

CONDITIONS OF APPROVAL

(As modified by the City Planning Commission at its meeting on October 8, 2020)

Pursuant to Section 12.24-U,24 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

Entitlement Conditions

1. **Use.** The subject property may be continued to be used as the Citizens of the World Charter Elementary School. The existing public charter elementary school (TK/Kindergarten through 5th grade) shall be limited to a maximum enrollment of 650 students.

The proposed project shall also comply with the conditions of approval for Case No. ZA-2017-4489-CU-ZV-F-1A.

2. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the attached plans labeled as Exhibit A, stamped, signed and dated by Department of City Planning Staff, attached to the subject case file, and except as modified by this action.
3. **Parking.**
 - a. **Automobile Parking.** Parking shall be provided in accordance with LAMC Section 12.24-A,4.
 - b. **Bicycle Parking.** Bicycle parking shall be provided in accordance with the provisions of LAMC Section 12.21-A,4 and 12.21-A,16.
 - c. **Electric Vehicle Parking.** All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.
4. **Solar.** The project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
5. **Signs.** Signage shall comply with the Los Angeles Municipal Code.
6. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source does not illuminate any adjacent properties, the public right-of-way, or the above night skies.
7. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
8. The project shall comply with the City of Los Angeles Noise Ordinance and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
9. **Fencing/Walls/Landscaping (approved under Case No. ZA-2017-4489-CU-ZV-F-1A)**
 - a. The existing 5-foot landscaped setback along the west property line facing Coronado Street shall be maintained.

- b. The existing approximately 5 to 6-foot high wall along the east and north property lines adjoining residential uses shall be maintained. If the wall is replaced, it shall be replaced with a minimum 6-foot high solid fence or decorative CMU wall.
 - c. Fences and/or walls up to 8 feet in height may be maintained within the required front yard in the RD5 Zone.
10. **Bureau of Street Lighting.** Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.
- a. Construct new street light: one (1) on Beverly Boulevard. If street widening per BOE improvement conditions, relocated and upgrade street lights: one (1) on Coronado Street, and one (1) on Beverly Boulevard.
11. **Department of Transportation.**
- a. Vehicular access to the site shall be limited to two one-way ~~full-service~~ driveways on Coronado Street.
 - b. Student loading/unloading should take place on-site.
 - c. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk, LAMC 12.21 A.
 - d. Security gate(s) shall remain open during school pickup/drop off and other after school events.
 - e. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to issuance ~~submittal~~ of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Room 550. For an appointment, call (213) 482-7024.
12. **Bureau of Street Services, Urban Forestry Division.**
- a. Plant street trees and remove any existing street trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. Parkway tree removals shall be replanted on a 2:1 ratio. All street tree plantings shall be brought up to current standards. When the City has previously paid for tree plantings, the subdivider or contractor shall notify the Urban Forestry Division at 213-847-3077 upon completion of construction to expedite tree planting.

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

School Administration Conditions

13. All school administrators, faculty and school board members shall be provided a copy of the subject determination.

- a. **Hours of Operation** for the elementary school shall be from 7:00 a.m. to 6:30 p.m., Monday through Friday.
- b. Teacher preparations, normal school maintenance, parent conferences with teachers, school board meetings and similar customary school activities may extend beyond the hours set forth above.
- c. Any special event expected to attract more than 150 people will have auxiliary parking agreement(s) with nearby facilities.

14. Traffic Management Program.

- a. Curb-side drop-off and pick-up of students on adjacent streets is prohibited.
- b. All student drop-off and pick-up shall be conducted in the on-site parking lot. The school shall provide an adequate number of adult parking monitors during student drop-off and pick-up hours to monitor and direct traffic to minimize congestion and back-up on Coronado Street.
- c. Vehicular access to the parking shall be provided with one-way circulation and the north driveway shall be limited to ingress only and the south driveway shall be limited to egress only. Signs shall be posted at the entrance and exit of each driveway indicating "Entrance Only" and "Exit Only". The monitors required by Condition No. 13 b shall direct traffic to ensure the appropriate driveways are utilized.
- d. The school shall inform parents, students, faculty and staff in writing on an annual basis of all rules regulating school traffic and parking.
- e. Activities outside normal school hours, including parent teacher conferences, school meetings, and other customary school activities shall be scheduled so as to adequately provide parking on-site for all staff and visitors. Arrangements shall be made to provide off-street parking for events exceeding the parking capacity on-site.
- f. No Staff members shall arrive at the school before 7:00 a.m., Monday through Friday, except for unique and unusual circumstances.
- g. Staff members shall park at designated parking facilities for the school, and not on the surrounding neighborhood streets. The school shall discourage Staff Members from parking on surrounding streets. Special events that generate an unusually high parking demand, such as a back to school night, are exempt this parking restriction.
- h. Student drop-off shall occur between the hours of 7:20 a.m. to 8:45 a.m., Monday through Friday.
- i. Student pick-up shall occur between the hours of 2:30 p.m. to 4:00 p.m. Monday-Friday and at 12:00 p.m. and 2:30 p.m. for early dismissal days. After school programs will dismiss students at 6:00 p.m., Monday through Friday.
- j. During all drop-off and pick up hours, parking monitors in orange vests or other distinctive attire shall direct traffic, preclude noise from car horns, car radios, car alarms, and loud voices, ensure student safety, and maintain smooth ingress and egress to/from the parking lot. Said monitors shall report any violations to school administrators including any off-campus drop-offs or pick-ups, which are observed, and applicable license plate numbers.

15. **Traffic Coordinator.** The school shall be required to appoint a "Traffic Coordinator" to oversee the traffic management plan. Additionally, Parent Coordinators are to be appointed in each class and are responsible to distribute the literature explaining the traffic management plan as well as distributing family names and phone numbers so that parents can identify potential carpool opportunities. The Traffic Coordinator shall also investigate and implement the distribution of public transit passes or subsidies for faculty, administrators, and students.
16. **Special Events, Parking Notification, and Neighborhood Outreach and Notice.** Not more than two (2) "Special Events" are authorized per month. Special events are activities involving parents and/or other visitors where more than 150 vehicles are anticipated at one time for a performance. School administrative board meetings and parent/teacher meetings are excluded from the definition of "Special Events".
 - a. The date and time of the special events shall be posted online on the school's website at least 30 days before each event, and prominently at the school, visible from the public right of way, at least three (3) days before each special event.
 - b. **Parking Notification.**
 - 1) The school shall coordinate and provide information for off-site parking area(s) as needed.
 - 2) The school administration shall institute a program by which parking is assigned prior to the scheduled event to parents, visitors, staff and faculty at a specific location, whether on-site or off-site. Such a program shall be designed to avoid traffic congestion and circulation problems associated with drivers arriving at the subject property or other designated off-site parking locations and being turned away due to insufficient parking capacity.
 - c. A Community Relations representative shall be designated and contact information of that person posted online on the school's website, and prominently at the school, 10 days prior to the beginning of each school year.
17. **Deliveries.** The School Administrator shall instruct companies who deliver to do so between 7:30 a.m. and 6 p.m. but outside the stated hours of student drop-off/pick-up.
18. **Trash.** The applicant shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, including the sidewalks bordering the site.
19. **School Noise.**
 - a. No amplified music or loud non-amplified music is permitted outside, except in conjunction with special events.
 - b. Compressors and other equipment which may introduce noise impacts beyond any property line shall be enclosed or otherwise attenuated so as to be inaudible off-site.
 - c. No public address system shall be utilized on the exterior of the premises except for emergency announcements.
20. **Review and Compliance.**

- a. A complaint log shall be kept and include the complainant's name, date and time of complaint, phone number, email address, the nature of the complaint, the date and time of the response of the complaint, and a description of how the issue was responded to or resolved. Record of all complaints must be maintained on the premise. Information on how the public can report concerns or complaints shall be posted online on the school's website, and prominently at the school visible from the public right of way, 10 days prior to the beginning of each school year for public reference.
 - b. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Director of Planning will have the right to require the applicant or school administration to file for a plan approval.
 - c. **Plan Approval.** Within 24 months from the issuance of this letter of determination for the school, the applicant shall file a Plan Approval application and associated fees together with mailing labels for all property owners and tenants within 500 feet of the property with the Department of City Planning. The Director of Planning may require a public hearing. If a public hearing is held, public notice shall be made to owners and occupants within a radius of 500 feet. The purpose of the Plan Approval shall be to review the effectiveness of, and the level of compliance with, the terms and conditions of this grant, including the effectiveness of the queuing plan, the management of circulation impacts of parking associated with special events and any documented noise impacts from parking operations, student drop-off and pick-up, and other activities on the surrounding community. The City Planning Commission and/or Director of Planning may also require one or more subsequent Plan Approval applications, if deemed necessary. The application shall include the following minimum information:
 1. The number of students enrolled and the number of students permitted to drive to school.
 2. A copy of the most recent Certificates of Occupancy.
 3. A copy of the most recent school year calendar, hours of operation, and dates of special events.
 4. A copy of any approved curbside drop-off/pick-up plans and/or Transportation Demand Management Program.
21. **Emergency Procedures Plan.** An Emergency Procedures Plan shall be established identifying guidelines and procedures to be utilized in the event of fire, medical urgency, earthquake or other emergencies to the satisfaction of the Police Department and Fire Department prior to the issuance of a certificate of occupancy. A copy of such document shall be submitted to the City Planning Department upon its approval.
22. **Security Plan.** A security plan shall be developed in consultation with the Police Department, outlining security features to be provided in conjunction with the operation of the school, prior to the issuance of a certificate of occupancy. In addition, the property owner shall provide to the Rampart Police Station Commanding Officer a diagram of the site indicating access routes and any additional information to facilitate police response.

Administrative Conditions

23. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
24. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
25. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
26. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
27. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
28. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
29. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
30. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
31. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

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

personal property damage, including from inverse condemnation or any other constitutional claim.

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

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

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

For purposes of this condition, the following definitions apply:

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

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

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