

MODIFIED FINDINGS APPROVED BY
PLANNING AND LAND USE MANAGEMENT COMMITTEE
on April 28, 2015

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>Not 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. However, Exhibit A shows 53 onsite parking spaces. Council staff and the community have observed and submitted photographs showing that these spaces have not been maintained and that the parking area has been routinely used as a playground and picnic area.</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>	<p>Not 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. However, Council staff and the community have observed and submitted photographs showing that these spaces have not been maintained and that the parking area has been routinely used as</p>

Conditions of Approval	Compliance Status
<p>a. Students are prohibited from driving to the school and from parking at the site or on residential streets.</p> <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</p>	<p>a playground and picnic area. Because this condition has been violated for the last three years, an additional condition has been added that requires the school to file for the appropriate modifications to the Certificate of Occupancy if on-site parking is used for other purposes. This will better enable the City to track how parking is provided and monitor the need for a covenant.</p> <p>Not In Compliance. As specified in Condition 15.c, students are required to commute by carpool, shuttle bus, bicycle, foot or public transit. Although the school has complied with the trip caps established in the CUP, the community and Council Office have observed drivers with single passengers routinely commuting to the school and parking in the street. Additional requirements for staff monitors have been included to address this violation.</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>

Conditions of Approval	Compliance Status
<p>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>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>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, 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>

Conditions of Approval	Compliance Status
<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 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. 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> <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</p>	<p>In Compliance. NWCS has not and does not rent or lease its facilities to other entities.</p> <p>In Compliance.</p>

Conditions of Approval	Compliance Status
<p>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>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 such document shall be submitted to the City Planning Department upon its approval</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, 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.</p>
<p>9. Security. The property shall be internally secured when not in use.</p>	<p>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.</p>
<p>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,</p>	<p>In Compliance. At the beginning of the 2012-2013 school year, the designated Traffic Coordinator and Community Relations contact mailed a letter to</p>

Conditions of Approval	Compliance Status
<p>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.</p> <p>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.</p> <p>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.</p>	<p>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.</p> <p>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.</p> <p>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.</p>
<p>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</p>	<p>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.</p>

Conditions of Approval	Compliance Status
<p>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>
<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 	<p>In Compliance. All-way stop signs have been installed at the intersections of Missouri Avenue and Armacost</p>

Conditions of Approval	Compliance Status
<p>and La Grange Avenue intersections.</p> <p>b. New pedestrian crosswalks (painted) at the intersections of Missouri Avenue and Armacost Avenue and La Grange Avenue and Armacost Avenue.</p> <p>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.</p> <p>d. All carpool vehicles transporting students to and from the school shall load and unload on the surface parking lot at the site.</p> <p>e. Carpool and visitor vehicles shall access the school site with ingress from Missouri Avenue and egress on Armacost Avenue.</p>	<p>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. While crossing guards are sometimes present during dismissal, Council staff and the community have observed that the guards are not always present.</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>Not 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. However, the TMMP states that: "All vehicles accessing the on-site parking lot during the normal weekday School operations (7:00 AM to 3:45 PM) shall be restricted to right-turn only movement from the Armacost Avenue driveway." Council staff and the community have observed and submitted photographs showing that there have been numerous unauthorized left-hand turns on Armacost and Missouri. To address this, additional conditions are proposed that require Traffic Control Officers to be present during dismissal for a period of one year or until the school is able to show that this condition is no longer warranted. This will ensure that drivers comply with the turn restrictions established by the TMMP.</p>

Conditions of Approval	Compliance Status
<p>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 1/11=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> <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. All LADOT approvals and clearances were obtained for building permits.</p> <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</p>	<p>Not In Compliance. NWCS prepared a TMMP and recorded a Covenant and Agreement agreeing to implement</p>

Conditions of Approval	Compliance Status
<p>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 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>the TMMP. The TMMP reflects the 11/30/11 LADOT Memorandum. However, the TMMP incorporates Conditions 1, 2, 4, 5, 7 and 12 through 16 of the School's conditions of approval. As demonstrated in this table, while the school has been in compliance with many of the applicable conditions, it has been unable to substantially comply with several of the conditions related to traffic and parking, specifically Conditions No. 4, 13 and 15. Moreover, the TMMP is specifically designed to minimize the likelihood of school-related vehicles queuing on the public roadway. The community, Council Office and the school have observed daily queuing in the public roadway. The community has also submitted videos and photographic evidence of these violations. To address the lack of compliance, additional conditions have been added. These conditions specifically relate to: enrollment increase, offsite parking, traffic officers, staff TMMP monitors, third party community ombudsman, third party monitor, website reporting, community advisory committee and plan approval. These conditions will help to ensure that the conditions outlined in the TMMP are complied with and the school and neighbors have a common understanding of the extent of the violations.</p> <p>In Compliance. This condition is included verbatim on page 7 of the TMMP. Pages A-2 through A-6 include a 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>

Conditions of Approval	Compliance Status
<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> (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 	<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>

Conditions of Approval	Compliance Status
<p>student enrollment to walk, bike or use public transit. The school shall provide free transit passes to students utilizing public transit.</p> <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 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</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-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</p>

Conditions of Approval	Compliance Status
<p>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 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</p>	<p>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. These reports were submitted to LADOT. NWCS has not received a response.</p>

Conditions of Approval	Compliance Status
<p>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>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>

Conditions of Approval	Compliance Status
<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>

Conditions of Approval	Compliance Status
<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. 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>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 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</p>	<p>In Compliance.</p>

Conditions of Approval	Compliance Status
<p>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.</p>	<p>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 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>

Conditions of Approval	Compliance Status
<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>
<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>	<p>In Compliance. NWCS has not installed any outdoor address or paging systems.</p>

Conditions of Approval	Compliance Status
<p>a. Only low-pressure type speakers shall be used which are designed to have a minimum coverage area of approximately 400 square feet each.</p> <p>b. Distance between speakers shall not exceed 40 feet.</p> <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>

Conditions of Approval	Compliance Status
<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> <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>

Conditions of Approval	Compliance Status
<p>35. Utilities – Local Water Supplies.</p> <ul style="list-style-type: none"> 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. b. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute. c. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape and irrigation uses. 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.) e. Install no more than one showerhead per shower stall, having a flow rate of no greater than 2.0 gallons per minute. 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. 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>In Compliance.</p> <p>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>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 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. 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> <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. An increase in enrollment to 825 students in the 2015-2016 academic year will support the continued operation of NWCS in an area where there is high demand for public middle and high schools. The required 55 parking spaces will be provided, either on-site or off-site per the terms required by the LAMC. 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. However, community concerns persist regarding disturbance of residents' peaceful enjoyment of their homes and neighborhood. Use of the campus facilities beyond 8:00 p.m. may

exacerbate impacts during the evening hours when most residents are at home. In addition, NWCS has not demonstrated an essential need for the extended hours. Therefore, extending use of the campus to 10:00 p.m. is not an essential service and is not beneficial to the community.

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 some of 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 (i.e., modified parking requirement, one TMMP monitoring period and one TMMP monitoring report per semester) will be adequately addressed by the modified conditions of approval along with the existing conditions to remain un-changed.

Increased Enrollment

Despite neighborhood opposition, in 2012, the City allowed the school to open and operate under strict conditions outlined in the CUP intended to address traffic and parking impacts and help make the use fit better into the surrounding neighborhood. The City determined that the original request for an enrollment of 875 students was not appropriate for the site or the surrounding neighborhood. In order to determine that the school use would be appropriate for that location, the City limited the maximum enrollment. When the City issued the CUP three years ago, the school agreed to: a maximum enrollment of 750 students, to meet strict parking and traffic management rules, and to reduce enrollment if it failed to meet those rules.

Per the CUP, student enrollment for the NWCS facility is capped at 750 students. NWCS argues that their facility is underutilized. NWCS will not increase the number of faculty and staff. An increase in enrollment to 825 students starting in the 2015-2016 academic year can be accommodated. This incremental increase will not likely result in a significant increase in impacts on the surrounding neighborhood (such as, drop-off and pick-up violations, parking violations, impacts on the use of Stoner Recreational Center).

The initial proposed project included a maximum enrollment of 875 students. The analyses contained in the initial CPC action and in the environmental review for the Conditional Use (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.

NWCS has been in compliance with some of 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.

While the school has improved its compliance from its first year, there are still violations that continue to occur. The community and Council Office staff have routinely observed violations of traffic and parking conditions. The community has also submitted numerous photographs and video recordings as evidentiary support. To allow the incoming class to attend the school and address non-compliance issues, additional conditions are needed to better ensure conditions related to traffic and parking are complied with.

The City has specifically included two conditions to ensure the City has the tools it needs to ensure compliance: a plan approval requirement and a limit of enrollment increase for seven years. The applicant will be required to file a plan approval one year from the start of the 2015-2016 school year. Upon review, the City will have the ability revisit the compliance issue and any terms of the grant that may better enable them to meet the conditions. In addition, a new condition has been added that caps enrollment at 825 students over the next seven years following approval by the final decision-maker. The City has determined in the initial grant as well as in connection with this grant that the maximum enrollment of 875 requested by the school is not appropriate for the site and is not compatible with the community. Therefore, a lower enrollment cap was set in order to ensure continued compatibility with the surrounding area. It is standard practice in the City to issue grant term limits of ten years for some types of conditional use permits when the City desires the ability to revisit the terms of an entitlement. The school has now been operating for three years and has demonstrated difficulties complying with the conditions of the CUP. Restricting the enrollment for a period of seven years will allow the applicant time to work through operational changes it needs to comply with the conditions. It will also allow the City the time it needs to reasonably assess the schools ability to comply with conditions over the standard 10-year period of time for which a CUP applies.

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 determined that no additional parking is required for the middle and high school use 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. 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 out of compliance with the conditions of approval related to onsite parking. 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. However, community concerns persist regarding residents' peaceful enjoyment of their homes and neighborhood. Use of the campus for extended hours into the evening increases activity during times when residents are typically at home. Therefore, use of the campus until 10:00 p.m. is not compatible with the surrounding residential neighborhood.

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.

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 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. However, use of the campus during extended evening hours will not be compatible, and use of the campus until 10:00 p.m. is not granted.

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.

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 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 825 students represents a 10% increase in enrollment. The required 55 parking spaces will be provided, either on-site or off-site per the terms required by the LAMC. 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. However, extended hours to 10:00 p.m. could exacerbate impacts on surrounding residential uses, and are not granted.

Therefore, the continued use, enrollment increase and changes in operations regarding 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.