Contract.</p>	<p>In Compliance. The current NWCS Home-School Contract for 2013-2014 was submitted with this Plan Approval application. Items a. through f. are all stated in the</p>

Conditions of Approval	Compliance Status
<p>The Home-School Contract should include the following, consistent with the conditions of approval contained here-in:</p> <ul style="list-style-type: none"> a. A "No Student Drivers" policy, b. That parking by parents or visitors on the street is strictly prohibited, c. Drop-off and pick-up routes and rules, including the requirement to drop off and pick up students on-site only in the designated drop-off and pick-up area and the prohibition of any drop-off and pick-up activities taking place in the street, d. Notice that the ability of the school to operate at the school site and maintain its enrollment is conditioned upon compliance by parents and guardians with the Home-School Contract as it pertains to the Traffic Mitigation and Monitoring Program, e. Notice of the mandatory Community Service Program for all students, parents and teachers to participate in, and f. A "No littering" policy 	<p>Home-School Contract or the TMMP/Student Transportation & Parking Policy which is attached to the Home-School Contract. At the 6/23/14 public hearing, comments from parents indicated that communication from the school was good, providing information and addressing impacts on the neighborhood.</p>
<p>21. At the time of school registration/orientation, the school shall verbally discuss the school's policy regarding traffic circulation with parent(s), and the parent(s) must sign the Home-School Contract stating that they understand the policy regarding pick-up and drop-off. Also, the school must require emergency contacts to sign a similar contract so as to ensure that each person who will be dropping off or picking up a student will follow the rules of operation and traffic circulation regarding ingress to and egress from the site.</p>	<p>In Compliance. As stated in the Home-School Contract, parents must attend a mandatory orientation launch meeting to learn about the Home-School Contract, among other items and issues. Parents and students must sign the Home-School Contract. The signature page includes a list of the policies that parents and students must follow. The TMMP/Student Transportation & Parking Policy, which is on this list, includes the requirement that all emergency contacts must also sign.</p>
<p>22. A sufficient number of trash bins shall be provided and located on-site, and trash shall be collected on a regular basis by a trash collection company.</p>	<p>In Compliance. Per information submitted with the Plan Approval application, NWCS has sufficient trash bins on site, and trash is collected on multiple days each week.</p>
<p>23. Brockton Elementary Graduates. The PLUM Committee voted in favor of the Conditional Use Permit for the school with the assurance from the New West Board of Directors that prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy, the New West Board of Directors would have approved a</p>	<p>In Compliance. Per information submitted with this Plan Approval application, NWCS has held recruitment/admissions seminars at Brockton Elementary. NWCS has offered automatic admission to Brockton Elementary graduates and</p>

Conditions of Approval	Compliance Status
<p>legally binding resolution, stipulating that any student who graduates from Brockton Elementary School, regardless of when the student enrolled in said school and regardless of the Title I status of said school, shall be ensured admittance to 6th grade at New West Charter School, as part of the school's admissions preference program. On March 6, 2012, the New West Board of Directors approved, by a vote of [11 Yes, 0 No], Board Resolution # 2012-1 which meets the above-referenced terms. This policy shall remain with another neighborhood elementary school, if not with Brockton Elementary School, as allowed under the school's charter.</p>	<p>has admitted approximately two-thirds of the last two graduating classes.</p>
<p>24. Aesthetics – Vandalism. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.</p>	<p>In Compliance. The building has been maintained in good condition. The landscaped areas fronting Armacost Avenue and Missouri Avenue have been kept free of any trash and debris.</p>
<p>25. Aesthetics - Signage. On-site signs shall be limited to the maximum allowable under the Municipal Code. Multiple temporary signs in windows and along building walls are not permitted.</p>	<p>In Compliance. One non-illuminated wall sign that reads, "New West Charter School" has been installed at the Armacost Avenue entrance. A second wall sign comprised of the street address number, "1905," has also been installed on the Armacost Avenue frontage. Both signs are permitted per the Los Angeles Municipal Code. Building permits were obtained for both signs.</p>
<p>26. Aesthetics – Light. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.</p>	<p>In Compliance. Shielded lighting is installed along the exterior facades, which directs the light down. Complaints have been logged regarding exterior lighting not being sufficiently shielded, and therefore shining into homes as well as into passing vehicles. Minutes of the Working Group indicate that NWCS made alterations to exterior lighting and resolved the problems.</p>
<p>27. Aesthetics – Glare. The exterior of the structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.</p>	<p>In Compliance. The exterior facades are comprised primarily of brick, which is not painted and does not reflect light or heat. Large windows line both the Armacost Avenue and Missouri Avenue facades. This glazing does not have a reflective tint.</p>

Conditions of Approval	Compliance Status
<p>28. Air Pollution – Stationary. An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting value (MERV) of 12, to the satisfaction of the Department of Building and Safety.</p>	<p>In Compliance. Building permits were obtained for installation of new HVAC systems with Title 24 performance standards. Per information submitted with this Plan Approval application, the required air filtration system was installed.</p>
<p>29. Green House Gas Emissions. Only low and non-VOC paints, sealants, adhesives, and solvents shall be utilized in the renovation of the project site.</p>	<p>In Compliance. Per information submitted with this Plan Approval application, only low and non-VOC paints, sealants, adhesives, and solvents were utilized in the building renovation.</p>
<p>30. Noise.</p> <ul style="list-style-type: none"> a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible. b. Construction activities shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday. c. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels. d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. 	<p>In Compliance. The school operations have been in conformance with City's noise ordinances. No complaints regarding noise have been submitted to NWCS or to LADBS.</p> <p>In Compliance. Per information submitted with this Plan Approval application, construction activity was limited to the permitted days and times.</p> <p>In Compliance. No violations related to operating equipment during construction were found by LADBS.</p> <p>In Compliance. No violation related to operating equipment without state-of-the-art noise shielding and muffling devices were found by LADBS during the construction phase.</p>
<p>31. Noise (Public Address and Paging System). Any outdoor address or paging systems shall be designed by a qualified audio sound engineer with the following minimum specifications.</p> <ul style="list-style-type: none"> a. Only low-pressure type speakers shall be used which are designed to have a minimum coverage area of approximately 400 square feet each. b. Distance between speakers shall not exceed 40 feet. 	<p>In Compliance. NWCS has not installed any outdoor address or paging systems.</p>

Conditions of Approval	Compliance Status
<p>c. Amplified signal shall be inaudible beyond the boundaries of the subject property.</p>	
<p>32. Public Services – Police.</p> <p>a. The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to “Design Out Crime Guidelines: Crime Prevention through Environmental Design,” published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213)486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.</p>	<p>In Compliance.</p> <p>No substantial changes were made to the design of the building and the exterior facades. Existing entrances along the Armacost Avenue frontage were not changed. Entrances along the other three facades were modified, along with the addition of some new entries (for access to restrooms from the parking lot). Building permits were obtained for installation of security systems, including a burglar alarm system and cameras, along with electric openers for the gates at the driveways. Building permits were also obtained for a new fire sprinkler system and a new fire alarm system for the building. These building permits obtained the requisite review and approval by the LAPD and the LAFD.</p>
<p>33. Increased Vehicle Trips/Congestion. An adverse impact may result from the project’s traffic generation. An investigation and analysis conducted by the Department of Transportation has identified significant project-related traffic impacts which can be mitigated to less than significant level by the following measures:</p> <p>a. The applicant shall implement the measures detailed in the Department’s Communication to the Planning Department dated October 6, 2011 and attached shall be complied with. Such report and mitigation measure(s) are incorporated herein as Condition Nos. 7 through 12.</p>	<p>In Compliance.</p> <p>NWCS prepared a Traffic Management and Monitoring Program (TMMP) and recorded a Covenant and Agreement agreeing to implement the TMMP. The TMMP reflects the November 30, 2011 LADOT Memorandum, a supplemental/update to the October 6, 2011 Memorandum. Per the modified conditions of approval granted by the City Council, the relevant condition nos. are now condition nos. 12 through 16.</p>
<p>34. Utilities – Local Water Supplies (Landscaping). Environmental impacts may result from the project implementation due to the cumulative increase demand on the City’s water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:</p>	

Conditions of Approval	Compliance Status
<p>a. The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g, use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).</p> <p>b. In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:</p> <ol style="list-style-type: none"> 1) Weather-based irrigation controller with rain shutoff 2) Matched precipitation (flow) rates for sprinkler heads 3) Drip/microspray/subsurface irrigation where appropriate 4) Minimum irrigation system distribution uniformity of 75 percent 5) Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials 6) Use of landscape contouring to minimize precipitation runoff 7) A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf and greater 	<p>In Compliance. The existing planter and plant material lining the Armacost Avenue façade has been maintained. Twelve existing street trees (all pine trees) have been maintained, including eight along the Armacost Avenue façade and four along the Missouri Avenue façade. Nine new trees have been planted in the surface parking lot, with three against the building and six along the length of the western edge of the parking lot. All together, the landscaped areas comprise 2,198 square feet, approximately 3.1% of the lot. As the Certificate of Occupancy was issued, these water conservation measures were satisfied.</p> <p>In Compliance. As described above, the total landscaped area is 2,198 square feet. As the Certificate of Occupancy was issued, these additional water conservation measures were satisfied.</p>
<p>35. Utilities – Local Water Supplies.</p> <p>a. Install high efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5gpf), including no-flush or waterless urinals, inn all restrooms as appropriate.</p> <p>b. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.</p> <p>c. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape and irrigation uses.</p>	<p>In Compliance. Building permits were obtained for installation of new plumbing. Thus, the requirements for the installation of water-efficient faucets, toilets, showerheads, clothes washers and dryers, and dishwashers was satisfied.</p>

Conditions of Approval	Compliance Status
<p>d. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)</p> <p>e. Install no more than one showerhead per shower stall, having a flow rate of no greater than 2.0 gallons per minute.</p> <p>f. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.</p> <p>g. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.</p>	
<p>36. Utilities – Solid Waste Recycling.</p> <p>a. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.</p> <p>b. Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and</p>	<p>In Compliance. Per information submitted with this Plan Approval application, recycling bins are provided throughout the facility and the recyclable material is collected multiple times a week.</p> <p>In Compliance. Building permits were issued for the construction work, therefore, LADBS found that the information provided regarding the waste disposal company satisfied this condition of approval.</p>

Conditions of Approval	Compliance Status
<p>construction contractor(s) shall only contract waste disposal services with a company that recycles demolition and/or construction-related wastes.</p> <p>c. To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.</p> <p>d. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.</p>	<p>In Compliance. Building permits were issued for the construction work, therefore, LADBS found that the requirement to provide waste separation bins during demolition and construction was met.</p> <p>In Compliance. LADBS conducted inspections throughout the construction period. As no violations were reported or found, waste was disposed of properly and in accordance with this condition.</p>

C. Conditional Use Plan Approval Findings

Pursuant to Los Angeles Municipal Code Section 12.24.M, I hereby accept and incorporate the original findings of the City Planning Commission's action for this conditional use case, find that the continued use conforms to the purpose and intent of the findings required for a conditional use, and adopt the following additional findings:

- 1. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.**

Pursuant to the Conditional Use Permit (CPC-2011-1923-CU-SPR), granted by the City Council on appeal (Council File No. 12-0088), New West Charter School (NWCS) renovated an existing one-story, 49,885 square-foot warehouse for its middle and high school, including grades 6 through 12. The building now includes 28 classrooms, a library, music room, faculty space, administrative offices, student common areas, exercise rooms and interior activity space. The site includes 55 parking spaces and 60 bicycle parking spaces. The approved hours of operation are 7:00 a.m. to 3:45 p.m., including student drop-off and pick-up. An after-school program may operate up to 6:00 p.m. Teacher preparations, school maintenance and customary school activities (such as parent/teacher conferences, school board meetings) may take place up to 8:00 p.m. Enrollment for the 2012-2013 school year was 572 students and for the 2013-2014 school year was 643 students.

The subject property is a generally level, rectangular-shaped corner lot with approximately 70,876 square feet (1.67 acres). Located in the West Los Angeles Community Plan area, the site is designated for Light Manufacturing land uses, which has corresponding zones of MR2, M2, and P. The subject site is zoned M2-1. The site is improved with one single-story structure with 49,885 square feet of floor area built in 1954 and previously used for warehouse, light industrial, and office uses. The site also has a surface parking lot with 55 parking spaces.

The continuation and expansion of the existing school will meet a need for public middle and high schools, as evidenced by the demand for more enrollment at NWCS. In addition, NWCS serves the surrounding student population and the surrounding community, evidenced in part by a condition of approval that gives preference to Brockton Elementary School graduating students for admissions to New West Charter School. In addition to its core curriculum, NWCS provides enrichment opportunities in world languages, visual and performing arts, physical education and health, and information technology. NWCS also provides a program of mandatory community service and extracurricular activities.

The proposed project is located adjacent to a variety of uses, including single family residential uses across the street to the north and east. These uses have been thoroughly considered by the decision makers, and the project has been conditioned to protect and mitigate potential impacts on the neighboring single-family residences. The proposed modifications to the CUP will support the continued operation of NWCS in an area where there is high demand for public middle and high schools. An enrollment of 875 students represents a 15% increase in enrollment. The required 55 parking spaces will be provided, either on-site or off-site per the terms required by the LAMC. Extended hours to 10:00 p.m. will not increase noise or traffic impacts, as all activities will be conducted indoors and not include a large number of people. One monitoring period and report per semester is adequate for identifying and resolving TMMP implementation issues because experience to date shows that monitoring results are similar for each semester.

Therefore, the continued use and proposed expansion of student enrollment will provide a service that is beneficial to the surrounding student population and greater community.

2. The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

The subject site is a generally level, rectangular-shaped corner lot with approximately 70,876 square feet (1.67 acres). Located in the West Los Angeles Community Plan area, the site is designated for Light Manufacturing land uses, which has corresponding zones of MR2, M2, and P. The subject site is zoned M2-1. The zone permits uses consistent with light manufacturing and commercial, and other uses, including public schools, with a Conditional Use permit. The site is improved with one single-story structure with 49,885 square feet of floor area built in 1954 and previously used for warehouse, light industrial, and office uses. The site also has a surface parking lot with 55 parking spaces.

The subject site is at the border of a light manufacturing area that abuts single-family residences. Properties across Missouri Ave. to the north and across Armacost Ave. to the east are zoned R1-1 and are improved with single-family residences. Adjacent properties to the south and west are zoned M2-1 and include offices, a gym and surface parking lots. Within the larger neighborhood bounded by Santa Monica Blvd, Sawtelle Blvd., Olympic Blvd. and Bundy Ave. (to the north, east, south and west, respectively), the R1-1 zone extends east from the subject site for three blocks, and the zoning then changes to R2-1 with multi-family development for the next eight blocks to Sawtelle Blvd. To the north of the subject site, the R1-1 zone extends north for one block, and the zoning then changes to RD1.5-1 and R3-1, with multi-family development for the next three blocks to Santa Monica Blvd. The M2-1 zone extends south for two blocks to Olympic Blvd. and continues south of Olympic Blvd., and extends west one block to Bundy Ave. and continues west of Bundy Ave.

NWCS renovated the existing one-story, 49,885 square-foot warehouse for its middle and high school, including grades 6 through 12. The building now includes 28 classrooms, a library, music room, faculty space, administrative offices, student common areas, exercise rooms and interior activity space. The site includes 55 parking spaces and 60 bicycle parking spaces. The approved hours of operation are 7:00 a.m. to 3:45 p.m., including student drop-off and pick-up. An after-school program may operate up to 6:00 p.m. Teacher preparations, school maintenance and customary school activities (such as parent/teacher conferences, school board meetings) may take place up to 8:00 p.m. Enrollment for the 2012-2013 school year was 572 students and for the 2013-2014 school year was 643 students.

NWCS uses Stoner Recreation Center, located one block east at 1835 Stoner Ave., for exercise and sports activities. The facilities include: an indoor gymnasium with a capacity for 300 persons; lighted and unlighted baseball diamonds; outdoor basketball courts; an outdoor children's play area; lighted football field; picnic tables; lighted soccer field; unlighted tennis courts; and lighted volleyball courts.

NWCS has adhered to the conditions of approval, which were imposed by the City Council to address the impacts of the school's operations. The project is located on a site that supports the school use, in an area characterized by commercial and residential uses and more broadly characterized by other community-serving uses, such as the Stoner Recreation Center and other schools in the community. The surrounding uses have been thoroughly considered by the decision makers, and the project has been conditioned to protect and mitigate potential impacts

on the neighboring single-family residences. NWCS conducts neighborhood outreach as outlined in the conditions of approval, including regular meetings of a working group of school, community and City Council Office representatives for the purpose of identifying and resolving impacts on the neighborhood. Furthermore, implementation of the TMMP, with review by LADOT, ensures that traffic impacts are managed and minimized. The requested enrollment increase and changes to operations will be adequately addressed by the modified conditions of approval along with the existing conditions to remain un-changed.

Increased Enrollment

Per the CUP, student enrollment for the NWCS facility is capped at 750 students. NWCS argues that their facility is underutilized and requests that the student enrollment cap be increased to 875 students. NWCS will not increase the number of faculty and staff. The initial proposed project included a maximum enrollment of 875 students. The analyses contained in the CPC action and in the environmental review (CPC-2011-1923-CU-SPR and ENV-2011-1924-MND, respectively) were based upon a student body of 875 for the 49,885-square-foot facility. The CPC approved the project as initially proposed. However, appeals were filed, and the City Council action limited the maximum enrollment to 750 students.

Community concerns persist regarding the impacts of increased enrollment, including increased traffic, inadequate parking, deterioration of Stoner Recreation Center facilities, and increased disturbance of residents' peaceful enjoyment of their homes and neighborhood. The latter includes concerns about students walking through the neighborhood, and dropping trash on private property and disturbing residents as well as about parents driving through the neighborhood and dropping off students at various points in the neighborhood which creates additional traffic. Community members argue that no increase in enrollment should be granted until NWCS can prove compliance with the conditions of approval with an enrollment of 750 students.

NWCS has been in compliance with the conditions of approval. Student enrollment was maintained within the allowable maximum number of students, with 572 students in the 2012-2013 school year and 643 students in 2013-2014. NWCS has contracted for 40 parking spaces at the adjacent L.A. Fitness surface parking lot, in addition to the 55 on-site parking spaces, acknowledging and responding to the need for more parking. The "trip cap" review studies indicate that the number of trips are below the trip caps and that student participation in the various transportation modes is meeting the TMMP goals. While a number of schools in the area contract for use of Stoner Recreation Center, NWCS has followed the required procedures for obtaining approval to use these City facilities, and the facility administration has not indicated lack of space for NWCS activities. Regarding impacts of students walking through the neighborhood and parent dropping students off at points throughout the neighborhood, NWCS has agreed to ensure that the necessary monitors are in place during drop-off and pick-up times, and that parents are reminded of the restrictions for student drop-off and pick-up.

Adequate Parking

NWCS occupies a renovated warehouse building on a site that included 55 parking spaces in conjunction with the previous industrial use. The City of Los Angeles Department of Building and Safety (LADBS) determined that no additional parking is required for the middle and high school use. Thus, per the CUP, 55 parking spaces must be maintained on-site. The parking spaces are provided within a surface parking lot at the western portion of the site. The spaces are aligned in two rows with room for two drive lanes in between the parking rows. This parking area also serves

as the carpool drop-off and pick-up area. NWCS would like the ability to provide the required parking off-site. This will provide parking that will not be obstructed by carpool activity.

Community concerns persist regarding inadequate parking for the school. Some comments from the community request that NWCS provide twice the number of parking spaces it currently provides. Impacts include increased parking within the residential neighborhood, increased traffic, and blocking traffic by double-parking.

NWCS has been in compliance with the conditions of approval. NWCS can resolve its own parking needs and the impacts on the community by taking advantage of LAMC provisions that allow parking to be provided off-site within 750 feet of the site (Section 12.21 A.4(g)). A recorded covenant and agreement will be required for all off-site parking spaces, per LAMC Section 12.26 E.5., to ensure the continued availability of the spaces for NWCS. NWCS will continue to provide at least 55 parking spaces. NWCS has contracted with the adjacent business, L.A. Fitness, for 40 parking spaces within its surface parking lot. Unless these spaces are secured via a recorded covenant and agreement, the spaces are in addition to the required 55 spaces.

Extended Hours

The NWCS facility is currently open until 6:00 p.m. for classroom instruction, and until 8:00 p.m. for teacher preparations, normal school maintenance, parent conferences with teachers, school board meetings and similar customary school activities. NWCS would like to extend these hours to 10:00 p.m. These activities do not involve large gatherings, use of equipment, or other activities that would typically generate impacts related to noise, traffic and parking that are concerns of neighborhood residents. No concerns were raised by the community at the public hearing, in communications following the public hearing, or in NWCS complaint logs.

NWCS has been in compliance with the conditions of approval. Extending the school hours will not generate additional impacts.

Traffic Studies

NWCS has prepared and adopted a Traffic Management Monitoring Program (TMMP), as required by the CUP. The TMMP establishes goals as well as "trip caps" for managing traffic and other impacts related to the daily trips of students, faculty and staff to and from the site. The TMMP requires measurement and monitoring of vehicle trips and other modes of transportation, and requires assessment of meeting the goals and trip caps. The measurement and monitoring is to be done at four times each school year, one each at the third week of each semester, one in November and one in April. Corresponding to these monitoring periods, a report is completed for each, evaluating performance against the goals and trip caps. NWCS would like to reduce the number of monitoring periods and corresponding reports to two per school year.

Community concerns persist regarding increased traffic from NWCS operations, and regarding the capacity of NWCS to manage and meet student transportation needs through carpools and shuttle buses. Community members have observed parents driving around the neighborhood, parents dropping students off at points throughout the neighborhood, parents waiting in cars, and shuttle buses not parked in the designated drop-off/pick-up location. Comments from community members have requested that the 4 monitoring periods and reports be maintained until the current enrollment cap of 750 students is reached, and the reports show conformance with TMMP goals and trip caps for at least one year.

One traffic study per semester is adequate because the traffic studies within one year do not show significant changes within the year. The two reports completed for the 2012-2013 school year showed similar results. The two reports completed for the 2013-2014 school year also showed similar results. For example, across the two 2012-2013 school year reports, the transportation mode split among students was 31% and 32% of the student enrollment for carpool, 12% and 13% for walk/bicycle, 10% and 9% for public transit, and 47% and 45% for shuttle bus. Similarly, across the two 2013/2014 school year, each mode held steady at 20% carpool, 11% walk/bicycle, 5% public transit, and 64% shuttle bus. Thus, two monitoring periods and reports per school year (one per semester) are adequate for assessing the implementation of the TMMP and reduction of traffic impacts.

Therefore, the continued use, proposed enrollment increase and proposed changes in operations regarding hours, parking and traffic studies will be compatible with and will not further degrade adjacent properties, the surrounding neighborhood, or the public, health, welfare and safety.

3. The project substantially conforms with the purpose, intent, and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

NWCS renovated an existing one-story, 49,885 square-foot warehouse for its middle and high school, including grades 6 through 12. The building now includes 28 classrooms, a library, music room, faculty space, administrative offices, student common areas, exercise rooms and interior activity space. The site includes 55 parking spaces and 60 bicycle parking spaces. The approved hours of operation are 7:00 a.m. to 3:45 p.m., including student drop-off and pick-up. An after-school program may operate up to 6:00 p.m. Teacher preparations, school maintenance and customary school activities (such as parent/teacher conferences, school board meetings) may take place up to 8:00 p.m. Enrollment for the 2012-2013 school year was 572 students and for the 2013-2014 school year was 643 students.

NWCS seeks approval of the school's compliance with the Conditions of Approval. NWCS also seeks modification of conditions of approval to allow increased student enrollment, off-site parking, extended school hours, and fewer traffic studies each year. No physical changes to the site and/or improvements are proposed.

The subject site is at the southwest corner of Missouri Ave. and Armacost Ave., with 225 feet of frontage along Missouri Ave. and 315 feet of frontage along Armacost Ave. Located in the West Los Angeles Community Plan area, the site is designated for Light Manufacturing land uses, which has corresponding zones of MR2, M2, and P. The subject site is zoned M2-1. The zone permits uses consistent with light manufacturing and commercial, and other uses, including public schools, with a Conditional Use permit. The site is also located within the West Los Angeles Transportation Improvement Mitigation Specific Plan area, a Specific Plan administered by the City of Los Angeles Department of Transportation (LADOT).

The subject site is at the border of a light manufacturing area that abuts single-family residences. Properties across Missouri Ave. to the north and across Armacost Ave. to the east are zoned R1-1 and are improved with single-family residences. Adjacent properties to the south and west are zoned M2-1 and include offices, a gym and surface parking lots.

The West Los Angeles Community Plan encourages public educational facilities in the area, per the following specific Land Use Goals, Objectives, and Policies:

Goal 6 Public schools that provide a quality education for all of the City's children, including those with special needs, and adequate school facilities to serve every neighborhood in the city.

- Objective 6-1** To site schools in locations complimentary to existing land uses with buffering, convenient to the Community with access to recreational opportunities.
- Objective 6-3** Maximize the use of local schools for Community use and of local open space and parks for school use.
- Objective 6-3.1** Encourage the siting of community facilities (libraries, parks, schools and auditoriums) together.

Program: Formulate/update plans to address issues relating to siting and the joint use of facilities. Identify strategies for the expansion of school facilities including:

- Siting of schools and other community facilities (libraries, parks, and auditoriums) within a transit station, center, or mixed-use areas so they can complement each other and make the most efficient use of the land provided for these services.
- Locating middle schools and high schools where possible, close to transit stations, centers and mixed-use districts, so students can use the transit system to get to and from school.

The location of NWCS at the subject site is consistent with the above Goal and Objectives. NWCS is currently a public charter middle and high school that provides quality education available for students city-wide. The school use complements the adjacent residential uses, including limited hours of operation and limited traffic impacts, as required by the CUP. The site is only one block from Stoner Recreation Center, providing easy access for NWCS use. The site is within walking distance of bus lines along Bundy Dr. and Olympic Blvd.

NWCS' location and operations are in conformance with the West Los Angeles Transportation Improvement and Mitigation (TIMP) Specific Plan. This Specific Plan is administered by LADOT. The CUP conditions of approval incorporate LADOT's review and recommendations per the LADOT Memorandum dated November 20, 2011. Per Condition No. 15, NWCS prepared a Traffic Management and Monitoring Program (TMMP). The TMMP was approved by LADOT.

The proposed modifications to the CUP will support the continued operation of NWCS in conformance with the West Los Angeles Community Plan and the West Los Angeles TIMP Specific Plan. An enrollment of 875 students represents a 15% increase in enrollment. The required 55 parking spaces will be provided, either on-site or off-site per the terms required by the LAMC. Extended hours to 10:00 p.m. will not increase noise or traffic impacts, as all activities will be conducted indoors and not include a large number of people. One monitoring period and report per semester is adequate for identifying and resolving TMMP implementation issues because experience to date shows that monitoring results are similar for each semester.

Therefore, the continued use, proposed enrollment increase and proposed changes in operations regarding hours, parking and traffic studies will be in conformance with the purpose, intent and provisions of the General Plan, the West Los Angeles Community Plan and the West Los Angeles TIMP Specific Plan.

D. Environmental Findings (CEQA).

The previously issued Mitigated Negative Declaration (MND), ENV-2011-1924-MND, adopted by the City Council on March 20, 2012, analyzed a project consisting of the conversion, use and maintenance of an existing one-story, 49,855-square-foot warehouse building for the establishment of a charter school serving grades 6 through 12, with a maximum enrollment of 875 students.

A Plan Approval application is requested for the determination of project's compliance with the Conditions of Approval imposed in the Conditional Use Permit, Case No. CPC-2011-1923-CU-SPR, which was approved by the City Council on March 20, 2012. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162, the Plan Approval application does not trigger the need for additional environmental analysis. The previously adopted MND (ENV-2011-1924-MND) adequately serves as environmental clearance for the project.

PUBLIC HEARING AND COMMUNICATIONS

Summary of Public Hearing Testimony and Communications Received

The Public Hearing on this matter was held at West Los Angeles Municipal Building, 1645 Corinth Avenue, 2nd Floor Hearing Room, and Los Angeles, CA 90025 on June 23, 2013. A Notification List sheet was available at the Hearing. This list is used by the Department to prepare a mailing list for the distribution of the Staff Report prior to City Planning Commission meeting.

1. Present: Approximately 60 people attended.
2. Speakers: 23 speakers provided testimony.
3. A representative of Councilmember Mike Bonin, Council District 11, was present and provided testimony that opposed the project

Public Hearing Testimony Notes

Representative from CD 11

1. The representative provided testimony opposing the expansion of NWCS based on his opinion that the current conditions of the CUP are not being met. She cited numerous traffic violations as evidence that current conditions are not being met. She suggested that the applicant request another plan approval in two years.

Speakers Comments Supporting the Project:

- NWCS is a high quality school that contributes to the quality of the neighborhood.
- The number of complaints from residents has declined in recent months.
- The school facility is designed for a capacity of 875 students.
- The school uses an efficient pick-up and drop-off system.
- NWCS is always monitoring the drop-off and pick-up process.
- Traffic from surrounding businesses is much greater than the traffic caused by NWCS.

Speakers Comments Opposing the Project:

- School quality is irrelevant because it is not a planning or land use issue.
- Neighbors feel that there is no follow up after filing complaints. They have stopped filing complaints because they feel that their efforts are pointless.
- It is unrealistic to carpool such a large number of students.
- There is not enough onsite parking.
- This is the seventh school in the neighborhood. There are already too many schools.
- When NWCS students use Stoner Park, the facility becomes overcrowded.
- Students exit the front door, instead of the side door, to walk to Stoner Park.
- Some parents drive around the neighborhood as they wait to pick up their child.
- Students often walk through the neighborhood and sometimes onto private yards.
- There is no enforcement from the City.

Communications Received

Letters Support:

More than 200 letters, emails, and phone calls were received in support of the proposed project. The following is list of the reasons of support.

- NWCS is a high quality school (169)
- The majority of pick-ups and drop-offs complied with the rules (190)
- NWCS uses an efficient carpool process (175)
- The school is a community asset (172)
- It is essential to the school's viability to be able to increase enrollment (177)
- Children walking through the neighborhood are not necessarily NWCS students. They could be from other schools or walking to/from bus stops (10)
- Neighbors make it a point to observe and document even the most minor violations (9)
- The majority of residents have no problem with the school and in fact support its role in the community (153)
- NWCS pays fees to use Stoner Park and only uses the park on its assigned days (7)

Letters Opposed

More than 50 letters, emails, and phone calls were received in opposition of the proposed project. The following is a quantitative analysis of the reasons of opposition.

- The school's admission policies do not favor local (neighborhood) residents (8)
- Stoner Park is already overused by NWCS students and there is poor coordination with other schools that use the park (12)
- The Conditional Use Permit (CUP) differs from the originally approved plans (14)
- Inadequate onsite parking causes parking to spillover into neighborhood streets (13)
- NWCS is not a LAUSD Charter School, yet it still uses public facilities (11)
- The proposed extended school hours would disturb peace in the neighborhood (10)
- There are already an excessive number of vehicle violations that have been documented with photos (14)
- Shuttle busses illegally park along Missouri Avenue (10)
- The school has not produced quantitative analysis of carpooling data (11)

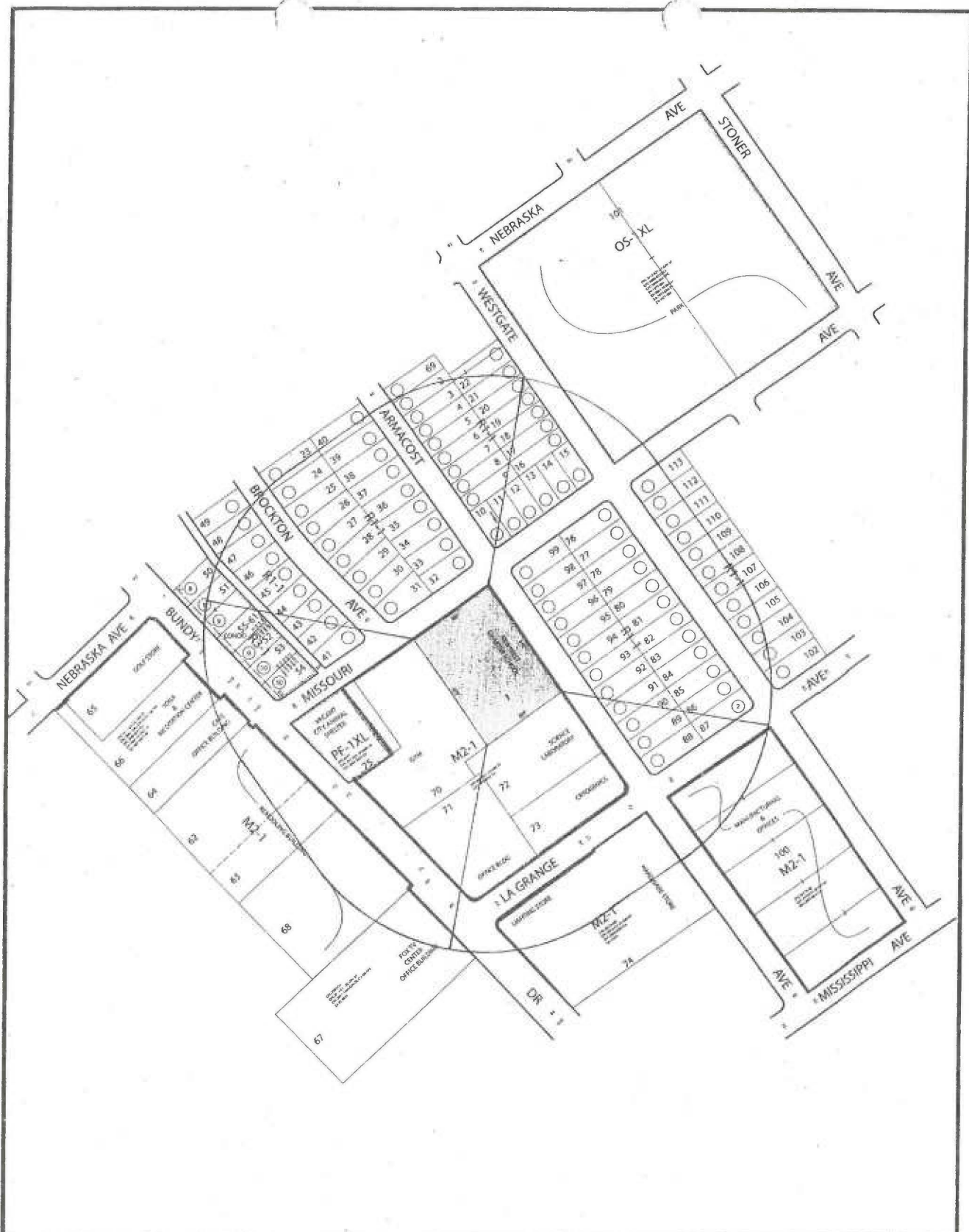
Vicinity Map



Address: 1905 ARMACOST AVE, LOS ANGELES



13-217



PLAN APPROVAL



Quality Mapping Service

14549 Archwood St. Suite 301
Van Nuys, California 91405
Phone (818) 997-7949 - Fax (818) 997-0351
qmapping@qesqms.com

DRAWN BY:

THOMAS BROTHERS
Page: 631 Grid: J-6

LEGAL
BLK: PART OF 24
TRACT: PACIFIC FARMS
MB 1-43-44
"SEE APPLICATIONS"
CONTACT: J.M.B.M.

A.P.N.
4259-020-005
CD: 11
CT: 2676.00
PA: 327 - WEST LOS ANGELES
USES: FIELD

SITE ADDRESS
1905, 1911, 1915 ARMACOST AVE

CASE NO:
SCALE: 1"=100'
D.M.: 123B149, 123B145
126B149
PHONE: 310-712-6833

DATE: 10-01-13
Update:

NET AC: 1.63%

QMS: 13-217

NORTH



Los Angeles CITY PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801

(213) 978-1300

www.lacity.org/PLN/index.htm

Determination Mailing Date: DEC 29 2011

CASE NO.: CPC-2011-1923-CU-SPR

CEQA: ENV-2011-1924-MND

Location: 1905, 1911 & 1915 S. Armacost Avenue

Council District: 11- Rosendahl

Plan Area: West Los Angeles

Applicant: New West Charter Middle School
Rep.: Jessica Pakdaman, Craig Lawson & Co., LLC

Request(s): Conditional Use, Site Plan Review

At its meeting on December 8, 2011, the following action was taken by the City Planning Commission:

1. **Approved a Conditional Use** to allow the operation of a charter school in the M2-1 Zone.
2. **Did not Act** on the **Site Plan Review**.
3. **Adopted** the attached modified **Conditions of Approval**.
4. **Adopted** the attached **Findings**.
5. **Adopted** Mitigated Negative Declaration No. **ENV-2011-1924-MND**.
6. **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.
7. **Advised** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

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

This action was taken by the following vote:

Moved: Cardoso
Seconded: Hovaguimian
Ayes: Freer, Lessin, Romero, Woo
Absent: Burton, Kim, Roscher,

Vote: 6 - 0

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

Appeals: Any aggrieved party may appeal the decision of the City Planning Commission to the City Council within 15 days after the mailing date of this determination. Any appeal not filed within the 15-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: JAN 13 2012

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
City Planning Associate: Luciralia Ibarra

Conditions of Approval

Approval of this subject development project is made with the following Terms and Conditions imposed, in order to ensure compliance with allowable requirements of Los Angeles Municipal Code Section 12.24-U.

1. **Use.** The project is approved for the operation of a 49,885 square-foot charter school serving grades 6 through 12 and shall be limited to a maximum enrollment of 875 students.
2. **Enrollment.** Student enrollment shall be limited to the following:
 - a. 2012-2013: 575 students
 - b. 2013-2014: 680 students
 - c. 2014-2015: 800 students
 - d. 2015-2016: 875 students
3. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan, and elevations labeled Exhibit "A", attached to the subject case file. Minor deviations may be allowed in order to comply with provisions of the Municipal code and the conditions of approval.
4. **Parking.** A minimum of 55 on-site parking spaces shall be provided to serve the school in accordance with the provisions of Section 12.21-A,5 of the Los Angeles Municipal Code.
 - a. Students are prohibited from driving to the school and from parking at the site or on residential streets.
 - b. When school is in session, one or more parking monitors in orange vests or other distinctive attire shall be located at each driveway entrance during all drop off and pick up hours and at all special events to preclude noise from car horns, car radios, car alarms and loud voices, and to maintain smooth ingress and egress from parking areas, and to direct traffic to assure that school-related vehicles do not queue on adjacent streets, block any public right-of-way and/or private driveways.
 - c. Unless approved by the Department of Transportation through the applicant's Traffic Mitigation and Monitoring Program (TMMP), the school shall not operate a van, bus, or other vehicles to transport students to/from school during the designated pick-up and drop-off hours.
 - d. Busses or vans exclusively for field trips shall be permitted, shall load and unload within the on-site surface parking lot and not along residential streets. Loading and unloading of busses or vans shall not occur during pick-up or drop-off hours listed under Condition No. 3(g) below.
5. **Hours of Operation.**
 - a. The school shall have classroom instruction between the hours of 7:00 a.m. to 3:45 p.m., which includes drop-off and pick-up of students.
 - b. Teacher preparations, normal school maintenance, parent conferences with teachers, school board meetings and similar customary school activities may extend beyond the hours set forth above, but shall conclude by 8:00 p.m.

- c. A maximum of four (4) parent-teacher conferences are permitted each year on weekdays, and generally between the hours of 12:00 p.m. and 7:30 p.m. These conferences shall be arranged such that parent arrival times shall be staggered throughout the day and scheduled on an appointment basis only.
- d. Activities outside normal school hours, including open house, parent teacher conferences, school meetings, and other customary school activities shall be scheduled so as to adequately provide parking on-site for all staff and visitors. Arrangements shall be made to provide off-street parking for events exceeding the parking capacity on-site.

6. Use restrictions.

- a. Rental or lease of the facilities is not permitted. The term "rental of the facilities" is not dependent upon the payment of a fee.
- b. Parking provided on-site shall not be utilized for events or uses occurring at off-site locations unless the property owner files a shared parking application pursuant to Section 12.27-I,15 of the Los Angeles Municipal Code, and is granted such request.
- c. Filming for commercial purposes shall be prohibited on the property. Student filming and filming for school functions shall be permitted, provided that such filming is not done outdoors after work where the use of artificial light is employed.
- d. No incidental gaming activities as defined in Section 12.21-A,13 of the Los Angeles Municipal Code shall be permitted on the site.

7. Events. Events and activities involving parents and/or other visitors where more than 55 vehicles are anticipated at one time are prohibited from the site and shall be arranged to occur at an off-site location where the vehicles can be properly accommodated. School administrative board meetings and parent/teacher conferences are exempt.

8. Emergency Procedures. An Emergency Procedures Plan shall be established identifying guidelines and procedures to be utilized in the event of fire, medical urgency, earthquake or other emergencies to the satisfaction of the Police Department and Fire Department prior to the issuance of a certificate of occupancy. A copy of such document shall be submitted to the City Planning Department upon its approval.

9. Security. The property shall be internally secured when not in use.

10. Neighborhood Outreach. At the start of each school year, the applicant shall mail or hand deliver a notice to all property owners and residents within a four-block radius of the school, as well as the council office, information containing the school year calendar, hours of operation, and a copy of the carpool and commuting provisions required under the Traffic Mitigation and Monitoring program by DOT, as presented to parents and staff of the school.

- a. The notice shall also include a phone number to a designated Community Relations representative, where residents can report concerns or complaints, which are to be filed and maintained for the record for the Plan Approval process (Condition No. 11). This representative shall make a reasonable attempt to address these complaints in a timely manner.

- b. The complaint log shall include the complainant's name, date and time of complaint, phone number, the nature of the complaint, and a description of how the issue was responded to or resolved.
11. **Plan Approval.** One year from the issuance of a Certificate of Occupancy, and five years after the issuance of the Certificate of Occupancy for the school, the school operator shall file a Plan Approval application and associated fees together with mailing labels for all property owners and tenants within 500 feet of the property. The matter shall be set for public hearing with appropriate notice. The purposes of the Plan Approval shall be to review the effectiveness of, and the level of compliance with, the terms and conditions of this grant, including the effectiveness of the carpool program, the management of circulation impacts associated with events and any documented noise impacts on the surrounding residential properties. Upon review of the effectiveness of and compliance with the conditions, the City Planning Commission or their designee may add new terms and conditions or delete one or more of them, all as deemed appropriate. The application shall include the following minimum information:
 - a. The number of students enrolled by grade level.
 - b. Operational changes to the school such as hours of operation and parking policy.
 - c. The implementation status of the Traffic Management and Mitigation Program (TMMP) set forth in Condition No. 15. Copies shall be simultaneously sent to the Council office and to all interested parties who have requested such notification.
 - d. The log of inquiries filed with the school's designated representative and the Council Office, if any, pertaining to the school's operations and compliance with conditions.
12. **West LA TIMP Specific Plan.** Pursuant to Section 4.B of the WLA TIMP, the owner(s) of the property must sign and record a Covenant and Agreement prior to issuance of any building permit, acknowledging the contents and limitations of this Specific Plan in a form designed to run with the land.
13. **Site Access and Internal Circulation.** To improve traffic flow and enhance vehicular and pedestrian safety, the project shall consult with DOT's Western District office to determine the feasibility of installing the following traffic controls:
 - a. All-way stop sign controls at Missouri Avenue and Armacost Avenue, and Armacost Avenue and La Grange Avenue intersections.
 - b. New pedestrian crosswalks (painted) at the intersections of Missouri Avenue and Armacost Avenue and La Grange Avenue and Armacost Avenue.
 - c. A crossing guard shall be provided at the intersection of Missouri Avenue and Armacost Avenue to ensure the safety of students crossing this intersection.
 - d. All vehicles transporting students to and from the school shall load and unload on the surface parking lot at the site.
 - e. Vehicles shall access the school site with ingress from Missouri Avenue and egress on Armacost Avenue.
 - f. Final DOT Approval shall be obtained prior to issuance of any building permits. This should be accomplished by submitting detailed site/driveway plans, at a scale of 1"=40', separately to DOT's West LA/Coastal

Development Review Section at 7166 West Manchester Avenue, Los Angeles, 90045 as soon as possible but prior to submittal of building plans for plan check to the Department of Building and Safety.

g. Student Drop-Off and Pick-Up schedule shall be as follows:

- i. Grades 6-8: Arrival drop-off hours are limited to 8:00 a.m. to 8:25 a.m.; Dismissal pick-up hours are limited to 3:25 p.m. to 3:45 p.m.
- ii. Grades 9-12: Arrival drop-off hours are limited to 7:00 a.m. to 7:25 a.m.; Dismissal pick-up hours are limited to 2:55 p.m. to 3:10 p.m.

14. **Highway Dedication and Physical Street Improvements.** Pursuant to Section 4.E.2 of the WLA TIMP, and in order to mitigate potential access and circulation impacts, the applicant may be required to make highway dedications and improvements. The applicant shall consult the Bureau of Engineering for any additional highway dedication or street widening improvements.

These requirements must be guaranteed before the issuance of any building permit through the B-permit process of the Bureau of Engineering, Department of Public Works. They must be constructed and completed prior to the issuance of any certificate of occupancy to the satisfaction of DOT and the Bureau of Engineering.

15. **Traffic Management & Monitoring (TMMP) Program.** In order to mitigate the projected traffic impacts to a less than significant level, as well as to minimize the likelihood of a vehicle queue protruding into the public roadway, a traffic management and monitoring program (TMMP) shall be implemented to survey the actual on-site queuing and insure that sufficient queuing capacity is available on-site. This TMMP shall be consistent with the discussion and project requirements outlined in the Department of Transportation Memorandum, dated November 30, 2011. If the school is unable to maintain its ingress traffic entirely on-site, enrollment shall be reduced until compliance is achieved.

The TMMP should also document the school's requirement to maintain a 65% reduction in its student enrollment trips for the high school morning peak hour (7:00 a.m. to 8:00 a.m.), a 75% reduction in trips for the middle school morning peak hour (8:00 a.m. to 9:00 a.m.), and a 75% reduction in trips for the combined high school and middle school afternoon peak hour (2:45 p.m. to 3:45 p.m.), which corresponds to a trip cap of 151 trips for high school during the a.m. peak hour (7:00 a.m. to 8:00 a.m.), 90 trips for the middle school during the a.m. peak hour (8:00 a.m. to 9:00 a.m.) and 126 trips for the combined high school and middle school during the p.m. peak hour (2:45 p.m. to 3:45 p.m.), for the high school at full occupancy. The school proposes to achieve these trip reductions through an aggressive Transportation Demand Management Program that would require a minimum vehicle occupancy of 3 students per vehicle for on-site student pick-up and drop-off activities (no student drivers allowed).

The measurements of actual trips and monitoring shall cover the peak hours that include the school's two separate starting times and combined dismissal time, Tuesday through Thursday (excluding school holidays), over a one-week period during the third week of each school term. The monitoring shall take place at the school drop-off zone and project driveways, at the school's expense.

The trip cap review period shall be for a minimum of five (5) years, twice per year (November and April), at which time the review must show accomplishment of the trip cap goal reduction for this entire 5-year review period. Should the review show that the

trip cap goal was not achieved, the school will have one (1) year to correct its deficiency. If the school cannot achieve the trip cap goal within the corrective year, the school will be required to reduce its enrollment in an amount commensurate with the trip cap and a new five year review period will commence with the following school year.

A full TMMP Plan, and all subsequent TMMP reporting, shall be prepared by a licensed Traffic Engineer and submitted to DOT for review. The full TMMP Plan shall be submitted to DOT and the Department of City Planning for review and approval, prior to the issuance of any certificate of occupancy. A copy of the TMMP review and DOT's determination of the review shall be submitted to the Planning Department to be included in the file for the public record.

16. **Construction Impact (Traffic).** The Department of Transportation recommends that a construction work site traffic control plan be submitted to DOT's Western District Office for review and approval prior to the start of any construction work. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. DOT also recommends that construction related traffic be restricted to commuting off-peak hours, as well as school off-peak hours when school is in session.
17. All school administrators, faculty, and school board members shall be provided a copy of the instant determination.

Environmental Conditions

18. **Aesthetics – Vandalism.** Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
19. **Aesthetics - Signage.** On-site signs shall be limited to the maximum allowable under the Municipal Code. Multiple temporary signs in windows and along building walls are not permitted.
20. **Aesthetics – Light.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.
21. **Aesthetics – Glare.** The exterior of the structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
22. **Air Pollution – Stationary.** An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting value (MERV) of 12, to the satisfaction of the Department of Building and Safety.
23. **Green House Gas Emissions.** Only low and non-VOC paints, sealants, adhesives, and solvents shall be utilized in the renovation of the project site.
24. **Noise.**
 - a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the

emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

- b. Construction activities shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday.
- c. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

25. Noise (Public Address and Paging System). Any outdoor address or paging systems shall be designed by a qualified audio sound engineer with the following minimum specifications.

- a. Only low-pressure type speakers shall be used which are designed to have a minimum coverage area of approximately 400 square feet each.
- b. Distance between speakers shall not exceed 40 feet.
- c. Amplified signal shall be inaudible beyond the boundaries of the subject property.

26. Public Services – Police.

- a. The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention through Environmental Design," published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213)486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

27. Increased Vehicle Trips/Congestion. An adverse impact may result from the project's traffic generation. An investigation and analysis conducted by the Department of Transportation has identified significant project-related traffic impacts which can be mitigated to less than significant level by the following measures:

- a. The applicant shall implement the measures detailed in the Department's Communication to the Planning Department dated November 30, 2011 and attached shall be complied with. Such report and mitigation measure(s) are incorporated herein as Condition Nos. 12 through 16.

28. Utilities – Local Water Supplies (Landscaping). Environmental impacts may result from the project implementation due to the cumulative increase demand on the City's water supplies. However, this potential impact will be mitigated to less than significant level by the following measures:

- a. The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g. use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and

overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).

- b. In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
 - (1) Weather-based irrigation controller with rain shutoff
 - (2) Matched precipitation (flow) rates for sprinkler heads
 - (3) Drip/microspray/subsurface irrigation where appropriate
 - (4) Minimum irrigation system distribution uniformity of 75 percent
 - (5) Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
 - (6) Use of landscape contouring to minimize precipitation runoff
 - (7) A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf and greater

29. Utilities – Local Water Supplies.

- a. Install/retrofit high efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- b. Install/retrofit restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- c. Install/restroom and utilize only restroom faucets of a self-closing design.
- d. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
- e. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)
- f. Install no more than one showerhead per shower stall, having a flow rate of no greater than 2.0 gallons per minute, if proposed to be provided.
- g. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

30. Utilities – Solid Waste Recycling.

- a. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
- b. Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract waste disposal services with a company that recycles demolition and/or construction-related wastes.
- c. To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.
- d. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

Administrative Conditions

31. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
32. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
33. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
34. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
35. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
36. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion,

such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

37. **Expedited Processing Section.** 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.
38. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

FINDINGS

General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is located in the West Los Angeles Community Plan, which was adopted by the City Council on July 27, 1999 (Case No. CPC-1997-0048). The Plan Map designates the subject property for Light Industrial land uses with the corresponding zone(s) of MR2, M2, and P. The subject property contains approximately 70,903 square feet (1.62 acres) and is currently zoned M2-1. The zones permit uses consistent with light manufacturing and commercial, and other uses with a Conditional Use permit.

The site is currently improved with a one-story 49,885 square-foot structure and associated surface parking. The applicant, New West Charter Middle School, Inc. currently operates at a separate location, at 11625 Pico Boulevard in the [Q]C2-1VL-CDO Zone.

2. **General Plan Text.**

The West Los Angeles Community plan text includes the following relevant land use discussion:

Schools

Objective 6-1 To site schools in locations complimentary to existing land uses with buffering, convenient to the Community with access to recreational opportunities.

Objective 6-1.1 Encourage compatibility between school locations, site layout and architectural design, and Community character.

Program: Require a decision maker in a discretionary review action for a proposed school to adopt a finding which supports the application of this policy.

Objective 6-1.2 School design should buffer classrooms from noise sources.

The Public Schools Element by the General Plan indicates that no new school sites are planned within the District.

The Plan proposes dual use of school facilities for the general public after hours and on weekends. Schools grounds should be landscaped with lawns, where feasible, so as to facilitate after-hour recreational use. School recreational facilities should be made available to general utilization.

To provide opportunities for the development of school sites as needed.

Framework Element. The Framework Element for the General Plan (Framework Element) 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 project site. 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.

While the Framework Element references the City's participation in working with the Los Angeles Unified School District in the planning and coordination of public schools, it does not specifically address efforts with charter schools. To that end, however, enabling the continued use of the school would be consistent with a several important goals, objectives, and policies of the Framework Element, including:

Goal 9N - Public schools that provide a quality education for all of the City's children, including those with special needs, and adequate school facilities to serve every neighborhood in the City so that students have an opportunity to attend school in their neighborhoods.

Objective 9.33: Maximize the use of local schools for community use and local open space and parks for school use.

3. **The Transportation Element** of the General Plan is not likely to be affected by the recommended action herein. No new construction or increase in floor area is proposed as part of this request. However, due to the number of trips projected by the new use, the Department of Transportation recommended in a memo dated November 30, 2001, a series of project requirements in order to minimize the traffic-related impacts. Moreover, improvements may be required by the Bureau of Engineering to assure compliance with this Element of the General Plan and with the City's street improvement standards pursuant to Municipal Code Section 17.05.
4. **The Sewerage Facilities Element** of the General Plan will not be affected by the recommended action.
5. **Street Lights.** No new street lights are required as no new construction or increase in floor area is proposed. If street widening per BOE improvement conditions, relocate any pre-existing street lights that may be affected by the improvements.

Entitlement Findings

6. **Conditional Use Findings.**

- a. **That the proposed project will be proper in relation to adjacent uses of the development of the community.**

The subject property is a generally level, rectangular-shaped corner lot with approximately 70,876 square feet (1.67 acres). Located in the West Los Angeles Community Plan area, the site is designated for Light Manufacturing land uses, which has corresponding zones of MR2, M2, and P. The subject site is zoned M2-1 and is improved with one single-story structure with 49,885 square feet of floor area built in 1954 and previously used for warehouse, light industrial, and office uses. The site also has a surface parking lot with 53 parking spaces and two handicap parking spaces.

The site is currently vacant with the interior proposed to undergo significant renovations to accommodate academic uses. The proposed charter school will cater to students living in Los Angeles. The school operates as a non-driving school where parents of students are required to participate in a carpool program, or students walk or take public transit. Students are not permitted to drive themselves or others to school and no private busing is provided. Adjacent

land uses include single-family residences to the north and east in the R1-1 Zone, with properties to the south and west include office, gym and surface parking uses in the M2-1 Zone.

The subject request seeks to use, maintain, and operate a charter school on the site serving grades 6 through 12 with a maximum of 875 students, 34 full-time employees, 4 part-time employees, and hours of operation from 7:00 A.M. to 3:45 P.M., Monday through Friday. This request would allow the school to occupy a formerly vacant warehouse while simultaneously meeting demand for the increasing interest in their curriculum in the West Los Angeles community. Additionally, their strict carpooling and student transit limitations will limit the traffic impacts associated with the school's operation. As such, the school will remain proper in relation to adjacent uses and with the character of development in the community.

b. That the location of the project is desirable to the public convenience and welfare.

The subject property has been occupied with a single-story warehouse and office structure since 1954. The request is to allow the school to operate at the site, moving operations from its current location at 11625 Pico Boulevard in an effort to accommodate increasing student demand. Students are not allowed to drive to campus, nor is busing provided. Pick-up and drop-off is to be conducted entirely on-site within a designated area of the surface parking lot. Furthermore, the Department of Transportation has conditioned that all way stop sign controls be installed at the intersections of Missouri Avenue and Armacost Avenue as well as La Grange Avenue and Armacost Avenue. With these measures, the school's operation at the subject site would not result in significant impacts to the site or the community and would not negligibly affect the public convenience or welfare.

c. That the proposed project will not be materially detrimental to the character of development in the immediate neighborhood.

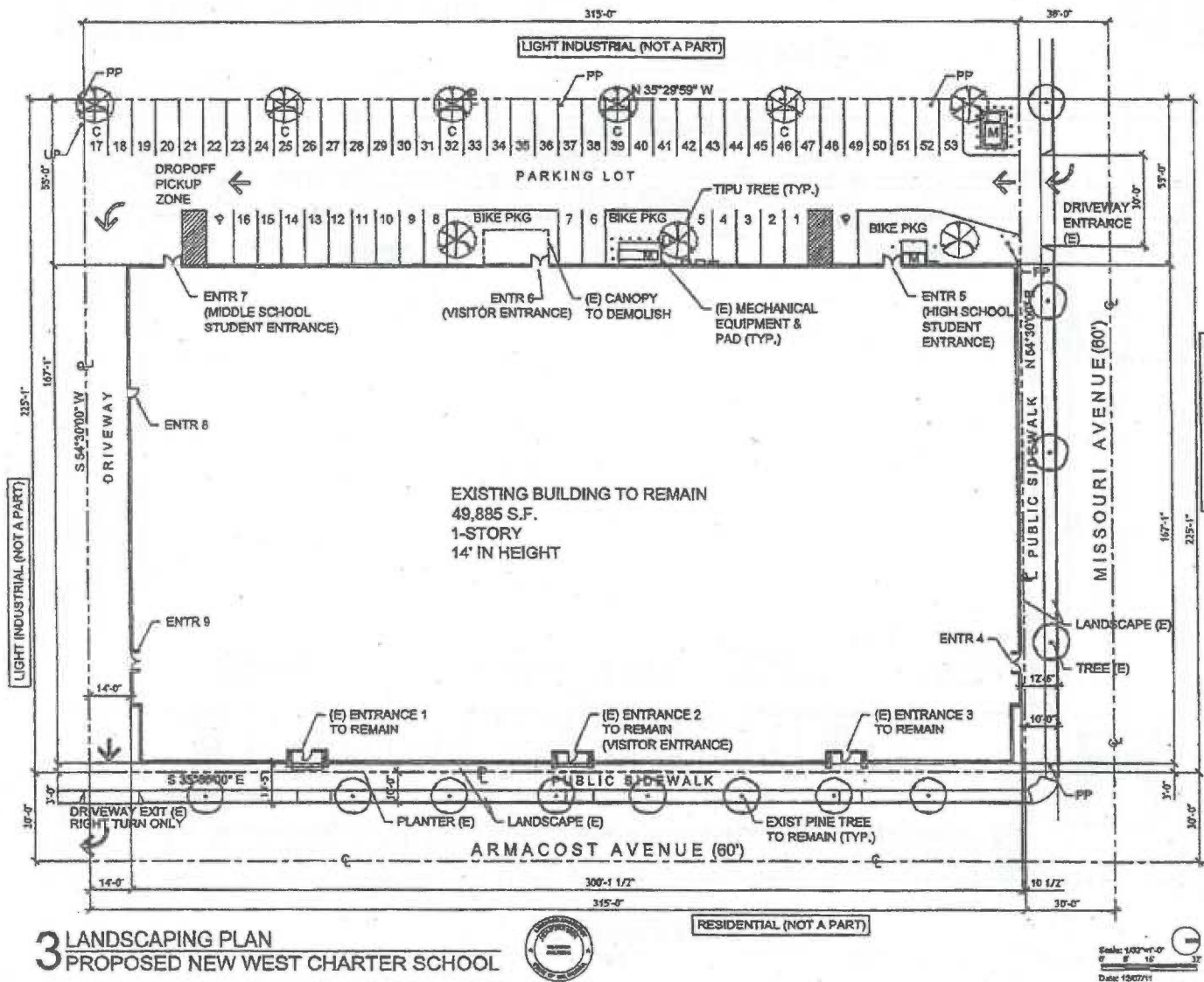
As previously mentioned, the school will occupy a single-story structure that has been on the site since its construction in 1954. The school will be adjacent to other light industrial, office, commercial, surface parking uses as well as single- and multi-family residences. The subject request does not propose new construction or an increase in the buildable floor area, height, or parking. The school will continue to use the existing improvements, including the surface parking and, as a result, will not be materially detrimental to the character of development in the immediate neighborhood.

d. Is the proposed project in harmony with the various elements and objectives of the General Plan.

The Framework Element and the West Los Angeles Community Plan does not specifically address provisions or standards for private or charter schools specifically, but the community plan does discuss schools as a desired use to serve the residents in the West Los Angeles plan area and the continuing need "provide opportunities for the development of school sites as needed." The operation of the New West Charter Middle School will not alter the existing

improvements on the site or alter the scale of development in the immediate area. As such, allowing the school to proceed with the operation of the school will be in harmony with the neighborhood and the community plan area.

7. **Environmental Findings.** A Mitigated Negative Declaration (ENV-2011-1924-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.
8. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in



3 LANDSCAPING PLAN PROPOSED NEW WEST CHARTER SCHOOL



RESIDENTIAL (NOT A PART)

Scale: 1/8\"/>

PROJECT ADDRESS

1805 S Armacost Avenue
Los Angeles, CA 90025

LEGAL DESCRIPTION

Tract Pacific Farms Block BLK 24 Lot PT
Arb 2 APN 4269-020-005 PIN No. 123B149235
per Map MB1-4344 Map Sheet 123B149

PROJECT DESCRIPTION

Tenant Improvements of Existing One-Story
Building for Proposed Charter School, Grades 6-12

ZONING

M2-1
General Plan Land Use Designation: Light Industrial

CONSTRUCTION TYPE

Type V

OCCUPANCY

E

LOT AREA (PER SURVEY)

70,903 s.f. (1.62 Acre)
Landscaping 2,198 s.f. (3.1%)
Paving 18,789 s.f. (26.5%)

HEIGHT

Permitted Height No Limit
Existing/Proposed Building Height 14 feet

SETBACK

Required None

TREE REPORT

	Box	Tree Species	Q
1	24"	Tipu Tree (Proposed)	8
2	N/A	Pine Tree (Existing to Remain)	12

Note: Project involves no LAMC 17.02 protected trees.

PROJECT DIRECTORY

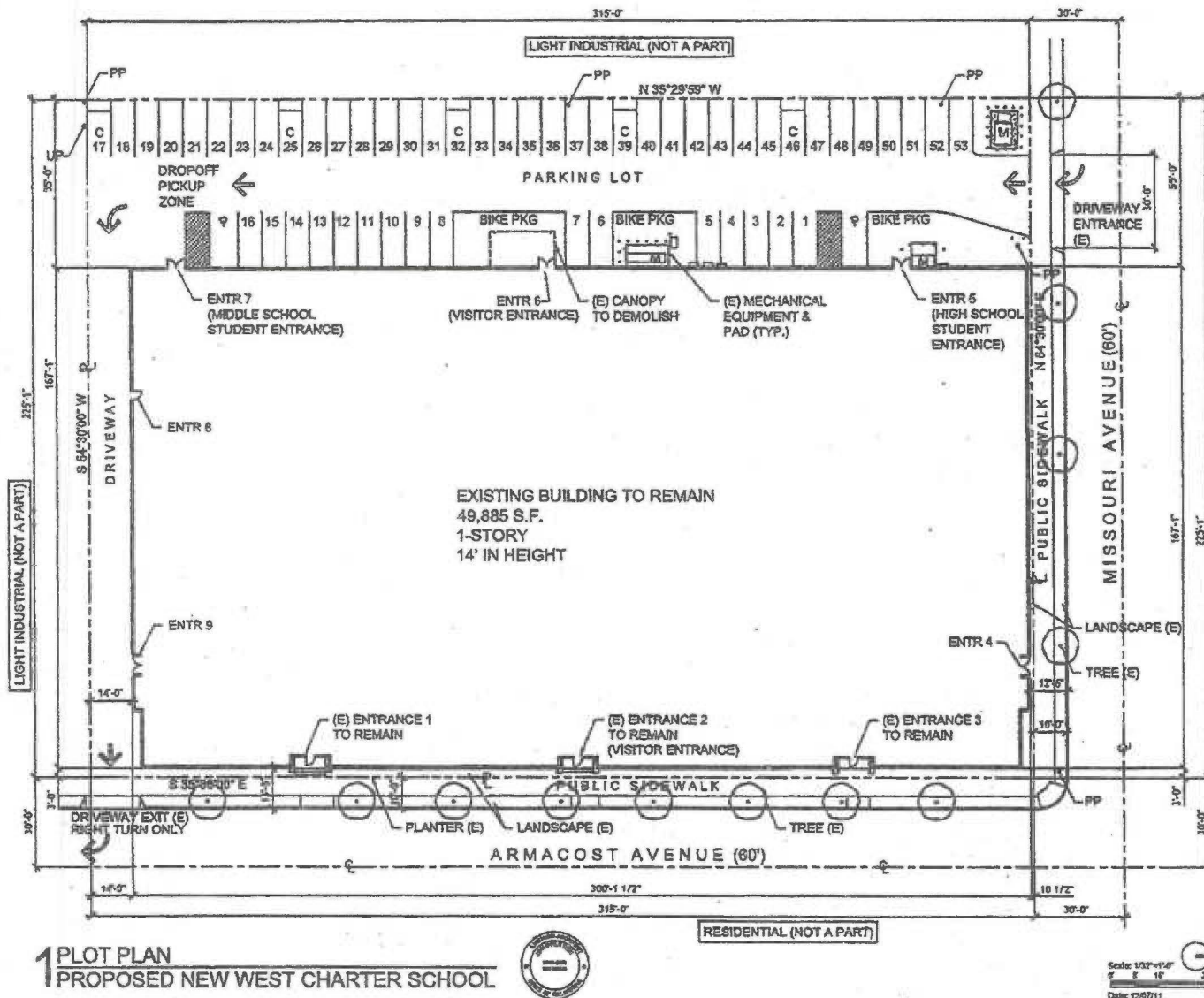
Project Owner
McRoskey Armacost Real Estate Operating Co. LLC
P.O. Box 754
Del Mar, CA 92014

Project Applicant
New West Charter School
11625 Pico Boulevard
Los Angeles, CA 90064
Contact: Dr. Sharon Weir (310)943-6440

Architect
Jennifer Wen Architecture
705 San Vicente Boulevard
Santa Monica, CA 90402
Contact: Jennifer Wen, AIA (310)393-1056

Land Use Consultant
Craig Lawson & Co., LLC
8758 Venice Boulevard, Suite 200
Los Angeles, CA 90034
Contact: Jessica Pakdaman (310)836-2400X113

EXHIBIT "A"



PROJECT ADDRESS

1905 S Armacost Avenue
Los Angeles, CA 90025

LEGAL DESCRIPTION

Treat Pacific Farms Block BLK 24 Lot PT
Arb 2 APN 4258-020-005 PIN No. 123B149235
per Map MB1-43/44 Map Sheet 123B149

PROJECT DESCRIPTION

Tenant Improvements of Existing One-Story
Building for Proposed Charter School, Grades 6-12

ZONING

M2-1
General Plan Land Use Designation: Light Industrial

CONSTRUCTION TYPE

Type V

OCCUPANCY

E

LOT AREA (PER SURVEY)

70,903 s.f. (1.62 Acre)

FLOOR AREA

Existing Building Square Footage 49,885 s.f.
Permitted FAR=1.5 to 1 (106,354.5 s.f.)
Proposed FAR=0.7 to 1 (49,885 s.f.)

HEIGHT

Permitted Height No Limit
Existing/Proposed Building Height 14 feet

SETBACK

Required None

PARKING

Parking Required 53 spaces (as-is) + 2 H
Existing Parking Provided 53 spaces (as-is) + 2 H

PROJECT DIRECTORY

Project Owner
McRoskey Armacost Real Estate Operating Co. LLC
P.O. Box 754
Del Mar, CA 92014

Project Applicant
New West Charter School
11625 Pico Boulevard
Los Angeles, CA 90064
Contact: Dr. Sharon Weir (310)943-5440

Architect
Jennifer Wen Architecture
705 San Vicente Boulevard
Santa Monica, CA 90402
Contact: Jennifer Wen, AIA (310)393-1058

Land Use Consultant
Craig Lawson & Co., LLC
8758 Venice Boulevard, Suite 200
Los Angeles, CA 90034
Contact: Jessica Pakdaman (310)838-2400X113

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

JUNE LAGMAY
City Clerk

HOLLY L. WOLCOTT
Executive Officer

When making inquiries relative to
this matter, please refer to the
Council File No.

Office of the
CITY CLERK

Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
General Information - (213) 978-1133
Fax: (213) 978-1040

SHANNON HOPPE
Council and Public Services
Division

www.cityclerk.lacity.org

March 23, 2012

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File No. 12-0088,
at its meeting held March 20, 2012.

City Clerk
vm

OFFICE OF Mayor's Time Stamp
RECEIVED
2012 MAR 21 AM 11:34
CITY OF LOS ANGELES

FORTHWITH

City Clerk's Time Stamp
CITY CLERK'S OFFICE
2012 MAR 21 AM 11:31
CITY CLERK
BY _____
DEPUTY

SUBJECT TO THE MAYOR'S APPROVAL

COUNCIL FILE NO. 12-0088

COUNCIL DISTRICT 11

COUNCIL APPROVAL DATE MARCH 20, 2012

RE: CONDITIONAL USE APPEALS FOR PROPERTY AT 1905, 1911 AND 1915 SOUTH ARMACOST AVENUE

LAST DAY FOR MAYOR TO ACT APR 02 2012
(10 Day Charter requirement as per LAMC Section 12.24)

DO NOT WRITE BELOW THIS LINE - FOR MAYOR USE ONLY

APPROVED

✓

*DISAPPROVED

*Transmit objections in writing
pursuant to LAMC Section 12.24

DATE OF MAYOR APPROVAL OR DISAPPROVAL MAR 23 2012

MAYOR



RECEIVED
CITY CLERK'S OFFICE
2012 MAR 23 PM 2:37
CITY CLERK
BY _____
DEPUTY

36
TO THE COUNCIL OF THE
CITY OF LOS ANGELES

3/20/12
FILE NO. 12-0088

Your

PLANNING AND LAND USE MANAGEMENT

Committee

reports as follows:

MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to Conditional Use appeals for property at 1905, 1911 and 1915 South Armacost Avenue.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council File No. 12-0088 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV-2011-1924-MND].
2. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC) as modified by the Planning and Land Use Management (PLUM) Committee, including the Environmental Findings, as the Findings of the Council.
3. RESOLVE TO GRANT IN PART / DENY IN PART THE APPEALS filed by: 1) Suzanne Fisher; 2) Tina Michele Gruen; 3) Mark Susuki; 4) Brian Tadashi Maeda; 5) Timothy Dallinger; and 6) Charles Sims from the entire determination of the LACPC, THEREBY APPROVING a Conditional Use to operate a charter school in the M2-1 Zone for the proposed conversion of an existing one-story, 49,885 square-foot warehouse structure into a school with 28 classrooms, a library, music room, faculty space, administrative offices, student common areas, and ancillary space for property at 1905, 1911 and 1915 South Armacost Avenue, subject to Conditions of Approval, as modified by the PLUM Committee and attached to Council file No. 12-0088.

Applicant: New West Charter Middle School
Representative: Jessica Pakdaman, Craig Lawson and Company, LLC
4. ADVISE 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.
5. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

Fiscal Impact Statement: The LACPC reports that there is no General Fund impact as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MARCH 28, 2012

(LAST DAY FOR COUNCIL ACTION - MARCH 28, 2012)

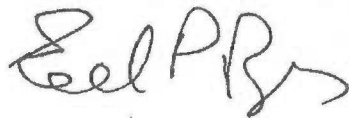
Summary:

At the public hearing held on February 28, 2012, the PLUM Committee considered Conditional Use appeals for property at 1905, 1911 and 1915 South Armacost Avenue. Planning Department staff gave the Committee background information on the matter. The applicant, applicant's representative, appellants, and Councilmember Rosendahl also gave testimony.

After an opportunity for public comment, the Committee recommended that Council grant in part and deny in part the appeals and thereby approve a Conditional Use to operate a charter school in the M2-1 Zone for the proposed conversion of an existing one-story, 49,885 square-foot warehouse structure into a school with 28 classrooms, a library, music room, faculty space, administrative offices, student common areas, and ancillary space for property at 1905, 1911 and 1915 South Armacost Avenue, subject to Conditions of Approval, as modified by the PLUM Committee and attached to Council file No. 12-0088. This matter is now forwarded to the Council for its consideration.

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE



ADOPTED
AS Amended
MAR 20 2012
Sec Attached Motion
LOS ANGELES CITY COUNCIL

FORTHWITH

MEMBER	VOTE
REYES:	YES
HUIZAR:	YES
ENGLANDER:	YES

SG
CD 11
3/15/12

12-0088_rpt_plum_2-28-12

- Not Official Until Council Acts -

MAYOR WITH FILE

MOTION

I HEREBY MOVE that Council APPROVE the following recommendation (Item #36, Council file 12-0088) relative to Conditional Use appeals for property at 1905, 1911 and 1915 South Armacost Avenue:

SUBSTITUTE the following conditions:

- 1) 2 c. 2014-2015 and years following: maximum of 750
- 2) 4 e. If at any time the parking provided on-site is inadequate, as determined by the applicant or the Department of City Planning at the time of Plan Approval review pursuant to Condition No 11, or at any time if requested by the Councilmember for Council District 11, then arrangements shall be made for off-site, off-street parking providing the additional parking spaces necessary. Such parking arrangements shall be reviewed by DOT and the Department of City Planning, pursuant to Conditions Nos 11 and 15.
- 3) 5 a. An after-school program for up to 20% (175 at maximum enrollment) of the enrolled students shall be allowed until 6 p.m. subject to applicant then being in compliance with Condition 15 f.

PRESENTED BY _____

BILL ROSENDAHL
Councilmember, 11th District

SECONDED BY _____

DENNIS P. ZINE
Councilmember, 3rd District

March 20, 2012

CF 12-0088

ADOPTED

MAR 20 2012

LOS ANGELES CITY COUNCIL

FORTHWITH

MAYOR WITH FILE

**MODIFIED CONDITIONS OF APPROVAL APPROVED BY PLANNING AND LAND USE
MANAGEMENT COMMITTEE 2/28/12**

1. **Use.** The project is approved for the operation of a 49,885 square-foot charter school serving grades 6 through 12 and shall be limited to a maximum enrollment of 750 students.
2. **Enrollment.** Student enrollment shall be limited to the following:
 - a. 2012-2013: 575 students
 - b. 2013-2014: 680 students
 - c. 2014-2015: 750 students
3. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan, and elevations labeled Exhibit "A", attached to the subject case file. Minor deviations may be allowed in order to comply with provisions of the Municipal code and the conditions of approval
 - a. In conformance with the revised floor plan, dated February 28, 2012, the school building shall include indoor areas designated for exercise rooms and interior activity space, totaling a minimum of approximately 5,777 square feet.
4. **Parking.** A minimum of 55 on-site parking spaces shall be provided to serve the school in accordance with the provisions of Section 12.21-A,5 of the Los Angeles Municipal Code.
 - a. Students are prohibited from driving to the school and from parking at the site or on residential streets.
 - b. When school is in session, one or more parking monitors in orange vests or other distinctive attire shall be located at each driveway entrance during all drop off and pick up hours and at all special events to preclude noise from car horns, car radios, car alarms and loud voices, and to maintain smooth ingress and egress from parking areas, and to direct traffic to assure that school related vehicles do no queue on adjacent streets, block any public right-of way and/or private driveways.
 - c. Subject to review and approval by DOT, busses or vans shall be permitted and, shall load and unload within the on-site surface parking lot and not along residential streets, unless DOT determines under the applicant's TMMP that such buses may load and unload adjacent to the project site along Missouri Avenue. Loading and unloading of busses or vans shall not occur during pick-up or drop-off hours listed under Condition No. 13(g) below, unless such loading and unloading is permitted along Missouri Avenue.
 - d. A minimum of 37 parking spaces, located along the western edge of the school's parking lot, shall be accessible at all times for faculty and staff and shall not be blocked off for drop-off and pick-up activities.

- e. If at any time the parking provided on-site is inadequate, as determined by the applicant or the Department of City Planning at the time of Plan Approval review pursuant to Condition No. 11, then arrangements shall be made for off-site, off-street parking providing the additional parking spaces necessary. Such parking arrangements shall be reviewed by DOT and the Department of City Planning, pursuant to Condition Nos. 11 and 15.
- f. A minimum of 60 bicycle parking spaces shall be provided on-site.

5. Hours of Operation.

- a. The school shall have classroom instruction between the hours of 7:00 a.m. to 3:45 p.m., which includes drop-off and pick-up of students. Bus drop-off and pick-up may occur outside of these hours, subject to DOT review and approval. An after-school academic program for up to 20% of the enrolled students shall be allowed until 6:00 pm.
- b. Teacher preparations, normal school maintenance, parent conferences with teachers, school board meetings and similar customary school activities may extend beyond the hours set forth above, but shall conclude by 8:00 p.m.
- c. A maximum of four (4) parent-teacher conferences are permitted each year on weekdays, and generally between the hours of 12:00 p.m. and 7:30 p.m. These conferences shall be arranged such that parent arrival times shall be staggered throughout the day and scheduled on an appointment basis only.
- d. Activities outside normal school hours, including parent teacher conferences, school meetings, and other customary school activities shall be scheduled so as to adequately provide parking on-site for all staff and visitors. Arrangements shall be made to provide off-street parking for events exceeding the parking capacity on-site.

6. Use restrictions.

- a. Rental or lease of the facilities is not permitted. The term "rental of the facilities" is not dependent upon the payment of a fee.
- b. Parking provided on-site shall not be utilized for events or uses occurring at off-site locations unless the property owner files a shared parking application pursuant to Section 12.27-1,15 of the Los Angeles Municipal Code, and is granted such request.
- c. Filming for commercial purposes shall be prohibited on the property. Student filming and filming for school functions shall be permitted, provided that such

filming is not done outdoors after work where the use of artificial light is employed.

- d. No incidental gaming activities as defined in Section 12.21-A,13 of the Los Angeles Municipal Code shall be permitted on the site.
7. **Events.** Events and activities involving parents and/or other visitors where more than 55 vehicles are anticipated at one time are prohibited from the site and shall be arranged to occur at an off-site location where the vehicles can be properly accommodated. School administrative board meetings and parent/teacher conferences are exempt.
8. **Emergency Procedures.** An Emergency Procedures Plan shall be established identifying guidelines and procedures to be utilized in the event of fire, medical urgency, earthquake or other emergencies to the satisfaction of the Police Department and Fire Department prior to the issuance of a certificate of occupancy. A copy of such document shall be submitted to the City Planning Department upon its approval.
9. **Security.** The property shall be internally secured when not in use.
10. **Neighborhood Outreach.** At the start of each school year, the applicant shall mail or hand deliver a notice to all property owners and residents within a four-block radius of the school, as well as the council office, information containing the school year calendar, hours of operation, and a copy of the carpool and commuting provisions required under the Traffic Mitigation and Monitoring program by DOT, as presented to parents and staff of the school.
 - a. The notice shall also include a phone number to a designated Community Relations representative, where residents can report concerns or complaints, which are to be filed and maintained for the record for the Plan Approval process (Condition No. 11). This representative shall be available between the hours of 7 AM to 4 PM, Monday through Friday, and all calls shall be responded to within two business days.
 - b. The complaint log shall include the complainant's name, date and time of complaint, phone number, the nature of the complaint, the date and time of the response to the complaint, and a description of how the issue was responded to or resolved. Record of all complaints must be maintained on the premises.
11. **Plan Approval.** One year from the issuance of a Certificate of Occupancy, and five years after the issuance of the Certificate of Occupancy for the school, the school operator shall file a Plan Approval application and associated fees together with

mailing labels for all property owners and tenants within 500 feet of the property. The matter shall be set for public hearing with appropriate notice. The purposes of the Plan Approval shall be to review the effectiveness of, and the level of compliance with, the terms and conditions of this grant, including the effectiveness of the carpool program, the adequacy of the parking plan, the promptness of the school's response to neighborhood complaints, and the management of circulation impacts associated with events and any documented noise impacts on the surrounding residential properties. Upon review of the effectiveness of and compliance with the conditions, the City Planning Commission or their designee may add new terms and conditions or delete one or more of them, all as deemed appropriate. The application shall include the following minimum information:

- a. The number of students enrolled by grade level.
- b. Operational changes to the school such as hours of operation and parking policy.
- c. The implementation status of the Traffic Management and Mitigation Program (TMMP) set forth in Condition No. 15. Copies shall be simultaneously sent to the Council office and to all interested parties who have requested such notification.
- d. The log of inquiries filed with the school's designated representative and the Council Office, if any, pertaining to the school's operations and compliance with conditions.

12. West LA TIMP Specific Plan. Pursuant to Section 4.B of the WLA TIMP, the owner(s) of the property must sign and record a Covenant and Agreement prior to issuance of any building permit, acknowledging the contents and limitations of this Specific Plan in a form designed to run with the land.

13. Site Access and Internal Circulation. To improve traffic flow and enhance vehicular and pedestrian safety, the project shall consult with DOT'S Western District office to determine the feasibility of installing the following traffic controls:

- a. All-way stop sign controls at Missouri Avenue and Armacost Avenue, and Armacost Avenue and La Grange Avenue intersections.
- b. New pedestrian crosswalks (painted) at the intersections of Missouri Avenue and Armacost Avenue and La Grange Avenue and Armacost Avenue.
- c. A crossing guard shall be provided at the intersection of Missouri Avenue and Armacost Avenue to ensure the safety of students crossing this intersection during both the morning student arrival periods and afternoon student dismissal periods, and as appropriate, following the after-school program.

- d. All carpool vehicles transporting students to and from the school shall load and unload on the surface parking lot at the site.
- e. Carpool and visitor vehicles shall access the school site with ingress from Missouri Avenue and egress on Armacost Avenue.
- f. Final DOT Approval shall be obtained prior to issuance of any building permits. This should be accomplished by submitting detailed site/driveway plans, at a scale of 1"=40', separately to DOT'S West LA/Coastal Development Review Section at 7166 West Manchester Avenue, Los Angeles, 90045 as soon as possible but prior to submittal of building plans for plan check to the Department of Building and Safety.
- g. Student Drop-Off and Pick-Up schedule shall be as follows:
 - i. Grades 6-8: Arrival drop-off hours are limited to 8:00 a.m. to 8:25 a.m.; Dismissal pick-up hours are limited to 3:25 p.m. to 3:45 p.m.
 - ii. Grades 9-12: Arrival drop-off hours are limited to 7:00 a.m. to 7:25 a.m.; Dismissal pick-up hours are limited to 2:55 p.m. to 3:10 p.m.

14. Highway Dedication and Physical Street Improvements. Pursuant to Section 4.E.2 of the WLA TIMP, and in order to mitigate potential access and circulation impacts, the applicant may be required to make highway dedications and improvements. The applicant shall consult the Bureau of Engineering for any additional highway dedication or street widening improvements.

These requirements must be guaranteed before the issuance of any building permit through the B-permit process of the Bureau of Engineering, Department of Public Works. They must be constructed and completed prior to the issuance of any certificate of occupancy to the satisfaction of DOT and the Bureau of Engineering.

15. Traffic Management & Monitoring (TMMP) Program. In order to mitigate the projected traffic impacts to a less than significant level, as well as to minimize the likelihood of school-related vehicles queuing on the public roadway, a traffic management and monitoring program (TMMP) shall be implemented to survey the actual on-site vehicle operations and insure that sufficient queuing capacity is available on-site. This TMMP shall be consistent with the discussion and project requirements outlined in the Department of Transportation Memorandum, dated November 30, 2011, and as outlined herein. If the school is unable to maintain its ingress traffic entirely on-site, enrollment shall be reduced until compliance is achieved.

- a. The TMMP shall document the school's requirement to maintain a 65% reduction in its student enrollment trips for the high school morning peak hour (7:00 a.m. to 8:00 a.m.), a 75% reduction in trips for the middle school

morning peak hour (8:00 a.m. to 9:00 a.m.), and a 75% reduction in trips for the combined high school and middle school afternoon peak hour (2:45 p.m. to 3:45 p.m.), or reductions in trips as applicable based on a maximum student enrollment of 750 students, in order to achieve a trip cap of 151 trips for high school during the a.m. peak hour (7:00 a.m. to 8:00 a.m.), 90 trips for the middle school during the a.m. peak hour (8:00 a.m. to 9:00 a.m.) and 126 trips for the combined high school and middle school during the p.m. peak hour (2:45 p.m. to 3:45 p.m.), for the high school at full occupancy.

- b. The school shall achieve these trip reductions through an aggressive TMMP Plan that would require a minimum average vehicle occupancy of 3.0 students per vehicle and a shuttle bus program for student pick-up and drop-off activities, public transit incentives for students (including, but not limited to, bus passes provided to eligible students at no charge, assistance with transit route and schedule planning, etc.), and assistance for students to travel to and from school by bicycle or foot.
- c. Under the TMMP, the school shall establish the following percentage goals (at maximum student enrollment) for student transport to and from school:

Morning Student Arrival Period (7:00 to 9:00 AM) – Cap = 241 trips

- i. Approximately 47% of the maximum student enrollment to participate in the carpool program,
- ii. Approximately 30% of the maximum student enrollment to participate in the shuttle bus program, and
- iii. Approximately 23% of the maximum student enrollment to walk, bike or use public transit. The school shall provide free transit passes to students utilizing public transit.

Afternoon Student Dismissal Period (2:45 to 3:45 PM) – Cap = 126 trips

- i. Approximately 24% of the maximum student enrollment to participate in the carpool program,
- ii. Approximately 30% of the maximum student enrollment to participate in the shuttle bus program,
- iii. Approximately 20% of the maximum student enrollment to participate in after-school academic programs, and
- iv. Approximately 26% of the maximum student enrollment to walk, bike or use public transit. The school shall provide free transit passes to students utilizing public transit.

- d. The shuttle bus program shall include a minimum of 4 buses (with approximately 57 students in each), or alternatively the shuttle bus program shall include the minimum number and size of buses necessary to transport approximately 30% of the student population (at maximum enrollment), to

access the school site each morning and each afternoon per school day. Buses must load and unload on-site only and shall access the school site with ingress from Missouri Avenue and egress on Armacost Avenue, or may load and unload adjacent to the project site along Missouri Avenue if deemed acceptable following a review of the TMMP by LADOT, as provided for under Condition No. 4.c.

- e. As part of the TMMP shuttle bus program, the applicant shall identify and secure off-site parking lot locations where parent and shuttle pick-up and drop-off activities would occur, and shall provide evidence of securing such off-site locations to the Department of City Planning and local Council Office prior to the issuance of a Certificate of Occupancy. DOT shall also review the potential off-site parking lot locations and their anticipated operations to ensure that any potential traffic impacts surrounding those locations resulting from the shuttle bus program will be mitigated.
- f. The TMMP Plan shall also include a traffic mitigation plan to address any identified impacts resulting from the after-school academic program, including incorporation of a combination of carpooling, transit ridership and walking and biking incentives to ensure that any such impacts are fully mitigated.
- g. The TMMP Plan shall be implemented by an on-site Traffic Demand Management (TDM) Coordinator at the school who will assist parents in signing up for the appropriate transportation program based on where the students live. The transportation program should be introduced to parents at the time of school registration/orientation, and before each school semester. Once all student residence locations are identified, the TDM Coordinator shall assign students to the appropriate transportation program (walk, bicycle, public transit, carpool, and shuttle bus), with parent approval. Student participation in the required transportation mode will be monitored throughout the school year to assure compliance. The TDM Coordinator shall be responsible for gathering feedback and reviewing the TMMP for ongoing improvement.
- h. The measurements of actual trips and monitoring shall cover the peak hours that include the school's two separate starting times and combined dismissal time, Tuesday through Thursday (excluding school holidays), over a one-week period during the third week of each school term. The monitoring shall also include a review of bus drop-off/pick-up operations and after-school pick-up hours. The monitoring shall take place at the school drop-off zone and project driveways, at the school's expense.

- i. The trip cap review period shall be for a minimum of five (5) years, twice per year (November and April), at which time the review must show accomplishment of the trip cap goal reduction for this entire 5-year review period. Such review periods shall be conducted without prior notification to the school. The trip cap review must be submitted to DOT with a copy to the local Council Office. Should the review show that the trip cap goal was not achieved, the school will have one (1) year to correct its deficiency. If the school cannot achieve the trip cap goal within the corrective year, the school will be required to reduce its enrollment in an amount commensurate with the trip cap and a new five year review period will commence with the following school year. A determination from DOT confirming that the school is in compliance with the TMMP Plan shall also be required before enrollment is permitted to increase each year within the first 5 years of operation.
 - j. A full TMMP Plan, and all subsequent TMMP reporting, shall be prepared by a licensed Traffic Engineer and submitted to DOT for review. The full TMMP Plan, as described herein, shall be submitted to DOT and the Department of City Planning for review and approval, prior to the issuance of any Certificate of Occupancy or Temporary Certificate of Occupancy. A copy of the TMMP review and DOT's determination of the review shall be submitted to the Planning Department to be included in the file for the public record.
- 16. Construction Impact (Traffic).** The Department of Transportation recommends that a construction work site traffic control plan be submitted to DOT's Western District Office for review and approval prior to the start of any construction work. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. DOT also recommends that construction related traffic be restricted to commuting off-peak hours, as well as school off-peak hours when school is in session.
- 17.** All school administrators, faculty, and school board members shall be provided a copy of the instant determination.
- 18. Recreational Activities.**
- a. Prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy, the school shall submit to the Department of City Planning and the local Council Office an itemized breakdown of physical education, sports and after-school programs with locations and times, and signed contracts and/or permits for those physical education, sports and after-school programs located off-site. This documentation shall be submitted to the Department of City Planning and the local Council Office on an annual basis.

- b. Any student pedestrian activity to and from the school during school hours (i.e. students walking to Stoner Park or other recreational or fitness facilities for school-related recreational activities) shall be supervised by an adult.
 - i. The pedestrian route to Stoner Park shall be as follows – Exit school site and travel north, cross Missouri Avenue at Armacost Avenue, travel east on Missouri (north sidewalk), cross Westgate Avenue, enter park at corner of Westgate and Missouri.
 - ii. The pedestrian route to the YMCA at La Grange Avenue and Sawtelle Boulevard shall be as follows – Exit school site and travel south on Armacost Avenue (west sidewalk), cross La Grange Avenue, travel east along La Grange Avenue (south sidewalk), cross La Grange again at Purdue Avenue, continue east on La Grange, enter YMCA.
19. Student “loitering” in the front of the school and in the neighborhood shall be strictly prohibited at all times.
20. The school shall create and maintain a Home-School Contract for all parents, students and teachers to agree to and sign, and shall use its authority to enforce the provisions of the Contract. The Home-School Contract should include the following, consistent with the conditions of approval contained here-in:
- a. A “No Student Drivers” policy,
 - b. That parking by parents or visitors on the street is strictly prohibited,
 - c. Drop-off and pick-up routes and rules, including the requirement to drop off and pick up students on-site only in the designated drop-off and pick-up area and the prohibition of any drop-off and pick-up activities taking place in the street,
 - d. Notice that the ability of the school to operate at the school site and maintain its enrollment is conditioned upon compliance by parents and guardians with the Home-School Contract as it pertains to the Traffic Mitigation and Monitoring Program,
 - e. Notice of the mandatory Community Service Program for all students, parents and teachers to participate in, and
 - f. A “No littering” policy
21. At the time of school registration/orientation, the school shall verbally discuss the school’s policy regarding traffic circulation with parent(s), and the parent(s) must sign the Home-School Contract stating that they understand the policy regarding pick-up and drop-off. Also, the school must require emergency contacts to sign a similar contract so as to ensure that each person who will be dropping off or picking up a student will follow the rules of operation and traffic circulation regarding ingress to and egress from the site.

22. A sufficient number of trash bins shall be provided and located on-site, and trash shall be collected on a regular basis by a trash collection company.
23. Brockton Elementary Graduates. The PLUM Committee voted in favor of the Conditional Use Permit for the school with the assurance from the New West Board of Directors that prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy, the New West Board of Directors would have approved a legally binding resolution, stipulating that any student who graduates from Brockton Elementary School, regardless of when the student enrolled in said school and regardless of the Title I status of said school, shall be ensured admittance to 6th grade at New West Charter School, as part of the school's admissions preference program. On March 6, 2012, the New West Board of Directors approved, by a vote of [11 Yes, 0 No], Board Resolution # 2012-1 which meets the above-referenced terms. This policy shall remain with another neighborhood elementary school, if not with Brockton Elementary School, as allowed under the school's charter.

Environmental Conditions

Continue with Environmental Conditions here (from CPC Determination Letter, dated December 29, 2011) and renumber, as appropriate.

MODIFIED FINDINGS APPROVED BY**PLANNING AND LAND USE MANAGEMENT COMMITTEE 2/28/12****General Plan/Charter Findings**

1. **General Plan Land Use Designation.** The subject property is located in the West Los Angeles Community Plan, which was adopted by the City Council on July 27, 1999 (Case No. CPC-1997-0048). The Plan Map designates the subject property for Light Industrial land uses with the corresponding zone(s) of MR2, M2, and P. The subject property contains approximately 70,903 square feet (1.62 acres) and is currently zoned M2-1. The zones permit uses consistent with light manufacturing and commercial and other uses, including public schools, with a Conditional Use Permit.

The site is currently improved with a one-story 49,885 square-foot structure and associated surface parking. The applicant, New West Charter Middle School, Inc., currently operates at a separate location, at 11625 Pico Boulevard in the [Q]C2-1VL-CDO Zone.

2. **General Plan Text.**

The West Los Angeles Community plan text includes the following relevant land use discussion:

Schools

Objective 6-1 To site schools in locations complimentary to existing land uses with buffering, convenient to the Community with access to recreational opportunities.

Objective 6-1.1 Encourage compatibility between school locations, site layout and architectural design, and Community character.

Program: Require a decision maker in a discretionary review action for a proposed school to adopt a finding which supports the application of this policy.

Objective 6-1.2 School design should buffer classrooms from noise sources.

The Public Schools Element of the General Plan indicates that no new school sites are planned within the District.

To provide opportunities for the development of school sites as needed.

Framework Element. The Framework Element for the General Plan (Framework Element) 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 project site. 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.

While the Framework Element references the City's participation in working with the Los Angeles Unified School District in the planning and coordination of public schools, it does not specifically address efforts with charter schools. To that end, however, enabling the continued use of the school would be consistent with several important goals, objectives, and policies of the Framework Element, including:

Goal 9N - Public schools that provide a quality education for all of the City's children, including those with special needs, and adequate school facilities to serve every neighborhood in the City so that students have an opportunity to attend school in their neighborhoods.

Objective 9.33: Maximize the use of local schools for community use and local open space and parks for school use.

The continuation, relocation, and expansion of the existing school will provide more public educational opportunities to the student population and the surrounding community, evidenced in part by a condition of approval that gives Brockton Elementary School graduating students preference for admissions to New West. The proposed project is located adjacent to a variety of uses, including single family residential uses across the street to the north and east. These uses have been thoroughly considered by the decision makers and the project has been conditioned to protect and mitigate potential impacts on the neighboring single-family residences.

3. **The Transportation Element** of the General Plan is not likely to be affected by the recommended action herein. No new construction or increase in floor area is proposed as part of this request. However, due to the number of trips projected by the new use, the Department of Transportation recommended in a memo dated November 30, 2011, a series of project requirements in order to minimize the traffic-related impacts. Those requirements, along with additional mitigation measures related to the project's Transportation Mitigation and Monitoring Program, are incorporated into the project conditions of approval. Moreover, improvements may be required by the Bureau of Engineering to assure compliance with this Element of the General Plan and with the City's street improvement standards pursuant to Municipal Code Section 17.05.
4. **The Sewerage Facilities Element** of the General Plan will not be affected by the recommended action.
5. **Street Lights.** No new street lights are required as no new construction or increase in floor area is proposed. If street widening per BOE improvement conditions is required, then the Applicant will also be required to relocate any preexisting street lights that may be affected by the improvements.
6. **Charter Findings.** Pursuant to Section 556 of the City Charter, the subject Conditional Use is in substantial conformance with the purposes, intent and provisions of the General Plan. The Los Angeles Municipal Code permits the filing, review, and determination of conditional use applications as outlined in Section 12.24. Provided findings of fact are

made herein for the subject case action.

Entitlement Findings

7. Conditional Use Findings.

- a.) The proposed location will be desirable to the public convenience or welfare.**

The subject property is a generally level, rectangular-shaped corner lot with approximately 70,876 square feet (1.67 acres). Located in the West Los Angeles Community Plan area, the site is designated for Light Manufacturing land uses, which has corresponding zones of MR2, M2, and P. The subject site is zoned M2-1 and is improved with one single-story structure with 49,885 square feet of floor area built in 1954 and previously used for warehouse, light industrial, and office uses. The site also has a surface parking lot with 53 parking spaces and two handicap parking spaces. The Department of Building and Safety has confirmed in writing that no additional parking is required and that the project may maintain the existing parking count pursuant to a non-conforming status of 1 parking space per 500 square feet.

The proposed project involves a change of use of an existing 49,885-square foot warehouse/light industrial/office building (now vacant) in the M2-1 Zone to locate a charter school, for middle and high school grades, with a maximum school enrollment of 750 students. The applicant will cap maximum enrollment at 750 students, which is a 15% reduction of the maximum enrollment of 875 reviewed in the Mitigated Negative Declaration and approved by the City Planning Commission. The proposed project includes renovating the interior of the existing building to accommodate the new school use. There will be no demolition of the existing building or any new exterior construction involved.

Operating at its current location at 11625 W. Pico Boulevard in West Los Angeles for almost 9 years, New West has a successful track record in meeting a growing community need for a charter school by providing outstanding quality middle school education, while at the same time, making the surrounding neighborhood a safe and healthy place to live. For the 2011 admissions lottery, New West had 79 open spots and 901 interested Applicants, which demonstrates this success. It is New West's goal to open up their operations to more middle school students, as well as to high school students for the first time, by relocating to a larger site located at 1905 S. Armacost Avenue.

The proposed location of the New West Charter School on the project site will be desirable to the public convenience and welfare as it will offer additional education options to the community by providing unique and valuable learning opportunities. The need for this type of education is evident through New West's demand for more enrollment spots, based on the number of applications received each year. New West will offer a rigorous core curriculum through public education that provides a strong foundation in reading and language arts, mathematics, science, and history and social science, supplemented with diverse enrichment opportunities in world languages, visual and performing arts, physical education and health, and information technology. New West will also provide a robust program of mandatory community service and extracurricular activities designed to have maximum synergy with the academic program.

The proposed location involves a change of use from warehouse/light industrial/office to a charter school, which will revitalize a currently underutilized property with a use that will substantially benefit the community without the need for new construction activities. The proposed location of the charter school will help provide more public educational opportunities to the student population and the surrounding community.

The project site is an ideal location for a school use as it will be a complementary use to residential neighborhoods, serving as transitional site between the residential uses to the north and east and the commercial uses to the south and west. New West proposes to operate on the project site with sensitivity to its neighbors, enforcing school regulations which would eliminate the typical concerns associated with operating a school near a residential neighborhood. For example, conditions of approval include prohibitions against student drivers, school-related street parking, and student loitering. In addition, classroom hours will be between 7:00 a.m. and 3:45 p.m., Monday through Friday, and after-school activities customarily associated with school operations will also be limited in hours. There will be no weekend operations.

As part of the Los Angeles Department of Transportation's approval, New West is obligated to prepare a rigorous Transportation Mitigation and Monitoring Program and incorporate stringent transportation mitigations. For example, students will be prohibited from driving to school, eliminating any parking concerns over students parking on adjacent streets. Instead, students will be required to carpool to school, where car-loading and unloading of students will take place on site only, which would reduce any potential traffic impacts near the project site. Other measures New West will take include requiring or encouraging a certain percentage of the school population to bike, walk or use public transportation to travel to and from school. New West will also implement a shuttle bus program to alleviate community concerns regarding the number of automobile trips. These issues have been addressed in the conditions of approval for the project. It is important to note that the project was also evaluated pursuant to the California Environmental Quality Act ("CEQA") and a Mitigated Negative Declaration ("MND") was issued which includes a number of mitigation measures to reduce potential environmental impacts on the surrounding neighborhood and wider community.

Specific conditions of approval were considered and incorporated into the Conditional Use Permit approval to address public convenience and/or welfare. For example, New West will enter into an agreement with Brockton Elementary School, stipulating that any student who graduates from Brockton Elementary School, regardless of when the student enrolled in said school and regardless of the Title I status of said school, shall be ensured admittance to 6th grade at New West Charter School, as part of the school's admissions preference program. Such condition provides an enormous benefit to local children, essentially guaranteeing graduates of Brockton Elementary School a first option to attend New West. In fact, this arrangement is considered to be a model for collaboration between a high performing charter school and its local neighborhood school.

The Brockton Elementary School preference condition of approval will also decrease neighborhood traffic impacts. By increasing the number of students going from Brockton Elementary School to New West Charter School, a greater number of children will remain in the local community following 5th grade. Whether walking, bicycling (a minimum of 60 bicycles

racks will be provided on site), or carpooling to New West, having these children stay at a local neighborhood school will reduce overall traffic trips.

In addition, New West will require students, parents, and staff to enter into a binding Home-School Contract setting forth specific policies, including but not limited to drop-off and pick-up procedures, carpooling, student no driving and no loitering policies, traffic circulation, and parking. New West also commits to a school-mandated community service program that will directly benefit the local community. To further help achieve maximum compatibility and synergy with the neighboring community, conditions of approval are detailed and imposed that limit the hours and use of the site. New West will be required to conduct neighborhood outreach as outlined in the conditions of approval, as well as apply for periodic Plan Approvals which will enable the City to review (and the community to comment on) the effectiveness of, and the level of compliance with, the terms and conditions of this grant.

In sum, as conditioned, the school's location will be desirable to the public convenience or welfare.

b.) The proposed location is proper in relation to adjacent uses or the development of the community.

The project site is a rectangular-shaped, 70,903-square foot lot located at the southwest corner of Armacost Avenue and Missouri Avenue. The property is zoned M2-1 and designated Light Industrial by the West Los Angeles Community Plan, but more specifically is located on a site which can support the proposed school land use. Properties across the street to the north and east are developed with single-family homes in the R1-1 Zone. Properties to the south are improved with a single-story light industrial building with associated surface parking lot, and a 9-story commercial office building, zoned M2-1. Properties to the west are improved with a LA Fitness health club and associated surface parking lot, also zoned M2-1, and the currently vacant City of Los Angeles Animal Shelter building, zoned PF-1XL.

The proposed location of the project will be in proper relation to adjacent land uses and the development of the community. As can be seen from the description of the adjacent properties above, although the properties immediately to the south and west are zoned M2, these properties are primarily characterized by commercial uses. Other surrounding properties in the general area are also characterized by commercial uses, including office and retail uses, as well as residential uses. One block to the east is The Stoner Recreation Center and Park. Ideally, schools should be located in an area such as this, in a commercial area in proximity to residential neighborhoods; thereby, serving the community without disruption (i.e. traffic, noise, etc.) caused by an inconsistent land use.

The request is to allow the school to operate at the site, moving operations from its current location at 11625 Pico Boulevard in an effort to accommodate increasing student demand. Students are not allowed to drive to campus. New West will implement a shuttle bus program for some of its students. Pick-up and drop-off is to be conducted entirely on-site within a designated area of the surface parking lot. Furthermore, the Department of Transportation has conditioned that all way stop sign controls be installed at the intersections of Missouri Avenue and Armacost Avenue as well as La Grange Avenue and Armacost Avenue. With these measures, the school's operation at the subject site would not result in significant impacts to the site or the community and would not negatively affect the public convenience or welfare.

The project site is an ideal location for a school use, as it will be a complementary use to residential neighborhoods, serving as a transitional site between the residential uses to the north and east and the commercial uses to the south and west. The subject property has been improved with a light industrial warehouse building since 1954. The neighboring single family homes have existed since approximately 1948. Thus, for more than 55 years, these residential land uses (single family homes) have been situated across the street from a much more intense land use (light industrial). The school's relocation to the site provides an opportunity to buffer the more intense commercial uses to the west and south from the residential uses to the east and north. Light industrial or warehouse buildings can be occupied by very intense uses (such as offices or retail) with late night hours. On the other hand, schools follow limited schedules and, in this case, will have limited activities at night which are customarily associated with school operation, as further specified in the subject conditions of approval. No weekend operations will occur. With the consideration and imposition of detailed conditions of approval, the proposed location of the school is appropriate in relation to the adjacent uses.

Furthermore, the location of the school at the project site will be compatible with other educational facilities in the community. Several blocks to the northeast, located at 1730 Corinth Avenue (at Nebraska), is Nora Sterry Elementary School, and approximately 5 blocks to the north, located at 11800 Texas Avenue (at Barrington), is University High School, both of which are part of the LAUSD. Private educational facilities nearby include Westview School, which is a private middle and high school located at 11801 W. Mississippi Avenue (at Granville) approximately 4 blocks to the southeast, and Wildwood School, which is an independent middle and high school located at 11811 W. Olympic Boulevard (near Granville.) In addition, both Westview School and Wildwood School are also located in an M2-1 Zone via conditional use approval, similar to the proposed project.

The project will be located on a site which is capable of supporting the school use, in an area characterized by commercial and residential uses and more broadly characterized by other community-serving uses, such as The Stoner Recreation Center and Park and other schools in the community. New West will be complementary to these surrounding uses, bringing a new asset to the community – charter school education. New West will be required to conduct neighborhood outreach as outlined in the conditions of approval, as well as apply for periodic Plan Approvals which will enable the City to review (and the community to comment on) the effectiveness of, and the level of compliance with, the terms and conditions of this grant. Furthermore, the school is conditioned to an aggressive Traffic Mitigation and Monitoring Program (TMMP), with reviews by DOT twice per year. Such Plan Approval and TMMP review processes will revisit whether the school location and operations are proper in relation to the development of the community.

In sum, as conditioned, the school's location is proper in relation to adjacent uses or the development of the community.

- c.) **The proposed location will not be materially detrimental to the character of development in the immediate neighborhood.**

LAMC 12.24.U.24.

Public schools are permitted to operate in an industrial zone subject to the approval of a Conditional Use Permit (pursuant to LAMC Section 12.24.U.24, a Zoning Code update effectuated in 2000 by the adoption of Ordinance No. 173,492 to establish that schools be permitted in any zone pursuant to a Conditional Use Permit.). LAMC Section 12.24.U.24 sets forth the applicable regulations for school use.

- **LAMC Section 12.24.U Conditional Use Permits - City Planning Commission With Appeals to City Council.** The following uses and activities may be permitted in any zone, unless restricted to certain zones or locations, if approved by the City Planning Commission as the initial decision-maker or the City Council as the appellate body. The procedures for reviewing applications for these uses shall be those in Subsections B. through Q in addition to those set out below. **(First Para. Amended by Ord. No. 173,992, Eff. 7/6/01.)**
- **LAMC Section 12.24.U.24 Schools: (Amended by Ord. No. 173,492, Eff. 10/10/00.)**
 - a) Public schools, elementary and high (kindergarten through 12th grade);
 - (b) Private schools, elementary and high (kindergarten through 12th grade) in the A, RE, RS, RI, RU, RZ, RMP, RW1, R2, RD, RW2, R3, C1, C1.5, or M Zones;
 - (c) Private schools [other than elementary or high (kindergarten through 12th grade) or nursery schools] in the A, R, CR, C1, or C1.5 Zones.

New West is a public charter school and, therefore, falls under LAMC Section 12.24.U.24(a). Schools permitted under subsection (a) are not "restricted to certain zones or locations" and, therefore, are an appropriate conditional use in the M2 zone. The City of Los Angeles's (the "City") application of this regulation is evidenced by other City Conditional Use Permit approvals for schools located in M zones.

It is not unusual for a school to be located in an industrial zone and in an industrial building. There are examples of schools in industrial zones located within a two block radius of the Armacost site. The Wildwood School operates its Upper School Campus in an industrial building at Olympic Boulevard near Granville, and the Westview School operates a Special Education program at Mississippi Avenue and Granville. Both of these schools are located just a few blocks to the southeast of the Armacost site, and are operating under a Conditional Use Permit. Other examples of charter schools operating successfully in an industrial building include KIPP Los Angeles College Preparatory School in downtown Los Angeles and Summit Preparatory Charter High School in Redwood City. Thus, based upon the recent locations of these schools, a school can operate successfully in an industrial building and can do so without disrupting the neighborhood.

Neighborhood Development.

In this case, New West proposes to locate a well-planned and much-needed charter middle and high school in the community. In fact, New West is already part of the West Los Angeles community, as they have been successfully operating for the past 9 years at their location on Pico Boulevard without disrupting their neighborhood. From the proposed site plan to the

school's careful operations, the proposed project will not be detrimental to the character of development in the immediate neighborhood.

The general layout of the site improvements has been designed to harmonize with existing and potential new uses and development in the surrounding area, with a carpool (drop-off and pick-up) program and shuttle bus program which has been sensitively designed (and redesigned) to reduce any impact to the neighborhood. The proposed project brings an opportunity to remodel an existing warehouse/light industrial/office building, which is currently underutilized and is vacant, for the establishment of a much-needed charter school. No exterior expansion or demolition activities would take place as a result of the project. The interior remodel of the existing building will bring a new presence to a currently unadorned site.

The project site is located at the northeastern edge of an area characterized by commercial, retail, and office uses just before it transitions to a single-family residential neighborhood. A school would be a complementary use to the existing residential neighborhood and can operate in harmony with the residential neighborhood through a series of conditions and mitigation measures imposed on the project and the proposed TMMP.

The proposed charter school will not be materially detrimental to the character of development in the immediate neighborhood as other schools already exist in the vicinity. Approximately 4 blocks to the southeast is Westview School, which is a private middle and high school, located at 11801 W. Mississippi Avenue (at Granville). Further south of that, at 11811 W. Olympic Boulevard (near Granville) is Wildwood School, an independent middle and high school. Both Westview School and Wildwood School are also located in an M2-1 Zone via conditional use approval, similar to the proposed project. In addition, several blocks to the northeast, located at 1730 Corinth Avenue (at Nebraska), is Nora Sterry Elementary School, and approximately 5 blocks to the north, located at 11800 Texas Avenue (at Barrington), is University High School, both of which are part of LAUSD. The Stoner Recreation Center and Park is also located just one block away from the project site.

While the proposed New West site would be located in an area already characterized by educational facilities, none of these existing educational facilities are public charter schools that provide both middle and high school education. Thus, the proposed school use would be a new asset to the community.

Limitations on Enrollment/Hours/Events/Uses.

The project has been conditioned with strict limitations on enrollment, uses, hours, and events so as to limit impacts to the immediate neighborhood. The applicant reduced its proposed maximum enrollment from 875 to 750 students to address concerns about the density of the project. With 750 students, phased in over a three (3) year period beginning with the 2012-2013 school year, square footage per student is in line with other charter schools in adaptive reuse areas. Classroom hours will be between 7:00 a.m. and 3:45 p.m., Monday through Friday. No nighttime operations are proposed, with the exception of only four (4) parent-teacher conferences per year and other customary school-related activities (i.e. board meetings) that may occur as conditioned. Furthermore, the school will not operate on weekends. On-site events are limited and will be scheduled so as to provide adequate on-site parking. Arrangements must be made to provide off-site, off-street parking for those allowed events, such as parent-teacher conferences, exceeding the parking capacity on-site. All parking

arrangements will be required to be reviewed by LADOT and the Department of City Planning pursuant to conditions of approval.

Transportation/Traffic.

A Traffic Study prepared by Hirsch/Green was reviewed by LADOT and approved in a traffic impact assessment letter dated October 6, 2011 (see LADOT Case No. WLA11-040). Subsequent to that approval, the project was modified to reverse the automobile access flow (in response to neighbor requests) and a supplement to the Hirsch/Green Traffic Study was prepared. As a result, LADOT issued a supplemental traffic impact assessment letter approving the project revisions, dated November 30, 2011. And on January 13, 2012, LADOT issued a third letter in support of its project recommendations when it responded to an appeal of its November 30, 2011 supplemental assessment letter.

In conjunction with its approval, LADOT mandates aggressive trip cap reductions through the implementation of Transportation Mitigation and Monitoring Program (TMMP) and other mitigation measures. Trip caps will be reviewed on a biannual basis and submitted to LADOT. Mitigations and procedures related to the TMMP have been incorporated into the conditions of approval and will be reviewed by LADOT. The applicant has agreed to implement a carpool program and a shuttle bus program, and offer public transit incentives and assistance to students to travel to school on bicycle or foot.

Parking.

The project will retain the existing parking count of 53 parking spaces and 2 handicap parking spaces pursuant to the Department of Building's written determination that no additional parking is required for the school use. Specifically, the Department of Building and Safety's finding was based on the existing site's industrial designation which required parking at 1 per 500 square feet. Since the school does not have a gym or assembly area by which to calculate parking per current Los Angeles Municipal Code regulations, New West is permitted to retain the existing parking count at the 1 per 500 square foot ratio.

The City has further determined that the parking is adequate for the use, in light of the school's proposed operations and the project conditions of approval. Specifically, there will be no student drivers permitted at any time and the school must implement a rigorous carpooling program and Traffic Mitigation and Monitoring Program, including having a designated on-site Traffic Demand Management Coordinator to monitor and assure compliance. The school will also implement a shuttle bus program pursuant to the conditions of approval. The existing number of spaces will adequately serve the number of faculty and staff driving to the site. No large scale events will be held at the site and the conditions mandate that off-street, off-site parking be arranged for any time the on-site parking is inadequate.

In sum, the location will not be materially detrimental to the character of development in the immediate neighborhood.

- d.) **The proposed location of the project will be in harmony with the various elements and objectives of the General Plan.**

The proposed location of the charter school will be in harmony with the various elements and objectives of the General Plan, including the various elements and objectives of the West Los Angeles Community Plan. The layout of the site, which is already improved with an existing, 49,885-square foot building which will remain, will be improved through tenant improvements and interior renovations which have been designed to harmonize with existing and potential new uses and development in the surrounding area.

The West Los Angeles Community Plan encourages public educational facilities in the area, with the following specific Land Use Goals, Objectives, and Policies:

GOAL 6 PUBLIC SCHOOLS THAT PROVIDE A QUALITY EDUCATION FOR ALL OF THE CITY'S CHILDREN, INCLUDING THOSE WITH SPECIAL NEEDS, AND ADEQUATE SCHOOL FACILITIES TO SERVE EVERY NEIGHBORHOOD IN THE CITY.

Objective 6-1 *To site schools in locations complimentary to existing land uses with buffering, convenient to the Community with access to recreational opportunities.*

Objective 6-3 *Maximize the use of local schools for Community use and of local open space and parks for school use.*

Policies

Objective 6-3.1 *Encourage the siting of community facilities (libraries, parks, schools and auditoriums) together.*

Program: *Formulate/update plans to address issues relating to siting and the joint use of facilities. Identify strategies for the expansion of school facilities including:*

- *Siting of schools and other community facilities (libraries, parks, and auditoriums) within a transit station, center, or mixed-use area so they can compliment each other and make the most efficient use of the land provided for these services.*
- *Locating middle schools and high schools where possible, close to transit stations, centers and mixed-use districts, so students can use the transit system to get to and from school.*

The proposal for the New West Charter Middle and High School at the project site is consistent with the above Goal and Objectives. New West is currently a public (charter) middle school that provides quality education available for all children in the City. In fact, all of the students enrolled at the current location on Pico Boulevard come from all over Los Angeles and the student body is racially and ethnically diverse. In addition, about 10% of the current student population is students with special needs. New West's goal is to expand that public education to more middle school students, and to high school students, on a site capable of supporting such a use.

The proposed school will be located on a site which will be complementary to existing land uses in the area, serving as a buffer between the commercial uses to the south and west and the residential neighborhood to the north and east. The subject property has been improved with a light industrial warehouse building since 1954. The neighboring single family homes have existed since approximately 1948. Thus, for more than 55 years, these residential land uses (single family homes) have been situated across the street from a much more intense land use (light industrial). The school's relocation to the site provides an opportunity to buffer the more intense commercial uses to the west and south from the residential uses to the east and north. Light industrial or warehouse buildings can be occupied by very intense uses (such as offices or retail) with late night hours. On the other hand, schools follow limited schedules and, in this case, will have limited activities at night (as conditioned) and no weekend activities. In other words, a by-right light industrial use could have much more impact on neighboring residential uses as opposed to a school that has undergone a discretionary approval process resulting in detailed conditions of approval. Here, the conditions of approval have been considered and crafted to ensure that the project will be in harmony with the General Plan and the surrounding land uses.

The school will also be conveniently located just one block away from The Stoner Recreation Center and Park, which some of the school's students would access on a weekly basis. The middle school, operating on Pico Boulevard, currently utilizes The Stoner Recreation Center and Park and will continue to access the park in the same capacity. With the school's relocation, middle school students will have a significantly shorter distance to travel between the school and park. High school students will not utilize The Stoner Recreation Center and Park.

In addition, the proposed school would be located within walking distance of existing MTA and Big Blue Bus lines on Olympic and Bundy, and the future Metro Rail Station (Expo Line) proposed at Bundy Drive and Exposition, about 3 blocks to the south of the project site. A bus stop is also located at the corner of Bundy and La Grange. New West strongly encourages its students to utilize public transportation, and some students enrolled at their current school location already do. As noted in the conditions of approval, New West will implement a shuttle bus program to transport some of its students to and from the site as well as walking, biking and public transit incentives as required under the TMMP.

Lastly, based on the number and types of schools currently available in the project site vicinity, there is a real need for the proposed charter middle and high school in this area. The only public high-school in the West Los Angeles Community Plan is University High School, which is part of LAUSD. Other public (LAUSD) schools in the area are elementary schools only, serving grades K-5, including Nora Sterry Elementary School (located at 1730 Corinth Avenue) and Brockton Avenue Elementary School (located at 1309 Armacost Avenue.) The only other two schools in the area which serve middle and high school students are private schools, which are Westview School and Wildwood School located a few blocks to the southeast of the project site.

The proposed project would provide a public charter middle and high school in a neighborhood which is characterized by a mix of commercial uses to the south and west, single-family residential uses to the north and east, and other schools existing in the general vicinity, consistent with the Community Plan's goal of providing public schools in locations such as this one.

In sum, as conditioned, the location of the project will be in harmony with the various elements and objectives of the General Plan.

8. **CEQA Findings.** A Mitigated Negative Declaration (ENV-2011-1924-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.

Pursuant to CEQA Guideline 15064, an MND is prepared for a project when the Initial Study has identified potentially significant effects on the environment, but (1) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed negative declaration and Initial Study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment. As shown in the environmental analysis contained in the Initial Study and the evidence contained in the record, the New West project involves some potentially significant effects on the environment, but these potential effects will be reduced to less-than-significant effects by project revisions in the form of mitigation measures. It should be noted that New West has subsequently agreed to additional mitigation measures which will further reduce potential project impacts. With regard to some other impacts, the Initial Study shows that no substantial evidence indicates that the Proposed Project would have a significant environmental effect. Consequently, the City's Initial Study correctly concluded that an MND be prepared for the Proposed Project.

The City did not receive any public comments on the MND during the public comment period.

Transportation/Traffic.

One of the environmental categories evaluated in the Initial Study is Transportation/Traffic. A Traffic Study prepared by Hirsch/Green was reviewed by LADOT and approved in a traffic impact assessment letter dated October 6, 2011 (see LADOT Case No. WLA11-040). Subsequent to that approval, the project was modified to reverse the automobile access flow (in response to neighbor requests) and a supplement to the Hirsch/Green Traffic Study was prepared. As a result, LADOT issued a supplemental traffic impact assessment letter approving the project revisions, dated November 30, 2011. And on January 13, 2012, LADOT issued a third letter in support of its project recommendations when it responded to an appeal of its November 30, 2011 supplemental assessment letter.

In conjunction with its approval, LADOT mandates aggressive trip cap reductions through the implementation of a Transportation Mitigation and Monitoring Program and other mitigation measures. Trip caps will be reviewed on a biannual basis and submitted to LADOT. Mitigations and procedures related to the TMMP have been incorporated into the conditions of approval and will be reviewed by LADOT. The applicant has agreed to implement a carpool program, offer public transit incentives and assistance to students to travel to school on bicycle or foot. In addition, LADOT mitigation measures (which include implementation of an LADOT approved

TMMP) were appropriately incorporated into the MND and determined to reduce the impacts to less than significant levels pursuant to CEQA.

Finally, the Brockton Elementary School preference condition of approval allows any student who graduates from Brockton Elementary School, regardless of when the student enrolled in said school and regardless of the Title I status of said school, to be ensured admittance to 6th grade at New West Charter School, as part of the school's admissions preference program. This condition of approval will ultimately result in a decrease to neighborhood traffic because there will be a greater number of students going from Brockton Elementary School to New West Charter School and, therefore, a greater number of children will remain in the local community following 5th grade. Retaining these students at a local school will reduce overall traffic trips and increase the number of students traveling to school on foot and bicycle.

Findings on Appeal.

Pursuant to Los Angeles Municipal Code ("LAMC") 12.24.1.3, when considering an appeal from the decision of an initial decision-maker, the appellate body shall make its decision, based on the record, as to whether the initial decision-maker erred or abused his or her discretion. Pursuant to California Code of Civil Procedure §1094.5, abuse of discretion is established if the respondent has not proceeded in the manner required by law, the order or decision is not supported by the findings, or the findings are not supported by the evidence. Here, the City has proceeded in the manner required by law. Furthermore, the evidence in the record supports the findings for project approval and, therefore, the City Planning Commission did not abuse its discretion in unanimously approving the project.

The City thoroughly considered the arguments in opposition to the project, which included but are not limited to the sufficiency of the Mitigated Negative Declaration, the adequacy of the traffic study and approvals, parking and zoning issues, alleged project impacts, and recreational facilities. Additional issues were raised in the appeals, for example, pedestrian safety, consistency with the General Plan, density, and alleged procedural deficiencies.

However, in light of the evidence included in the administrative record, the City determined that the facts, evidence, and arguments supporting approval of the project outweigh evidence and arguments opposing the project. The City based such determination on evidence and facts that included but are not limited to the City Planning Commission action, PLUM Committee recommendation, Mitigated Negative Declaration and associated mitigation measures pursuant to the California Environmental Quality Act, Los Angeles Municipal Code regulations (including required findings for project approval), and Department of Building and Safety information and findings. Further consideration was given to correspondence and reports contained in the record from the applicant, Craig Lawson & Co., Gaines & Stacey, Hirsch/Green Transportation Consulting, the Department of Transportation, as well as testimony received during public hearings.

Other Environmental Mitigation Measures.

The applicant has agreed to additional mitigation measures that are incorporated into the conditions of approval, including but not limited to: reducing the maximum enrollment from 875 to 750 students, implementation of a shuttle bus program to reduce the influx of automobiles to the project site and surrounding neighborhood, staggering drop-off and pick-up times,

implementation of an after-school program for up to 20% of the student enrollment (to further reduce impacts associated with peak hour after school pick-up), and mandating that parents, students, and teachers agree to and abide by a Home-School Contract that is enforceable by the school. The Home-School Contract will include mitigations such as no loitering, prohibiting student drivers, prohibiting street parking and drop-off and pick-up rules, among many others.

Pursuant to CEQA Guideline Sec. 15073.5. "Recirculation of a Negative Declaration Prior to Adoption,"

"...c) Recirculation is not required under the following circumstances:

- (1) Mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1.
- (2) New project revisions are added in response to written or verbal comments on the project's effects identified in the proposed negative declaration which are not new avoidable significant effects.
- (3) Measures or conditions of project approval are added after circulation of the negative declaration which are not required by CEQA , which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect.
- (4) New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration."

In this case, recirculation of the Mitigated Negative Declaration is not required. The additional mitigating conditions of approval adopted in conjunction with project approval are not required by CEQA, nor do they create new significant environmental effects and are not necessary to mitigate an avoidable significant effect.

9. **Flood Insurance.** 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 not located in a mapped Flood Zone.