



APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- Area Planning Commission City Planning Commission City Council Director of Planning
- Zoning Administrator

Regarding Case Number: CPC-2020-4418-CU-F

Project Address: 14203 West Valerio Street

Final Date to Appeal: 04/07/2021

2. APPELLANT

- Appellant Identity:** (check all that apply)
- Representative Property Owner
 - Applicant Operator of the Use/Site

Person, other than the Applicant, Owner or Operator claiming to be aggrieved
Arlene Shapiro, representative of community group opposing the project

Person affected by the determination made by the **Department of Building and Safety**

- Representative Owner Aggrieved Party
- Applicant Operator

3. APPELLANT INFORMATION

Appellant's Name: Arlene Shapiro

Company/Organization: rightthingwrongplace.com

Mailing Address: 7343 Katherine Avenue

City: Van Nuys State: California Zip: 91405

Telephone: (310) 628-3341 E-mail: arselvis9@gmail.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?
 Self Other: over 200 local residents

b. Is the appeal being filed to support the original applicant's position? Yes No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): Arlene Shapiro
Company: rightthingwronngplace.com
Mailing Address: 7343 Katherine Avenue
City: Van Nuys State: CA Zip: 91405
Telephone: (310) 628-3341 E-mail: arselvis9@gmail.com

5. JUSTIFICATION/REASON FOR APPEAL

- a. Is the entire decision, or only parts of it being appealed? Entire Part
- b. Are specific conditions of approval being appealed? Yes No

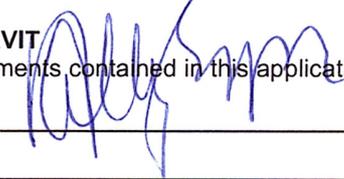
If Yes, list the condition number(s) here: 2, 3, 6, 7, 8, 9,17,18,19

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal How you are aggrieved by the decision
- Specifically the points at issue Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature:  Date: 4/11/2021

GENERAL APPEAL FILING REQUIREMENTS

B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

1. Appeal Documents

a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

- Appeal Application (form CP-7769)
- Justification/Reason for Appeal
- Copies of Original Determination Letter

b. Electronic Copy

Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

- Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

- Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
- Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.
- Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

- Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

- 1. Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.**

a. Appeal Fee

- Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement

- Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- 2. Appeal of the Director of City Planning determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.**

a. Appeal Fee

- Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement

- Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.

Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

***Please note** that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.*

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

Applicant Copy
 Office: Downtown
 Application Invoice No: 71391

City of Los Angeles
 Department of City Planning



Scan this QR Code® with a barcode reading app on your Smartphone. Bookmark page for future reference.



6800171391



City Planning Request

NOTICE: The staff of the Planning Department will analyze your request and accord the same full and impartial consideration to your application, regardless of whether or not you obtain the services of anyone to represent you.

This filing fee is required by Chapter 1, Article 9, L.A.M.C.

If you have questions about this invoice, please contact the planner assigned to this case. To identify the assigned planner, please visit <https://planning.lacity.org/pdiscaseinfo/> and enter the Case Number.

Receipt Number:070421E3C-F12021E5-A78C-4310-82E6-EEE8A7EE37D0, Amount:\$109.47, Paid Date:04/07/2021

Applicant: RIGHTTHINGWRONGPLACE.COM - SHAPIRO, ARLENE (310-6283341)
Representative:
Project Address: 14203 W VALERIO ST, 91405

NOTES:

CPC-2020-4418-CU-F-1A			
Item	Fee	%	Charged Fee
Appeal by Aggrieved Parties Other than the Original Applicant *	\$89.00	100%	\$89.00
Case Total			\$89.00

Item	Charged Fee
*Fees Subject to Surcharges	\$89.00
Fees Not Subject to Surcharges	\$0.00
Plan & Land Use Fees Total	\$89.00
Expediting Fee	\$0.00
Development Services Center Surcharge (3%)	\$2.67
City Planning Systems Development Surcharge (6%)	\$5.34
Operating Surcharge (7%)	\$6.23
General Plan Maintenance Surcharge (7%)	\$6.23
Grand Total	\$109.47
Total Invoice	\$109.47
Total Overpayment Amount	\$0.00
Total Paid (this amount must equal the sum of all checks)	\$109.47

Council District: 2
 Plan Area: Van Nuys - North Sherman Oaks
 Processed by CHAN, JASON on 04/07/2021

Signature: _____

Building & Safety Copy
 Office: Downtown
 Application Invoice No: 71391

City of Los Angeles
 Department of City Planning



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Council District: 2
 Plan Area: Van Nuys - North Sherman Oaks
 Processed by CHAN, JASON on 04/07/2021

Signature: _____

5. JUSTIFICATION/REASON FOR APPEAL

The reason for the appeal.

Over 200+ residents who live within a radius of 500 yards from the proposed GALS location signed a petition against the Conditional Use Permit and 125+ are appealing the City Planning Commission approval of the Conditional Use Permit for the following reasons:

1. The conditional use of the property is inconsistent and not compatible with the Van Nuys – North Sherman Oaks Community Plan.
2. GALS Transportation Assessment uses incorrect VMT methodology and incorrect Threshold calculation data, thereby underestimating the traffic impact to the neighborhood.
3. The scale and purpose of the GALS program is not compatible with the size and location of the subject property and the surrounding neighborhood.

Specifically the points at issue

1. The conditional use of the property is inconsistent and not compatible with the following Policies and Programs of the Van Nuys – North Sherman Oaks Community Plan.
 - Community Plan Policy 1-1.3 requires protecting stable single family and low-density residential neighborhoods from incompatible uses.
 - Community Plan Policy 1-1.4 requires protecting the residential environment through attention to building and site design.
 - Community Plan Policy 1-1.6 and its Program require the City to promote the preservation of single-family neighborhoods with conditional uses being consistent with the Community Plan.
 - Community Plan Policy 1-3.2 and Program requires the CPC to adopt a finding that neighborhood character, livability, and traffic levels will be preserved and enhanced when changes in densities are proposed.
 - Community Plan Policy 6-1.1 and Program requires that a school's location, layout, and architectural design are compatible with community character.
 - Community Plan Policy 14-1.3 discourages non-residential traffic flow on streets designed to serve residential areas.
 - Community Plan Policy 14-1.4 requires new development projects to be designed to minimize disturbance to existing flow of traffic with proper ingress and egress to parking.
 - Community Plan Policy 14-1.4 and Program require that new development projects incorporate adequate driveway access to prevent vehicular queuing that extends onto streets.

2. LADOT Transportation Assessment Guidelines, July 2020, Section 2.2.4 – METHODOLOGY is specific as to “*screening criteria and thresholds of significance used to determine if other types of land uses [i.e. schools] occasionally reviewed by LADOT would result in significant impacts as it relates to VMT.*”
- GALS Transportation Assessment did not use screening criteria and impact determination for **Regional Serving Schools**, which requires regional schools “*be evaluated to determine whether the project would result in a net increase in total VMT. The methodology should be developed in consultation with and approved by LADOT staff at the outset of the study.*”
 - GALS Transportation Assessment used the VMT/Employee calculator, which counts employee trips and ignores the major trip generator from the school: students/parents.
 - GALS proposes to attract students from far away from the typical local school capture area.
 - GALS should have analyzed whether the regional or city-wide VMT increased as a result of the school, rather than using VMT/employee calculator.
 - To determine net increase in total VMT generated by GALS, the analysis must use complete and correct data including the Maximum Enrollment, the total number of staff at the school and the correct queuing capacity and timing.
 - Pursuant to the Conditions of Approval, the Maximum Enrollment is $330 + 20\% = 396$ students.
 - GALS used 330 students as Maximum Enrollment.
 - Although absent from the Conditions of Approval, GALS application for Conditional Use Permit states there will be a minimum of 22 staff, and GALS has stated in public hearings that the total staff will be 35.
 - Staff was not specifically or separately counted in inbound and outbound trips.
 - GALS Transportation Analysis provides one drop-off/pick-up lane that can accommodate 10 cars.
 - GALS incorrectly assumes queuing for 20 vehicles.
 - GALS drop-off/pick-up estimate of 6 cars per minute, or 1 car every 10 seconds, is on its face unreasonably short and does not factor human behavior into drop-off/pick-up timing.
 - The GALS Transportation Analysis did not analyze the peak Pick-Up period between 3:30 – 4:00 PM.

- Traffic consultants nationwide observe wait times and queuing are longer in the PM.
 - PM traffic generated by the school must be included in VMT calculations to determine if GALS has met the requirements for CEQA categorical exemption.
 - GALS has not offered a Trip Reduction plan that provides traffic mitigation measures or utilize easily accessible traffic programs developed by other schools in similar circumstances, indicating that GALS has no interest in addressing the concerns of the neighborhood.
3. The specific points at issue regarding the incompatibility of the scale and purpose of the GALS' program with the size and location of the subject property, and the surrounding neighborhood, are:
- The architectural design of the school is inconsistent with the Community Plan.
 - The massive 23,000 sf Shipping Container structure is **over 10 times** larger than the neighboring single-family homes (1,200 - 2,200 sf).
 - The **industrial look** and feel of the 2-story structure, built from Shipping Containers, **with corrugated metal panels painted red, blue, orange and purple, and storefront glass windows**, is unwelcoming and inconsistent with historic one story, single-family homes, constructed with traditional building materials.
 - There is no property in the neighborhood with an 8' fence, creating the appearance of a fortress in the middle of a single-family residential neighborhood. This is totally out of character for the neighborhood.
 - The Shipping Container structure is shoehorned onto a tiny 1.19 acre property, without enough space to adequately park and queue the over 850 **vehicles** that will enter the property daily.
 - The most comparable mid-block schools sited by GALS, have larger properties, more parking, more queuing capacity, greater buffer areas to the surrounding properties, and different traffic issues.
 - The additional burden of over **350 non-residents** using water, power and the bathroom multiple times a day will tax the infrastructure. **Daily sewer use will be increased by over 1,000 times.**
 - The aging and inadequate infrastructure in the neighborhood does not have the capacity for the load demand of the school.
 - A GALS water, power, and sewer load schedule should be checked against capacity to determine any upgrades required and confirm that GALS has the financial resources to improve the systems to meet their demands.
 - GALS Special Events will likely have a minimum of 300 cars and 1,200 people. Since there are only 38 parking spaces on site, this means off-site parking will burden our already over-parked residential streets.

- GALS Conditions or Approval makes no specific provisions for the parking load of Special Events and exceptions to normal Hours of Operation.

How you are aggrieved by the decision

The applicants and over 200 residents who live within a radius of 500 yards from the proposed GALS location are aggrieved by the decision because: 1. GALS did not use proper methodology to determine if it meets Threshold criteria to qualify for CEQA categorical exemption; 2. GALS will increase traffic, noise and burden the public infrastructure; 3. GALS will degrade the neighborhood character and livability because it is not designed to be consistent or compatible with our neighborhood; 4. GALS does not discourage non-residential traffic flow on streets designed to serve residential areas, and does not provide adequate parking or queuing to prevent vehicular queuing that extends onto streets; 5. GALS offers no tangible benefits to the neighborhood.

1. GALS Transportation Assessment did not use screening criteria and impact determination for **Regional Serving Schools** as set forth in the LADOT Transportation Assessment Guidelines, July 2020.
 - GALS should have analyzed whether the regional or city-wide VMT increased, as a result of the school, rather than using VMT/employee calculator, and should have used correct data including the Maximum Enrollment, the total number of staff at the school and the correct queuing capacity and timing.
 - The VMT Threshold analysis is in question and traffic levels are likely higher than reported in the GALS Transportation Analysis.
 - Increased traffic will compromise neighborhood character and livability.
 - The traffic impact analysis must properly calculated to determine if GALS meets the CEQA categorical exemption. If not, the Conditional Use Permit must denied.
2. The approval of the Conditional Use Permit, for an incompatible high density use, does not protect our stable single family, low-density residential neighborhood from increased traffic, noise and will be an additional burden to the already over taxed public infrastructure.
3. The neighborhood character, livability, and traffic levels will be compromised and degraded, NOT preserved and NOT enhanced with the increased densities from:
 - Over 350 non-residents entering the neighborhood and
 - Approximately 850 additional daily traffic trips to the school that has inadequate parking, and queuing for school drop-off and pick-up.
 - The design of the massive industrial 23,000 sf shipping container structure, surrounded by an 8 foot fence, shoehorned onto a 1.19 acre plot, is inconsistent and incompatible with the character of a historic single family neighborhood with homes constructed with traditional building materials.
 - The massing, size, scale and design of this school, which places a fortress in

the middle of the neighborhood, and is not consistent with protecting the residential environment, is out of character, and will degrade the neighborhood.

4. GALS is not designed to discourage non-residential traffic flow on streets designed to serve residential areas, or minimize disturbance to existing flow of traffic with proper ingress and egress to parking, or provide adequate driveway access to prevent vehicular queuing that extends onto streets.
 - 1.19 acres is too small of a property to support GALS 396 student program. As a result there is not enough land to create adequate parking or queuing capacity.
 - Vehicles dropping off and picking up students will extend onto Runnymede and impede traffic on surrounding streets, as well as, block driveways, and hinder trash pickup and street cleaning.
5. Although GALS has repeatedly stated in public hearings that 100 student positions will be reserved for neighborhood enrollment, the Conditions of Approval does not state a specific number of spots for neighborhood students, define “neighborhood”, or provide provisions for students living near the school to attend.
 - This Condition of Approval has no meaning and has no teeth. It is purely discretionary.
 - GALS offers no tangible benefit to the neighborhood.

Why you believe the decision-maker erred or abused their discretion

See **ERRORS, DISCREPANCIES WITH THE COMMUNITY PLAN, CEQA THRESHOLD CALCULATIONS, OTHER REQUIREMENTS AND DECISION-MAKER ABUSE OF DISCRETION** for detail why the appellant believes the decision-maker erred or abused their discretion.

ERRORS, DISCREPANCIES WITH THE COMMUNITY PLAN, CEQA THRESHOLD CALCULATIONS, OTHER REQUIREMENTS AND DECISION-MAKER ABUSE OF DISCRETION

GALS Conditions of Approval and Findings for Conditional Use Permit,
dated March 11, 2021, Case No. CPC-2020-4418-CU-F, CEQA: ENV-2020-4419-CE.

This document identifies in **BLUE TYPE** the sections, sub-section and paragraphs of the GALS Conditions of Approval and Findings for the Conditional Use Permit, also highlighted in yellow in the attach Letter of Determination. The **BLACK TYPE** identifies respective errors, discrepancies of the CUP with the Community Plan, CEQA Threshold calculations, other requirements, and decision-maker abuse of discretion in the approval of the Conditional Use Permit.

CONDITIONS OF APPROVAL

Development Conditions

“2. **Use.** The use of the property shall be limited to...a maximum enrollment of 330 students. Any increase beyond the maximum enrollment, up to a maximum increase of 20 percent, shall require an application for a Conditional Use Plan Approval...”

- **The true Maximum Enrollment is $330 + 20\% = 396$ students.**
- **The GALS Transportation Report used a maximum enrollment of 330 students, thereby underestimating the actual traffic impact.**
- **VMT must be re-calculated to determine if Threshold requirements have been met.**

“3. **Floor Area.** The total maximum floor area of all buildings proposed on the subject “ shall be limited to 23,157 square feet.”

- **Community Plan Policy 1-1.4 requires protecting the residential environment through attention to building and site.**
 - The neighborhood has traditional, one-story, single family homes between 1,200 and 2,200 square feet. The GALS school will be approximately 25,000 square feet, built from shipping containers, surrounded by 8-foot fencing.
 - The massing, size, scale and design of this school places a fortress in the middle of the neighborhood and is not consistent with protecting the residential environment.

“6. **Fence.** The project shall be permitted fences with integrated gates of up to a maximum height of 8 feet in the front yard setback along both the project’s street frontages...”

- **Community Plan Policy 6-1.1 and Program requires that a school’s location, layout, and architectural design are compatible with community character.**
 - The look and feel of the neighborhood will be altered as there will be a fortress in the middle of a single-family residential neighborhood.
 - There is no property in the neighborhood with an 8’ fence. This feature and other features of the proposed design are inconsistent with the community character.

“7. Design:”

- **Community Plan Policy 1-1.4 requires protecting the residential environment through attention to building and site design.**
- **Community Plan Policy 6-1.1 and Program requires that a school’s location, layout, and architectural design are compatible with community character.**
 - The architectural design of the school is incompatible with community character and is inconsistent with the Community Plan.
 - The size, scale, and design are out of character for a single family neighborhood.
 - The single story, single family homes in the neighborhood are between 1,200 and 2,200 sf. By comparison the nearly 25,000 sf massive two story Shipping Container structure is HUGE and out of proportion to the neighborhood.
 - The uber industrial look and feel of the 2-story structure, built from Shipping Containers, with corrugate metal panels painted red, blue, orange and purple, and storefront glass windows, is unwelcoming and inconsistent with historic one story, single-family homes, built from traditional building materials.
 - The Urban Design Studio Professional Volunteer Program reviewed the design of the project and found the shipping containers structure to be blocky and rigid and suggested modifications to soften the look.
 - GALS LA found it “unfeasible” to modify the design when it was suggested, because of limitations to the shipping container modular construction

“8. Parking:

a. Vehicle Parking. The project shall provide at least the minimum required amount of vehicle parking consistent with the provisions of Section 12.21-A,4 of the LAMC.”

- **Community Plan Policy 1-1.3 requires protecting stable single family and low-density residential neighborhoods from incompatible uses.**
- **Community Plan Policy 1-1.4 requires protecting the residential environment through attention to building and site design.**
- **Community Plan Policy 1-1.6 and its Program requires the City to promote the preservation of single-family neighborhoods with conditional uses being consistent with the Community Plan.**
 - The 38 parking vehicle parking spaces planned for GALS is inadequate for a neighborhood that already has parking issues.

- GALS says that five to ten Special Events will be held throughout the year. A Special Event will likely have a minimum of 300 cars and 1,200 people. Since there are only 38 parking spaces on site, this means off-site parking will burden residential streets.
- The GALS Conditions of Approval identifies exceptions to their normal Hours of Operation and each of these exceptions will also cause parking on residential streets.
- The 1.19 acre property is too small to accommodate the school's program for 396 students.
- GALS has no specific provisions for the parking load of Special Events and exceptions to normal Hours of Operation.
 - Without specific parking provisions for Special Events, the neighbors have no recourse for violations of this obligation. This is unacceptable and inconsistent with the Community Plan.

“9. Circulation. The applicant shall submit a parking and driveway plan to the Los Angeles Department of Transportation (LADOT) for approval.”

- **Community Plan Policy 14-1.4 requires new development projects to be designed to minimize disturbance to existing flow of traffic with proper ingress and egress to parking.**
- **Community Plan Policy 14-1.4 and Program require that new development projects incorporate adequate driveway access to prevent vehicular queuing that extends onto streets.**
- The GALS queuing plan and the analysis demonstrated by GALS traffic consultant is flawed. Queuing is much more complicated than demonstrated in the GALS one-page description.
 - Typically queuing analysis is validated against the existing school or similar site, and analyzed using a model/equation that accounts for delay, processing rate and arrival rate. **This analysis was not provided by GALS.**
 - GALS drop-off/pick-up estimate of 6 cars per minute, or 1 car every 10 seconds, on its face, is unreasonably short. In real time cars will take much longer to drop-off and pick-up.
 - Human behavior is not factored into the GALS traffic model and there will be delays over 10 seconds that will cause queuing congestion.
- The GALS Transportation Analysis did not analyze the peak pick-up period between 3:30 – 4:00 PM, ignoring issues that will arise during this time.
 - Traffic consultant observations nationwide find that parents arrive 15-30 minutes before school ends and wait and/or idle in or in front of residents' driveways or park on local streets waiting for the students.
 - Queuing time extends as students say goodbye to their friends, are late

- arriving at the pick-up location, etc
 - Even generous traffic consultant assumptions show that PM pick-up generates more traffic and queuing than AM drop-off, which will create queues exceed GALS 10 car pick-up area capacity.
- The driveway plan, as set forth in the GALS Transportation Report, provides one drop-off/pick-up lane which can accommodate 10 cars, and a bypass lane, which is inadequate to prevent queuing on Runnymede Street.
 - the GALS Transportation Analysis assumes “effective queuing capacity is 20 vehicles.”
 - The bypass lane is intended to allow vehicles to bypass vehicles queued in the Drop-Off lane and exit the property. Therefore the bypass lane cannot be assumed to have queuing capacity.
- The bypass lane and drop-off lane merge into one lane at the school exit onto Valerio St. which will limit the ability of cars to leave the property in a timely and consistent manner, causing back-up in queuing.
- The commuter traffic during peak drive time on Valerio will prevent cars from exiting the school consistently and queuing will back up on Runnymede, impacting neighbors who can’t back out of their driveways, and generally disturbing the existing flow of traffic.

Operational Conditions

“17. Hours of Operation

- g. With the exception of teacher preparations, normal school maintenance, parent conferences with teachers, school board meetings and **similar customary school activities**, there shall be no use of the subject property beyond the hours specified above.”
- **Community Plan Policy 1-1.3 requires protecting stable single family and low-density residential neighborhoods from incompatible uses.**
- **Community Plan Policy 1-3.2 and Program requires the CPC to adopt a finding that neighborhood character, livability, and traffic levels will be preserved and enhanced when changes in densities are proposed.**
- The approved Conditions of Approval, suggest that GALS will have limited Hours of Operation, however, “*similar customary activities*”, are not defined, are open-ended and basically circumvents the promise of limited Hours of Operation. “Similar customary activities” could be any event, scheduled at anytime and include any number of people.
- With this loop-hole in Conditions of Approval, the neighborhood has no guarantee against incompatible uses, and neighborhood livability is put at risk.

“18. **Loading and Unloading.** Student drop-off/pick-up activities shall be located as indicated on the plans in Exhibit “A” [GALS LA Middle School Transportation Assessment]...

a. All vehicles shall queue on-site within the property and not on residential streets.”

- **Community Plan Policy 1-1.4 requires protecting the residential environment through attention to building and site design.**
- **Community Plan Policy 14-1.3 discourages non-residential traffic flow on streets designed to serve residential areas**
- **Community Plan Policy 14-1.4 and Program requires that new development projects incorporate adequate driveway access to prevent vehicular queuing that extends onto streets.**
- **Community Plan Policy Objectives 14-2 requires findings that developments incorporate TSM and/or TDM programs and/or transit improvements consistent with Citywide Land Use-Transportation policy, as well as, drive way access to ensure the smooth and safe flow of vehicles and bicycles.**

- The GALS queuing plan and the analysis demonstrated by GALS traffic consultant is flawed. Queuing is much more complicated than demonstrated in the GALS one-page description.
 - Typically queuing analysis is validated against the existing school or similar site, and analyzed using a model/equation that accounts for delay, processing rate and arrival rate. This analysis was not provided by GALS.
 - GALS drop-off/pick-up estimate of 6 cars per minute, or 1 car every 10 seconds, is on its face unreasonably short. In real time cars will take much longer to drop-off and pick-up.
 - Human behavior is not factored into the GALS traffic model and there will be delays over 10 seconds that will cause queuing congestion.

- The GALS Transportation Analysis did not analyze the peak Pick-Up period between 3:30 – 4:00 PM, ignoring issues that will arise during this time.
 - Traffic consultant observations nationwide find that parents arrive 15-30 minutes before school ends and wait and/or idle in or in front of residents’ driveways or park on local streets waiting for the students.
 - Queuing time extends as students say goodbye to their friends, are late arriving at the pick-up location, etc.
 - Even generous traffic consultant assumptions show that PM pick-up generates more traffic and queuing than AM drop-off, which will create queues exceed GALS 10 car pick-up area capacity.
 - PM traffic generated by the school must be included in VMT calculations to determine if GALS has met the requirements for CEQA categorical exemption.

- The driveway plan, as set for the in the GALS Transportation Report, provides

one drop-off/pick-up lane which can accommodate 10 cars, and a bypass lane, which is inadequate to prevent queuing on Runnymede Street.

- the GALS Transportation Analysis assumes “effective queuing capacity is 20 vehicles.”
- The bypass lane is intended to allow vehicles to bypass vehicles queued in the Drop-Off lane and exit the property. Therefore the bypass lane cannot be assumed to have queuing capacity.

- The bypass lane and drop-off lane merge into one lane at the school exit onto Valerio St. which will limit the ability of cars to leave the property in a timely and consistent manner, causing back-up in queuing.
- The commuter traffic during peak drive time on Valerio will prevent cars from exiting the school consistently and queuing will back up on Runnymede, impacting neighbors who can't back out of their driveways, and generally disturbing the existing flow of traffic.

“c. Activities outside normal instructional 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.*”

- **See - Development Conditions** - item 8.
- **See - Operational Conditions**, Hours of Operation – item g.

“e. Carpool Program

- ii. The applicant shall require parents to sign a pledge for carpool plan participation and shall implement a formal policy requiring that *30 percent of students* who are driven to and from the subject property each day arrive or depart in vehicles with at least one other student.”

- **The GALS traffic impact study is flawed. See Environmental Findings below.**
 - Significantly more than 30% of students will need to carpool in order to meet CEQA Threshold requirements (if at all).

“i. Activities outside normal instructional 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.*”

- **See - Development Conditions** - item 8. Parking
- **See - Operational Conditions**, Hours of Operation – item g.

“i. **Department of Transportation**. All new school projects must contact LADOT for an assessment of the school’s proposed drop-off/pick-up process and to determine if any traffic controls, school warning and speed limit signs, school crosswalk and pavement markings, passenger loading zones and school bus loading zones are needed.”

- See **Operational Conditions** – item 18. **Loading and Unloading**.

“19. **School Calendar/Special Events, Parking, and Neighborhood Outreach and Notice**. The number of special events shall be limited to *10 events per year*. School administrative board meetings and parent/teacher meetings are excluded from the definition of “Special Events”.”

- **GALS application for a Conditional Use Permit stated, and GALS has stated at public hearings that there will be no more than 5 Special Events a year. In the face of neighborhood opposition the City Planning Commission abused their discretion in doubling the number of allowed Special Events to 10 Special Events a year.**

“b. **Parking**. For all events, the use of local streets for parking shall be discouraged. The school shall coordinate and provide information for off-site parking area(s) as needed.”

- See **Development Conditions** – item 8. **Parking**

FINDINGS

“Conditional Use Findings

1. That the project will *enhance the built environment in the surrounding neighborhood* or will perform a function or provide a service that is essential or beneficial to the community, city or region.”
 - **Community Plan Policy 1-1.4 requires protecting the residential environment through attention to building and site.**
 - **Community Plan Policy 6-1.1 and Program requires that a school’s location, layout, and architectural design are compatible with community character.**
 - The architectural design of the school is **incompatible with community character** and is inconsistent with the Community Plan.
 - The size, scale, and design of the school are out of character for a single family neighborhood.
 - The single story, single family homes in the neighborhood are between 1,200 and 2,200 sf.
 - By comparison the nearly 25,000 sf massive two story **Shipping Container** structure is HUGE and out of proportion to the neighborhood.
 - The **uber industrial look** and feel of the 2-story structure, built from Shipping Containers, **with corrugate metal panels painted red, blue, orange and purple, and storefront glass windows**, is unwelcoming and inconsistent with historic one story, single-family homes, built from traditional building materials.
 - The Urban Design Studio Professional Volunteer Program reviewed the design of the project and found the shipping containers structure to be blocky and rigid and suggested modifications to soften the look.
 - GALS LA found it “unfeasible” to modify the design when it was suggested, because of limitations to the shipping container modular construction
 - **Community Plan Policy 1-3.2 and Program requires the CPC to adopt a finding that neighborhood character, livability, and traffic levels will be preserved and enhanced when changes in densities are proposed.**
 - Shoehorning a 352-person institutional school, on 1.19 acres of land, mid-block, into the interior neighborhood, will **set a precedent** for the City and will not protect the single-family neighborhood.
 - **The GALS traffic impact study is flawed. See Environmental Findings below.**
 - GALS has not proposed any traffic control measures that will mitigate the impact that the addition of:
 - over 350 non-residents entering the neighborhood and

- nearly 1,200 additional daily traffic trips, with inadequate parking, and queuing for school drop-off and pick-up.
- Other schools located on the perimeter of residential neighborhoods, provide buffer areas to protect residential areas from traffic, noise, parking and pollution.
 - GALS proposes to squeeze an inappropriately large building, to serve too many students, into the middle of a residential neighborhood without adequate parking, traffic mitigation, or buffer zones around the property.
- With at least 352 people at the school using water, power and the bathroom multiple times a day. Daily sewer use will be increased by over 1,000 times.
 - The aging and inadequate infrastructure in the neighborhood does not have the capacity for the load demand of the school.

“GALS Los Angeles will reserve a portion of its enrollment for students that live within the community. As charter schools may enroll students from a wide geographic region, the project will enable GALS Los Angeles to provide an additional neighborhood school option for the community and serve a greater population across the entire region.”

- **GALS has repeatedly stated in public hearings that 100 student positions will be reserved for neighborhood enrollment. However:**
 - The Conditions of Approval does not state a specific number of spots for neighborhood students.
 - The Conditions of Approval does not define “community,” rather discusses “community” and “region” interchangeably.
 - The Conditions of Approval does not define how neighborhood students will be chosen to attend GALS.
 - This finding has no meaning and has no teeth. It is purely discretionary and provides no benefit to the surrounding neighborhood.

“2. That 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.”

- **See Conditional Use Findings – item 1.**
- **Valerio Street’s infrastructure is inadequate for the added burden GALS will impose.**
 - Valerio St is a narrow two lane street.
 - Valerio St has no flood control drains, and no curbs or sidewalk on most of the street.
 - Valerios St is already congested with trucks and commuters that use Valerio as an alternative to Sherman Way.
 - 1000+/- additional vehicle trips daily flowing onto Valerio St each morning and afternoon during drop-off and pick-up, traffic will block driveways so residents cannot leave/enter, will hinder trash pickup and street cleaning.

- **Runnymede Street is a quiet narrow residential street that already has a high traffic load and “critical speeds” of average 39 miles/hour.**
 - The DOT application for speed humps on Runnymede was denied until “average daily traffic” exceeded 1,000 cars per day. Speed humps were installed on Runnymede in September 2020.
 - 1200 +/- vehicle trips flowing onto the street each morning and afternoon for drop-off and pick-up will create congestion, block driveways so residents cannot leave/enter, will hinder trash pickup and street cleaning.
- **GALS has not proposed ANY traffic control measures to offset the impact the additional school generated traffic will have on the neighborhood.**
- **The scale of the GALS school is HUGE in every way by comparison to surrounding uses, EXCEPT for the size of the property, which is too small for the GALS program.**
 - The 23,000 sf Shipping Container structure is over **10 times** larger than the neighboring single family homes
 - The Shipping Container structure is shoehorned onto a tiny property, without enough space to adequately park and queue the **1000 vehicles** that will enter the property daily.
 - The additional burden of over **350 non-residents** using water, power and the bathroom multiple times a day will tax the infrastructure. **Daily sewer use will be increased by over 1,000 times.**
 - The aging and inadequate infrastructure in the neighborhood does not have the capacity for the load demand of the school.

“3. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.”

The project does not conform with the purpose, intent and provisions of the Van Nuys – North Sherman Oaks Community Plan, including:

- Community Plan Policy 1-1.3 requires protecting stable single family and low-density residential neighborhoods from incompatible uses.
- Community Plan Policy 1-1.4 requires protecting the residential environment through attention to building and site design.
- Community Plan Policy 1-1.6 and its Program require the City to promote the preservation of single-family neighborhoods with conditional uses being consistent with the Community Plan.
- Community Plan Policy 1-3.2 and Program requires the CPC to adopt a finding that neighborhood character, livability, and traffic levels will be preserved and enhanced when changes in densities are proposed.
- Community Plan Policy 6-1.1 and Program requires that a school’s location, layout, and architectural design are compatible with community character.
- Community Plan Policy 14-1.3 discourages non-residential traffic flow on streets designed to serve residential areas

- Community Plan Policy 14-1.4 requires new development projects to be designed to minimize disturbance to existing flow of traffic with proper ingress and egress to parking.
- Community Plan Policy 14-1.4 and Program require that new development projects incorporate adequate driveway access to prevent vehicular queuing that extends onto streets.

“Zoning Administrator’s Determination Findings

4. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.”

- **Community Plan Policy 1-1.4 requires protecting the residential environment through attention to building and site design.**
- **Community Plan Policy 6-1.1 and Program requires that a school’s location, layout, and architectural design are compatible with community character.**
 - The architectural design of the school is incompatible with community character and is inconsistent with the Community Plan.
 - The size, scale, and design are out of character for a single family neighborhood.
 - The single story, single-family homes in the neighborhood are between 1,200 and 2,200 sf. By comparison the nearly 25,000 sf massive two story Shipping Container structure is HUGE and out of proportion to the neighborhood.
 - The uber industrial look and feel of the 2-story structure, built from Shipping Containers, with corrugate metal panels painted red, blue, orange and purple, and storefront glass windows, is unwelcoming and inconsistent with historic one story, single-family homes, constructed with traditional building materials.
 - The Urban Design Studio Professional Volunteer Program reviewed the design of the project and found the shipping containers structure to be blocky and rigid and suggested modifications to soften the look.
 - GALS LA found it “unfeasible” to modify the design when it was suggested, because of limitations to the shipping container modular construction
 - The feel of the neighborhood will be altered as there will be a fortress in the middle of a single-family residential neighborhood.
 - There is no property in the neighborhood with an 8’ fence. This feature and other features of the proposed design is inconsistent with the community character.

“5. 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.”

- See Conditional Use Findings – item 1.
- See Conditional Use Findings – item 2.
- See Conditional Use Findings – item 3.
- See Zoning Administrator’s Determination Findings – item 4.

“6. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.”

- See Conditional Use Findings – item 3.

“Environmental Findings

8. Environmental Finding. The project has been determined to be categorically exempt from CEQA, pursuant to State CEQA Guidelines, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.”

- **The GALS traffic impact study is flawed. Thresholds must be recalculated using correct methodology and data to determine if the project is categorically exempt from CEQA.**

- GALS Transportation Assessment did not use screening criteria and impact determination for **Regional Serving Schools** which requires regional schools *“be evaluated to determine whether the project would result in a net increase in total VMT. The methodology should be developed in consultation with and approved by LADOT staff at the outset of the study.”*
- The GALS traffic impact studied incorrectly uses VMT/employee as if the school is a local school, and does not use methodology for **Regional Serving Schools and Religious Uses**.
 - See **LADOT Transportation Assessment Guidelines, July 2020**
 - Using VMT/Employee ignores the major trip generator from the school: students/parents.
 - School staff typically makes up approximately 6% of the total trips to and from the school, but are dominate in the VMT/employee model and impact the VMT Threshold calculation.
- GALS proposes, and charter schools in general tend, to attract students from far away from the typical school capture area.
 - See **LADOT Transportation Assessment Guidelines, July 2020**
 - When using VMT as a metric, **GALS should have analyzed whether the regional or city-wide VMT increased as a result of the school, rather than using VMT/employee.**
 - To demonstrate that GALS captures local trips, instead of regional trips, the traffic impact study should have been supplemented with the student

demographic and zip code data. **GALS did not provide this data and did not show that GALS captures local trips as represented in the traffic impact study.**

- **LADOT Transportation Assessment Guidelines 2.2.4** requires school *“uses that are large in scale and are expected to attract people from a broader area, impacts need to be further evaluated using a market study. The project would be shown to result in a significant VMT impact if the project is not screened out from analysis, and the project is expected to result in a net increase in daily VMT.”*
 - **GALS did not use this methodology in the traffic impact study.**

- **VMT must be re-calculated using proper methodology and correct and complete data to determine if Threshold requirements for the CEQU categorical exemption have been met.**

The appropriate methodology is discussed above. Complete data should include the correct Maximum Enrollment, the total number of staff at the school and the correct queuing capacity.

- Pursuant to the Conditions of Approval, the Maximum Enrollment is 330 + 20% = 396 students.
- Although absent from the Conditions of Approval, GALS application for Conditional Use Permit states there will be a minimum of 22 staff, and GALS has stated in public hearings that the total staff will be 35.
- GALS Transportation Report provides one drop-off/pick-up lane which can accommodate 10 cars.



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: MAR 23 2021

Case No. CPC-2020-4418-CU-F
CEQA: ENV-2020-4419-CE
Plan Area: Van Nuys – North Sherman Oaks

Council District: 2 – Krekorian

Project Site: 14203 West Valerio Street

Applicant: Carrie Wagner, Girls Athletic Leadership Schools Los Angeles
Representative: Jack H. Rubens, Esq., Sheppard, Mullin, Richter, & Hampton
LLP

At its meeting of **March 11, 2021**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following Project:

Demolition of an existing single-family dwelling and accessory structures, and the construction, use, and maintenance of a new public charter middle school campus with a maximum enrollment of 330 students in Grades 6 through 8. Project improvements include: a new two-story, approximately 23,157 square foot building, with a maximum height of 24 feet three inches; an outdoor athletic field and running track; an outdoor lunch pavilion; and a surface parking lot with 38 vehicular parking spaces and a designated drop-off/pick-up area for students. The Project will additionally provide a total of 70 bicycle parking stalls: 68 short-term; and two long-term parking stalls. Proposed hours of operation are from 7:00 a.m. through 6:30 p.m., Monday through Friday, with a limited number of special events annually extending beyond these hours.

1. **Determined**, based on the whole of the administrative record, the Project is exempt from CEQA pursuant to State CEQA Guidelines, Section 15332, Class 32, and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Approved**, pursuant to Section 12.24 U.24 of the Los Angeles Municipal Code (LAMC), a Conditional Use Permit to allow the construction, use, and maintenance of a new public charter middle school (Grades 6 through 8) in the R1 Zone;
3. **Approved**, pursuant to LAMC Section 12.24 X.7, a Zoning Administrator's Determination to allow a fence with a maximum height of eight feet in the front yard setback, in lieu of the maximum height of three feet six inches otherwise required in the R1 Zone pursuant to LAMC Section 12.22 C.20(f)(2);
4. **Adopted** the attached Modified Conditions of Approval; and
5. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Millman
Second: Perlman
Ayes: Ambroz, Choe, Hornstock, Leung, López-Ledesma, Mack
Absent: Relan

Vote: 8 – 0

Cecilia Lamas (Electronic Signature due to COVID-19)

Cecilia Lamas, Commission Executive Assistant
Los Angeles City Planning Commission

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

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission is appealable to the Los Angeles City Council 15 days after the mailing date of this determination letter. Any appeal not filed within the 15-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: APR 07 2021

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

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

Attachments: Modified Conditions of Approval, Findings, Interim Appeal Filing Procedure

c: Heather Bleemers, Senior City Planner
Esther Ahn, City Planner
Trevor Martin, Planning Assistant

CONDITIONS OF APPROVAL

(As modified by the City Planning Commission at its meeting on March 11, 2021)

Pursuant to Sections 12.24 U.24 and 12.24 X.7 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

Development Conditions

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the architectural plans, landscape plan, renderings, and materials submitted by the applicant, stamped "Exhibit A", and attached to the subject case file.
2. **Use.** The use of the property shall be limited to a school, for Grades 6 through 8, with a maximum enrollment of 330 students. Any increase beyond the maximum enrollment, up to a maximum increase of 20 percent, shall require an application for a Conditional Use Plan Approval which may be delegated to the Director of Planning for initial decision. Any such application to increase enrollment beyond 330 students shall provide evidence of compliance with the conditions of this grant, that increased enrollment will not adversely impact traffic and parking in the surrounding neighborhood and include appropriate environmental clearance.
3. **Floor Area.** The total maximum floor area of all buildings proposed on the subject property shall be limited to 23,157 square feet.
4. **Building Height.** The project shall be permitted a maximum building height of 25 feet.
5. **Setbacks.** All yards shall comply with all applicable provisions of the LAMC.
6. **Fence.** The project shall be permitted fences with integrated gates of up to a maximum height of 8 feet in the front yard setback along both the project's street frontages. The majority of the fencing along the project's street frontages shall be made of wrought iron or other similar decorative see-through material, as depicted on the plans in Exhibit "A". Chain-link, barbed wire, and other similar materials are prohibited.
7. **Design:**
 - a. All building facades shall utilize a minimum of two different materials. Windows, doors, balcony railings, and decorative features (such as light fixtures, planters, etc.) are excluded from meeting this requirement.
 - b. All mechanical equipment on the roof shall be screened from view by any abutting properties. The transformer, if located in the front yard, shall be screened with landscaping consistent with LADWP access requirements.
8. **Parking:**
 - a. **Vehicle Parking.** The project shall provide at least the minimum required amount of vehicle parking consistent with the provisions of Section 12.21-A,4 of the LAMC.
 - b. **Bicycle Parking.** The project shall provide a minimum amount of bicycle parking consistent with the provisions of Section 12.21-A,16 of the LAMC. A greater number may be provided at the applicant's discretion.

- c. Parking provided on-site shall not be utilized for events or uses occurring at off-site locations unless the property owner files a shared parking application pursuant to Section 12.27-1,15 of the LAMC and such request is granted.
9. **Circulation.** The applicant shall submit a parking and driveway plan to the Los Angeles Department of Transportation (LADOT) for approval.
10. **Landscaping:**
 - a. All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a licensed Landscape Architect and to the satisfaction of the Department of City Planning.
 - b. Prior to the issuance of a certificate of occupancy, a minimum 8-foot high wall made of slumpstone, decorative masonry, or other similar screening material shall be constructed along the eastern, and western property lines, as depicted in the plans in Exhibit "A", if no such wall already exists.
 - c. The perimeter walls/fencing along the subject property's western, northern, eastern, and southern property lines shall be planted with vines or other hanging landscaping that can cover the entirety of the walls and/or fencing at maturity, as depicted in the plans in Exhibit "A".
 - d. The project shall provide a minimum of eight (8) landscaped "finger island" planters within the surface parking lot, as depicted on the plans in Exhibit "A".
 - e. A minimum of one 24-inch box tree (minimum trunk diameter of two inches and a height of eight feet at the time of planting) shall be planted on-site for every four surface parking spaces.
 - f. Trees shall be located in such a manner and be of such a size that the trees are capable of producing an overhead canopy that will shade at least 50 percent of the vehicle parking area after 10 years of growth.
 - g. Planting of required trees within the public right-of-way shall obtain approval from the Urban Forestry Division prior to obtaining clearance from the Department of City Planning. In the event that a required tree cannot be planted within the public right-of-way, those trees shall be planted on-site.
11. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source does not illuminate adjacent residential properties or the public right-of-way, nor the above night skies.
12. **Signage.** On-site signs shall comply with the Municipal Code. Signage rights are not part of this approval.
13. **Sustainability:**
 - a. **Solar.** A minimum of 15 percent of the total roof area shall be reserved for the installation of solar panels. The solar panels shall be installed prior to the issuance of a certificate of occupancy. The lowest point of any solar panel may not be more than five feet above the roof line.

- b. **Electric Vehicle Parking.** All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Section 99.05.106 of Article 9, Chapter IX of the LAMC.
- c. **Flex Space.** A minimum of eight (8) parking spaces along the westerly edge of the parking lot shall be comprised of grasscrete pavers as depicted on the plans in Exhibit "A".

Operational Conditions

- 14. All school administrators, faculty, and school board members shall be provided a copy of the subject determination.
- 15. Filming for commercial purposes shall be prohibited on the property. Student filming and filming for school promotional purposes shall be permitted, provided that such filming is not done outdoors after dark where the use of artificial light is employed.
- 16. No incidental gaming activity as described in Section 12.21-A,13 of the LAMC shall be permitted on the site.
- 17. **Hours of Operation:**
 - a. Hours of operation shall be limited to 7:00 a.m. to 6:30 p.m., Monday through Friday, for the academic school year.
 - b. Hours for classroom instruction shall be limited to 8:30 a.m. to 3:30 p.m., Monday through Friday, for the academic school year.
 - c. Hours for the Before-School Program shall be limited to 7:00 a.m. to 8:30 a.m., Monday through Friday, for the academic school year.
 - d. Hours for the After-School Program shall be limited to 3:30 p.m. to 6:30 p.m., Monday through Friday, for the academic school year.
 - e. Hours of any special events shall not extend beyond the hours of 7:00 a.m. to 8:00 p.m., Monday through Friday.
 - f. Summer school programming shall be limited to a maximum period of two weeks outside of the regular academic school year. Hours for any summer school programming is limited to 8:30 a.m. to 12:30 p.m., Monday through Friday.
 - g. With the exception of teacher preparations, normal school maintenance, parent conferences with teachers, school board meetings and similar customary school activities, there shall be no use of the subject property beyond the hours specified above. However, the applicant shall explore the possibility of allowing public use of the school's athletic track and field facilities on weekends and during Summer periods.
- 18. **Loading and Unloading.** Student drop-off/pick-up activities shall be located as indicated on the plans in Exhibit "A". The drop-off/pick-up plan may be modified to the satisfaction of the Los Angeles Department of Transportation (LADOT). Modifications required by the LADOT shall be submitted to the Department of City Planning for the record.

- a. All vehicles shall queue on-site within the property and not on residential streets.
- b. The school shall inform parents, students, faculty and staff in writing on an annual basis of all rules regulating school traffic and parking. A copy shall be mailed to the City Planning Department at the same time for inclusion in the case file. The school administration shall maintain a list of license plate numbers of all families whose children are enrolled as well as the license plate numbers for each employee who parks on the property.
- c. Activities outside normal instructional 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.
- d. The on-site drop-off and pick-up periods for the school shall occur as follows:
 - i. The on-site drop-off period for the school shall be limited to 7:00 a.m. to 8:30 a.m.
 - ii. The primary on-site pick-up period for the school shall be limited to 3:30 p.m. to 4:00 p.m. and the on-site pick-up period for students involved in after-school programs shall be approximately 5:30 p.m. to 6:30 p.m.
- e. Carpool Program
 - i. The applicant shall distribute information to parents explaining the carpool program, which information shall include family names and phone numbers so that parents can identify potential carpool opportunities.
 - ii. The applicant shall require parents to sign a pledge for carpool plan participation and shall implement a formal policy requiring that 30 percent of students who are driven to and from the subject property each day arrive or depart in vehicles with at least one other student.
- f. The applicant shall ensure that students who take transit and/or walk or ride a bicycle to the school use the routes shown on the Routes to School Plan as depicted in Exhibit "B" and attached to the subject case file. Monitors, consisting of school staff and parent volunteers wearing orange vests or other distinctive attire, shall be positioned at the locations or within the areas shown on the Routes to School Plan to ensure that students follow the designated routes and to maximize student safety. In particular, students shall not walk or ride bicycles on the segment of Valerio Street between Tyrone Avenue and Hazeltine Avenue.
- g. A minimum of five (5) monitors, consisting of school staff and parent volunteers wearing orange vests or other distinctive attire, shall supervise the pick-up/drop-off of students on the subject property during the prescribed hours and maintain smooth ingress to and egress from the subject property. At least one monitor shall be positioned at the vehicular exit at Valerio Street to ensure that no students or other pedestrians enter the subject property from Valerio Street. One of the monitors shall be a "traffic ambassador" who is specially employed and trained by the applicant to prevent parents from the following (i) parking or double-parking on Runnymede Street or Valerio Street, (ii) queueing their cars on Runnymede Street for drop-off or pickup and (iii) picking up and dropping off students on Runnymede Street or Valerio Street.

- The other monitors shall assist and support the traffic ambassador to prevent such violations. The traffic ambassador shall have the authority to take reasonable actions to enforce these requirements and require corrective action. The traffic ambassador shall report any such violations to the school administration and provide applicable license plate numbers.
- h. The traffic ambassador shall be the first point of contact with the community to address any traffic and parking concerns and to work directly and cooperatively with the community to resolve them. Contact information for the traffic ambassador shall be distributed to immediate neighbors and be posted on the school's website.
 - i. Activities outside normal instructional 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.
 - j. The parking and student drop-off/pick-up operational requirements shall be included in the school policies. These school policies should be communicated to faculty, staff, students, and parents at the beginning of the school year and be reinforced throughout the school year and should include information on parking operations, campus access and circulation, and on-site and off-site student drop-off/pick-up operations. In addition, contact information including phone number and contact person will be posted on signs on the school building with notice of the appropriate person to contact regarding school related traffic and parking issues.
 - k. The traffic ambassador shall oversee this program, which shall include appointment of parent coordinators, distribution of literature explaining the program, and the coordination and distribution of family names and phone numbers so that parents can identify potential carpool opportunities.
 - l. **Department of Transportation**. All new school projects must contact LADOT for an assessment of the school's proposed drop-off/pick-up process and to determine if any traffic controls, school warning and speed limit signs, school crosswalk and pavement markings, passenger loading zones and school bus loading zones are needed. The site plan indicating the driveway access and circulation shall be submitted, reviewed, and approved by LADOT and should be coordinated with LADOT's Citywide Planning Coordination Section (6262 Van Nuys Boulevard, Room 320, Van Nuys, CA 91401).
19. **School Calendar/Special Events, Parking, and Neighborhood Outreach and Notice.** The number of special events shall be limited to 10 events per year. School administrative board meetings and parent/teacher meetings are excluded from the definition of "Special Events".
- a. **School Calendar/Special Events.** A copy of the Calendar and List of Special Events 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. **Parking.** For all events, the use of local streets for parking shall be discouraged. The school shall coordinate and provide information for off-site parking area(s) as needed.

- c. A Community Relations representative shall be designated, and contact information of that person shall be posted online on the school's website, and prominently at the school, at least 10 days prior to the beginning of each school year.
- d. The school shall provide the public with a 24-hour "hot line" telephone number that shall be attended by a live person during regular hours of operation and all school special events outside of regular hours. If a live person is not available to answer the telephone call, a voicemail system shall be established for members of the public to report any problems associated with the operation of the school. A live person shall respond to all voicemail messages within 24 hours of the call being placed. An email address to submit concerns shall also be established and made available to the public. A complaint log shall be kept aggregating all live person calls, voicemails, and emails, and shall include the complainant's name, date and time of complaint, phone number and/or email address, the nature of the complaint, the date and time of response to the complaint, and a description of how the issue was responded to or resolved. To the extent feasible, the school shall also keep a record of all voicemails and emails concerning issues with the school's operations. Record of all complaints must be maintained on the premises. 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, for public reference at least 10 days prior to the beginning of each school year. Such records shall be maintained for the period between Planning actions, including between the approval of the case herein and the next subsequent Plan Approval application and between each Plan Approval application. Notwithstanding anything to the contrary in this Condition, with respect to any complaint relating to traffic or parking issues, such complaint shall be promptly referred to the traffic ambassador, who shall respond within 24 hours after the applicable telephone call or voicemail message.

20. **Noise:**

- a. No outdoor public address system or bell system shall be installed or maintained on the subject property. No paging system shall be installed which is audible outside the building in which it is located.
- b. No exterior bells are permitted. Musical instruments used by members of the school band or orchestra shall be confined to within the main building.
- c. No amplified music or loud non-amplified music is permitted outside.
- d. Compressors and other equipment which may introduce noise impacts beyond any property line shall be enclosed or otherwise attenuated such that potential noise sources are oriented away from neighboring properties. All equipment shall be in compliance with the requirements of the LAMC.
- e. Motorized cleaning and landscaping (taking place outside) shall not be permitted before 8:00 a.m. or after 6:00 p.m.

21. **Deliveries.** The applicant shall instruct companies who make substantial deliveries to the subject property to do so between 6:00 a.m. and 1:00 p.m., but not during the stated hours of student drop-off/pick-up.

22. **Trash.** All trash collection and storage areas shall be located on-site and not visible from the public right-of-way.

- a. Trash/recycling containers shall be locked when not in use.
- b. Trash storage bins shall be located within a gated, covered enclosure.
- c. Trash/recycling containers shall not be placed in or block access to required parking.

23. **Maintenance:**

- a. The subject property, including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways, and exterior walls along the property lines, as well as the sidewalk in front of the subject property, shall be maintained in an attractive condition and shall be kept free of trash and debris.
- b. 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.

24. **Security:**

- a. 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.
- b. The property shall be internally secured when not in use.
- c. A security plan shall be developed in consultation with the Los Angeles 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 Van Nuys Community Police Station Commanding Officer a diagram of the site indicating access routes and any additional information to facilitate police response. A copy of such document shall be submitted to the City Planning Department upon its approval.
- d. The campus shall be closed after the start of the school until student dismissal times. Students may not leave the campus unescorted at any time during the school day, including at lunch time.

25. **Plan Approval.** Within two and a half (2.5) years from the issuance of a certificate of occupancy or temporary certificate of occupancy for the school, the property owner shall file a Plan Approval application and associated fees together with mailing labels for all property owners and tenants within 500 feet of the subject property. The matter shall be set for public hearing with appropriate notice. 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 carpool program, the management of traffic and circulation impacts associated with school drop-off and pick-up operations and any documented noise impacts from parking operations and activities on the surrounding residential properties. Upon review of the effectiveness of and compliance with the conditions, the Department of City Planning shall issue a determination. Such determination may delete, modify the terms and conditions and/or add new terms and conditions, as deemed appropriate. The Department of City Planning may also require one or more subsequent Plan Approval applications, if deemed necessary. The application shall include the following minimum information:

- a. The number of students enrolled. Provide a copy of the ledger to verify enrollment numbers for each school year, including any summer sessions.
- b. Operational changes to the school such as hours of operation and drop-off/pick-up policy. The schools shall annually monitor their student loading/unloading area and related traffic patterns during the drop-off and pickup hours. If there are neighborhood cut-through issues that could be resolved through neighborhood traffic calming measures (like the installation of speed humps, temporary turn restrictions, or changes to the loading zone), then the school shall work with the affected residents, Council Office and LADOT to determine the appropriate course of action. Prior to filing a Plan Approval application within the required five (5)-year period, within ninety (90) days after the end of the second (2nd) and fourth (4th) years of operation, the applicant shall submit to the Department of City Planning and the Council Office a report prepared by a traffic consultant or with the assistance of a traffic consultant that (i) summarizes the effectiveness of the pick-up/drop-off system during the prior two school years, (ii) describes any refinements of that system implemented during the prior two school years and that will be implemented during the next school year and (iii) summarizes any substantial concerns, if any, raised by the community during the prior two school years and how the applicant responded to those concerns.
- c. Physical modifications involving expansion or change of use or location. Provide a copy of the building permit for any physical modifications and certificate of occupancy for any expansions along with a copy of the Building and Safety-approved plans.
- d. The status of participation in efforts to develop a comprehensive and effective schedule for staggering drop-off and pick-up times as to be sensitive to the preferences of their respective parent and student bodies and no less so to the property owners affected by such otherwise uncoordinated, and possibly duplicative, traffic patterns.

Administrative Conditions

26. **Grant.** The Conditional Use grant is non-transferable and shall have no expiration date except as provided under Sections 12.24-M, 12.24-P and 12.24-Q of the Los Angeles Municipal Code.
27. **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.
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. **Notations on Plans.** Plans submitted to the Department of Building and Safety for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet and shall include any modifications or notations required herein.
30. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are

awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of city Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.

31. **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.
32. **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.
33. **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.
34. **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.
35. **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.
36. **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.
37. **Indemnification and Reimbursement of Litigation Costs**

Applicant shall do all of the following:

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

- judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
 - d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
 - 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.

FINDINGS

Conditional Use Findings

- 1. That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

The request herein is for a Conditional Use Permit to allow the construction, use, and maintenance of a new public charter middle school, Girls Athletic Leadership Schools (GALS) Los Angeles, in the R1 Zone. At completion, the school will have a maximum enrollment of 330 students in Grades 6 through 8. The subject property is currently developed with a one-story, single-family dwelling with a detached garage. The property also contains several accessory structures, as well as five (5) shipping containers located at the northeast corner of the site. The project will result in a modern school campus with landscaping and hardscape enhancements.

The proposed project will enable GALS Los Angeles, an existing public charter school operating since 2016, to vacate its current co-location at Panorama High School, and establish an independent and permanent campus, thereby providing a stable learning environment for its students. The new campus will be comprised of a two-story school building containing 17 classrooms (including a dance studio), a multi-purpose room, offices, conference rooms, and a staff lounge, as well as, an outdoor patio/lunch pavilion, an outdoor athletic field and running track, and educational garden, and surface parking lot with a designated student drop-off/pick-up area.

Furthermore, GALS Los Angeles will reserve a portion of its enrollment for students that live within the community. As charter schools may enroll students from a wide geographic region, the project will enable GALS Los Angeles to provide an additional neighborhood school option for the community and serve a greater population across the entire region. Quality schools are an essential part of any community. The project will enable GALS to better serve the community and provide a valuable service of high-quality education in a safe and stable environment. Therefore, the project will provide a service that is beneficial to the community, city, and region.

- 2. That 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 site is a level, rectangular-shaped through-lot comprised of three (3) parcels, totaling approximately 53,265 square feet (approximately 1.22 acres) in size. The subject property is bound by Runnymede Street to the north, having a street frontage of approximately 194 feet, and is bound by Valerio Street to the south, with a street frontage of 194 feet, having a lot depth of 275 feet. The subject property is currently developed with a one-story single-family dwelling with a detached garage that will be demolished as part of the project.

The proposed school is a use that is permissible within the R1 Zone per LAMC via approval of a Conditional Use Permit. The project will result in a new two-story, 23,157 square-foot building with a maximum height of 24 feet 3 inches, an outdoor athletic field and running track, an outdoor lunch pavilion, and a surface parking lot with 38 vehicular parking spaces and a designated drop-off/pick-up area for students. The project will additionally provide a total of 70 bicycle parking stalls: 68 short-term; and two (2) long-term parking stalls. The project includes 8-foot masonry walls and wrought-iron fencing with integrated vehicular and

pedestrian access gates, along the campus' perimeter. The project proposes approximately 10,471 square feet of landscaped area throughout the interior and perimeter of the site, including a 500 square-foot educational garden at the northwest corner of the property, and "finger island" planters within the parking lot. The project's height, setbacks, landscape, and parking requirements are all being complied with.

The subject property is located in the Van Nuys area, an established suburban neighborhood in the San Fernando Valley developed mostly in the early- to mid-20th century. The project site is located midblock between Tyrone Avenue to the west, and Hazeltine Avenue to the east. The neighborhood primarily consists of Low to Medium Residential uses. Properties within the immediate vicinity of the project site are zoned R1-1 and are developed with one-story, single-family dwellings.

The project has been thoughtfully designed in order to minimize the school's impact on surrounding residential properties. The proposed building will have a maximum height of 24 feet, 3 inches, which is well below the height limit permitted by the site's underlying zone and height district. The building observes a 20-foot side yard setback from the westerly perimeter of the site and utilizes clerestory windows and green screens along its westerly façade in order to maintain privacy and compatibility with adjacent residential properties. In addition, the project incorporates extensive landscaping and 8-foot block walls along the easterly and westerly perimeters to further maintain privacy and reduce impacts of noise on abutting residential properties and the surrounding neighborhood. Furthermore, the school is designed to alleviate traffic congestion during student drop-off and pick-up periods by proposing a one-way, two-lane driveway for vehicular ingress and egress that will accommodate up to 20 on-site vehicle queuing, thereby reducing vehicular buildup along Runnymede Street.

Operation of the school will not result in a significant impact to the community. The project has been conditioned to minimize impacts of lighting and noise on the surrounding properties. The proposed school will not have bells, loudspeakers, or PA systems, which may cause potential noise impacts. In addition, both the school's schedule and the site layout has been designed to accommodate all student pick-up and drop-off on-site. The project's before- and after-school programs will further stagger student drop-off and pick-up reducing peak traffic in the neighborhood. The school will provide a minimum of five staff members to monitor vehicle and pedestrian traffic during student drop-off and pick-up periods, including one monitor stationed at the egress driveway to ensure that students do not enter the campus from Valerio Street. Student use of the campus will only occur during school hours on weekdays, special events have been limited, and the school will be required to monitor and keep clean the entire property and sidewalks along the property's street frontages, all of which will minimize any potential adverse impacts the project may have.

In summary, the school is a desirable use in the proposed location. The project's physical features and operation will be compatible with the neighborhood and will not adversely affect the community. The proposed school use is permitted by Conditional Use in the underlying zone and the project has been designed and conditioned to minimize any potential impacts associated with these features and use. Therefore, 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.

3. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

The subject property is located within the Van Nuys – North Sherman Oaks Community Plan Area which is one of the 35 Community Plans that make up the Land Use Element of the

General Plan. The Community Plan Area Map designates the subject property for Low Residential land uses corresponding to the RE9, RS, R1, RU, RD6, and RD5 zones. The subject property's R1 zoning is thus consistent with the General Plan's land use designation of the site. The property is not located within the boundaries of or subject to any specific plan, community design overlay, or interim control ordinance.

The Los Angeles Municipal Code (LAMC) permits the use of public charter schools within the R1 Zone with the approval of a Conditional Use Permit subject to certain findings. Therefore, the requested Conditional Use Permit for the proposed school use is permissible per the underlying zone and land use designation of the project site. The project is consistent with the following specific goal, objective, and policy of the Van Nuys – North Sherman Oaks Community Plan:

GOAL 6: APPROPRIATE LOCATIONS AND ADEQUATE FACILITIES FOR SCHOOLS TO SERVE THE NEEDS OF EXISTING AND FUTURE POPULATIONS.

Objective 6-1: To site schools in locations complimentary to existing land uses and in locations which will enhance community identity.

Policy 6-1.1: Encourage compatibility in school locations, site layout, and architectural design with adjacent land uses and community character, and as appropriate, use schools to create a logical transition and buffer between different uses.

The project is further consistent with other elements of the General Plan, including the Framework Element. The Framework Element was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001 and provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide polices regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The project supports the following goals, objectives, and policies of the Framework Element:

GOAL 3A: “A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.”

Objective 3.1: “Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.”

Policy 3.1.1: “Identify areas on the Long Range Land Use Diagram and in the community plans sufficient for the development of a diversity of uses that serve the needs of existing and future residents (housing,

employment, retail, entertainment, cultural/institutional, educational, health, services, recreation, and similar uses), provide job opportunities, and support visitors and tourism.”

GOAL 3B: Preservation of the City's stable single-family residential neighborhoods.

Objective 3.5: “Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that is compatible with and maintains the scale and character of existing development.”

Policy 3.5.2: “Require that new development in single-family neighborhoods maintains its predominant and distinguishing characteristics such as property setbacks and building scale.”

GOAL 9N: “Work constructively with LAUSD to promote the siting and construction of adequate school facilities phased with growth.”

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

Policy 9.32.1: “Work with the Los Angeles Unified School District to ensure that school facilities and programs are expanded commensurate with the City’s population growth and development.”

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

The project will enable GALS Los Angeles to continue to provide and expand a valuable public service for the region. The existing public charter middle school currently shares a campus with Panorama High School, approximately 1.2 miles northwest of the project site, operating on a year-to-year lease agreement. The proposed project will enable GALS Los Angeles to vacate its current location at Panorama City High School and establish an independent and permanent campus. The new campus will provide additional amenities, all of which will enhance the quality of education that is available to the community. The project site is located in a well-established residential neighborhood in a central location in the San Fernando Valley with few other suitable infill sites.

The proposed project is consistent with the applicable provisions of the LAMC and the General Plan. The proposed school use is permissible in the R1 Zone subject to discretionary approval of a Conditional Use Permit; such approval will not change the land use designation or zoning of the project site and nor restrict or prohibit any other future uses of the site. The proposed project is a compatible and desirable use in the subject location and is consistent with the goals of the General Plan. In addition, the operation has been carefully conditioned to ensure compliance with all applicable regulations and to ensure that there will be no negative impacts on the surrounding community. Therefore, the project substantially conforms with the purpose, intent, and provisions of the General Plan.

Zoning Administrator's Determination Findings

- 4. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.**

The project site is a level, rectangular-shaped through-lot comprised of three (3) parcels, totaling approximately 53,265 square feet (approximately 1.22 acres) in size. The subject property is located in the Van Nuys area, an established suburban neighborhood in the San Fernando Valley developed mostly in the early- to mid-20th century. The project site is located midblock between Tyrone Avenue to the west, and Hazeltine Avenue to the east. The neighborhood primarily consists of Low to Medium Residential uses. Properties within the immediate vicinity of the project site are zoned R1-1 and are developed with one-story, single-family dwellings.

The proposed project involves a request for a Zoning Administrator's Determination to authorize a maximum 8-foot-high fencing with integrated vehicle and pedestrian gates in the front yard in conjunction with the operation of a new public charter middle school campus for GALS Los Angeles. The proposed fences and gates along the property's northerly and southerly street frontages on Runnymede Street and Valerio Street, will be constructed primarily of a decorative wrought-iron material, with a block wall base. The project proposes 8-foot block walls along the westerly and easterly perimeters of the site. The fences and walls surrounding the property will have a combination of vine cover and or green screens to further enhance the appearance of the school as well as maintain privacy for adjacent properties.

The request for increased fence height along the project's street frontages is intended to provide adequate security for the school, as well as to provide added privacy to neighboring residents. Although the project is requesting 8-foot high fencing in lieu of the maximum 3 feet 6 inches otherwise permitted in the front yard, the proposed fences and gates will be primarily of a decorative wrought-iron material, which will provide transparency and security and will enhance the street frontages of the subject property, consistent with similar requests relating to new schools in residential neighborhoods.

As such, the approval of the requested 8-foot fence height, in conjunction with the operation of a new public charter middle school, will allow the school to enjoy an added sense of security and safety while also providing nearby residences with additional privacy. Therefore, the proposed project will enhance the built environment in the surrounding neighborhood as well as perform a function that is beneficial to the community.

- 5. 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 existing zoning regulations limit fence, wall, and similar structures height on residentially-zoned properties to provide visual consistency in neighborhoods and to limit bulk and mass in the front of properties. Such regulations, however, are written on a citywide basis and cannot take into account the unique characteristics that a specific use and surrounding area may have, especially when dealing with public schools in residential neighborhoods. In this instance, the subject property is located where single-family homes exist. As such, a Zoning Administrator's Determination to allow an increase in maximum fence height to 8 feet in the front yard, in lieu of the maximum height of 3 feet 6 inches otherwise required per code along the project's street frontages is requested.

The project will not have a significant impact on adjacent properties. Physically, the request to permit fencing in the front yard of eight (8) feet along the project's street frontages will not have a significant impact because the proposed wrought-iron material will be see-through, decorative, and in keeping with typical fences that would be expected to be found in a typical residential neighborhood. Operationally, the proposed fence will enable the proposed school campus to be entirely self-contained and secured, thereby providing security while minimizing any potential impacts on the surrounding single-family homes. The proposed fence will provide safety and security for the school, add value to the community, and enhance the appearance of the site.

The requested deviation in fence height is a permissible request, and the project has been designed and conditioned to minimize any potential impacts associated with this feature. Therefore, 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.

6. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

The subject property is located within the Van Nuys – North Sherman Oaks Community Plan Area which is one of the 35 Community Plans that make up the Land Use Element of the General Plan. The Community Plan Area Map designates the subject property for Low Residential land uses corresponding to the RE9, RS, R1, RU, RD6, and RD5 zones. The subject property's R1 zoning is thus consistent with the General Plan's land use designation of the site. The property is not located within the boundaries of or subject to any Specific Plan, Community Design Overlay, or Interim Control Ordinance. The General Plan and Community Plan do not address fence regulations; however, the Los Angeles Municipal Code Section 12.24 X.7 permits the requested over-in-height walls, fences, and gates within the R1 Zone with approval by the Zoning Administrator. The use of the property as a public charter school will be compatible with surrounding residential properties and has been found to be in conformance with the purpose, intent, and provisions of the General Plan and Van Nuys - North Sherman Oaks Community Plan to protect surrounding residential uses.

The requested increase in fence height will provide security for the new campus and thus facilitates the provision of a new school site, in keeping with the goals of the General Plan. As the entire region has experienced increased population growth, and the requested deviation in fence height facilitates the provision of a new and enhanced educational facility to better serve the growing community. The project site is located in a well-established residential neighborhood in a central location in the San Fernando Valley with few other suitable infill sites.

The proposed project is consistent with the applicable provisions of the LAMC and the General Plan. The requested deviation in fence height will not change the land use designation or zoning of the project site nor restrict or prohibit any other future uses of the site. The proposed project is a compatible and desirable use in the subject location and the requested increase in fence height facilitates the provision of a safe and secure school in this location; thus, the project is consistent with the overall goals of the General Plan. In addition, the operation has been carefully conditioned to ensure compliance with all applicable regulations and to ensure that there will be no negative impacts on the surrounding community. Therefore, the project substantially conforms with the purpose, intent, and provisions of the General Plan, and applicable community plan.

7. Consideration has been given to the environmental effects and appropriateness of materials, design and location of any proposed fence or wall, including any detrimental

effects on the view which may be enjoyed by the occupants of adjoining properties, and security to the subject property which the fence or wall would provide.

Consideration has been given to the environmental effects and appropriateness of materials, design and location of the proposed walls and fencing, including any detrimental effects on the view which may be enjoyed by the occupants of adjoining properties, and security to the subject property which the fence will provide. The project proposes 8-foot-high block walls along the site's westerly and easterly perimeters allowed by-right, and 8-foot wrought-iron fences with integrated vehicle and pedestrian gates along the project's street frontages on Runnymede Street to the north, and Valerio Street to the south, subject to discretionary approval. Whereas the otherwise permitted fence height of 42 inches in the front yard setbacks along Runnymede Street and Valerio Street is easily scalable, the requested increase in fence height along the property's street frontages will provide additional safety and security which are essential for a school campus. The proposed wrought-iron fencing material will be decorative and will enhance the appearance of the subject property; as the proposed fence and pedestrian gate will be highly transparent, they will not have a significant impact on views to and from nearby properties. This material is further appropriate for an established residential neighborhood and will enhance the appearance of the streetscape and the community. The proposed fencing alone is not likely to have any significant environmental impacts. Therefore, the proposed 8-foot high wrought-iron fences along the property's street frontages will be of an appropriate material and design, will provide essential security, and will not have a significant detrimental impact on views or any other environmental factor.

Environmental Findings

- 8. Environmental Finding.** The project has been determined to be categorically exempt from CEQA, pursuant to State CEQA Guidelines, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies. The Categorical Exemption Study dated February 1, 2021 and attached to the subject environmental case file (ENV-2020-4419-CE) provides the full analysis and justification.
- 9. Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check.

Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

Metro DSC

(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC

(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment