



SOUTH VALLEY AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

*CORRECTED LETTER OF DETERMINATION

MAILING DATE: APR 28 2020

Case No. **APCSV-2019-1064-ZC-CDO**

Council District: 3 - Blumenfield

CEQA: ENV-2019-1065-MND

Plan Area: Reseda – West Van Nuys

Project Site: 18216 – 18238 West Sherman Way

Applicant: Magnolia Science Academy 1
Representative: Veronica Becerra, Rabuild Commercial Services LLC

At its meeting of **November 14, 2019**, the South Valley Area Planning Commission took the actions below in conjunction with the approval of the following Project:

An outdoor facilities improvement to the Magnolia Science Academy 1 campus. The Project involves the grading of an existing surface parking lot and the construction, use, and maintenance of an open recreation area with a landscaped grass field, a modular restroom and storage facility, and an outdoor covered student activity area with a solar shade structure 25 feet in height. A portion of the parking lot will be re-striped and maintained as a surface parking lot with the addition of landscaping and trees. The Project also includes installation of an eight foot tall concrete masonry unit block wall along the southern property line and a six foot tall security fence along the east and west property lines. The proposed project will not increase the student enrollment capacity of the school.

1. **Found**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2019-1065-MND (“Mitigated Negative Declaration”), and all comments received, with the imposition of the mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment; **Found** the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; **Found** the mitigation measures have been made enforceable conditions on the project; and **Adopt** the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration;
2. **Approved and recommended** that the City Council adopt, pursuant to Section 12.32 F of the Los Angeles Municipal Code (LAMC), a Zone change from [Q]P-1L-CDO to (T)[Q]C2-1L-CDO to permit the construction and installation of outdoor recreational facilities, a modular restroom a solar shade structure, and landscaping;
3. **Approved**, *¹pursuant to LAMC Section 13.08 E.3 and the Reseda Central Business District Community Design Overlay, a Design Overlay Plan Approval for the construction,

¹ The above-referenced technical correction is not discretionary, therefore, issuance of this corrected letter of determination does not extend or require a new appeal period.

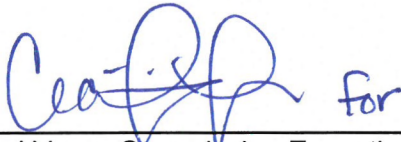
installation, use, and maintenance of a proposed shade structure, modular bathroom, landscaping, and surface parking areas.

4. **Adopted** the Conditions of Approval; and
5. **Adopted** the Findings.

This action was taken by the following vote:

Moved: Bishop
Seconded: Beatty
Ayes: Mather, Menedjian
Absent: Dierking

Vote: 4 – 0



Rafael Vega, Commission Executive Assistant

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

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: Zone Change Ordinance, Map, Findings

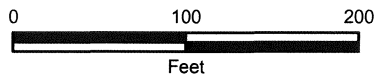
c: JoJo Pewsawang, City Planner
Renata Ooms, City Planning Associate

ORDINANCE NO. _____

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the Zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:

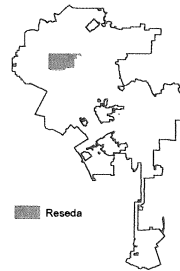


APCSV-2019-1064-ZC-CDO

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City of Los Angeles



[Q] QUALIFIED CLASSIFICATIONS

The subject property shall continue to be subject to the Reseda Central Business District Community Design Overly Permanent [Q] Conditions imposed by Ordinance No. 176558 and adopted on March 1, 2005.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32-G of the Municipal Code, the (T) Tentative Classification shall be removed by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

Dedication(s) and Improvement(s). Prior to the issuance of any building permits, the following public improvements and dedications 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):

Responsibilities/Guarantees.

1. 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 dedications and improvements are specifically acknowledged by the applicant/developer.
2. **Bureau of Engineering.** Prior to issuance of sign offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.
 - a. Dedication Required: None
 - b. Improvements Required:
 - i. **Sherman Way** – Construct a new full-width concrete sidewalk. Remove and replace bad order concrete curb and gutter along the property frontage.
 - ii. **Alley** – Reconstruct the 20-foot wide alley and longitudinal concrete gutter as necessary to provide safe access for students and pedestrian traffic. (Note: The site plan does not show the existing public right-of-way for the Alley turning area. This public right-of-way must be shown on all plans.)

Notes:

Broken curb and/or gutter includes segments within existing score lines that are depressed or upraised by more than ¼ inch from the surrounding concrete work or are separated from the main body of the concrete piece by a crack through the entire vertical segment and greater than 1/8 inch at the surface of the section.

Non-ADA compliant sidewalk shall include any sidewalk that has a cross slope that exceeds 2% and/or is depressed or upraised by more than ¼ inch from the surrounding concrete work or has full concrete depth cracks that have separations greater than 1/8

inch at the surface. The sidewalk also includes that portion of the pedestrian path of travel across a driveway.

All new sidewalk curb and gutter shall conform to the Bureau of Engineering Standard Plans S410-2, S410-4, S442-5 and S444-0.

Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. The applicant should contact the Urban Forestry Division for further information (213) 847-3077.

Street lighting may be required satisfactory to the Bureau of Street Lighting (213) 847-1551.

Department of Transportation may have additional requirements for dedication and improvements.

Regarding any conflicts with power pole matters, contact the Department of Water and Power at (213) 367-2715.

- c. Provide proper site and street drainages for all streets being improved.
- d. Mainline sewer exists in Sherman Way and in the Alley. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
- e. Submit a parking area and driveway plan to the Valley District Office of the Bureau of Engineering and the Department of Transportation for review and approval.

3. Department of Transportation.

- a. Access to Sherman Way shall be prohibited. Access to the project site is proposed via the alley.
- b. A driveway apron width of $W=30$ feet is required for any non-alley access.
- c. A minimum of 20-foot reservoir space is required between any security gate or parking stall and the property line for any non-alley access, to the satisfaction of the Department of Transportation.
- d. A parking area and driveway plan should be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 6262 Van Nuys Blvd., Room 320, Van Nuys, CA 91401.
- e. That permitting fees be paid to the Department of Transportation as required per Ordinance No. 183270 and LAMC Section 19.15 prior to any building permit approval. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

4. Bureau of Street Lighting

- a. IMPROVEMENT CONDITION: No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights; two (2) on Sherman Way.

Notes:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

5. Urban Forestry Division.

- a. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. Parkway tree removals shall be replanted at a 2:1 ratio. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the sub divider or contractor shall notify the Urban Forestry Division (213-847-3077) upon completion of construction to expedite tree planting.

Note: Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: (213) 847-3077 for permit information. CEQA document must address parkway tree removal.

6. Fire Department.

- a. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- b. One or more Knox Boxes will be required to be installed for LAFD access to project. Location and number to be determined by LAFD Field Inspector. (Refer to FPB Requirement No. 75).
- c. 505.1 Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
- d. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- e. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
- f. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- g. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
- h. Submit plot plans indicating access road and turning area for Fire Department approval.

- i. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
- j. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- k. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
- l. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- m. That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:
 - i. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.
 - ii. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed of their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.
 - iii. In the event that the property owners association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.
 - iv. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
 - v. That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.
 - vi. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.

Note: The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished by appointment only, in order to assure that you receive service with a minimum amount of waiting please call **(818) 374-4351**. You should advise any consultant representing you of this requirement as well.

CONDITIONS OF APPROVAL

Pursuant to Section 13.08 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

1. **Development.** The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A" except as may be revised as a result of this action.
2. **Height.** The height of the solar shade structure shall not exceed 25 feet.
3. **Setbacks.** A 15 foot setback along the southern property line shall be maintained with landscaping and trees.
4. **Landscape Plan.** Landscaping shall be provided in substantial compliance with the submitted Landscape Plan (as seen in Exhibit A). Landscaped areas shall be planted with a variety of plant materials which include shrubs, trees and ground cover, and all plants and trees shall be drought-resistant. Artificial plants are prohibited. All landscaped areas shall be equipped with an automatic sprinkler or drip irrigation system designed to conserve water.
5. **Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view. The transformer, if visible from the ally or adjoining properties, shall be screened with landscaping.
6. **Lighting.** Lighting shall be installed in the parking lot and within the covered and uncovered recreation areas. 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, nor from above.
7. **Building Materials.** A gray and blue color scheme as proposed in Exhibit "A" shall be used. No florescent colors shall be used.
8. **Fence and Wall Materials.**
 - a. The fence along the east and west property lines shall be combination wrought iron and masonry wall. Chain link fencing is prohibited.
 - b. Any masonry walls along any property line should be constructed from decorative brick, stone, split face concrete block, or other decorative material. Masonry block walls should be finished with a masonry cap.
 - c. The use of barbed wire, razor wire, and concertina wire is prohibited.
9. **Maintenance.** The subject property (including all trash storage areas, parking facilities, sidewalks, yard areas, parkways, and exterior walls and fences along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
10. **Solar Panels.** Solar panels shall be installed on the rooftop of the shade structure to be connected to the school building's electrical system. The entirety of the roof area shall be reserved for the installation of a solar photovoltaic system, to be installed prior to the issuance of a certificate of occupancy, in substantial conformance with the plans stamped "Exhibit A".

Administrative Conditions of Approval

11. **Approval, Verification and Submittals.** 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 Department of City Planning for placement in the subject file.
12. **Code Compliance.** Area, height and use regulations of the (T)(Q)RD3-1 Zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
13. **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 assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
14. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
15. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
16. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
17. **Corrective Conditions.** The authorized use shall be conducted at all time with due regards to the character of the surrounding district, and the right is reserved to the North Valley Area Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code to impose additional corrective conditions, if in the Commission's or Director's opinion such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
18. **Expediting Processing Section.** Prior to the clearance of any conditions, the applicant shall show that all fees have been paid to the Department of City Planning Expedited Processing Section.
19. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement (b).
- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

FINDINGS

General Plan/Charter Findings

1. General Plan Land Use Designation.

General Plan Land Use Designation. The subject property is located within the Reseda – West Van Nuys Community Plan area which was updated by the City Council on November 17, 1999 and designates the subject property for Community Commercial land uses corresponding to the CR, C2, C4, RAS3, RAS4, P and PB Zones. The site is zoned with the [Q]P-1L-CDO Zone. The proposed C2 zone is a corresponding zone for the Community Commercial land use designation. The proposed outdoor recreation facilities, bathroom with storage area, and solar shade structure is consistent with development permitted in the proposed (T)[Q]C2-1L-CDO Zone and is consistent with the regulations of the qualified Q condition. Therefore, the project is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Framework Element and Community Plan.

2. General Plan Text

- a. The **Framework Element** of 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.

The Framework Element Long Range Land Use Diagram for the San Fernando Valley identifies Sherman Way in Reseda as a “Community Center.” Community Centers are a focal point for surrounding residential neighborhoods and contain a diversity of uses such as small offices and overnight accommodations, cultural and entertainment facilities, and schools and libraries, in addition to neighborhood oriented services. The proposed Zone Change to a C2 zone is consistent with a “Community Center” and the proposed school recreation facilities are consistent with the long range vision for the area.

The Framework Element includes the following Goals, Objectives and Policies relevant to the request:

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 9.32 Work constructively with LAUSD to promote the siting and construction of adequate school facilities phased with growth.

Policy 9.32.2: Explore creative alternatives for providing new school sites in the City, where appropriate.

The proposed Zone Change from [Q]P-1L-CDO to (T)[Q]C2-1L-CDO will allow for the development of a recreational facility where an underutilized surface parking is currently located. The project is in conjunction with Magnolia Science Academy 1, an LAUSD

Charter School, which has been conducting student lunch, student recreation and drop-off/pick-up activities incidental to the school, in the surface parking lot through Zone Variances since 2006 (ZA-2005-3787-ZV, ZA-2008-0748-ZV, ZA-2014-0995-ZV). The Zone Change is consistent with Framework Policy 9.32.2 as it would allow an underutilized site to be developed into a permanent school facility.

Therefore, the Zone Change is consistent with the Distribution of Land Use goals, objectives and policies of the General Plan Framework Element.

- b. **Reseda – West Van Nuys Community Plan.** The Community Plan text includes the following relevant land use Objectives and Policies:

GOAL 4: 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 4-1: Work constructively with LAUSD to promote the siting and construction of adequate school facilities phased with growth.

Policy 4-1.1: Explore creative alternatives for providing new school sites in the City, where appropriate.

The proposed Zone Change from [Q]P-1L-CDO to (T)[Q]C2-1L-CDO will allow for the redevelopment of an underutilized surface parking lot with proposed recreational facilities in conjunction with the Magnolia Science Academy 1, an LAUSD Charter School. The school has been conducting student lunch, student recreation and drop-off/pick-up activities incidental to the school, in the surface parking lot through Zone Variances since 2006 (ZA-2005-3787-ZV, ZA-2008-0748-ZV, ZA-2014-0995-ZV). The Zone Change would allow for the installation of landscaping and a natural turf lawn and the construction of a permanent structure for active recreation and a lunch area. Therefore the Zone Change is consistent with Framework Policy 9.32.2 as it would allow an underutilized site to be developed into a permanent school facility.

- c. The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. The site abuts an alley to the north. The alley is dedicated to a width of 20 feet and improved with asphalt roadway. As part of the (T) Tentative Classification conditions incorporated herein, the applicant must reconstruct the 20-foot wide alley and longitudinal concrete gutter as necessary to provide safe access for students and pedestrian traffic. The site does not abut any other public right-of-way.
- d. The **Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.

Zone Change and “T”/“Q” Classification Findings

3. Pursuant to Section 12.32 of the Municipal Code, the zone change and classifications are necessary because:
- a. Public Necessity: On April 29, 2019, Mayor Eric Garcetti released LA’s Green New Deal (Sustainable City pLAn), a roadmap to achieve short-term results while setting the path to strengthen the transformation of the City in the decades to come. As part of the plan, the Mayor set forth a goals to supply 100% renewable energy by 2045 and increase tree canopy in areas of greatest need by at least 50% by 2028 to grow a more equitable urban forest that provides cooling, public health, habitat, energy savings, and other benefits. The Zone Change would allow an asphalt surface parking lot site to be redeveloped into an outdoor recreation facility with a solar shade structure and many new trees. By providing solar panels and increasing the tree canopy coverage on site, the project is aligned with the city’s sustainability goals and is consistent with public necessity.
 - b. Convenience: The project site is located in the Reseda Central Business District, an area that is highly urbanized with commercial uses, residential uses, and transportation infrastructure. The proposed project would improve the outdoor recreational facilities of an existing school. Granting the Zone Change to the C2 Zone would allow residents local access to an LAUSD Charter School that offers high quality, on-site, outdoor recreational facilities for its students. Improving the school’s facilities provides a public convenience allowing residents the option to send their children to an amenity rich school nearby.
 - c. General Welfare: Granting the Zone Change to the C2 Zone would allow the redevelopment of an underutilized surface parking lot with improved outdoor recreational areas in conjunction with an existing school. Pursuant to three previously granted Zone Variances, the school already programs a portion of the P-zoned surface parking lot as a recreation area and lunch area for students. The Zone Change to the C2 Zone would allow the school to continue the existing use while also upgrading the outdoor school facilities with a solar shade structure, a natural turf grass field, landscaping, and trees. Students at the school would benefit from the improved facilities, additional greenery, and shade.
 - d. Good Zoning Practice: The proposed C2 Zone is identified as a corresponding zone of the Community Commercial land use designation. The development would be consistent with the land use designation. The proposed Zone Change from [Q]P-1L-CDO to (T)[Q]C2-1L-CDO will allow for the development of an underutilized surface parking lot with recreational facilities for an LAUSD Charter School, which has been conducting student lunch, student recreation and drop-off/pick-up actives in the surface parking lot through Zone Variances since 2006 (ZA-2005-3787-ZV, ZA-2008-0748-ZV, ZA-2014-0995-ZV). As such, the C2-Zone would allow site’s facilities to be upgraded while continuing a long standing authorized use of the site without the need for future Zone Variances.
 - e. “T” and “Q” Classification Findings: Per Section 12.32-G,1 and 2 of the Municipal Code, the current action, as recommended, has been made contingent upon compliance with new “T” and “Q” conditions of approval. Such limitations are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public’s needs, convenience, and general welfare served by the required actions. The conditions that limit the scale, design and scope of future development on the site are also necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall pattern of the existing development in the community, to secure an appropriate development in harmony with the General Plan as discussed in Findings Section 1. The existing Permeant Qualified Q condition is not

proposed for change as it has been in effect since 2005 and is related to the CDO. The Q prohibits certain uses, and regulates building height, signage, and parking.

Design Overlay Plan Approval Findings pursuant to LAMC Section 13.08

4. The project substantially complies with the adopted Community Design Overlay Guidelines and Standards.

The proposed project would replace a portion of an existing surface parking lot with improved outdoor school facilities including an open recreation area with a landscaped grass field, a modular restroom and storage facility, and an outdoor covered student activity area with a solar shade structure 25 feet in height. A portion of the parking lot will be re-striped and maintained as a surface parking lot with the addition of landscaping and trees. The project also includes installation of an eight-foot tall concrete masonry unit block wall along the southern property line and a six-foot tall security fence along the east and west property lines.

The proposed Project is located in a Community Commercial General Plan Land Use Designation within in the Reseda-West Van Nuys Community Plan and is further located within the Central Business District of Reseda Community Design Overlay District (CDO). The project, as proposed and conditioned herein, demonstrates compliance with the guidelines and standards (Section 5) of the adopted CDO as described below.

In compliance with Section 5.A of the CDO, proposed fences and freestanding walls are conditioned to comply with Guideline 6, Standard 6a, and Standard 6b of the CDO. Consistent with the CDO, a combination wrought iron and masonry wall is proposed. Masonry wall materials are conditioned to comply with the CDO's standard materials (brick, stone, split face concrete, or other decorative materials). A condition to prohibit the use of chain link fencing is also included.

In compliance with Section 5.B of the CDO, proposed landscaping includes softscape and hardscape, introduces a variety of species of trees and shrubs on a site where there were previously none, and includes a required minimum 15 foot wide landscaped buffer along the southern property line abutting single family zoned properties.

In compliance with Section 5.C of the CDO, building colors are conditioned to coordinate with the existing school building's blue gray color scheme. Highly reflective colors are prohibited in the conditions. The conditions require shielded lighting to be provided on-site. Consistent with the security devices guidelines and standards, a condition has been added prohibiting barbed wire, razor wire, and concertina wire.

Section 5.D of the CDO regarding signage does not apply to the proposed project as no signage is proposed for the site.

Therefore, the project complies with all subsections (A through D) of the Section 5, *Design Guidelines and Standards* of the CDO.

5. The structures, site plan and landscaping are harmonious in scale and design with existing development and any cultural, scenic or environmental resources adjacent to the site and in the vicinity.

The property to the north of the alley is developed with the Magnolia Science Academy 1 classroom and administrative buildings. The eastern and western adjoining properties are developed with surface parking. The southern adjoining properties are zoned R1 and are

developed with four single-family dwellings. The site is not adjacent to, or in the vicinity of, any recognized and/or known cultural, scenic, or environmental resources.

The project's proposed structures, site plan and landscape plan are harmonious in scale and design with existing development and will provide a visual improvement to the surrounding community. The site's asphalt surface parking lot will be replaced with an open recreation area with a landscaped grass field, a modular restroom and storage facility, and an outdoor covered student activity area with a solar shade structure. A portion of the parking lot will be re-striped and maintained as a surface parking lot with the addition of landscaping and trees. A 15-foot wide landscaped buffer with shrubs and trees will be located on the southern property line adjacent to the single family homes, providing screening, beautification, and privacy for the neighboring properties. The solar shade structure is proposed 25 feet in height and is compliant with the height requirements for structures in commercial zones that abut R1 single family zones (LAMC Section 12.21.1-A.10). Currently there is no landscaping in the parking lot and thus the proposed landscaped recreational areas and landscaped parking lot will add greenery to an otherwise asphalt parking lot. Thus, the structures, site plan and landscaping are harmonious in scale and design with existing development.

Environmental Findings

6. **Environmental Findings.** Pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2019-1065-MND, as circulated on August 22, 2019, ("Mitigated Negative Declaration"), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the City. The mitigation measures have been made enforceable conditions on the project and a Mitigation Monitoring Program prepared for the Mitigated Negative Declaration
7. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.