

# DAVID MOSS & ASSOCIATES, Inc.

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## Via Email

August 25, 2021

Kora McNaughton, Pl. Asst  
Los Angeles City Planning  
6262 Van Nuys Blvd, Room 430  
Los Angeles, CA 91401

Re: Responses to DCP Staff's Request for Clarification, and to  
Points Raised by Two Appellants  
Case No. CPC-2013-1495-CU-PA1  
13351 N. Glenoaks Blvd, Sylmar, CA 91342

Dear Kora,

## **Introduction**

PUC requested that DMA, Inc. – its land use and environmental consultants provide a comprehensive letter to respond to two specific components of the appeal to be heard by the City Planning Commission on September 9, 2021. DMA is the representative of record that worked closely with staff and the community and that sought the Hearing Officer's approval of the above-referenced PA1.

The purpose of this letter is two-fold:

- Respond to three issues and nine specific appeal points that DCP staff wants to make sure the CPC is fully empowered with knowledge on, and
- Address all appeal points raised by two appellants in two separate appeals.

## **Availability for Further Discussion**

Both DMA and PUC staff are available to discuss the issues and appeal points that have been stated and responded to in this letter.

Having these issues and points addressed fully enables staff to convey to the CPC a firm basis and confidence upon which the CPC can make an informed decision regarding the lack of merits of the appeal.

PUC does not take the rights for granted entitled by the CUP and PA.

PUC staff at all levels fully embrace the responsibility and privilege to educate middle and high school students at this and 14 other campuses in Los Angeles. They intend to fully comply with the approved Plan Approval and look forward to the completion of the hearing process and denial of both appeals. And to working and communicating even more closely and effectively with the community.

Sincerely,



David Moss, President



Gerry Hernandez, Planner

cc: Sarah Hounsell, City Planner

## Responses to DCP Staff's Request for Clarification

Issue/Point	Response	Satisfied Y/N
Provide a revised site plan by 8/30/21 showing at least 186 parking spaces, location of trash receptacles (show trash enclosure if within 50 ft of any residential zone or use), and if the basketball court is being proposed for additional parking, show the number of spaces that can be accommodated per DBS parking lot design standards.	<ul style="list-style-type: none"> <li>See Site Plan showing 186 spaces and up to 40 overflow basketball court spaces for events (Attachment A). Overflow spaces are not required to be consistent with "required space" design.</li> </ul>	Y
Consult with PUC about conditioning the 10:00 a.m. or later trash pickup time.	<ul style="list-style-type: none"> <li>Trash pickup restricted to &gt;10:00 AM and &lt;6:00 PM M – F.</li> </ul>	Y
Reach out to Vicente Cordero ( <a href="mailto:vicente.cordero@lacity.org">vicente.cordero@lacity.org</a> ) and Steve Rostam ( <a href="mailto:steve.rostam@lacity.org">steve.rostam@lacity.org</a> ) of DOT whether an access and circulation study is needed given the enrollment increase and 3 <sup>rd</sup> party rentals.	<ul style="list-style-type: none"> <li>The Access and Circulation Plan (Attachment B) and Traffic Engineering Assessment Memo (Attachment C) were transmitted.</li> </ul>	Y
<u>Appeal Point 1</u> : Traffic and parking impacts on Cobalt Street create unsafe conditions for residents and students.	<ul style="list-style-type: none"> <li>Both concerns have been mitigated - evidenced by email correspondence from one Appellant.</li> </ul>	Y
<u>Appeal Point 1-A</u> : PUC traffic monitors are necessary along the entire block of Cobalt between Glenoaks and Herrick, as the conditions imposed on the applicant are insufficient to address the traffic congestion. At drop-off and pick-up times, Cobalt Street is blocked in both directions, as parents line up to make a right turn onto Glenoaks Blvd. to access the PUC campus and Herrick Elementary parents line up to turn right onto Herrick.	<ul style="list-style-type: none"> <li>This concern has been mitigated by an enforced and monitored change in circulation (Exhibit B).</li> </ul>	Y
<u>Appeal Point 1-B</u> : Impaired driver visibility at the corner of Cobalt Street and Glenoaks Boulevard due to an oversize hedge and telephone pole create a safety hazard as cars turn onto Glenoaks.	<ul style="list-style-type: none"> <li>PUC lacks authority to require a homeowner to correct an alleged hazard.</li> <li>Same response as Appeal Point 1-A.</li> </ul>	Y
<u>Appeal Point 1-C</u> : The conditions of approval should explicitly state a procedure for addressing traffic and parking violations by PUC parents and students.	<ul style="list-style-type: none"> <li>The City has authority to set a revocation hearing to address alleged violations.</li> <li>PUC's limited discipline authority does not include expulsion but does include loss of valued student privileges.</li> </ul>	Y
<u>Appeal Point 2</u> : Expansion of school enrollment to 1,300 is not justified by evidence that the school serves local students and will compound the traffic problems in the neighborhood.	<ul style="list-style-type: none"> <li>The Traffic Assessment Memo (Attachment C) verifies that a 4% increase in enrollment does not warrant additional mitigation.</li> <li>All PUC-enrolled students are eligible for and deserve a quality public-school education.</li> </ul>	Y
<u>Appeal Point 3</u> : The school site provides insufficient parking. The conditions of approval require 186 spaces, but only 162 are provided.	<ul style="list-style-type: none"> <li>There are 186 spaces and up to 40 overflow basketball court spaces for events (Attachment A)</li> </ul>	Y
<u>Appeal Point 4</u> : Expansion of campus enrollment to 1,300 students will exacerbate traffic and parking impacts in the neighborhood and is not justified without evidence that the schools are serving local students.	<ul style="list-style-type: none"> <li>Same response as Appeal Point 2.</li> </ul>	Y
<u>Appeal Point 5</u> : Rental of campus facilities will negatively impact the surrounding neighborhood by extending traffic and parking impacts to hours during which school is not in session.	<ul style="list-style-type: none"> <li>The Plan Approval provides multiple conditions to mitigate the unfounded concerns including monitoring <b>by PUC</b>, onsite parking only, restricted circulation, and no simultaneous 3<sup>rd</sup> party and PUC uses.</li> </ul>	Y

## Responses to DCP Staff's Request for Clarification

<u>Appeal Point 6</u> : Special events should be limited to 5 or fewer per month and traffic and parking monitors should be required similar to student drop-off and pick-up times.	<ul style="list-style-type: none"> <li>Agreed as to the similar monitoring requirements only.</li> </ul>	Y
<u>Appeal Point 7</u> : The complaint log maintained by the school should be available for viewing upon request by any neighbor, not just the occupants of properties within 500 feet of the school.	<ul style="list-style-type: none"> <li>Agreed. PUC will seek to set this up on their website.</li> </ul>	Y
<u>Appeal Point 8</u> : Notification of a compliance report/plan approval application, which the applicant is required to submit every two years to the City Planning Department (Condition 39), should be sent to all owners and occupants within 500 feet of the entire block, not only those within 500 feet of the subject property.	<ul style="list-style-type: none"> <li>PC is required to follow codified requirements.</li> </ul>	Y
<u>Appeal Point 9</u> : The conditions of approval do not establish how the trash pick-up times will be enforced.	<ul style="list-style-type: none"> <li>PUC's vendor has agreed to pickup limited to &gt; 10 AM and &lt; 6 PM M – Fri.</li> <li>Please notify PUC staff if there is EVER a departure from these limits.</li> </ul>	Y

## Responses by PUC Staff/DM to All Appeal Points

Comment	PUC Response	Mitigated Y/N
<b>Manny Martinez, Resident, Cobalt St.</b>		
<p>Major traffic on Cobalt St between Herrick St and Glenoaks Blvd. Some 500 hundred cars use Cobalt St daily to access Herrick Elementary and PUC schools - safety concern for [residents] on Cobalt Street and the students.</p> <p>On school mornings Cobalt is blocked off by the line of parents dropping off children at the elementary school on one side of Cobalt and the line of students and parents entering Glenoaks Blvd to enter the PUC schools.</p>	<p>Herrick Elementary was established 7-1-59.; PUC operates three schools on the one campus under its 2014 CUP.</p> <p>Circulation, turning movements and peak trip maximums were analyzed in 2014 and potentially significant cumulative impacts of both schools utilizing Cobalt were mitigated.</p> <p>Exhibit B is the successfully implemented Traffic and Circulation Plan for the Fall 2021 semester. One Appellant on Cobalt St. said by email: "Yes I have noticed there is normal traffic on Cobalt thank you. I am sure your clients now find it easier to enter the school".</p> <p>The Plan mitigated the prior alleged parking along Cobalt St. and use of Cobalt St. in the north bound direction to make the right turn onto Glen Oaks Blvd. into the school's driveway. This current circulation and access approach will be fine-tuned over time with community input.</p>	Y
<p>Item #2- The CUP says there is to be 186 marked parking spaces for expansion. I count the current parking spaces at 162 now and I see no room for expansion.</p>	<p>See Site Plan showing 186 spaces and up to 40 overflow basketball court spaces for events (Attachment A)</p> <p>186 spaces are more than required by the 2014 or current code which is based on the largest non-gym assembly area.</p>	Y
<p>Item #7- Expansion of enrollment to 1,300 students is too many – the approximate daily number of cars entering the PUC schools will increase to about 900 cars during drop off and to pick-up.</p>	<p>The Traffic Assessment Memo (Attachment C) verifies that a 4% increase in enrollment doesn't warrant additional mitigation.</p> <p>Daily average attendance is never the same as enrollment even before Covid due to other illness, missed days, truancy, and drop-outs.</p> <p>Parents sign an annual "compact" to abide by all traffic and ride sharing policies.</p>	Y
<p>Item #8- Currently half of those 900 cars enter the schools using Cobalt St onto Glenoaks Blvd and the same number of cars return for pick-ups in the afternoon. Included is the traffic flow chart showing the path of traffic onto the PUC schools.</p> <p>Residents are blocked in by the line of traffic on Herrick Street to the south and blocked in by the traffic of Cobalt and the vehicles entering Glenoaks to the north. Both schools block off traffic flow in the mornings and the afternoons.</p>	<p>This concern has been mitigated by an enforced and monitored change in circulation (Exhibit B).</p> <p>The morning drop-off is spread over a longer period due to students dropped off early, and/or for before school breakfast program. The afternoon pickup is spread out over a longer period to accommodate after school programs.</p> <p>The morning start time for both schools is already staggered, and the afternoon pickup times are significantly divergent with Herrick ending at 2:05 and PUC ending classes at 3:30 and hosting after school programs that further spread the afternoon pickup across several hours.</p>	Y

Comment	PUC Response	Mitigated Y/N
<p>Item #14- There should be no leasing or renting out of the PUC facility due to the traffic and parking problems. Who is going to monitor the parking situation on residential streets during those times of those events? Will there be monitors on weekends and at all hours during the full duration of the events.</p>	<p>Third party rentals will not take place while PUC schools are in operation.</p> <p>Conditions of approval of the subject PA already account for supervision of third-party users by PUC, and notification to the community in advance, including contact information during 3<sup>rd</sup> party use.</p>	<p>Y</p>
<p>Item #34- It is mostly the students and parents who park on Cobalt not teachers.</p> <p>This conditional use by the PUC schools has not addressed complaints by the residents under The Public Correspondence section.</p> <p>To remedy the traffic jams monitors should be used to halt all traffic from entering Cobalt St to get to the PUC loading zone and use Glenoaks Blvd only.</p> <ol style="list-style-type: none"> <li>1. <u>LADOT Monitors and Training:</u> After the PA hearing PUC requested that LADOT – Captain Tom Villarreal and Lieutenant Brian Hartman at the Valley Parking Enforcement office seek the posting of one or two LADOT traffic control officers from time to time at hot spots and provide periodic training of PUC’s monitors.</li> <li>2. <u>New Traffic, Circulation and Parking Condition</u>  <i>“The school shall inform parents, students, faculty and staff in writing on an annual basis of all rules regulating school traffic, circulation and parking including no student parking along or U-turns within Cobalt St. A copy shall be provided to the City Planning staff at the same time. The school shall maintain a progressive disciplinary system of enforcement subject to LAUSD and Charter Regulations in which a third violation shall result in loss of privileges to the involved student(s). School administration shall maintain a list of license plate numbers of all caregivers whose students are enrolled. Circulation shall be enforced to preclude NB travel the one block section of Cobalt that intersects with the south side of Glenoaks.</i> </li> </ol>	<p>Thank you for making this clear during the PA hearing and during a site visit with PUC staff. PUC has spoken with you and the other Appellant during the time the HO left the hearing record open. PUC agreed to place monitors to notify anyone associated with the schools that there is to be no parking along Cobalt.</p> <p>This concern has been mitigated by an enforced and monitored change in circulation (Exhibit B).</p> <p>PUC shall apply available “penalties” to parents and students that violate the school’s no student driving, no parking along Cobalt, and traffic management policies.</p> <p>PUC agreed to the following additional conditions – <u>see below and Nos. 1-2 in Column 1 to the left.</u></p> <ol style="list-style-type: none"> <li>3. <u>New Monitors Condition</u>  <i>“PUC will update its site plan to show the location of all monitors including those to be roaming or stationary along Glenoaks and at or about the Glen Oaks/Cobalt intersection to dissuade and limit student parking, pickup/drop-off to only along the on-site queuing area, and to reduce the frequency of U-turns on Cobalt St.”</i> </li> <li>4. <u>New Signage Condition:</u>  <i>“The applicant shall place temporary signage prior to drop-off and during certain pick-up if approved and with wording suggested by LADOT at the Cobalt - Glenoaks intersection that limits student parking and U-turns.”</i> </li> </ol>	<p>Y</p>

Comment	PUC Response	Mitigated Y/N
	<p>5. <u>New Periodic Monitor Training Condition</u></p> <p><i>"The applicant shall host traffic monitor training sessions every two months to train each monitor on their placement and function. Each session shall provide a lesson on the school's pick up/drop off guidelines, followed by a discussion to ensure a complete understanding of the school's traffic operations, student safety obligations, and the importance of strict compliance with the CUP conditions of approval. These training sessions shall also function as a forum for monitors to discuss and correct impermissible traffic-related occurrences (i.e., prohibitive turns, no blocking of driveway, no jaywalking, no staging, or parking in neighbor's property), identify and if necessary, implement additional measures to further reduce low frequency impermissible occurrences, and identify names of caregivers and students with frequent disregard for rules. "PUC does not allow students to drive to school. Students and parents who have been caught violating this rule are rebuked and educated on PUC's policies.</i></p>	

Comment	PUC Response	Mitigated Y/N
<b>Martha De La Mora Comments</b>		
Page 2, Section 2, in regard to Parking, is giving conditional approval with 186 parking spots. Page 20 indicates that in 2004 an approval was given for 230 parking spaces in lieu or 287 then required. The current approval is for 186 parking spaces. There is not enough parking on the campus. This number needs to increase to accommodate existing members.	<p>PUC is required to provide the 186 spaces set forth in the discretionary CUP/PA approvals.</p> <p>The 186 provided spaces is considerably more than the required parking based on the largest non-gym assembly area (auditorium).</p> <p>See Site Plan showing 186 spaces and up to 40 overflow basketball court spaces for events (Attachment A).</p>	Y
<p>Page 2, Section 7, in regard to Use, is giving conditional approval of 1300 students.</p> <p>There is no study that shows how many local students attend the schools. There is an overage for the 1250 limit since there is enrollment of 1284. That in itself does not prove a need for this area of Sylmar to increase limits, nor that those students are coming from the area. There are numerous parking and traffic issues that have not been resolved. Let's wait to see if proposed monitoring and changes work, before increasing the number of students attending.</p>	<p>The change in enrolment doesn't directly translate to significant new additional daily trips. Daily average attendance is never the same as enrollment even before covid due to other illness, missed days due to family problems, truancy, and drop-outs.</p> <p>PUC will update all new and existing parents at the beginning of every semester by way of the "compact" they must review and execute -the need to participate in carpooling and obey all traffic management rules.</p> <p>Students have a right to attend a public school of their choice.</p>	Y
Page 3, Section 10 and 11. Monitors have been mentioned for drop off and pick up times, but only for 500 feet and not for events. Monitoring needs to occur down the entire Cobalt St, not just 500 feet. The whole block is affected. Stated process for violations for events, like on Page 3, Section 11 would be helpful. Monitoring also needs to occur when events happen.	<p>2. <u>New Traffic, Circulation and Parking Condition</u></p> <p><i>"The school shall inform parents, students, faculty and staff in writing on an annual basis of all rules regulating school traffic, circulation and parking including no student parking along or U-turns within Cobalt St. A copy shall be provided to the City Planning staff at the same time. The school shall maintain a progressive disciplinary system of enforcement subject to LAUSD and Charter Regulations in which a third violation shall result in loss of privileges to the involved student(s). School administration shall maintain a list of license plate numbers of all caregivers whose students are enrolled. Circulation shall be enforced to preclude NB travel the one block section of Cobalt that intersects with the south side of Glenoaks.</i></p> <p>PUC implemented new monitor locations in Fall 2021 and have mitigated use of Cobalt for access or parking (Exhibit B)</p>	Y
Page 4, Section 14, in reference to renting out the school as a venue. This will bring in more people that do not care about our community. It will aggravate an already existing problem that has not been resolved. Please reconsider allowing the rental of the school as a venue. One point shows it is approving use on Saturday's. Hours of operation have also been extended for the week. With the additional Saturday, residents would have almost no down time from the school's activities on weekends. Summer use of the school further limits that.	<p>Your comment is noted.</p> <p>The state-of-the-art theatre, sports fields, and interior classrooms are truly a community serving use that should be used by various organizations under carefully monitored conditions including PUC representatives present during 3<sup>rd</sup> party use.</p>	Y

Comment	PUC Response	Mitigated Y/N
Page 6, Section 20, Increases the monthly events to 6 per month. They currently have 5, and that is too many. Please leave it at 5 or less.	There is no indication that there are unmitigated impacts from the existing five monthly events and a sixth is not a substantial increase given additional PA conditions of approval.	Y
Page 7, Section 25, recommends notifying properties within 500 feet of upcoming events. Since the whole street is affected all residents on Cobalt St should be notified of upcoming events.	Restricted use of Cobalt will be communicated to all attendees and participants in 3 <sup>rd</sup> party events. PUC will seek to set up a location on the campus webpage that provides such notification.	Y
Page 8, Section 38, in reference to a complaint log, should be available for any neighbor who requests it, not just those at 500 feet.	Agreed to and acknowledged.	Y
Page 8, Section 39, in reference to public notices, should be made to owners and occupants of properties within the radius of the entire block.	Only owners will be notified within 500 ft. It is not possible to use public records to identify non owners. PUC will seek to set up a location on the campus webpage that provides such notification.	Y
Page 11, States Commercial trash bins will be placed 50 feet from residences. Bins could be placed further, if it takes into consideration the noise at pick up time and that it is at early hours of the morning. In the past, pick up was as early as 5 am, which was earlier than the 7 am approved time. If the new approval is for 6 am, can we expect to have trash pickup adjacent to our homes at 4 am? These are past things to consider, in hopes of establishing a realistic parameter.	The location of trash bins was agreed - to revert back to the 2014 approved location (Attachment A). Pickup hours are restricted to > 10:00 AM and < 6:00 PM M – F..	Y
Page 27, Special Events, states "it should be noted PUC has not received complaints about special events thus far". Yet, there are issues that result as with the pickup and drop off. The fact that we have voiced our concerns more about these does not mean that all is fine when special events occur. The problems are very similar. There is overage parking on the residential street as well as noise, trash, and safety issues.	PUC cannot mitigate concerns that they are not aware and vows to react swiftly and effectively when notified in the future.	Y
Page 28 supports an increase in students and claims a demand for education. Again, research has not been shared to support this. The over enrollment could be due to servicing of students outside of our area.	Students do come from inside <u>and</u> outside the "area" in accordance with applicable District rules, regulations, and policies. Every student deserves a public-school education of their choice in accordance with applicable District rules.	Y
3. How you are aggrieved by the decision: As a neighbor who shares a common wall, the points listed above affect my daily life. Increasing the number of students, number of events and hours of operation and the use of the school as a venue has a direct impact on so many levels. They range from my safety and the safety of others as well as negatively changing our community.	No safety issues have been raised as a result of the operations of the three-campus public charter school. Increase of a maximum of 50 students in the total enrollment rarely if ever translates to an additional 50 students on campus due to other illness, attrition during the school year, and now more than ever due to covid protocols.	Y
4. Why you believe the decision-maker erred or abused their discretion: Perhaps there was not enough information regarding how many students that live in the area are actually served, and that there may not be an increase in those. Therefore, showing an increase	See response above please. All students are eligible to receive a public-school education. An educated society is better for all.	Y



Comment	PUC Response	Mitigated Y/N
in people from out of the area being served, and no need to increase the student enrollment.		
<p>For other points made, it would take someone actually coming out at a drop off, pick up or event time in order to see how the concerns impact our community, street and individual residences. Please reconsider the comments and suggestions from the residents from the December hearing as well as those in our appeals. Please reconsider the extended Saturday use, as it does not allow down time from school activities.</p>	<p>PUC agrees and acknowledges that operating a three-school campus involves a hectic and sometimes congested period during peak AM and PM times.</p> <p>Generally, neighbors near all schools – public, private, or public charter limit their vehicular travel during the same periods.</p> <p>PUC staff at the highest levels have been out en masse during the Fall 2021 semester and are assessing ongoing issues and ways to enhance the mitigation of any impermissible parking or traffic circulation. The other Appellant emailed a school principal that “Yes I have noticed there is normal traffic on Cobalt thank you. I am sure your clients now find it easier to enter the school”.</p>	Y
<p><b>From the PA Hearing</b></p> <p>We believe that the installation of a traffic light on the corner [of Cobalt and Glenoaks] would curb such [U Turn] driving behavior and have requested that LADOT cooperate to have one installed. How does PUC intend to address this?</p>	<p>PUC and its land use consultant elevated the community’s request to Captain Tom Villarreal and Lieutenant Brian Hartman at the Valley Parking Enforcement office and sought input and support from the office of Councilperson Monica Rodriguez.</p> <p>Outreach resulted in a response that there are no monies available for the community’s request.</p>	Y