

#7

November 22, 2016

Date: 11/22/2016

VIA HAND DELIVERY

Submitted in PLUM Committee

Honorable Planning and Land Use Management Committee
Los Angeles City Council
c/o: Sharon Dickinson, Legislative Assistant
200 N. Spring Street
City Hall, Room 395
Los Angeles, CA 90012

Council File No: 16-0972

Item No. 7

~~Category:~~ Comm from Public

Re: Council File NO. 16-0972
ENV-2014-1094-MND (the "MND")
611 S. Gayley Avenue (the "Property")
Opposition to California Environmental Quality Act ("CEQA") Appeal

Dear Chair Huizar and Honorable Members of the Planning and Land Use Management Committee ("PLUM"):

I am writing this letter on behalf of the Sigma Zeta chapter of the Zeta Psi Fraternity and the Sigma Zeta Home Association, LTD (collectively the "ZP Organizations") in response to the appeal filed on August 12, 2016 (the "Appeal") by Steven D. Sann and Stephen Resnick (collectively "Appellant") challenging the adoption of the MND by the West Los Angeles Area Planning Commission ("APC"). The APC adopted the MND on July 6, 2016, when it denied an appeal of the Zoning Administrator's approval for a conditional use for a fraternity house with 22 guest rooms and 31 parking spaces (the "Project") near the University of California, Los Angeles ("UCLA").

The ZP Organizations, by and through their related entity 611 Gayley Associates, LP, are the former owners of the property where the Project is to be built, and the once-standing Zeta Psi fraternity house. The ZP Organizations are the intended occupant of the Project once completed, which will be utilized to once again serve as the Zeta Psi fraternity house. The ZP Organizations support the Project, and respectfully request that the PLUM recommend that the City Council deny the Appeal.

Dr. Stephen Copen and 611 Gayley, Los Angeles 90024 LLC (collectively "Applicant") has been trying to obtain entitlements for the Project for over 3 years. The Project is the result of many meetings between Applicant, the Westwood Neighborhood Council, the Westwood Community Council, Council Member Paul Koretz's office, Appellant Steve Sann, and others. The Project has been scrutinized by the Westwood Community Design Review Board ("DRB"), the Zoning Administrator ("ZA"), the APC, and the public at large. While being considered by the DRB, ZA, and APC, many individuals and organization submitted letters in support of the Project and attended public hearings to voice their support for the Project. Such letters of support and testimony in favor of the Project should be contained in the City's file for the Project.

Notably absent from the file for the Project, however, is any opposition to the MND that was raised at any point before the Appeal was commenced. Notwithstanding the fact that Appellant never once mentioned a single word in opposition to the MND in any of the many meetings and public hearings on this matter, Appellant has commenced the instant Appeal pursuant to CEQA. On behalf of the ZP Organizations, I implore the PLUM committee to disregard the irrelevant arguments Appellant makes in the filing that commenced this Appeal, and the arguments that are sure to be presented at the November 22nd hearing before the PLUM committee. Instead, the ZP Organizations respectfully ask the PLUM committee exercise its discretion to consider the only pertinent matter at issue here: whether the MND was properly adopted by the ZA and APC. Whereas Applicant has presented significant evidence that the MND was properly adopted, Appellant has presented none.

Accordingly, the ZP Organizations submit that the PLUM committee recommend to that the City Council adopt the revised MND, and afford the Applicant such further relief as requested in Applicant's letter to the PLUM committee dated November 18, 2016.

Respectfully submitted,

Sigma Zeta Home Association LTD



Scott C. Timpe, Director

SCT: lm

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WEST LOS ANGELES AREA PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.lacity.org/PLN/index.htm

Determination Mailing Date: JUL 30 2008

CASE NO. APCW 2007-4966-SPE-CU-ZV-ZAA
CEQA: ENV 2006-9595-MND-REC1

Location: 613 S. Gayley Avenue
Council District: 5
Plan Area: Westwood
Request(s): Specific Plan Exception, Conditional Use, Zone Variance and Zoning Administrator's Adjustment

Applicant: Phi Kappa Psi Fraternity House

At its meeting on June 4, 2008, the following action was taken by the West Los Angeles Area Planning Commission:

1. **Approved** an Exception from Section 5.C.2 of the North Westwood Village Specific Plan to permit 28 parking spaces.
2. **Approved** Pursuant to Section 5.B.2 of the North Westwood Village Specific Plan, a **Conditional Use** for a fraternity.
3. **Approved** a **Zone Variance** to permit 28 tandem parking spaces within a garage with reduced parking bay dimensions of 51 feet in lieu of 60 feet (and 37 feet in lieu of 40.33 feet for single-loaded compact spaces); and 9 compact spaces with parking attendants to park vehicles at all times, and Tandem parking for guest rooms, in lieu of all parking spaces for guest rooms being individually accessible as otherwise required by LAMC Section 12.21 A 5(h)(2).
4. **Approved** an **Adjustment** to Section 12.11.C.1 (front yard) of the North Westwood Village Specific Plan to permit a deck to observe an 8 foot, 3 inch front yard setback; stairways to observe a 6 foot front yard setback and a handicap-access lift to observe a 10 foot front yard setback.
5. **Approved** an **Adjustment** to Section 12.11. C 2 (side yard) of the North Westwood Village Specific Plan to permit the garage level of a fraternity house and stairways to observe a zero foot side yard; the residential level of a fraternity house to observe a 6 foot size yard; and an on-grade stairway to observe an approximately 18 inch southerly side yard (and rear yard).
6. **Approved** an **Adjustment** to Section 12.11 C.3 (rear yard) of the North Westwood Village Specific Plan to permit a fraternity house to observe a 15 foot rear yard; a stairway to observe a 6 1/2 foot rear yard; and an on-grade stairway to observe a zero-foot rear yard (and side yard) setback.
7. **Adopted** ENV-2006-9595-MND-REC1.
8. **Adopted** the attached Findings.
9. **Advised** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and / or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

This action was taken by the following vote:

Moved: Foster

Seconded: Martinez

Ayes: Brown

Absent: Burton, Washington

Vote: 3-0

James Williams, Commission Executive Assistant I
West Los Angeles Area Planning Commission

Date: NOVEMBER 22, 2016

Submitted in PLUM Committee

Council File No. 16-0972

Item No. #7

Deputy: COMMUNICATION FROM PUBLIC

Effective Date/Appeals: The Commission's action on the Specific Plan Exception and the Zone Variance will be final 15 days after the mailing date of this determination unless an appeal is filed to the City Council within that time. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

FINAL APPEAL DATE AUG 14 2008

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Conditions of Approval and Findings
City Planner: Lynda Smith

CONDITIONS OF APPROVAL

A. Specific Plan Exception Condition(s).

1. **Parking.** A minimum of 28 parking spaces shall be required. Pursuant to Section 5 C 3 of the Specific Plan, a minimum of 4 spaces shall be maintained and identified as guest parking.

B. Zone Variance Condition(s).

2. **Tandem Parking, Bay Dimensions/Type.** A maximum of 28 tandem parking spaces within a garage with reduced parking bay dimensions of 51 feet (and 37 feet for single-loaded compact spaces); and 9 compact spaces with parking attendants to park vehicles at all times, shall be permitted.

C. Adjustment Condition(s).

3. **Front Yard Setbacks.** The following minimum front yard setbacks shall be permitted:
 - a. The deck located at the first residential level shall be permitted a minimum 8 foot 3 inch front yard setback;
 - b. The stairway located at the south property line along the building frontage shall be permitted a minimum 6 foot front yard setback.
 - c. The handicap-access lift located along the north property line shall be permitted a minimum front yard set back of 10 feet.
4. **Side Yard Setbacks.** The following minimum side yard set backs shall be permitted.
 - a. The garage level of the structure shall be permitted a zero foot side yard setback along both the north and south property lines.
 - b. The residential level of the structure shall be permitted a minimum 6 foot side yard set back along the north and south property lines.
 - c. The on grade stairway located along the rear southern property line shall be permitted a minimum side yard set back of 18 inches.
 - d. The on grade stairway located along the north rear property line shall be permitted a zero foot side yard set back.
5. **Rear Yard Setback.**
 - a. The residential portion of the main structure shall be permitted a minimum 15 foot rear yard set back.
 - b. The stairway located to the rear of the structure, along the southern property

line shall be permitted a minimum 6 ½ foot rear set back.

- c. The on grade stairway located along the rear southern property line shall be permitted a minimum rear yard set back of 18 inches.
- d. The on grade stairway located along the north rear property line shall be permitted a zero foot rear yard set back.

D. Conditional Use Entitlement Conditions.

6. **Use.** The use of the property shall be limited to the continued use and maintenance of the Phi Kappa Psi Fraternity. New construction shall be limited to a maximum of 23 guest rooms. Use and development of the subject property shall comply with all provisions of the [Q]R4-1VL and the North Westwood Village Specific Plan, except as may be permitted herein.
7. **Site Plan.** Prior to the issuance of building permits, revised, detailed development plans that show compliance with all conditions of approval, including complete landscape and irrigation plans, shall be submitted to the City Planning Department for review. Development of the site shall be in substantial conformance with the site plan, floor plans and elevations labeled Exhibit E-3 and dated May 21, 2008, attached to the administrative file. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
8. **Design Review and Project Permit Compliance.** Pursuant to Section 10, Design Review Procedures, of the North Westwood Village Specific Plan, the proposed project shall be reviewed in accordance with the Design Review Board procedures of Section 16.50 and the Specific Plan procedures of Section 11.5.7 of the LAMC, and shall receive a Project Permit Compliance prior to the obtaining of a building permit.
9. **Height.** The height of all buildings and structures on the subject property shall not exceed 45 feet, as defined by Section 12.03 of the L.A.M.C. Any structures on the roof, such as air condition units and other equipment, shall be fully screened from view of any abutting properties with single-family dwellings.
10. **Parking/Driveway Plan.** Prior to the issuance of any building permit, the applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval.
11. **Parking/Garage Access.** A minimum of 28 paved, striped parking spaces shall be provided and maintained on site, pursuant to LAMC Section 12.21 A 4. In addition, a remote electronic gate opening system shall be installed and the security gate shall be set back from the public right-of-way so as to provide a waiting area for vehicles and to prohibit blockage or interference with the public right-of way by waiting vehicles. The garage entrance shall be kept closed and locked at all times, except when a vehicle is entering or exiting the garage, or when immediate loading or unloading into the garage is taking place, including when the trash dumpster or recycling bin is being hauled out for removal.

- 12. Vehicle Access/Storage.** Residents and guests shall not block or obstruct the public right of way with vehicles or any other obstructions, including the public sidewalk, the driveway curb cut, and driveway apron, at any time. Motorcycles, mopeds, motor scooters, and any other motorized vehicles shall not be parked or left on the sidewalk, in the driveway apron, or in the front yard at any time, but shall be parked only in designated parking stalls inside the garage. Bicycles shall not be left abandoned on the sidewalk, in the driveway apron, or in the front yard at any time, but shall be left in designated bicycle racks or other appropriate storage locations maintained on the premises.
- 13. Improvements.** Prior to the issuance of any building permits, public improvements for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional, and Federal government agencies, as may be necessary). As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary improvements are specifically acknowledged by the applicant/developer. In addition:

 - a. The Applicant shall coordinate with Department of Public Works to re-install the decorative red brick pavers currently located in the parkway property adjacent to the premises, in a design and pattern that matches the existing red brick pavers located in the parkway on Gayley Avenue.
 - b. The Applicant shall coordinate with Bureau of Street Lighting to relocate the existing city street lamp currently located on the parkway property in front of the existing premises, to an appropriate location in front
- 14. Security.** Exterior doors and gates accessible from the public sidewalk shall be kept closed and locked at all times, except as may be required by the Los Angeles Department of Building and Safety, or the Los Angeles Fire Department.
- 15. Pay Phones.** Pay phone(s) shall be located within the interior of the site and shall not be accessible from the public right of way.
- 16. Parking Attendant.** Pursuant to LAMC Section 12.21 A 5 (h)(1), there shall be a parking attendant available at all times (24 hours per day) to park vehicles. In addition:

 - a. Residents and guests shall not be permitted to park vehicles.
 - b. A sign shall be posted at the garage entrance, which identifies that a parking attendant is on duty and must park all vehicles.
 - c. Prior to the issuance of a Certificate of Occupancy, a plan or procedure shall be prepared for managing the use of tandem parking facilities by residents and guests, such as a parking pass or validated parking plan, and a copy shall be provided to the Department of City Planning for placement in the subject case file.

17. **Review of Compliance and Project Impact (Compliance Report).** Within one year after the issuance of the Certificate of Occupancy for the new facility and each year for a period of 3 years, the applicant/owner shall be required to file an annual Compliance Report (using Plan Approval forms), with the Director of Planning, the applicable Council District Office, Neighborhood Council and any other applicable/effectuated entities, as determined by the Director of Planning, for the purpose of evaluating compliance with the operating requirements of this permit authorization. The Plan Approval may require a public hearing to be determined by the Director of Planning. Public notice shall be made to owners and occupants of property located within a radius of 500 feet.
18. **Landscape Plan.** The applicant shall submit landscape and irrigation plans to the Planning Department. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department.
19. **Balconies.** The following shall apply to all external, street facing balconies:
 - a. No items shall be permitted to be placed or stored on balconies or balcony railings.
 - b. The applicant shall ensure that appropriate restrictions are incorporated into any "Best Practices" documents, by-laws and lease or rental agreements governing the use of the property and that each resident is aware of such restrictions, and that such restrictions are subject to appropriate enforcement measures.
20. **Trash and Storage Area(s).** Solid masonry block walls, a minimum of six feet in height, shall enclose trash and other storage areas. There shall be no openings except for gates. The areas shall be buffered so as not to result in noise, odor or debris impacts on any adjacent uses. All outside trash containers on the subject property shall be enclosed and shall be located so as not to result in noise or odor impacts on any adjacent residential use. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
21. **Tree Removal (Non-Protected Trees).**
 - a. Prior to the issuance of a grading permit or building permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the decision maker and the Urban Forestry Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.
 - b. The plan shall contain measures recommended by the tree expert for the

preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the decision maker.

- c. The genus or genera of the tree(s) shall provide a minimum crown of 30'-50'. Please refer to City of Los Angeles Landscape Ordinance (Ord. No. 170,978), Guidelines K - Vehicular Use Areas.
22. **Maintenance.** The subject property (including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways and exterior walls and areas along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
23. **Community Relations.** An authorized representative of the Applicant shall be available to meet with any representative of the Los Angeles Police Department, UCLA Police Department, UCLA Office of Fraternity and Sorority Relations, Los Angeles Fire Department, or the Los Angeles Department of Building and Safety, on an as-needed basis as determined by said Department/Agency and communicated to the Applicant.
24. **Complaint Response/Community Relations.** A phone number shall be provided by the applicant for the receipt of complaints from the community regarding the subject facility and shall be provided to the immediate neighbors, local neighborhood associations, and the applicable Council Office. The property owner/operator shall designate a community liaison who shall meet with representatives or the neighborhood and/or associations, at their request, to resolve neighborhood compliance regarding the subject property.
25. **Best Practices Document.** All guidelines, policies and volunteered conditions, related to the maintenance and continued operation of the subject use shall be contained in a Best Practices Document. Said document shall be made available to each resident of the facility and to the applicable Council Office and Neighborhood Council.
26. A complete copy of this Conditional Use Permit shall be retained on the premises at all times, and be immediately produced upon request by any representative of the Los Angeles Police Department, Los Angeles Fire Department or the Los Angeles Department of Building and Safety or the applicable Neighborhood Council and Council Office.

E. Environmental Conditions.

27. **Graffiti.** Every building, structure, or portion thereof shall be maintained in a safe and sanitary condition and in good repair. The premises of every building or structure shall be maintained in good repair and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to

Municipal Code Sections 91.8104. The exterior of all privately owned buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91.8104.15.

28. **Signage.** On site signs shall be limited to the maximum allowable under the code. Temporary signs are not permitted.
29. **Light.** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
30. **Air Pollution (Stationary).** The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 8 or better in order to reduce the effects of diminished air quality on the occupants of the project.
31. **Seismic.** The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
32. **Erosion/Grading/Short-Term Construction Impacts.**

Air Quality

- a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403.
- b. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- c. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- d. All materials transported off-site shall be either sufficiently watered or securely covered to prevent the generation of excessive amounts of dust.
- e. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent the generation of excessive amounts of dust.
- f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

Noise

- g. 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.
- h. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- i. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- j. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- k. The project shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

Grading

Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within "Hillside" areas. The application of BMPs includes but is not limited to the following mitigation measures:

- l. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
- m. Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.
- n. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

General Construction

- o. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.
- p. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- q. Shall not hose down pavement at material spills. Dry cleanup methods shall be used whenever possible.
- r. Dumpsters shall be covered and maintained. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- s. Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into streets.
- t. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.

33. Hillside.

- a. The applicant shall obtain haul route approval from the Board of building & Safety Commissioners for export/import in excess of 1,000 cubic yards.
- b. All haul route hours shall be limited to off-peak hours as determined by Board of Building and Safety commissioners.
- c. LADBS shall assign specific haul route hours of operation.
- d. The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
- e. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- f. LADBS shall stagger haul trucks based upon a specific area's capacity, as determined by LADOT, and the amount of soil proposed

- g. to be hauled to minimize cumulative traffic and congestion impacts. The City of Los Angeles Department of Transportation (LADOT) shall recommend to the Building & Safety Commission Office the appropriate size of trucks allowed for hauling, best route of travel, the appropriate number of flag people.
 - h. Trucks having no current hauling activity shall not idle but be turned off.
 - i.. The applicant shall be limited to no more than two trucks at any given time within the site's staging area.
 - j. No parking shall be permitted on the street during Red Flags Days in compliance with the Los Angeles Fire Department Red Flag No Parking program.
 - k. In order to preserve adequate access for emergency vehicles, all construction material shall be stored on-site and not on the street during hauling operations.
 - l. The applicant shall provide a soils and/or geotechnical report to LADBS (reports need to be determined by LADBS) for review and approval that shall include measures to mitigate impacts related to grading.
 - m. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
- 34. Explosion/Release (Asbestos Containing Materials).** Prior to the issuance of any demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules and regulations.
- 35. Increased Noise Levels (Parking Structure Ramps).**
- a. Concrete, not metal, shall be used for construction of parking ramps.
 - b. The interior ramps shall be textured to prevent tire squeal at turning areas.
 - c. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.
- 36. Public Services (Fire).** The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

37. **Utilities (Solid Waste).** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
38. **Bulky Item Disposal.** The Applicant shall be responsible for informing residents on a quarterly basis that all bulky items must be hauled off site to an appropriate recycling facility or trash dump, or arranged for free pick up by the City's bulky item trash pickup program.

F. As Volunteered by the Applicant:

39. All trash, debris, rubbish and litter shall be picked up and removed from the front yard, landscaped area, front porch, driveway and public sidewalk within 15 feet of the demised premises, and both front stairwells no less frequently than at least three times per week during the regular UCLA academic year school year (generally mid-September through mid-June), and no less frequently than at least twice weekly during UCLA Summer Sessions (generally mid-June through mid-September).
40. Within 12 hours after the end of any recruitment event, large party, or social function on the premises, the entire front yard, landscaped area, driveway, front porch, side yards, rear yard, exterior stairwells, garage, public sidewalk, gutter, curb, and street adjacent to the demised premises shall be cleaned and swept of all trash, debris, rubbish, and litter, including, but not limited to, all food wrappers and debris, cups, bottles, broken glass, chewing gum, and cigar and cigarette butts.
41. No stickers, decals, posters, fliers, or handbills shall be posted anywhere on the front exterior of the premises, or posted or affixed to any public lampposts, trees, utility boxes, mailboxes, or any other public property.
42. All windows on the front façade of the premises shall be kept free of signs or banners visible from the street.
43. Any broken window, including broken or damaged panes of glass, shall be repaired or replaced within 72 hours of its occurrence.
44. Emergency contact phone numbers for Los Angeles Fire Department, Los Angeles Police Department, UCLA Police Department, UCLA Hospital, and local ambulance services, shall be posted next to all common area telephones.
45. Except for necessary repairs and maintenance, no tenant or other person shall be allowed on the roof at any time.
46. The Applicant, and all residents in the premises, shall at all times conform to all applicable regulations and policies of the University of California, Los Angeles regulating men's and women's fraternities, as established by the UCLA Center for Student Programming/Office of Fraternity and Sorority Relations, as well as the Code of Student Conduct.

47. At all times, any furniture located or used on the exterior front porch shall be appropriate weather-proofed outdoor patio or garden furniture designed for outdoor use and made of an appropriate all-weather material (i.e., wood, aluminum, wicker, rattan, heavy-duty plastic, resin, etc.) Such outdoor patio furniture shall be maintained in a neat, clean, and attractive condition. At no time shall any upholstered or other furniture designed for interior use be maintained or located on the exterior front porch.
48. Following the issuance of a Certificate of Occupancy, the Applicant shall, no less frequently than three times each year, coordinate with the Fifth District Council Office, the UCLA Office of Fraternity and Sorority Relations, and the UCLA Office of Community and Local Government Relations to organize, staff, and operate a volunteer-based "Operation Clean Sweep" program (OCS) in the North Village Specific Plan Area and/or the Westwood Village Specific Plan Area, to remove litter, trash, stickers, flyers, graffiti, rubbish, food wrappers, debris, cups, bottles, broken glass, chewing gum, cigar and cigarette butts, and bulky trash items from the public right of way, streets, gutters, curbs, alleys, sidewalks, lampposts, mailboxes, utility boxes, and other public property. This OCS project shall be conducted once each Fall, Winter, and Spring Quarter during the regular UCLA academic school year (mid-September through mid-June). The minimum commitment by the Applicant shall be to provide fifteen (15) volunteers each time, providing a minimum of four (4) hours per volunteer. Additionally, the Applicant shall invite and encourage other UCLA fraternity and sorority members, other UCLA students, North Village residents, Westwood neighbors, Westwood business and property owners, and other community volunteers to participate in this project.
49. Any exterior sign or banner on the premises, or interior sign which can be viewed from the street, which contains the name or logo of any alcoholic beverage, including any beer, wine, or spirits, shall be prohibited at all times.
50. Any exterior sign or banner on the premises, or interior sign which can be viewed from the street, which contains any lewd, indecent, offensive, or profane language or graphic image, or which contains any language or graphic image that is deemed offensive or degrading toward a person based on race, color, creed, national origin, religion, gender, sexual orientation, or disability shall be prohibited at all times.
51. All residents of the premises, all non-resident members of the fraternity who make use of the premises, and all guests, shall be knowledgeable of these Conditions and shall be held responsible for abiding by them at all times.

G. Administrative Conditions of Approval.

52. **Approval, Verification and Submittal(s).** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.

53. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
54. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
55. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
56. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
57. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
58. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, design or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Design Review Board.
59. **Applicability: North Westwood Village Specific Plan.** Except as noted herein, this grant does not confer exceptions or an approval of compliance with any other sections of the adopted North Westwood Village Specific Plan. The applicant/owner shall be responsible for compliance with all other requirements and standards established by the adopted Specific Plan and obtaining Project Permit Compliance and Design Review Board Approval.
60. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant

of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

61. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Director of Planning to impose additional corrective conditions, if, in the Director of Planning's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
62. **Utilization of Entitlement.** The applicant/owner shall have a period of two years from the effective date of the subject grant to effectuate the terms of this entitlement by either securing a building permit or a certificate of occupancy for the authorized use, or unless prior to the expiration of the time period to utilize the privileges, the applicant files a written request and is granted an extension to the termination period for up to one additional year pursuant to Section 12.24 J of the Municipal code. Thereafter, the entitlement shall be deemed terminated and the property owner shall be required to secure a new authorization for the use.

FINDINGS

1. General Plan/Charter Findings

The subject property is located within the Westwood Community Plan. A Community Plan Update was adopted by the City Council July 27, 1999 (Case No. CPC 97-0049 CPU). The Plan map designates the subject property High Medium Residential with a corresponding zone(s) of R4. The proposed use is permitted in the High Medium Residential Land Use designation and the R4 Zone.

2. North Westwood Village Specific Plan

The proposed project is located within the area covered by the North Westwood Village Specific Plan which was adopted by the City Council on September 12, 1989, City Planning Case No. 12142, City Council File No. 84-1635. the North Westwood Village Specific Plan contains the following Purposes:

The purposes of this Specific Plan are as follows: A.) To assure that the development of the area is in accordance with the provisions of the Westwood Community Plan; B.) To encourage the provision of affordable housing for university students and faculty; C.) To enhance the future development of the area by establishing coordinated and comprehensive standards for height, design, building massing, open space and landscaping for new projects in the area; D.) To promote orderly, attractive and harmonious development in the North Westwood Village which takes into consideration the architectural character and environmental setting of the area; and E.) To provide guidelines and process for review and approval of design of buildings proposed for construction within the area."

3. **Specific Plan Exception Findings.** Section 5.C.2 to permit 28 parking spaces in lieu of 34 parking spaces otherwise required.
- a. ***The strict application of the policies, standards and regulations of the specific plan to the subject property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Plan.***

The proposed project is the demolition of an existing fraternity house which contains 16 guest rooms and no on-site parking, and the construction of a new fraternity house containing 23 guest rooms and 28 on-site parking spaces. The requested Specific Plan Exception is necessary to allow for a reduction in the required project parking from 34 parking spaces to 28 parking spaces. Previous Exception requests for reduced open space and a reduction in height of the parking garage have been withdrawn as the project has been revised from original submission.

The North Westwood Village Specific Plan requires a minimum of 1.5 parking spaces for each proposed guest room. The proposed project is for the development of 23 guest rooms therefore, 34 parking spaces are required. In addition, the Specific Plan requires that of the parking spaces required, guest parking shall also be provided at a ratio of ¼ space for every guest room, and must be clearly identified. As 89 percent of the required parking is being provided, the required number of guest parking spaces was reduced from 5 to 4 in order to reflect this percentage.

There are practical difficulties or unnecessary hardships associated with the proposed use that would support the requested reduction in the amount of required parking. The subject site is located within immediate proximity to the UCLA campus and within the North Westwood Village where off street parking is greatly limited. The existing use is a fraternity house that contains no on-site parking. The proposed new construction would allow for 28 new parking spaces within the Village area where there is currently a gross lack of street parking. As the proposed use is a fraternity that will house university students and is located immediately adjacent to the school campus, it can be reasonably assumed that on-site parking will not be necessary for all of the occupants. Provision of the required parking constitutes an unnecessary hardship as the nature of the use, a fraternity which houses students, supports the Specific plan purposed to encourage the provision of housing for university students. The requested reduction in on-site parking will benefit the local community and will support the development of a modernized structure within the fraternity row housing area where the majority of structures were developed without on-site parking.

- b. ***There are exceptional circumstances or conditions that are applicable to the subject property or to the intended use or development of the subject property that do not generally apply to other properties within the specific plan area.***

There are exceptional circumstances or conditions applicable to the subject site that do not generally apply to other properties within the Specific Plan area. While the subject site is similar in size and topography to other lots within the immediate area, this property is unique in that it contains student housing and is immediately adjacent to the UCLA campus. The proposed use is

the expansion and modernization of the existing fraternity that was built in 1935 without on-site parking. The proposed construction will not introduce a new use to the area. The subject site contains a use that is directly associated with the adjacent university use and will provide new housing specifically for university students. These conditions apply to the subject site and do not apply to other, market rate housing in the area that may contain residents who are not university students and who may own automobiles.

- c. ***The requested exception is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property within the geographically specific plan in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.***

The existing use of the site is for a fraternity house that was developed in 1935. The subject use is located within an area of the North Westwood Village which contains other fraternal uses. The development of the new structure will not introduce a new use into the area. The new facility will be limited by topography and site size and is proposed to provide 7 additional guest rooms. In addition, the use will not generate the need for code required parking as the occupants will be students who do not generally own vehicles and will be housed at the new facility within close proximity to the school campus. Given the site limitations, provision of code required parking would require additional grading of the site and increased costs which may severely limit the feasibility of the project. Therefore, there are special circumstances and practical difficulties associated with the proposed project and use that would limit the ability of the fraternity to provide adequate, updated housing for its' student residents.

- d. ***The granting of the exception will not be detrimental to the public welfare and injurious to property or improvements adjacent to or in the vicinity of the subject property.***

The requested exception would allow for reduced parking on a site where there is currently no on-site parking. Any increase in on-site parking within the immediate area will directly benefit adjacent properties in that it will aid in reducing street parking in an area that is directly impacted by a lack of parking. The provision of on-site parking will not be injurious to adjacent property or improvements.

- e. ***The granting of the exception is consistent with the principles, intent and goals of the specific plan and the General Plan.***

The purpose of the North Westwood Village Specific Plan is to encourage the provision of affordable housing for university students and faculty. The requested exception supports this purpose by making the proposed project which will provide new housing and increased available parking, financially feasible.

The Westwood Community Plan contains the following:

Policy 1-3.1 Require architectural and height compatibility for new infill development to protect the character and scale of existing residential neighborhoods.

Policy 1-4.1 Promote greater individual choice in type, quality, price and location of housing,

including student housing within one mile of the UCLA campus.

Program: The Plan allocates adequate lands for a variety of residential densities, types and sizes.

Program: The North Westwood Village Specific Plan includes provisions for the creation of university-oriented housing. Existing covenants for specific developments require the provision of University units.

Policy 1.4-2 Ensure that new housing opportunities minimize displacement of residents.

The proposed project meets these policies and programs in that the project has been conditioned to obtain a Project Permit Compliance and recommendation from the Westwood Design Review Board related to design of the proposed structure. The proposed fraternity will provide 7 additional housing units for its' members who are students at the adjacent UCLA. The property is zoned [Q]R4-1VL which allows for multiple family (guest rooms) uses.

4. **Adjustment Findings.** Section 12.11 C.3 (rear yard) to permit a fraternity house to observe a 15 foot rear yard; a stairway to observe a 6 ½ foot rear yard; and an on-grade stairway to observe a zero-foot rear yard (and side yard) in lieu of a seventeen foot rear yard as is otherwise required.; (front yard) and a deck, stairways, and handicapped-access lift to observe a zero foot front yard (and side yard) setback(s) in lieu of a fifteen foot front yard setback otherwise required; (side yard) to permit the garage level of a fraternity house to observe a zero foot side yard; the residential level of a fraternity house to observe a six foot size yard; and a on-grade stairway to observe an approximately 18 inch southerly side yard in lieu of an eight foot side yard that is otherwise required.
 - a. ***The granting of an adjustment will result in development compatible and consistent with the surrounding area.***

The requested yard adjustments will allow for development of additional guest rooms on the site, and will allow for the most practical arrangement of the proposed 28 parking spaces which will be located on the garage level. The subject site is located within the UCLA's Fraternity Row on Gayley Avenue, immediately adjacent to the university campus. Surrounding the subject site on all sides are other fraternity uses. These structures are typically 2 to 3 stories in height, with limited on-site parking. Along the subject block, the structures generally observe and contain landscaped front yard set backs which help to create a street frontage that is open. By placing the bulk of the parking garage at the rear of the site, the front of the structure will be more compatible with the existing street front and the bulk of the structure will be out of view of the street front.

The front yard adjustments will allow for development of a deck/landing area at the front entrance and for handicap access to occur at the front of the structure. Access staircases are also proposed within both the side and rear yard setbacks as they are located at each corner along the perimeter of the structure. The garage level will observe zero side yard setbacks which will support the proposed parking arrangement and limited grading.

The requested rear yard adjustments will allow for development of the residential portion of the structure within the rear yard thereby increasing the usable area of the site for provision of guest rooms and amenities and for staircases located at the rear of the structure. In addition, the proposed two stairways would observe zero and 6 ½ foot rear yard setbacks.

The design of the structure is reflective of traditional Spanish Eclectic architecture with its' combined hipped and gabled roofs, over hung eaves, tile/composite roof and stucco siding. The majority of structures in the immediate area are of early 20th century design and origin, however, the area is not identified as an official historic district. The proposed architecture is compatible with surrounding uses and the placement of the deck/waiting area at the front entrance is reflective of local styles. The previous front yard set back reductions were withdrawn as they directly affected the design of the building façade. The garage level will observe the required front yard setback and the deck located immediately above has been moved back and will observe an 8 foot 3 inch front yard setback. In addition, the requested specific plan exception to lower the height of the garage was withdrawn. This has lessened the severity of the deck and garage upon the building frontage and is more compatible with local development. The requested adjustments do not affect the structure's compatibility with development in the immediate area, and the final design will be reviewed by the Westwood Design Review Board for final recommendations.

- b. ***The granting of an adjustment will be in conformance with the intent and purpose of the General Plan of the City.***

The purposes of the North Westwood Village Specific Plan are as follows: A. To assure that the development of the area is in accordance with the provisions of the Westwood Community Plan; B. To encourage the provision of affordable housing for university students and faculty; C. To enhance the future development of the area by establishing coordinated and comprehensive standards for height, design, building massing, open space and landscaping for new projects in the area; D. To promote orderly, attractive and harmonious development in the North Westwood Village which takes into consideration the architectural character and environmental setting of the area; and E. To provide guidelines and process for review and approval of design of buildings proposed for construction within the area.

The requested adjustments will support development of a structure that is compatible with existing development, and also supports the design and placement of the structure so that it is consistent with the intent of the specific plan to promote orderly, attractive and harmonious development.

- c. ***The granting of an adjustment is in conformance with the spirit and intent of the Planning and Zoning Code of the City.***

Section 12.28 LAMC allows for the granting of adjustments to the yard requirements of Chapter I. The intent of which is to provide relief from Code requirements when individual cases may require such relief.

- d. ***There are no adverse impacts from the proposed adjustments or any adverse impacts have been mitigated.***

By placing the bulk of the project at the rear of the site and behind gates which hide the ground level garage area, any adverse impacts related to the reduced setbacks will be reduced.

- e. ***The site and/or existing improvements make strict adherence to zoning regulations impractical or infeasible.***

The subject site is approximately 9181 square feet and has a grade change that increases approximately 20 feet from the Gayley Avenue frontage to the rear of the lot. The lot is located within the North Westwood Village Specific Plan area, is zoned [Q]R4-1VL and currently contains the Phi Kappa Psi Fraternity house. The site is similar in size and topography to adjacent lots which contain either fraternity, multiple family residential or institutional (church) uses. In order to provide the much needed on-site parking and to provide relief along the street frontage, the bulk of the structure must be placed at the rear of the site where the least impact would occur to other property or improvements. In addition, to provide on-site parking without excessive cost or grading, the garage level will be built out into the side yards. This is necessary in order to provide the most efficient parking arrangement on the site.

5. **Zone Variance Findings.** To permit 28 tandem parking spaces within a garage with reduced parking bay dimensions of 51 feet in lieu of 60 feet (and 37 feet in lieu of 40.33 feet for single-loaded compact spaces); and 10 compact spaces in lieu of 7 compact spaces otherwise permitted, with parking attendants to park vehicles at all times.

- a. ***The strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.***

The proposed parking spaces will be provided in a double-loaded parking bay with standard spaces on one side of the access aisle and compact spaces on the other. The required parking bay width is 59.67 feet for this combination, and 51 feet is proposed. At the west end of the garage, several compact spaces will be in a single-loaded configuration which would require 40.33 feet of bay width. 37 feet is proposed.

The project has been designed to provide parking on one level and as efficiently as possible. The proposed reductions in the parking space layout will support the development of 28 spaces on the site where currently there are none. By reducing the bay widths, using tandem parking (with a full time parking attendant) and compact spaces, provision of 28 on-site parking spaces is more feasible.

- b. ***There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.***

There are special circumstances applicable to the subject property related to location and surroundings that support the approval of the requested adjustment. The project is located within the North Westwood Village Specific Plan area. The immediate area is characterized by multiple density residential student housing and associated service uses. The project site is directly across the street from the UCLA campus and the occupants of the project will be students. On

street parking is limited in the area due to the location near the college campus, the commercial village and the lack of on-site parking in the immediate area. The proposed project will contain 28 on-site spaces which will help to reduce street parking. In order to provide the 28 spaces on-site the applicant is requesting said variance to reduce the parking bay dimensions and to support the proposed parking layout.

- c. ***The variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in questions.***

The subject use is located within an area of the North Westwood Village that contains other fraternal uses. The existing use of the site is for a fraternity. The expansion and modernization of the current facility will be restrained by the site's topography and size. In addition, the use will not generate the need for code required parking as the occupants will be students who do not generally own vehicles and will be housed within close proximity to the school campus. On street parking is limited in the area due to the location near the college campus, the commercial village and the lack of on-site parking in the immediate area. The proposed project will contain 28 on-site spaces which will help to reduce street parking. In order to provide the 28 spaces on-site the applicant is requesting said variance to reduce the parking bay dimensions and to support the proposed parking layout.

- d. ***The granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.***

The requested exception would allow for 28 on-site parking spaces where there is currently no on-site parking. This increase in on-site parking will directly benefit adjacent properties in that it will aid in reducing street parking in an area that is directly impacted by a lack of available parking.

- e. ***The granting of the variance will not adversely affect any element of the General Plan.***

As set forth in the above Findings, the project as conditioned is consistent with the General Plan.

6. **Conditional Use Findings. Pursuant to Section 5. B.2 of the North Westwood Village Specific Plan (Denial Without Prejudice).**

- a. ***The location of the project will be desirable to the public convenience and welfare.***

The proposed project is the demolition of an existing and construction of a new fraternity house. The existing use has been located at the same location since 1935 and is located within the existing fraternity row area. The fraternity is located immediately across the street from the UCLA

campus and provides housing for students. In addition, the new use will increase the number of guest rooms at the facility from 16 to 23 and will increase parking on the site from zero to 28 spaces. The new fraternity will not introduce a new use into the area as it will continue its current operations in the new structure.

The subject use is a fraternity located within UCLA's "Fraternity Row". The use is located immediately adjacent to existing fraternities housed within multiple family structures. Section 5 B 2 of the Specific Plan requires that fraternities obtain a Conditional Use Permit. The location of the site, within fraternity row and among other multiple family residential uses and the type of use, a fraternity, require that additional regulations are applied to protect the occupants of the use and the immediate neighbors. Fraternity uses house students and are unique in that the communal living situation presents the need for these additional regulations. The design and continued maintenance of the use is important to maintaining compatibility with the overall community and for establishing a precedent for development of new fraternity uses.

b. The proposed project will be proper in relation to adjacent uses or the development of the community.

Proposed project will incorporate design features that are consistent with existing development in the area. The new structure meets the requirements of the North Village Specific plan, but will be built into the required yards. The stairways, deck/entry and handicap access elevator that are located within the front yard are required features and have been redesigned to have as little visual impact on the building façade as is possible. The proposed project is the expansion and modernization of a fraternity within the fraternity row associated with the UCLA campus. The use will remain a fraternity and will be compatible in design and consistent in use with existing development.

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

The proposed project will provide additional student housing and off street parking within the Westwood Village area. There is limited street parking in the immediate area as other existing fraternity uses were also developed with either minimal or no on-site parking. By providing additional student housing and parking for the area, the project will not be detrimental to the character of development in the immediate neighborhood. The proposed project does not introduce a new use into the area, rather the demolition and construction of an existing fraternity, and the project has been conditioned with respect to maintenance, trash and graffiti removal to ensure that the property remains attractive and a good neighbor.

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

The purposes of the North Westwood Village Specific Plan are to encourage the provision of affordable housing for university students and faculty; to enhance the future development of the area by establishing coordinated and comprehensive standards for height, design, building massing, open space and landscaping for new projects in the area and to promote orderly, attractive and harmonious development in the North Westwood Village which takes into

consideration the architectural character and environmental setting of the area.

The proposed project meets these purposes in that it meets the requirements of the Specific Plan regarding height, building massing, open space and landscaping. The use is compatible with existing surrounding development and provides needed student housing and parking. The project has been conditioned to obtain both Westwood DRB and Project Permit Compliance approvals.

7. **CEQA Findings.**

A Mitigated Negative Declaration (ENV-2006-9595-MND-REC1) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street. I hereby adopt that the Mitigated Negative Declaration, imposed the conditions shown in that document on this approval.