

FINDINGS

(As Amended by City Planning Commission at its meeting on August 25, 2022)

A. General Plan/Charter Findings

1. **General Plan.** The Los Angeles Municipal Code permits the filing, review, and determination of conditional use applications as outlined in Section 12.24. Provided findings of fact are made herein for the subject case action, the decision maker may act appropriately.
2. **General Plan Land Use Designation.** The subject property is located within the area covered by the Encino-Tarzana Community Plan, updated and adopted by the City Council on December 16, 1998. The Plan designates the subject property as Very Low II Residential with corresponding zones of RE15 and RE11. The existing zoning is consistent with the land use designation of the General Plan, as reflected in the adopted community plan.
3. **General Plan Text.** The Encino-Tarzana Community Plan text includes the following relevant land use goals, objectives, policies and programs:

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

Objective 6-1 *Work constructively with LAUSD to promote the siting and construction of adequate school facilities phased with growth.*

Policy 6.1.1 *Explore creative alternatives for providing new school sites in the city where appropriate.*

Objective 6-2 *Maximize the use of local schools for community use and local open space and parks for school use.*

Policy 6-1.2 *Encourage the siting of community facilities (libraries, parks schools and auditoriums) together.*

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

Though a private school facility, the project has and will continue to meet the above policies and programs of the Encino-Tarzana Community Plan by providing opportunities for redeveloping school sites as needed in order to serve the existing community. Private schools provide an alternative to LAUSD as well as charter schools which will help relieve any overcrowding at several area schools. The proposed Curtis School Master Plan will provide an upgraded and regionally competitive campus for K through 9th grade children. The existing private school and development of the subject property to accommodate the subject school complex will provide an alternative school and relieve other public schools in the area.

The project is located within the Mulholland Scenic Parkway Specific Plan and proposes to upgrade its educational facilities and playfields to accommodate improved recreational facilities for its users. The campus serves a regional clientele that will benefit from its planned facilities. These uses have been thoroughly considered by the applicant when designing the campus layout. The school buildings have been properly sited with placement of the vehicular access, drop-off area, landscape treatment, and exterior

activity areas. There will be no enrollment expansion, however; the improved facilities will provide additional recreational opportunities incorporated into the school.

B. CEQA Finding

A Mitigated Negative Declaration, ENV-2017-3972-MND, was prepared for the proposed project. The proposed MND was circulated for a 45-day review and comment period, beginning on September 9, 2021 and ending on October 25, 2021. 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 MND reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Project Planning Division of the Planning Department in Room 430, 6262 Van Nuys Boulevard.

C. Conditional Use Plan Approval Findings in Accordance with Section 12.24 E. of the LAMC:

The applicant has requested a Plan Approval for the original Conditional Use Permit under LAMC 12.24 M. The findings are being made for 12.24 E since these were the findings to grant the CUP for the private school under LAMC Section 12.24 U.24.

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

The Project will perform an essential and beneficial function to the community by providing the surrounding neighborhood with educational, social, and environmental benefits at a time when the region's demands on education are growing. The Project, which will be confined to the existing 27-acre Property, would allow Curtis School to modernize, reconfigure, and update aging facilities to incorporate current technologies into the classrooms, increase the square footage for existing specialty rooms, and separate artistic and athletic facilities by concentrating them in separate areas of the Property. Curtis School is not proposing an enrollment increase over currently permitted enrollment and is not proposing to construct any new homeroom classrooms.

The Project will enhance the school's philosophy by reconfiguring existing buildings, constructing new buildings, and redefining the existing open space to better serve the student body's academic, artistic, and athletic needs. The Project entails building classrooms that are larger and more technologically modern than the existing buildings and facilities. The Project's new gymnasium and arts buildings are more appropriately clustered with similar campus facilities, creating easily defined categories (i.e., arts, athletics, administration, academic classrooms). As noted in the Project's development summary table, the vast majority (approximately 70,550 square feet) of proposed new construction is comprised of arts, athletics, or commons buildings. Approximately 12,390 square feet of new classroom space is proposed with approximately 7,000 square feet of existing classroom space demolished for a net addition of approximately 5,390 square feet of classroom space. The Project will also modernize the library, enabling Curtis School's students to experience a more well-rounded education.

Traffic on Mulholland Drive and Interstate 405 will not be significantly affected by the Project because Curtis School will not increase the student body beyond the Existing CUP's approved enrollment. Any staff increases that may occur over the years will be directly related to providing specialty subjects that enrich student's learning capabilities,

not to accommodate more students. Given Curtis School's TDM program required by the existing CUP, increases in staff will have little to no effect on the level of service for local streets. Additionally, the Project will increase the number of parking spaces on the Property, thereby helping to prevent any potential issues with parking availability and overcrowding.

The Project will include sustainable components, such as landscaping that reduces water usage, science gardens used to grow food, reduced energy consumption, and the use of regional construction materials. These sustainable components will help to improve the quality of the surrounding area by producing better air quality, creating healthier surroundings, and creating a better learning environment for students.

The Project will enhance the sense of safety through the construction of a pedestrian bridge to help to ensure that no child is subject to dangers related to automobiles. This helps ease safety concerns in two distinct ways. First, the pedestrian bridge allows for children to avoid the parking area, placing children in less danger of being struck by a moving automobile. Second, automobiles (and their passengers) are at less risk for potential collisions as a result of the less likely occurrence of unanticipated emergency stops (to avoid a possible collision with a child).

The improvements made as part of the Project will enable Curtis School to continue to fulfill its philosophy of providing training in academics, arts, and athletics. An improvement in any educational institution is beneficial to students as well as the community.

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

The Project's location, size, height, operations, and other significant features are compatible with adjacent properties and enhance the public health, welfare, and safety of adjacent properties and the surrounding neighborhood. The master plan's proposed 126,040 square feet of campus facilities (comprised of the existing buildings and facilities, less demolition, plus the proposed new development) is less than 12 percent larger than the 112,700 square feet of development approved in the Existing CUP. The Project will improve Curtis School's educational capabilities, and higher educational standards contribute to the community's general well-being.

Curtis School will continue to operate among a variety of other local schools, such as Milken community Middle School and High School, Steven S. Wise Academy, etc. The prominent ridge that fronts the Property along Mulholland Drive prevents individual building locations within the site from having any impact on surrounding properties by blocking the Property from sight. Drivers passing by the school along Mulholland Drive will be virtually unaware of construction-related efforts.

The Project's net addition, approximately 59,930 square feet, will not significantly affect the surrounding uses. All floor area is completely contained within the existing campus, which is not visible from the majority of the campus's surroundings. The increase in floor area is designed in part to make the campus more similar to its surrounding schools. As an example, according to the Berkeley Hall website and a recent Design Review Determination, nearby Berkeley Hall School (another private elementary school) has a 265-student enrollment and a 61,590 square foot campus, giving the neighborhood school a ratio of approximately 232 square feet of floor area per student. By contrast, even with the Project's full build-out (126,040 square feet for 675 students), the Curtis

School campus will have a considerably smaller ratio of floor area per student (approximately 187 square feet per student).

Though visible from a few locations along Mulholland Drive (mostly east of Interstate 405), the Project's proposed building height will not affect the views from these areas. The existing buildings and facilities are already visible from these areas, and the Project's maximum height (40 feet for the Commons and Arts buildings) has been designed to architecturally benefit the area and is consistent with the existing Pavilion building, which will remain. The proposed gymnasium building's proposed height of 32 feet is also consistent with the campus. Moreover, the Property is bowl-shaped, so buildings are generally shielded from surrounding properties. Given that no new building within the Project exceeds the height of the prominent ridge, the building will not be visible to any surrounding property that currently has no view of the campus.

The Project improves and modernizes educational facilities for new and improved teaching methods. As an educational institution, Curtis School fits well amid its surroundings. In total, there are approximately seven schools within one-half mile of the Property, including but not limited to Stephen S. Wise Temple Elementary School, American Jewish University, Milken Community Middle School, Milken Community High School, Westland School, Mirman School for Gifted Children, and Berkeley Hall School. It can therefore be assumed that no element of Curtis School's operations is foreign to the area and that the Project will not adversely affect or degrade nearby properties.

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

The City's General Plan and the Community Plan discuss methods toward improving the quality of education. While often stated regarding public schools, private schools such as Curtis School are no less bound to the social responsibilities of forwarding the City's desire for a better educational system. Some of the goals, objectives, and policies that pertain specifically to the Project, as well as the connection between the Project and the respective policy statements, are presented below:

General Plan Framework Element

POLICY 9.32.1 – Work with the Los Angeles Unified School District (LAUSD) to ensure that school facilities and programs are expanded commensurate with the City's population growth and development. Although the Project does not propose increasing enrollment, the Project is consistent with this goal by updating the campus to provide the appropriate facilities for its student body. As the City's population has grown, so, too, have the educational strategies for today's students as well as the need for larger and more modern facilities that can house modern technology and other innovations in the arts and sciences. The Project helps to ensure that Curtis School's buildings and facilities adequately serve Curtis School's students.

OBJECTIVE 5.9 – Encourage proper design and effective use of the built environment to help increase personal safety at all times of the day. The construction of a pedestrian bridge is directly related to ensuring a safer environment for Curtis School children. The current configuration requires that students — some as young as five years of age — cross a parking lot to access the Property's athletic fields. This configuration was required at the time of initial construction (at the time, no structure was allowed within 500 feet of Mulholland Drive).

OBJECTIVE 6.1 – *Protect the City’s natural settings from the encroachment of urban development.* Given that the Property is already developed and the Project will be constructed wholly on-site, approving the Project would allow an existing school within the developed footprint of the City to be better utilized. In turn, denying the Project may cause students to attend other schools, thereby increasing the demand for new school construction. This may lead to further encroachment on non-developed lands.

From the General Plan’s Mobility Element

POLICY 1.1 – *Roadway User Vulnerability: Design, plan, and operate streets to prioritize the safety of the most vulnerable roadway user.* Whether in residential, commercial, or educational space, child safety is of the utmost concern. By constructing a pedestrian bridge connecting the athletic buildings to the athletic fields, children will not have to cross a parking lot unnecessarily, contributing to child safety.

POLICY 1.3 – *Safe Routes to Schools: Prioritize the safety of school children on all streets regardless of highway classifications.* By constructing a pedestrian bridge connecting the athletic buildings to the athletic fields, children will not have to cross a parking lot unnecessarily, contributing to child safety.

General Plan Open Space Element

RECOMMENDATION FOR PRIVATELY OWNED OPEN SPACE LANDS – *Private development should be encouraged to provide ample landscaped spaces, malls, fountains, rooftop green areas and other aesthetic features which emphasize open space values through incentive zoning practices or other practicable means.* In addition to the existing landscaping and/or open space currently on the Property, the Project aims to enhance Curtis School’s commitment to aesthetic beauty and open space by landscaping retaining walls to blend in with the natural beauty of the scenic parkway, as well as by providing foliage within the new parking lot design and by ensuring a one-to-one replacement of any tree that would otherwise be removed from the site. Additionally, by better utilizing existing land, the Project does not encroach on local open space. The Project also allows students to better utilize open space by reconfiguring the site in a safe manner by creating outdoor learning areas.

Encino-Tarzana Community Plan

OBJECTIVE 6.1 – *Work constructively with LAUSD to promote the siting and construction of adequate school facilities phased with growth.* This goal, which is similar to the General Plan Framework Element’s Policy 9.32.1, encourages the growth of schools to accommodate new demand. As stated above, the Project does not propose increasing student enrollment beyond the permitted enrollment cap. However, the Project does seek to construct adequate facilities for the purpose of accommodating new teaching methods as the school moves forward in time.

POLICY 2-4.3 – *Improve safety and aesthetics of parking areas in commercial areas.* Although referenced here in conjunction with commercial areas, safety is no less a concern, and arguably more of a concern, for schools. Building a pedestrian bridge from the athletic buildings to the athletic field will prevent children from having to potentially interact with moving automobiles, consistent with the intent of this policy.

The Project also conforms to the Specific Plan’s overarching goal of “[preserving and enhancing] land having exceptional recreational and/or educational value” (Section 2.C.) This goal is achieved by improving and updating the campus, thereby making the land

better utilized for educational purposes. Additionally, the Specific Plan was created to protect the scenic beauty and open space along Mulholland Drive. By building on an existing site, the Project helps to preserve open space in the region.

Mulholland Scenic Parkway Specific Plan

The Project is consistent with the Specific Plan in the following ways:

- a. Specific Plan Section 2.C: *To preserve and enhance land having exceptional recreational and/or educational value.*

The Project preserves land having exceptional recreational value by proposing to focus development into the already existing campus footprint as much as possible. The Project enhances land having exceptional educational value by developing the Property in a focused manner. Instead of dispersing buildings across the 27-acre Property, the Project condenses development within the campus footprint, thereby promoting the Property's open space and the natural ambience intended for the neighborhood.

Curtis School seeks to develop the campus according to a layout more suitable for today's best-known educational methodology, thus serving to further enhance land having exceptional educational value. The placement of the gymnasium, as well as the proposed height, serve the property's educational value by not only maintaining consistency in architectural design, but also by better aligning the campus's athletic and recreational facilities in one better-utilized area.

- b. Specific Plan Section 2.D: *To assure that land uses are compatible with the parkway environment.*

The Specific Plan's Institutional Use Corridor establishes and recognizes the compatibility of Mulholland Drive's scenic vistas and schools. The Project seeks to upgrade normal school operations in a more modern educational setting. The aesthetics of the campus environment will be enhanced through the Project, compatible with natural scenic beauty promoted by the Specific Plan.

- c. Specific Plan Section 2.E: *To assure that the design and placement of buildings and other improvements preserve, complement, and/or enhance views from Mulholland Drive.*

The Specific Plan identifies a variety of strategies to help preserve views from Mulholland Drive. The Project will not impact views from adjacent segments of Mulholland Drive because the campus is separated from Mulholland Drive by a prominent ridge. While parts of the campus are visible from a small section of Mulholland Drive (east of Interstate 405), the proposed structures will be clustered with the existing buildings and facilities. This clustering will minimize any intrusion to aesthetic impacts.

The height restriction in Specific Plan section 5.D.2.b is intended to preserve views of the surrounding Mulholland Drive corridor. Even though the gymnasium will exceed the height restriction, that increase will not create any view blockage from Mulholland Drive. Only a small portion of the proposed gymnasium is visible. As such, the gymnasium is consistent with the intent of the Specific Plan.

- d. Specific Plan Section 2.G: *To minimize grading and assure that graded slopes have a natural appearance compatible with the characteristics of the Santa Monica Mountains.*

The Project conforms to this goal by landscaping each retaining wall to blend in with natural surroundings and relocating and/or replanting any trees affected by the Project. Given that the significant majority of all grading will take place behind a prominent ridge, the Project conforms to this goal simply by being hidden from almost the entirety of Mulholland Drive, having minimal impact on views.

For the Specific Plan purposes in Section 2 not explicitly addressed, the Project is consistent with the Specific Plan because no land use change is proposed, on-site improvements will result in minimal changes to vehicle trips and existing traffic patterns, all proposed buildings will be required to undergo review by the Mulholland Design Review Board, lighting is proposed to be minimized, and conditions of approval protect archaeological and paleontological resources.

D. Specific Plan Project Permit Compliance Review Findings in Accordance with 11.5.7.C of the LAMC:

1. *A recommendation was made by the Mulholland Design Review Board, pursuant to Los Angeles Municipal Code Section 16.50:*

In Accordance with Section 11 of the Mulholland Scenic Parkway Specific Plan and Section 16.50 of the LAMC, and based on a review of the plans in Case File CPC-2020-1086-SPE-DRB-SPP-MSP-ZAD-SPR, as well as the recommendation of the Mulholland Scenic Parkway Design Review Board made at its meeting of May 4, 2022, the City Planning Commission makes the following findings in accordance with the applicable design review criteria of the Mulholland Scenic Parkway Specific Plan, Ordinance No. 167,943, effective June 29, 1992:

The Curtis School Master Plan is subject to the design review process because it is located within the boundaries of the Mulholland Scenic Parkway Specific Plan and has applied for a Plan Approval and other entitlements to supersede and replace the existing CUP, granted originally in 1980 and again in 1989. It is not subject to exemptions of Section 11.J. The Design Review Board recommended disapproval and listed 18 recommendations regarding the application as follows:

- Comply with Guideline 1 to decrease the amount of grading export by half (37,000 cubic yards).
- Comply with Guideline 2 to further impact the height of any buildings over 25 feet in height by being stepped and profiled where appropriate. (Specifically recommend recessing the gymnasium building to be partially subterranean and comply with the height requirement while maintaining the interior space required for its function and purpose).
- Provide a conceptual landscape plan.
- Comply with Guideline 53 by providing an overlay of the protected trees on-site and in the public ROW. Provide the tree report in the master plan and DRB packet.
- Comply with Guideline 55 *if* there are any replacement trees and to provide proof in the masterplan and DRB packet.
- Comply with Guideline 10 so that grading should be designed to fit within the natural topography and existing site conditions.

- Comply with Guideline 11 so that the landform grading provides slopes to blend with the existing natural topography.
- As part of the grading exercise, the applicant should consider alternative layouts and means to access the athletic field and campus to further reduce grading and safety concerns. Alternatives include but not limited to providing a bridge over the existing parking and stairs up to the existing field and providing a two-level parking structure near the facilities building.
- Comply with Guideline 8 so that the project prepares adequate findings in regard to construction on a prominent ridge.
- Comply with Guideline 2 in regard to the sloping site profile greater than 25%. Provide slope calculation to show Guideline 2 applies and is in compliance unless proven otherwise.
- Comply with height limit for the building based on slope profile (based on proof of compliance with Guideline 2).
- Comply with Guideline 18 in regard to projects visible from Mulholland Drive and viewshed protection. The project states it is not visible however, has been proven otherwise and therefore must comply with Guideline 18.
- In addition to the issues that are not in conformance with the Specific Plan – that the CPC address conditions that are in conformance with the Specific Plan such as Floor Area Ratio (FAR), the massing broken up into a number of buildings, and that the campus is one story in height and would like to take the same approach moving forward.
- Comply with Guideline 21 in regard to the core trail not addressed from the previous DRB recommendation.
- Comply with Guideline 13 in regard to mitigations to wildlife not addressed from the previous DRB recommendation.
- Comply with Guideline 40 in regard to lighting - specifically parking and concerns with wildlife.
- Comply with Guideline 3 in regard to silhouetting. Specifically, that the 37-foot structure on the hillside will possibly silhouette over the prominent ridge as viewed from the corner of Skirball and Mulholland and definitely silhouette on the eastern side of the ridge over the 405 freeway.
- Comply with Guideline 28 in regard to retaining wall height to not exceed 10 feet in height. Furthermore, if exceeds 6 feet in height to use a stepped retaining wall with an offset of 3 feet measured horizontally (recommend stepping the walls).

Since this meeting, the applicant has incorporated two of the recommendations into the current design that is before the City Planning Commission. The Board recommended that the Applicant comply with Guideline 1 to decrease the amount of grading export by half (37,000 cubic yards). In the revision to the Project, grading was reduced by 45,700 cubic yards. Additionally, board members recommended reducing the height of the gymnasium to the extent possible. In the revision to the Project, the height of the gymnasium was reduced by five feet.

Pursuant to LAMC Section 11.5.7 C, the Director of Planning has the initial decision-making authority to determine whether an application for a project within a specific plan area is in conformance with the regulations established by LAMC Section 11.5.7 C.1, and in compliance with the applicable regulations of the Specific Plan. Pursuant to LAMC Section 16.50 E.3, the Design Review Board provides a recommendation to the Director to approve, conditionally approve, or deny a proposed project. Pursuant to 16.50 E.3 (d), if the project is in compliance with specific regulations including accompanying design guidelines contained within the Specific Plan, the Director is to approve the project; if the project is not in compliance with specific regulations and

accompanying design guidelines of the Specific Plan and cannot be conditioned to comply, the Director is to disapprove the project. As such, the Director considers the recommendation of the Design Review Board in the final decision.

Despite the recommendation of disapproval by the Design Review Board, the applicant addressed two of the most significant concerns and the Curtis School Master Plan substantially complies with the applicable regulations, findings, standards, and provisions of the specific plan with the exception and ZAD granted herein. Further, the exception and ZAD are justifiable, as established in the findings. Individual buildings and structures have not yet been designed. However, as conditioned herein, as individual buildings and structures are proposed, they will return to the Design Review Board for review and be required to follow LAMC Sections 11.5.7 & 16.50, as applicable.

Regarding wildlife concerns and fencing, the applicant is permitted to erect security fencing along Mulholland Place, provided that any such fencing substantially conforms to the location and materials as depicted on the Mulholland Place Fence Exhibit, Exhibit B5, dated January 16, 2013, as described in the Mitigated Negative Declaration, and provided such fencing complies with the LAMC and the Mulholland Scenic Parkway Specific Plan, and that a permit to encroach within the Mulholland Place right-of-way is granted by the Board of Public Works, if such encroachment permit is required. The project involves the replacement of the northern perimeter chain fence with a wrought iron fence ranging in height from approximately 4' to 6'. As identified in the MND, the proposed fencing would be comprised of vertical metal slats. For the safety of wildlife, no fences with sharp edges or points are allowed.

Additionally, at the City Planning Commission of August 25, 2022, the Commission added a condition to require that as a part of the permitting process, any future regulations related to wildlife movement, such as the proposed Wildlife Ordinance, shall be considered and analyzed to the satisfaction of the Department of City Planning in relation to any proposed fencing. Fencing materials may be altered to meet this requirement. The Commission directed that there shall be general compliance with future wildlife regulations, while at the same time not compromising the ability for the school to provide security for campus.

2. *The Project substantially complies with the applicable regulations, findings, standards, and provisions of the Specific Plan.*

Since 1983, the Curtis School has served as an important and beneficial resource to the community by providing the surrounding neighborhood with educational, social, and environmental benefits at a time when the region's demands on education are growing. The Project will substantially improve the Curtis School campus, further enhancing its function as institutional resource. It complies with the Mulholland Scenic Parkway Specific Plan, as detailed below, and with the overall intent of the Specific Plan by concentrating development in areas not visible from Mulholland Drive and by not disturbing new areas.

Specific Plan Section 2.C – To preserve and enhance land having exceptional recreational and/or educational value

This goal is achieved by improving and updating the campus, thereby making the land better utilized for educational purposes. Further, by concentrating construction and grading in the existing footprint of the campus, the project preserves substantial areas and natural habitat of its 27-acre campus.

Specific Plan Section 2.D – To assure that land uses are compatible with the parkway environment

The Specific Plan's Institutional Use Corridor established the compatibility of Mulholland Drive's scenic vistas and schools. The master plan will allow Curtis School to continue normal school operations in a more modern educational setting while concentrating grading and construction in already developed areas, preserving existing open space and natural features.

Specific Plan Section 2.F – To preserve the existing residential character of areas along and adjoining the right-of-way

The proposed master plan will not impact the residential character in any way. The Curtis School is an existing institutional use and construction will occur within the Property's existing development footprint.

Specific Plan Section 2.G – To minimize grading and assure that graded slopes have a natural appearance compatible with the characteristics of the Santa Monica Mountains

The Project conforms to this goal through landscaping that is conditioned to blend in with natural surroundings and through relocating and/or replanting any trees affected by the Project. Additionally, given that grading will take place behind existing ridgelines, the Project would have minimal impact on views by being hidden from most of Mulholland Drive. Additionally, the Specific Plan was created to protect the scenic beauty and open space along Mulholland Drive. By building on an existing site within the existing campus footprint, the Project helps to preserve open space in the region.

Specific Plan Sections 5.A and 6.A (Uses)

The Project consists of a master plan development to continue the use of the Property as a school, which is permitted in the institutional corridor per Specific Plan Section 5.A.2.b.iii. The Project has sought a Specific Plan Exception to allow the continued educational uses in the Outer Corridor. Accordingly, with the Exception, the Project would comply with the uses permitted under the Specific Plan.

Specific Plan Sections 5.B.1.a and 6.B (Grading on Prominent Ridges)

The Project complies with the prohibition on grading, altering, or removing prominent ridges. The Project has been designed to not require any grading, altering, or removing of any of the prominent ridges located at the Property. All required grading would occur away from the prominent ridges to ensure that the Project is compatible with the natural topography of the Property.

Specific Plan Sections 5.B.1.b and 6.B (Construction on Prominent Ridges)

The Project complies with the prohibition on construction on top of prominent ridges. None of the Project's new, proposed buildings would be located on top of the prominent ridges at the Property. Further, none of the Project's new, proposed buildings would be constructed within 50 vertical feet of the top of a prominent ridge. The nearest buildings and structures to the Property's prominent ridgelines would be located well over 100 feet from the nearest ridgeline.

Specific Plan Sections 5.B.2 and 6.B (Constructions Near Stream Banks)

The Project complies with the prohibition on construction and grading within 100 feet of stream banks. The Project does not propose any construction or grading within 100 feet of any stream banks.

Specific Plan Sections 5.B.3 and 6.B (Construction Near Parklands)

The Project complies with the prohibition on construction and grading within 200 feet of public parkland. The Project does not propose any construction or grading within 200 feet of the boundaries of any public parkland.

Specific Plan Sections 5.B.4 and 6.B (Oak Trees)

The Project complies with the prohibition on removing, cutting down, or moving oak trees. The Project does not propose the removal, cut, or moving of any protected oak trees.

Specific Plan Sections 5.B.5 and 6.B (Archaeological and Paleontological Resources)

As discussed in the subsequent MND, should the applicant encounter any archeological or paleontological resources during grading or construction for the Project, the applicant will follow the necessary requirements imposed under the mitigation measures of the subsequent MND and relevant regulatory standards (e.g., Public Resources Code Section 21083.2 and CEQA Guidelines Section 15064.5). Thus, the Project would comply with the Specific Plans requirements for the discovery of archaeological and paleontological resources.

Specific Plan Sections 5.C and 6.C (Grading)

The Project is requesting a Zoning Administrator's Determination to permit grading of up to 70,000 cubic yards in a Hillside Area. The requested grading and the location of grading would not violate the Specific Plan's restrictions on grading in areas visible from Mulholland Drive. Further, all grading would comply with the Specific Plan's regulations on landscaping (Specific Plan Section 10). Therefore, the proposed grading would comply with the Specific Plan's grading regulations.

Specific Plan Section 10 (Landscaping)

Grading and landscaping shall be subject to Mulholland Scenic Parkway Specific Plan Design Review and Project Permit Compliance, when applicable.

In summary, upon being granted the requested Specific Plan Exception and Adjustment, the Project will conform to all applicable regulations, findings, standards, and provisions of the Specific Plan. Additionally, the Project conforms to the intent of the Specific Plan by upgrading Curtis School in a method that preserves the Property's natural ambience and minimizes impacts to local viewsheds.

3. *The Project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the Project, to the extent physically feasible.*

The Project incorporates mitigation and monitoring measures within the Project's subsequent Mitigated Negative Declaration ("MND"). The MND adequately addresses all Project-related environmental impacts from project construction and operation. The

Subsequent MND contains a detailed biological report and traffic analysis, among other analyses.

E. Specific Plan Exception Findings in Accordance with Sec. 11.5.7 F of the LAMC:

1. *That the strict application of the 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.*

Institutional Use Within the Outer Corridor. The granting of a Specific Plan Exception to allow an institutional use within the Mulholland Scenic Parkway Specific Plan's Outer Corridor, which does not permit institutional uses, is necessary to recognize and continue the existing layout of the school's buildings, which were required by the original CUP to be constructed more than 500 feet from Mulholland Drive. The school's first conditional use approval was granted in 1980, 12 years prior to the adoption of the Specific Plan, and the Specific Plan requires the exact opposite of the conditional use grant – buildings used for school purposes are only permitted in the Inner/Institutional Corridor. The purpose of the conditional use restriction was to preserve the natural viewshed within 500 feet of Mulholland Drive. This has been accomplished through the construction of the berms (now designated as Prominent Ridges) along Mulholland Drive that block the view of any of the school's buildings from Mulholland Drive adjacent to the site. The school's use is supported by the General Plan and the Specific Plan. Further, the protection of the view in the original CUP is consistent with the goals of the existing Specific Plan.

Though the site fronts directly on Mulholland Drive, the property is so large that its boundaries exceed the Inner Corridor and extend into the Outer Corridor. The campus' existing buildings are all constructed within the Outer Corridor portion of the site. To comply with the Specific Plan, all campus buildings would need to be demolished and rebuilt in the Inner Corridor, resulting in practical difficulties and an unnecessary hardship. Furthermore, this would displace the existing athletic fields and parking areas that are currently located within the Inner Corridor portion of the campus, resulting in further difficulties and hardship. Alternatively, instead of horizontal expansion, a vertical expansion of existing buildings would result in the disturbance of the viewshed. The additional height also may result in buildings exceeding the height limitations established by the Specific Plan.

The current site layout was approved prior to the adoption of the Specific Plan and therefore is a reflection of past regulations. In order for the school to expand buildings and add buildings to the existing campus footprint, it must do so within the Outer Corridor in order to maintain the efficient functioning of the existing school layout. The location of the new buildings must reflect the plans and regulations at the time the campus was approved. To require that new buildings and expanded buildings be demolished and relocated within the Inner Corridor portion where the athletic fields and parking lot are now located would constitute an unnecessary hardship and involve the practical difficulty of reconfiguring the campus design. Based on the foregoing, the findings can be made for the granting of this Specific Plan Exception, and staff recommends approval of this request.

2. *That there are exceptional circumstances or conditions that are applicable to the subject property involved or to the intended use or development of the subject property that do not generally apply to other property in the Specific Plan area.*

There are unique and exceptional conditions regarding the subject property that do not apply to other properties zoned RE15 within the Specific Plan. The school's first conditional use approval had been in 1980, 12 years prior to the adoption of the Specific Plan. Though the site fronts on Mulholland Drive, the property is so large that the boundaries exceed the Inner Corridor and extend into the Outer Corridor. The existing buildings are all constructed within the Outer Corridor portion of the site, as required by the original conditional use grant. Existing playfields and parking areas are currently within the Inner Corridor portions of the campus. To require all new buildings to be located within the Inner Corridor portion would be a substantial hardship. This preexisting situation that cannot be remedied without granting of a specific plan exception. Additionally, because the majority of the proposed development occurs within the existing campus footprint, granting the exception limits what would be additional environmental disruption to the site. Staff recommends approval of the Specific Plan Exception request.

3. *That an exception from the Specific Plan is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property within the specific plan area in the same zone and vicinity but which, because of special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.*

The Exception per Section 6.A.3 to allow institutional uses within the Mulholland Scenic Parkway Specific Plan's Outer Corridor is necessary to continue the existing use of the campus and the proposed campus plan. Imposing the Specific Plan restriction allowing educational institutions only within the Inner Corridor's Institutional Use Corridor would create a disparate development because the existing CUP mandated all construction outside of the Inner Corridor. The school was first conditionally approved in 1980, 12 years prior to the adoption of the Specific Plan. Though the site fronts on Mulholland Drive, the property is so large that the boundaries exceed the Inner Corridor and extend into the Outer Corridor. All of the campus' existing buildings are constructed within the Outer Corridor portion of the site. Existing playfields and parking areas are currently within the Inner Corridor portions of the campus. To require all new buildings to be located within the Inner Corridor portion would not be conducive to the existing conditions of the site or the academic function of the school. Other campuses along the Mulholland Scenic Parkway Specific Plan's Institutional Corridor continue to enjoy this property right. The subject property is large enough, however, at 27 acres, to extend beyond the Inner Corridor and into the Outer Corridor, unlike other smaller school sites. These circumstances cannot be remedied without granting of a Specific Plan Exception.

4. *That the granting of an exception would not be detrimental to the public welfare or injurious to the property or improvements adjacent to or in the vicinity of the subject property.*

Granting the Exception will not be detrimental to the public welfare or injurious to the property or improvements adjacent to or in the vicinity of the Property because Curtis School does not propose a new use for the property. The property's general vicinity is developed with numerous educational institutions. The property has been operating as an educational institution for approximately 40 years. The request per Section 6.A.3 to allow institutional uses within the Mulholland Scenic Parkway Specific Plan's Outer Corridor will be consistent with the existing and proposed campus plan. The school's first conditional use approval had been in existence since 1980, 12 years prior to the adoption of the Specific Plan. Though the site fronts on Mulholland Drive, the property is so large that the boundaries exceed the Inner Corridor and extend into the outer corridor and beyond. The campus' existing buildings are predominantly constructed within the

Outer Corridor portion. Existing playfields and parking areas are currently within the Inner Corridor portions of the campus. To require all new buildings to be located within the Inner Corridor portion would not be conducive to the existing site conditions or the academic function of the school. Because the campus will operate similarly prior to the expansion in terms of its programming and enrollment, Curtis School's continued activities will not be detrimental to the public welfare or injurious to property or improvement in the vicinity.

5. *That the granting of an exception will be consistent with the principles, intent and goals of the Specific Plan and any applicable element of the General Plan.*

The applicant originally requested three Specific Plan Exceptions. However, the applicant modified the project after receiving feedback from the Mulholland Design Review Board to include a pedestrian bridge to address student and environmental safety, while reducing the proposed grading significantly, including the elimination of the grading associated with the prominent ridge. The request to allow the grading of a prominent ridge (nearest Mulholland Drive) in excess of 1,000 cubic yards was dropped on July 25, 2022 and is no longer under consideration by the City Planning Commission.

Additionally, based on DRB feedback, the height of the gymnasium was lowered by five feet to address concerns regarding visibility, making it such that a Specific Plan Exception is no longer required for height. The request for increased height for a 32-foot high building located in the Inner Corridor, in lieu of the maximum 30-foot high permitted, can now be addressed through an adjustment per LAMC Sec. 11.5.7 E.2.a, which staff recommends for City Planning Commission approval.

The one remaining Exception request, to allow institutional uses within the Mulholland Scenic Parkway Specific Plan's Outer Corridor, will be consistent with the Specific Plan and any applicable element of the General Plan in the following ways:

- a. *Specific Plan Section 2.C: To preserve and enhance land having exceptional recreational and/or educational value.*

The Project preserves land having exceptional recreational value by proposing to focus development into the already existing campus footprint as much as possible. The Project enhances land having exceptional educational value by developing the Property in a focused manner. Instead of dispersing buildings across the 27-acre Property, the Project condenses development within the campus footprint, thereby promoting the Property's open space and the natural ambience intended for the neighborhood.

- b. *Specific Plan Section 2.D: To assure that land uses are compatible with the parkway environment.*

The Specific Plan's Institutional Use Corridor establishes and recognizes the compatibility of Mulholland Drive's scenic vistas and schools. The Project seeks to upgrade normal school operations in a more modern educational setting. The aesthetics of the campus environment will be enhanced through the Project, compatible with natural scenic beauty promoted by the Specific Plan.

- c. *Specific Plan Section 2.E: To assure that the design and placement of buildings and other improvements preserve, complement, and/or enhance views from Mulholland Drive.*

The Specific Plan identifies a variety of strategies to help preserve views from Mulholland Drive. The Project will not impact views from adjacent segments of Mulholland Drive because the campus is separated from Mulholland Drive by a prominent ridge. While parts of the campus are visible from a small section of Mulholland Drive (east of Interstate 405), the proposed structures will be clustered with the existing buildings and facilities. This clustering will minimize any intrusion to aesthetic impacts.

- d. Specific Plan Section 2.G: *To minimize grading and assure that graded slopes have a natural appearance compatible with the characteristics of the Santa Monica Mountains.*

Through the granting of the Exception, grading is minimized, since the additions and new buildings can be developed in accordance with the existing campus footprint. Further, the Project conforms to this goal by landscaping each retaining wall to blend in with natural surroundings and relocating and/or replanting any trees affected by the Project. Given that the significant majority of all grading will take place behind a prominent ridge, the Project conforms to this goal simply by being hidden from almost the entirety of Mulholland Drive, having minimal impact on views.

For the Specific Plan purposes in Section 2 not explicitly addressed, the Exception is consistent with the Specific Plan because no land use change is proposed, on-site improvements will result in minimal changes to vehicle trips and existing traffic patterns, all proposed buildings will be required to undergo review by the Mulholland DRB, lighting is proposed to be minimized, and conditions of approval protect archaeological and paleontological resources.

F. Specific Plan Adjustment Findings in Accordance with Sec. 11.5.7 E of the LAMC:

1. *That there are special circumstances applicable to the project or project site which make the strict application of the specific plan regulation(s) impractical.*

Building Height. A portion of the proposed gymnasium building would be located within the 500-foot corridor and is thus subject to a 30-foot height restriction. The request to allow a maximum 32-foot-tall building located in the Inner Corridor, in lieu of the maximum permitted 30-foot height, is for the proposed new gymnasium building. A gymnasium building in conjunction with a school use is not uncommon, nor is a 32-foot ceiling for such a gymnasium. That amount of clearance allows for certain sports games like basketball and volleyball. The Specific Plan maximum 30-foot height limit applies to buildings located on an upslope lot (relative to Mulholland Drive) and that are visible from Mulholland Drive, in order to minimize or eliminate a building's visual intrusion into the natural viewshed within 500 feet of Mulholland Drive. While the gymnasium will be sited within the Inner Corridor, it will not be visible from any location adjacent to the school along Mulholland Drive, due to the existing designated Prominent Ridge which parallels Mulholland Drive and screens any view of the interior of the school site. The top of the proposed gymnasium will be visible from across the San Diego Freeway on Mulholland Drive, a distance of over 900 feet. This is equivalent to viewing a visible project in the Outer Corridor from Mulholland Drive, in which case the Specific Plan permits a maximum height of 40 feet. Therefore, the Adjustment is in conformance with the intent and purposes of the Specific Plan and will not be detrimental to the aesthetics of the Mulholland Drive view corridor.

The gymnasium location is also near Curtis School's athletic fields and pool facilities, creating an athletic section for the campus. The gymnasium is architecturally integrated

with the 32-foot-tall athletic building, which is located within a 40-foot height zone (the Outer Corridor). Imposing the 30-foot height restriction on the gymnasium would result in a visually disconnected structure. Relocating the gymnasium outside the Inner Corridor is infeasible since the immediately surrounding area has been programmed as the campus's athletic area. Other areas dedicated to the arts, science, and traditional classrooms are programmed in the Outer Corridor area. Consequently, relocating the gymnasium would interfere with the site's layout and utility, creating practical difficulties. In light of the above, the strict application of such regulations of the Specific Plan to the subject property will result in practical difficulties that are inconsistent with the general purpose and intent of the plan. Staff recommends approval of the Specific Plan Adjustment.

2. *That in granting the Project Permit Adjustment, the Director has imposed project requirements and/or decided that the proposed project will substantially comply with all applicable specific plan regulations.*

- a. *Specific Plan Section 2.C: To preserve and enhance land having exceptional recreational and/or educational value.*

The Project preserves land having exceptional recreational value by proposing to focus development into the already existing campus footprint as much as possible. The Project enhances land having exceptional educational value by developing the Property in a focused manner. Instead of dispersing buildings across the 27-acre Property, the Project condenses development within the campus footprint, thereby promoting the Property's open space and the natural ambience intended for the neighborhood.

The placement of the gymnasium, as well as the proposed height, serve the property's educational value by not only maintaining consistency in architectural design, but also by better aligning the campus's athletic and recreational facilities in one better-utilized area. The development of the campus would be taking into consideration present-day educational philosophy, serving to further enhance land having exceptional educational value.

- b. *Specific Plan Section 2.D: To assure that land uses are compatible with the parkway environment.*

The Specific Plan's Institutional Use Corridor establishes and recognizes the compatibility of Mulholland Drive's scenic vistas and schools. The Project seeks to upgrade normal school operations in a more modern educational setting. The aesthetics of the campus environment will be enhanced through the Project, compatible with natural scenic beauty promoted by the Specific Plan.

- c. *Specific Plan Section 2.E: To assure that the design and placement of buildings and other improvements preserve, complement, and/or enhance views from Mulholland Drive.*

The Specific Plan identifies a variety of strategies to help preserve views from Mulholland Drive. The Project will not impact views from adjacent segments of Mulholland Drive because the campus is separated from Mulholland Drive by a prominent ridge. While parts of the campus are visible from a small section of Mulholland Drive (east of Interstate 405), the proposed structures will be clustered with the existing buildings and facilities. This clustering will minimize any intrusion to aesthetic impacts.

The height restriction in Specific Plan section 5.D.2.b is intended to preserve views of the surrounding Mulholland Drive corridor. In this instance, granting the Adjustment is not inconsistent with that intent because even though the gymnasium will exceed the height restriction, that increase will not create any view blockage from Mulholland Drive. Only a small portion of the proposed gymnasium is visible. As such, the gymnasium is consistent with the intent of the Specific Plan.

For the Specific Plan purposes in Section 2 not explicitly addressed, the Specific Plan Adjustment is consistent with the Specific Plan because no land use change is proposed, on-site improvements will result in minimal changes to vehicle trips and existing traffic patterns, all proposed buildings will be required to undergo review by the Mulholland DRB, lighting is proposed to be minimized, and conditions of approval protect archaeological and paleontological resources.

3. *That in granting the Project Permit Adjustment, the Director has considered and found no detrimental effects of the adjustment on surrounding properties and public rights-of-way;*

Granting the Adjustment will not be detrimental to the surrounding properties and public rights-of-way because as a school facility, the proposed gymnasium is permitted on this portion of the Property and the Adjustment would only allow the development of the gymnasium at a height of 32 feet in lieu of the permitted 30 feet. This approximately two-foot height increase will not create view blockage issues from the adjacent Mulholland Drive because the Property is not visible from the majority of the adjacent Mulholland Drive due to a large ridge that runs along the majority of the Property's perimeter. Even though the gymnasium's height will exceed permissible height restrictions, it nevertheless complies with the Specific Plan's intent of minimizing view impacts and therefore will not be detrimental to the public welfare.

Granting the Adjustment will not be injurious to the improvements adjacent to or in the vicinity of the Property. To the Property's east is land owned and used by Caltrans as storage, and adjacent to this is Interstate 405. To the south and west, across Mulholland Drive, are other schools. With the exception of the campus's access road, the Property largely cannot be seen from these locations. To the Property's north is a large ridge (approximately 1,360 feet above sea level) with some single-family homes behind the ridge. These homes cannot see the Property. Therefore, granting of such an Adjustment would not be detrimental to the surrounding properties and public rights-of-way.

4. *That the project incorporates mitigation measures, monitoring of measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.*

The Master Plan's initial study identified potentially significant effects on the environment, as described in the MND, which the MND demonstrates are mitigated to a less than significant level by the applicant's revisions to the initially proposed Master Plan and by the proposed mitigation measures. There is no substantial evidence presented in the comment letters or anywhere else in the record that the Master Plan, as revised and mitigated, may have a significant effect on the environment. The proposed Mitigated Negative Declaration concludes that, with the recommended mitigations imposed, all the potential impacts of the Master Plan would be less than significant.

G. Zoning Administrator Determinations in Accordance with Section 12.24 X.26 and Section 12.24 X.28(a) of the LAMC:

1. *Describe how the proposed project will enhance the built environment in the surrounding neighborhood or how it will perform a function or provide a service that is essential or beneficial to the community, city, or region:*

Since 1983, the Curtis School has served as an essential and beneficial resource to the community by providing the surrounding neighborhood with educational, social, and environmental benefits at a time when the region's demands on education are growing. The Project will substantially update and improve the Curtis School campus, further enhancing its function as a resource to the community and the city. The Zoning Administrator Determinations (ZAD) to permit additional retaining walls and to exceed the allowed quantity of grading are necessary components of the Project.

The improvements to education, safety, circulation, and sustainability, all of which are expressed as goals in the City's General Plan, are possible with the approval of the Project in its entirety, including necessary retaining walls and grading. The improvements made as part of the Project will enable Curtis School to continue to fulfill its philosophy of providing training in academics, arts, and athletics. An improvement in an educational institution is beneficial to students as well as the community and the city as a whole. As such, the Project's overall impact on the public's well-being is positive.

2. *Explain why the project's location, size, height, operations and other significant features (provide specifics) will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety:*

The Project's location, size, height, operations, and other significant features are not only compatible with adjacent properties, they enhance the public health, welfare, and safety through being an improvement to an educational institution that is beneficial to students as well as the community and the city as a whole, as described previously.

Given that an educational institution already exists on the Property, and has existed for over 30 years, the Project's location will have no impact upon surrounding uses because a new use is not proposed. Curtis School will continue to operate among a variety of other local schools, such as Milken Community Middle School and High School, Stephen S. Wise Academy, etc. The prominent ridge that fronts the Property along Mulholland Drive prevents individual building locations within the site from having an impact on surrounding properties by blocking the Property from sight.

The Project's net addition, approximately 59,930 square feet, will not adversely affect the surrounding uses. First, proposed floor area is contained within the existing campus, which is not visible from the majority of the campus's surroundings. Second, the existing CUP approved a project that consisted of 112,700 square feet. Upon Project buildout, Curtis School's total square footage will be 130,053 square feet, which is 15 percent larger than the development authorized by the existing CUP, a minor increase given the site's 27-acre size. Third, the increase in floor area is designed in part to make the campus more like surrounding schools. As an example, according to the Berkeley Hall website and a recent Design Review Determination, nearby Berkeley Hall School (another private elementary school) has a 265-student enrollment and a 61,590 square foot campus, giving the neighborhood school a ratio of approximately 232 square feet of floor area per student. By contrast, even with the Project's full build-out (130,053 square feet for 675 students), the Curtis School campus will have a considerably smaller ratio of floor area per student (approximately 187 square feet per student).

The Project will not involve construction that will block or significantly impact views of scenic vistas, nor is the Project out of sync aesthetically with the character of the area. Only a very small portion of the Curtis School campus is currently visible, and only when traveling west on Mulholland Drive when crossing the 405 freeway. As the Property is bowl-shaped, buildings are generally shielded from surrounding properties. Given that no new building within the Project exceeds the height of the existing prominent ridge, proposed buildings will not be visible to any surrounding property that currently has no view of the campus.

The Project requires a ZAD for six retaining walls and grading. The walls, as well as the grading, will not be visible and will be compatible with the natural terrain surrounding the Property. The Project requires approximately 70,000 cubic yards of grading. This internal grading is needed to expand needed facilities for the campus. The grading will not have any material aesthetic impact on the surrounding community and does not present the same concerns that substantial grading of a natural hillside would. The site has already been substantially graded to create the existing campus, and the proposed grading will take place on this existing campus.

Further, the Project is not proposing a change in use or an increase in permitted enrollment, and no other Project aspect will adversely affect or degrade other properties. The Project improves and modernizes educational facilities for new and improved teaching methods and increased safety. As an educational institution, Curtis School fits well amid its surroundings. In total, there are approximately seven schools within one-half mile of the Property, including but not limited to Stephen S. Wise Temple Elementary School, American Jewish University, Milken Community Middle School, Milken Community High School, Westland School, Mirman School for Gifted Children, and Berkeley Hall School. It can therefore be assumed that no element of Curtis School's operations will adversely affect the area.

3. *Explain why the project substantially conforms with the purpose, intent/objectives and provisions of the General Plan, the applicable community plan and any applicable specific plan (that the action will be in substantial conformance with the various elements and objectives of the General Plan):*

The Project will improve the Curtis School's ability to fulfill its educational mission and improve child safety. The City's General Plan and the Community Plan promote educational uses and discuss methods to improve the quality of education. While the methodology is often stated in regard to public schools, independent schools such as Curtis School also help meet the City's policies for a better educational system. Some of these goals, objectives, and policies that pertain specifically to the Project, as well as the connection between the Project and the respective policy statements, are presented below:

From the General Plan's Framework Element

POLICY 9.32.1 – *Work with the Los Angeles Unified School District (LAUSD) to ensure that school facilities and programs are expanded commensurate with the City's population growth and development.* Although the Project does not propose increasing enrollment, the Project is consistent with this goal by updating the campus to provide the appropriate facilities for its student body. As the City's population has grown, so, too, have the educational needs of today's students as well as the need for larger and more modern facilities that can house modern technology and other innovations in the arts and sciences. The Project helps to ensure that Curtis School's buildings and facilities adequately serve Curtis School's students.

OBJECTIVE 5.9 – *Encourage proper design and effective use of the built environment to help increase personal safety at all times of the day.* The construction of a pedestrian bridge is directly related to ensuring a safer environment for Curtis School children. The current configuration requires that students, some as young as five years of age, cross a parking lot to access the Property’s athletic fields. This configuration was required at the time of initial construction, as at the time, no structure was allowed within 500 feet of Mulholland Drive. The Project seeks to rectify this undesirable condition.

OBJECTIVE 6.1 – *Protect the City’s natural settings from the encroachment of urban development.* Given that the Property is already developed and the Project will be constructed wholly on-site, approving the Project would allow urban land to be better utilized. In turn, denying the Project may cause students to attend other schools, thereby increasing the demand for new school construction. This may lead to further encroachment on non-urban lands.

From the General Plan’s Mobility Element

POLICY 1.1 – *Roadway User Vulnerability: Design, plan, and operate streets to prioritize the safety of the most vulnerable roadway user.* Whether in residential, commercial, or educational space, child safety is of the utmost concern. By constructing a pedestrian bridge connecting the athletic buildings to the athletic fields, children will not have to cross a parking lot unnecessarily, contributing to child safety.

POLICY 1.3 – *Safe Routes to Schools: Prioritize the safety of school children on all streets regardless of highway classifications.* By constructing a pedestrian bridge connecting the athletic buildings to the athletic fields, children will not have to cross a parking lot unnecessarily, contributing to child safety.

From the General Plan’s Open Space Element

RECOMMENDATION FOR PRIVATELY OWNED OPEN SPACE LANDS (page 7) – *Private development should be encouraged to provide ample landscaped spaces, malls, fountains, rooftop green areas and other aesthetic features which emphasize open space values through incentive zoning practices or other practicable means.* In addition to the existing landscaping and open space currently on the Property, the Project aims to enhance Curtis School’s commitment to aesthetic beauty and open space by landscaping retaining walls to blend in with the natural beauty of the scenic parkway, and by ensuring a one-to-one replacement of any tree that would otherwise be removed from the site. The Project also allows students to better utilize open space by reconfiguring the site in a safe manner by creating outdoor learning areas and by constructing a pedestrian bridge to the athletic fields.

From the Community Plan

OBJECTIVE 6.1 – *Work constructively with LAUSD to promote the siting and construction of adequate school facilities phased with growth.* This goal, which is similar to the General Plan Framework Element’s Policy 9.32.1, encourages the growth of schools to accommodate new demand. As stated above, the Project does not propose increasing student enrollment beyond the permitted enrollment cap. The Project is solely for the purpose of accommodating new teaching methods and updating the campus. However, by improving the efficiency of campus facilities and expanding educational offerings to meet contemporary needs, Curtis will be better equipped to accommodate additional students up to its current enrollment cap. While Curtis is

permitted up to 675 students under its current entitlement, it has long operated well below this enrollment cap.

POLICY 2-4.3 – Improve safety and aesthetics of parking areas in commercial areas. Although referenced here in conjunction with commercial areas, safety is no less a concern, and arguably more of a concern, for schools. Building a pedestrian bridge from the athletic buildings to the athletic field will prevent children from having to potentially interact with moving automobiles, consistent with the intent of this policy.

The Project also conforms to the Specific Plan's overarching goal of "[preserving and enhancing] land having exceptional recreational and/or educational value." (Section 2.C.) This goal is achieved by improving and updating the campus, thereby making the land better utilized for educational purposes. When completed, the Project will update existing buildings and facilities to allow more open classroom space and more specialty spaces. Thus, Curtis School is taking necessary and feasible steps to establish the best possible learning experience for its students. Additionally, the Specific Plan was created to protect the scenic beauty and open space along Mulholland Drive. By building on an existing site, the Project helps to preserve open space in the region.

From the Specific Plan

Specific Plan Section 2.C – To preserve and enhance land having exceptional recreational and/or educational value. The Project would improve the Curtis School campus and enhance student experience. In order to complete the Project, Curtis School must be permitted to construct additional retaining walls. Thus, these retaining walls (and all other components to the Project) are essential to enhancing the Curtis School's educational value.

Specific Plan Section 2.D – To assure that land uses are compatible with the parkway environment. The Specific Plan's Institutional Use Corridor was established to affirm the compatibility of Mulholland Drive's scenic vistas and schools. The Project will allow Curtis School to continue normal school operations in a more modern educational setting while maintaining the athletic fields in a location closer to Mulholland Drive. The requested retaining walls will be compatible with the natural terrain surrounding the Property and will be shielded from view from the public street.

Specific Plan Section 2.F - To preserve the existing residential character of areas along and adjoining the right-of-way. The Project will not impact the existing residential character. Unlike large new homes that risk threatening the character of the existing neighborhood, the Curtis School is an existing institutional use that is seeking to make improvements. Construction will occur within the Property's existing building footprint.

Specific Plan Section 2.G – To minimize grading and assure that graded slopes have a natural appearance compatible with the characteristics of the Santa Monica Mountains. The Project conforms to this goal by (1) landscaping each retaining wall to blend in with natural surroundings and (2) relocating and/or replanting any trees affected by the Project. Additionally, the concept of "natural appearance" requires that the Project should have minimal impact on views. Given that the significant majority of all grading will take place behind a prominent ridge, the Project conforms to this goal simply by being hidden from almost the entirety of Mulholland Drive.

When completed, the Project will improve safety for students and will update existing buildings and facilities to allow for more open classroom space and more specialty spaces on an existing school campus, almost entirely within the existing campus

footprint. With the foregoing discussion, it is evident that the project substantially conforms with the purpose, intent/objectives and provisions of the General Plan, the applicable community plan, and the applicable specific plan.

4. *Explain why the proposed use is in conformity with the public necessity, convenience, general welfare, and good zoning practice:*

The Project allows an existing use, a primary school, to make critical improvements that will better protect students and enhance their learning experience. Schools are an essential component to a thriving society and improve general welfare of a community. Curtis School has been a good neighbor and a highly regarded educational institution that has operated in harmony with its surroundings for over three decades, in conformance with the existing conditions of approval. The Project will significantly upgrade the Curtis School campus for the benefit of the students, the faculty, the parents, and the greater community.

Importantly, much of the redevelopment proposed by the Project would occur within the existing development footprint. This reimagining and reuse of space is a fundamental tenet of best planning practices. Rather than propose an expansion that would require the significant grading of a hillside, the Project's grading activities will largely occur on already-graded areas, preserving the natural terrain of the surrounding hillsides and promoting the principles of the Specific Plan.

The Zoning Administrator shall also find that the approval is consistent with the following applicable findings:

5. *That Grading in excess of the absolute maximum Grading quantities listed in Subparagraph (1) of Paragraph (f) of Subdivision 10. of Subsection C. of Section 12.21 of this Code is done in accordance with the Department of City Planning - Planning Guidelines Landform Grading Manual (adopted by the City Council on June 1983), and is used to reflect original landform and result in minimum disturbance to natural terrain. Notching into hillsides is encouraged so that projects are built into natural terrain as much as possible.*

The Landform Grading Manual indicates that landform grading techniques should be incorporated on all slopes in the Hillside District, and that consideration shall be required primarily on prominent slopes, and on slopes which are visible from scenic corridors and other major roadways. Further, the manual seeks to make new developments compatible with the intrinsic characteristics and suitabilities of the land, with the goal of giving manufactured hillsides a more natural-looking appearance.

The grading required for the proposed master plan will enable needed improvements for the campus, including a performing arts building, a pavilion, a gymnasium, and a science and technology building. This is nearly all occurring within the Property's already-developed footprint and not on an undeveloped slope or on existing natural terrain at the Property. Grading for these purposes does not pose the risks to aesthetics that that the Landform Grading Manual is intended to protect against. Moreover, the Property is surrounded by berms which create a bowl-like topography which almost completely blocks view from the public street into the campus. As such, the requested grading is consistent with the provisions of the manual.

6. *That the increase in the maximum quantity of earth import or export will not lead to the significant alteration of the existing natural terrain, that the hauling of earth is being done in a manner that does not significantly affect the existing conditions of the Street*

improvements and traffic of the Streets along the haul route, and that potentially significant impacts to the public health, safety, and welfare of the surrounding community are being mitigated to the fullest extent feasible.

The requested grading Zoning Administrator Determination will permit changes to the existing developed footprint on the property. The earth that will be exported is coming from an already graded and developed part of the campus and is not from an undeveloped slope or hillside. The exported earth will permit Curtis School to remove obsolete buildings and add infill buildings to its campus. The grading would not result in a significant alternation of the existing natural terrain.

An application pursuant to this subdivision shall follow the procedures for adjustments set forth in Section 12.28 C.1. through C.5. of this Code and shall make Findings for Approval of Adjustments. The Zoning Administrator shall not grant an application for an adjustment unless he or she finds the following:

7. *That while site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations.*

This Zoning Administrator Determination (ZAD) request would allow development to exceed the number of retaining walls permitted under the Baseline Hillside Ordinance, LAMC Section 12.21.C.8. The LAMC regulates the number of retaining walls for single-family zone properties in the Hillside Area. For RE15 Zone properties, the number of retaining walls is limited to one. The retaining wall limit imposed by Section 12.21.C on the RE15 Zone was not crafted to take into account such a large-scale school project in this zone, since the use is not permitted by right. A school use requires building floor area and outdoor facilities that far exceed the needs of residential dwelling units in the RE15 Zone, and which necessarily require substantially more grading and retaining walls than that required for a by-right project in this zone.

The subject property is distinct from most lots in the RE15 Zone given its size, scale of development, use, and existing conditions. The lot is substantial at 1.14 million square feet (the RE15 Zone requires a minimum 15,000 square feet of lot area) and developed with a private school use that has been operated by conditional use for 40 years. The property is also surrounded by berms which create a bowl-like topography and almost completely block views from the public street into the campus, which will mitigate the visual and noise impacts associated with the requested retaining walls. Based on the location and height, the proposed retaining walls would not be visible from along Mulholland Drive. Further, the proposed retaining walls would be located well over 100 feet south of the protected ridgeline along the northern border of the site and would therefore not result in an alteration to the protected ridgeline.

The five proposed retaining walls are limited to what is needed for the Project. The proposed retaining walls would be located on the northern portion of the campus in the area surrounding the proposed amphitheater and the proposed theater and arts building. The proposed retaining walls are intended to ensure the proper retention of soil necessary in order to construct the proposed amphitheater and theater and arts building. They are necessary in order to provide lateral soil support and to prevent soil erosion that would impede the development of this portion of the site. The retaining walls are needed to provide the support to keep the hillside stable. According to the Grading Plan, Exhibit B4, the proposed retaining walls would vary in height from 0' – 10' at various locations along the perimeter of the proposed buildings.

It would be impractical and infeasible for the project to strictly adhere to the regulations. Site characteristics and existing improvements make strict adherence impractical and infeasible, but the project nonetheless conforms with the intent of those regulations by minimizing retaining walls to the extent possible to only those that are essential. For the reasons stated above, the granting of the request is appropriate.

8. *That in light of the project as a whole, including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.*

The Project requires a ZAD for six retaining walls. These walls will not be visible and will be compatible with the natural terrain surrounding the Property. Further, the Project is not proposing a change in use or an increase in permitted enrollment, and no other Project aspect will adversely affect or degrade other properties. The Project improves and modernizes educational facilities for new and improved teaching methods. As an educational institution, Curtis School fits well amid its surroundings. In total, there are approximately seven schools within one-half mile of the Property, including but not limited to Stephen S. Wise Temple Elementary School, American Jewish University, Milken Community Middle School, Milken Community High School, Westland School, Mirman School for Gifted Children, and Berkeley Hall School. It can therefore be assumed that no element of Curtis School's operations is foreign to the area.

The Project's location, size, height, operations, and other significant features are not only compatible with adjacent properties; they enhance the public health, welfare, and safety as the Project is an educational facility that contributes to the community's and society's well-being. The prominent ridge that fronts the Property along Mulholland Drive prevents individual building locations within the site from having an impact on surrounding properties by blocking the Property from sight.

The Project's net addition, approximately 59,930 square feet, will not significantly affect the surrounding uses. First, all floor area is completely contained within the existing campus, which is not visible from the majority of the campus's surroundings. Second, as mentioned in the Project Description, the existing CUP approved a project that consisted of 112,700 square feet. Upon Project buildout, Curtis School's total square footage will be 130,053 square feet, which is 15 percent larger than the development authorized by the existing CUP. Third, the increase in floor area is designed in part to make the campus more similar to its surrounding schools. As an example, according to the Berkeley Hall website and a recent Design Review Determination, nearby Berkeley Hall School (another private elementary school) has a 265-student enrollment and a 61,590 square foot campus, giving the neighborhood school a ratio of approximately 232 square feet of floor area per student. By contrast, even with the Project's full build-out (130,053 square feet for 675 students), the Curtis School campus will have a considerably smaller ratio of floor area per student (approximately 187 square feet per student).

Building height can degrade adjacent properties by blocking views of scenic vistas or by being out of sync aesthetically with the character of the area. Though visible from a couple locations along Mulholland Drive (mostly east of Interstate 405), the Project's proposed building height will not affect the views from these areas and is not out of sync with the character of the area. The existing buildings and facilities are already visible from these areas, and the Project's maximum height (40 feet for the Commons and Arts buildings) has been designed to architecturally befit the area and is consistent with the existing Pavilion building, which will remain. The proposed gymnasium building's proposed height of 32 feet is also consistent with the campus. Moreover, the Property is

bowl-shaped, so buildings are generally shielded from surrounding properties. Given that no new building within the Project exceeds the height of the prominent ridge, any new building will not be visible to any surrounding property that currently has no view of the campus.

9. *That the project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan and any applicable specific plan.*

The Finding for this section incorporates the discussion from Section F.3 above.

H. Site Plan Review Findings in accordance with Sec. 16.05 of the LAMC:

1. *The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.*

The Master Plan is consistent with the land use designation in that the school has been permitted by conditional use and has been conditioned to reduce its impacts to a less than significant level. The Master Plan is consistent with the Specific Plan, after the granting of the Exception and the Adjustment. The Specific Plan is an implementation measure of the City's General Plan. The Project is a phased master plan development that will upgrade the existing structures. The Project is consistent with the community's character because adjacent properties are also developed with educational institutions. Therefore, the Project is consistent with the General Plan.

Various General Plan Elements address scenic vista preservation. The need to protect and enhance scenic views is similarly described in both the Mobility Element Policy 2.16 ("Ensure that future modifications to any scenic highway do not impact the unique identity or characteristic of that scenic highway") and the Conservation Element's Land Form and Scenic Vistas Objectives ("Protect and reinforce natural and scenic vistas as irreplaceable resources and for the aesthetic enjoyment of present and future generations"). These policies/objectives speak to the preservation of views, not development limitations. Given that the Master Plan will develop the campus footprint shielded from the adjacent sections of Mulholland Drive by a prominent ridge, the project is consistent with the General Plan's desire to preserve the area's aesthetic beauty.

With the Specific Plan Exception approved herein for use, and the Specific Plan Adjustment approved for height, the subject project will comply with all provisions of the Mulholland Scenic Parkway Specific Plan and the LAMC.

The granting of a Specific Plan Exception to allow an institutional use within the Mulholland Scenic Parkway Specific Plan's Outer Corridor, which does not permit institutional uses, is necessary in order to recognize and to continue the existing layout of the school's buildings, which were required by the original CUP to be constructed more than 500 feet from Mulholland Drive. The school's first conditional use approval was granted in 1980, 12 years prior to the adoption of the Specific Plan, and the Specific Plan requires the opposite of the conditional use grant, that buildings used for school purposes are only permitted in the Inner/Institutional Corridor. The purpose of the conditional use restriction was to preserve the natural viewshed within 500 feet of Mulholland Drive. This has been accomplished through the construction of the berms (now designated as Prominent Ridges) along Mulholland Drive that block the view of any of the school's buildings from Mulholland Drive adjacent to the site. Though the site fronts directly on Mulholland Drive, the property is so large that its boundaries exceed the Inner Corridor and extend into the Outer Corridor. The campus' existing buildings are all constructed within the Outer Corridor portion of the site. Existing athletic fields

and parking areas are currently located within the Inner Corridor portions of the campus. To require that all new buildings be located within the Inner Corridor portion would not be conducive to a logical and efficient functioning of the existing school layout and would either eliminate or significantly reduce the athletic fields or the parking lot. Based on the foregoing, the findings can be made for the granting of this Specific Plan Exception, and staff recommends approval of this request.

The request to allow a maximum 32-foot tall building located in the Inner Corridor, in lieu of the maximum permitted 30-foot height, is for the proposed new gymnasium building. A gymnasium building in conjunction with a school use is not uncommon, nor is a 32-foot ceiling for such a gymnasium. Clearance within that space will allow sports games such as basketball and volleyball. The Specific Plan maximum 30-foot height limit applies to buildings located on an upslope lot (relative to Mulholland Drive) and that are visible from Mulholland Drive, in order to minimize or eliminate a building's visual intrusion into the natural viewshed within 500 feet of Mulholland Drive. While the gymnasium will be sited within the Inner Corridor, it will not be visible from any location adjacent to the school along Mulholland Drive, due to the existing designated Prominent Ridge which parallels Mulholland Drive and screens any view of the interior of the school site. The top of the proposed gymnasium will be visible from across the San Diego Freeway on Mulholland Drive, a distance of over 900 feet. This is equivalent to viewing a visible project in the Outer Corridor from Mulholland Drive, in which case the Specific Plan permits a maximum height of 40 feet. Therefore, the Specific Plan Adjustment is in conformance with the intent and purposes of the Specific Plan and will not be detrimental to the aesthetics of the Mulholland Drive view corridor. Staff recommends approval of the Specific Plan Adjustment request.

Therefore, upon approval of the requested Specific Plan Exception and Adjustment, the project will comply with the Specific Plan.

2. *The subject development consists of an arrangement of buildings and structures, including height, bulk and setbacks, off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements which are compatible with existing and/or future development on neighboring properties.*

Development of the Master Plan will concentrate development around the existing campus footprint. The Project will consist of a series of one- and two-story buildings that are connected by existing and proposed pedestrian walkways. Entrances to the proposed buildings will be accessed from such walkways as identified on the site plan. The Project will provide a minimum of 135 parking spaces which is in excess of LAMC requirements and adequate to accommodate parking demand. The Project will be implemented in a way that maximizes and respects the Property's existing open space. Planned buildings will comply with all applicable setbacks.

The project takes various measures to prevent negative impacts to neighbors. All school-related operations, including trash collection and deliveries, will be collected on-site. Solid waste facilities are proposed below the new gymnasium building. Waste will be collected within each building, and then moved to the larger waste storage area beneath the gymnasium. All loading areas for delivery vehicles are also located below the proposed gymnasium building. Additionally, all new landscaping is proposed to be consistent with the area's natural vegetation. All new lighting will be pointed at the ground to avoid spill over and light pollution to the night sky.

Additionally, given that the property is visually separated from the majority of neighboring properties by the property's natural topography, the arrangement of structures and other

aspects of the project will have little to no impacts to Curtis School's neighbors. Project development, as well as normal school hours and special events, will take place within the interior of the bowl-shaped property. This feature further minimizes any potential noise or light impacts to the community. Therefore, the project is compatible with neighboring properties.

3. *That the project containing residential uses does provide its residents with appropriate type and placement of recreational facilities and services in order to improve habitability for the resident and minimize impacts on neighboring properties where appropriate.*

The project does not contain residential uses and therefore this finding is not relevant.

I. Design Review Board Findings in Accordance with Section 11 of the Mulholland Scenic Parkway Specific Plan and Section 16.50 of the LAMC. Based on a review of the plans submitted with the application and placed in Case File CPC-2020-1086-SPE-DRB-SPP-MSP-ZAD-SPR, and the recommendation of the Mulholland Scenic Parkway Design Review Board made at its meeting of May 4, 2022, the City Planning Commission makes the following findings in accordance with the applicable design review criteria of the Mulholland Scenic Parkway Specific Plan, Ordinance No. 167,943, effective June 29, 1992:

1. *A recommendation was made by the Mulholland Design Review Board, pursuant to Los Angeles Municipal Code Section 16.50.*

The Curtis School Master Plan is subject to the design review process because it is located within the boundaries of the Mulholland Scenic Parkway Specific Plan and has applied for a Plan Approval and other entitlements to supersede and replace the existing CUP, granted originally in 1980 and again in 1989. The Design Review Board recommended disapproval and listed 18 recommendations regarding the application as follows:

- Comply with Guideline 1 to decrease the amount of grading export by half (37,000 cubic yards).
- Comply with Guideline 2 to further impact the height of any buildings over 25 feet in height by being stepped and profiled where appropriate. (Specifically recommend recessing the gymnasium building to be partially subterranean and comply with the height requirement while maintaining the interior space required for its function and purpose).
- Provide a conceptual landscape plan.
- Comply with Guideline 53 by providing an overlay of the protected trees on-site and in the public ROW. Provide the tree report in the master plan and DRB packet.
- Comply with Guideline 55 if there are any replacement trees and to provide proof in the masterplan and DRB packet.
- Comply with Guideline 10 so that grading should be designed to fit within the natural topography and existing site conditions.
- Comply with Guideline 11 so that the landform grading provides slopes to blend with the existing natural topography.
- As part of the grading exercise, the applicant should consider alternative layouts and means to access the athletic field and campus to further reduce grading and safety concerns. Alternatives include but not limited to providing a bridge over the existing parking and stairs up to the existing field and providing a two-level parking structure near the facilities building.
- Comply with Guideline 8 so that the project prepares adequate findings in regard to construction on a prominent ridge.

- Comply with Guideline 2 in regard to the sloping site profile greater than 25%. Provide slope calculation to show Guideline 2 applies and is in compliance unless proven otherwise.
- Comply with height limit for the building based on slope profile (based on proof of compliance with Guideline 2).
- Comply with Guideline 18 in regard to projects visible from Mulholland Drive and viewshed protection. The project states it is not visible however, has been proven otherwise and therefore must comply with Guideline 18.
- In addition to the issues that are not in conformance with the Specific Plan – that the CPC address conditions that are in conformance with the Specific Plan such as Floor Area Ratio (FAR), the massing broken up into a number of buildings, and that the campus is one story in height and would like to take the same approach moving forward.
- Comply with Guideline 21 in regard to the core trail not addressed from the previous DRB recommendation.
- Comply with Guideline 13 in regard to mitigations to wildlife not addressed from the previous DRB recommendation.
- Comply with Guideline 40 in regard to lighting - specifically parking and concerns with wildlife.
- Comply with Guideline 3 in regard to silhouetting. Specifically, that the 37-foot structure on the hillside will possibly silhouette over the prominent ridge as viewed from the corner of Skirball and Mulholland and definitely silhouette on the eastern side of the ridge over the 405 freeway.
- Comply with Guideline 28 in regard to retaining wall height to not exceed 10 feet in height. Furthermore, if exceeds 6 feet in height to use a stepped retaining wall with an offset of 3 feet measured horizontally (recommend stepping the walls).

Since this meeting, the applicant has incorporated two of the recommendations into the current design that is before the City Planning Commission. The Board recommended that the Applicant comply with Guideline 1 to decrease the amount of grading export by half (37,000 cubic yards). In the revision to the Project, grading was reduced by 45,700 cubic yards. Additionally, board members recommended reducing the height of the gymnasium to the extent possible. In the revision to the Project, the height of the gymnasium was reduced by five feet.

2. *The project substantially complies with the applicable regulations, findings, standards, and provisions of the specific plan.*

Pursuant to LAMC Section 11.5.7 C, the Director of Planning has the initial decision-making authority to determine whether an application for a project within a specific plan area is in conformance with the regulations established by LAMC Section 11.5.7 C.1, and in compliance with the applicable regulations of the Specific Plan. Pursuant to LAMC Section 16.50 E.3, the Design Review Board provides a recommendation to the Director to approve, conditionally approve, or deny a proposed project. Pursuant to 16.50 E.3 (d), if the project is in compliance with specific regulations including accompanying design guidelines contained within the Specific Plan, the Director is to approve the project; if the project is not in compliance with specific regulations and accompanying design guidelines of the Specific Plan and cannot be conditioned to comply, the Director is to disapprove the project. As such, the Director considers the recommendation of the Design Review Board in the final decision.

Despite the recommendation of disapproval by the Design Review Board, the applicant addressed two of the most significant concerns and the Curtis School Master Plan substantially complies with the applicable regulations, findings, standards, and

provisions of the specific plan with the exceptions and ZAD granted herein. Further, the exceptions and ZAD are justifiable, as established in the findings. Individual buildings and structures have not yet been designed. However, as conditioned herein, as individual buildings and structures are proposed, they will return to the Design Review Board for review and be required to follow LAMC Sections 11.5.7 & 16.50, as applicable.