



# LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300  
[www.planning.lacity.org](http://www.planning.lacity.org)

## LETTER OF DETERMINATION

MAILING DATE: DEC 30 2016

Case No.: **CPC-2011-1187-CU-PA1**

Council District: 12 - Englander

CEQA: ENV-2016-2006-CE

Plan Area: Canoga Park-Winnetka-Woodland Hills-West Hills

**Project Site:** 22622-22654 West Vanowen Street

**Applicant:** Deborah Shapiro, De Toledo High School  
Representative: Fred Gaines, Gaines and Stacey, LLP

At its meeting of **November 17, 2016**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

A Plan Approval to an existing Conditional Use Permit, approved by the Los Angeles City Council on an appeal considered on June 22, 2012, for review of compliance with operational conditions of De Toledo High School (formerly New Jewish Community High School), as required by Condition A.5, Case No. CPC-2016-1187-CU, and to allow for modification, deletion, or addition of conditions as warranted.

1. **Determined** that based on the whole of the administrative record, the project is Categorically Exempt from environmental review pursuant California Environmental Quality Act (CEQA) Guideline 15301 City CEQA Guidelines, Article III, Section I, Class 1, Category 22, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.
2. **Determined** that the operation of De Toledo High School is in substantial compliance with the Conditions of Approval imposed by the City Council;
3. **Adopted** the attached Conditions of Approval as modified by the Commission; and
4. **Adopted** the attached Findings.

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

This action was taken by the following vote:

Moved: Dake Wilson  
Seconded: Perlman  
Ayes: Ahn, Choe, Katz, Padilla-Campos  
Absent: Ambroz, Mack, Millman

Vote: 6-0

*Handwritten signature: H. Williams*  
James K. Williams, Commission Executive Assistant II  
Los Angeles City Planning Commission

**Effective Date/Appeals:** The Los Angeles City Planning Commission's decision is appealable to the Los Angeles City Council within 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 Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

**FINAL APPEAL DATE:** JAN 18 2017

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

c: Valentina Knox-Jones, Planning Assistant  
Tom Glick, City Planner

## CONDITIONS OF APPROVAL

**A. Entitlement Conditions: Conditional Use Plan Approval:**

1. **Prior Case:** The conditions of approval as set forth in Case No. CPC-2011-1187-CU, approved by City Council on appeal on June 22, 2012 (Council File No. 12-0644), shall remain in effect except as modified by this action.
2. **Grant.** Conditional Use Plan Approval, pursuant to Section 12.24 M of the LAMC for the continued operation and maintenance of a private school in an A1-1 zone. The subject grant permits modifications to the existing operations of the site and removes references to physical improvements along Vicky Avenue, as the applicant is no longer pursuing those improvements. The following conditions of approval (CPC-2011-1187) are modified, per the Commission.

Modifications to the original Conditional Use Permit are identified as follows: ~~strikeout~~ are for text to be removed and underlined text is for text to be added.

**A. CPC-2011-1187-CU, Condition No. A.1**

1. **Use.** The use of the property shall be limited to a private High School serving grades 9 through 12 with a maximum enrollment of 450 students with no limitation on the number of students per grade and no limit on the number of staff (including part-time). Additionally, the following conditions shall apply:

- a. School Hours (Monday-Friday, 7:00 a.m. – 4:00 p.m.): During school hours, the total number of people allowed on the subject site during classroom hours shall not exceed a maximum of 700 persons.
- b. Weekday Afternoon Hours (Monday-Friday, 4:00 p.m. – 8:00 p.m.): During weekday afternoons, the total number of people allowed on the site shall not exceed a maximum of 450 persons.

Evening Hours (Monday-Sundays, 8:00 p.m. – 11:00 p.m.): The total number of people allowed on the subject site after 8:00 p.m. shall not exceed a maximum of 300 persons with the exception of twice a month when the total number of people allowed on site shall not exceed a maximum of 1,000 persons.

Weekend Hours (9:00 a.m. – 8:00 p.m.): During weekend hours, the total number of people allowed on the subject site shall not exceed a maximum of 450 persons.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1:00 A.M. – 5:00 A.M.	FACILITY CLOSED						
6:00 A.M. – 7:00 A.M.	INDOOR SPORTS FACILITY USE – NO MAXIMUM						
7:00 A.M. – 4:00 P.M.	SCHOOL HOURS, MAX. NUMBER OF PEOPLE 700 PERSONS, 7:00 A.M. – 4:00 P.M., Mon. – Fri.						
4:00 P.M. – 8:00 P.M.	MAXIMUM NUMBER OF PEOPLE ON-SITE - 450 PERSONS 4:00 P.M. – 8:00 P.M., Mon. – Fri. / 9:00 A.M. – 8:00 P.M., Sat. & Sun.						
8:00 P.M. – 11:00 P.M.	MAXIMUM NUMBER OF PEOPLE ON-SITE - 300 PERSONS Twice a month may have up to 1,000 people on-site 8:00 P.M. – 11:00 P.M., Mon. – Sun.						
11:00 P.M. – 12:00 A.M.	FACILITY CLOSED						

- c. Up to four (4) events per year may exceed 1,000 persons, unless otherwise prohibited by the occupancy requirements of the Los Angeles Municipal Code.
- d. No outdoor activities shall occur after 9:00 p.m. with the exception of two (2) annual outdoor activities that may not occur after 11:00pm.
- e. Limited community center services shall be permitted. The subject site shall not be rented as a banquet hall facility for wedding parties, bar or bat-mitzvah parties or similar events.

**B. CPC-2011-1187-CU, Condition No. A.8:**

- 8. Sound Amplification/Noise Control. There shall be no amplification of sound in any open areas of the project site, except for:
  - a. programmatic purposes, for no more than one (1) hour, twice a week not earlier than 9:00 a.m. or later than 5:00 p.m.
  - b. a maximum of four (4) other school events per year with open area sound not earlier than 9:00 a.m. or later than 10:00 p.m. and with amplified sound for no more than four (4) hours per event.; and
  - c. emergencies (also see Condition 9). The applicant shall prevent the congregation of students within the service/fire driveway area. All doors and windows facing Faust Avenue shall remain closed unless otherwise prohibited by the Fire Code or any other provisions of the Los Angeles Municipal Code.

**C. CPC-2011-1187-CU, Condition No. A.10:**

- 10. Hours of Operation. Facility hours shall be between 7:00 a.m. and 11:00 p.m., Monday through Friday, and between 9:00 a.m. and 11:00 p.m. on Saturday and Sunday, and between 9:00 a.m. and 10:00 p.m. on Sunday, with the exception of indoor sports training which may begin at 6:00 a.m. Monday through Friday and the exception of ten (10) weekend days where the facility may open at 7:00 a.m. School classroom hours shall be between 7:00 a.m. and 4:00 p.m., Monday through Friday. ~~Community center uses and/or other non-school related uses shall be conducted between 10:00 a.m. and 11:00 p.m., Monday through Friday, between 9:00 a.m. and 11:00 p.m. on Saturday, and between 9:00 a.m. and 10:00 p.m. on Sunday.~~ (also see Condition No. 1).

**D. CPC-2011-1187-CU, Condition No. A.14, this Condition is modified to remove dedication and improvement requirements along Vicky Avenue since the applicant is no longer pursuing construction along Vicky Avenue:**

- 14. Bureau of Engineering. Pursuant to Bureau of Engineering's letter dated August 11, 2011, the applicant shall be required to:

A. Dedication Required:

- 1. Vanowen Street (Secondary Highway) - Accept the 18-foot future street and dedicate an additional 2-foot strip of land along the property frontage to complete a 45-foot half right-of-way in accordance with Secondary Highway Street Standards.
- 2. ~~Vicky Avenue (Local Street) - Accept the southerly 1-foot and easterly 18-foot future street to complete a 27-foot half right-of-way in accordance with Local Street Standards.~~

23. Faust Avenue (Local Street) - None.

B. Improvements Required:

1. Vanowen Street - Construct additional 2-foot concrete sidewalk to complete a 12-foot full width sidewalk and repair an broken, off-grade or bad order concrete curb, gutter and sidewalk. Reconstruct all driveways to comply with ADA requirements. Close an unused driveways.

~~2. Vicky Avenue - Construct an access ramp at the southeast corner intersection with Vanowen Street and reconstruct all driveways to comply with ADA requirements. Close any unused driveway.~~

23. Faust Avenue - Remove and reconstruct bad order asphalt pavement adjacent to the curb gutter and any broken, off-grade sidewalks, curb and gutter adjacent to the property. Reconstruct all driveways to comply with ADA requirements and close any unused driveways.

Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street services. The applicant should contact the Urban Forestry Division for further information (213) 847-1551.

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

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

34. No major drainage problems are involved.

45. Sewer lines exist in Vanowen Street and Vicki Avenue. Extension of the 6-inch house connection laterals to the new property line may be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.

Any questions regarding these conditions may be directed to Quyen M. Phan (213) 202-3488.

E. **CPC-2011-1187-CU, Condition No. A.21**, this Condition is removed since the applicant is no longer pursuing construction along Vicky Avenue:

21. Condition is removed as part of Plan Approval CPC-2011-1187-CU-PA1.

~~Vicky Avenue Homes. The two (2) homes located at 6720 Vicky Avenue and 6726 Vicky Avenue, which are included in the conditional use permit project site, shall not be demolished for a minimum of three (3) years following the issuance of a Certificate of Occupancy for this application. In the event the school decides to demolish the homes, the school shall apply for the appropriate entitlement application for submittal to the City to amend, modify or revise the terms of this grant. The school shall provide the neighboring community with reasonable notice before filing that application with the City of Los Angeles. (Volunteered by the applicant)~~

F. **LAMC Section 12.27.1.** 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 Director of Planning, pursuant to LAMC Section 12.27.1 (Administrative Nuisance Abatement Proceedings), modification of this grant by imposing additional corrective conditions, if, in the

Director's opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property. Additionally, the Director may require discontinuance or revocation of this grant. Pursuant to the Director's authority established in LAMC Section 12.27.1-B, he or she shall authorize the modification, discontinuance or revocation of the use if it is found that the applicant as operated or maintained:

- a. Jeopardizes or adversely affects the public health, peace, or safety of persons residing or working on the premises or in the surrounding area; or
- b. Constitutes a public nuisance; or
- c. Has resulted in repeated nuisance activities, including, but not limited to, disturbances of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, loitering, excessive littering, illegal parking, excessive loud noises (especially in the late night or early morning hours), traffic violations, curfew violations, lewd conduct, or police detentions and arrests; or
- d. Adversely impacts nearby uses; or
- e. Violates any provision of this chapter; or any other city, state, or federal regulation, ordinance, or statute; or
- f. Violates any condition imposed by a prior discretionary land use approval including approvals granted pursuant to Sections 12.24, 12.27, 12.28, 12.32 or 14.00 of this Code; or an approval initiated by application of a property owner or owner's representative related to the use of land including, but not limited to, parcel map, tentative tract map, coastal development permit, development agreement, density transfer plan, exception from a specific plan, and project permit pursuant to a moratorium or an interim control ordinance.

#### **B. Administrative Conditions**

1. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
2. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
3. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the Project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
4. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
5. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.

6. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
7. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all of the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heir, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a Certified Copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.
8. **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 \$25,000. 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 (a).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

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

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

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



## FINDINGS

### A. General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is located within the area covered by the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan, updated and adopted by the City Council on August 17, 1999. The Plan designates the subject property for Low Residential uses corresponding to the RE9, RS, R1, RU, RD6, RD5 and A1 Zones. The existing zoning is consistent with the land use designation of the General Plan as reflected in the adopted community plan. The use relative to the zoning is consistent with those uses allowed under the provisions of a Conditional Use Permit which are codified under Section 12.24 of the Los Angeles Municipal Code.
2. **General Plan Text.** The Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan text does not specifically address private schools. However, the Plan does address public schools relative to special needs, providing educational quality for all of the City's children serving all neighborhoods in manner consistent with good siting of school facilities, including the following relevant goals, objectives and policies:

**Goal 6:** Public Schools That Provide A Quality Education For All Of The City's Children, Including Those With Special Needs, And Adequate School Facilities To Serve Every Neighborhood In The City.

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

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

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

**Policy 6-2.1:** Encourage the siting of community facilities (libraries, parks, schools and auditoriums) together.

**Program:** Siting of schools and other community facilities (libraries, parks, and auditoriums) within a transit station, center, or mixed-use area so they can complement each other and make the most efficient use of the land provided for these services.

Relative to the context of the General Plan Text, the project meets the policies and programs of the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan by providing opportunities for developing school sites as needed in conjunction with those of the Los Angeles Unified School District. LAUSD has historically indicated that private schools help relieve overcrowding at local public schools. The site also provides an efficient use of land by providing space for both school services and community center facilities.

The subject school serves grades 9 through 12. The continuation of the existing private school provides an alternative academic program for students, and relieves demand on other public schools in the area. The private High School use is located adjacent to residential uses. Across the street to the south, east and west are single family zones and uses. These uses have been thoroughly considered and the design and layout of

the campus provides properly sited buildings (as already exists) and provides for the proper placement of vehicular access, drop-off areas and landscape treatment. The project has been conditioned to protect the neighboring single-family neighborhood.

3. **Framework Element.** The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following goal relevant to the instant request:

**Goal 9N:** Public schools that provide a quality education for all of the City's children, including those with special needs, and adequate school facilities to serve every neighborhood in the City so that students have an opportunity to attend school in their neighborhoods.

**Objective 9.31:** Work constructively with the Los Angeles Unified School district to monitor and forecast school service demand based upon actual and predicted growth.

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

**Policy 9.33.1:** Encourage a program of decision-making at the local school level to provide access to school facilities by neighborhood organizations.

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

**Objective 9.33:** Maximize the use of local schools for community use and local open space and parks for school use.

**Policy 9.33.1:** Encourage a program of decision-making at the local school level to provide access to school facilities by neighborhood organizations.

**Policy 9.33.2:** Develop a strategy to site community facilities (libraries, parks, schools, and auditoriums) together.

As previously mentioned, relative to the context of the Framework Element, the project meets the policies and programs by providing opportunities for developing school sites as needed in conjunction with those of the Los Angeles Unified School District, relieving overcrowding at local public schools through the development of private school. The site also provides an efficient use of land by providing space for both school services and community center facilities.

4. **Charter Findings.** Pursuant to Section 556 of the City Charter, the subject Conditional Use is in substantial conformance with the purposes, intent and provisions of the General Plan. The Los Angeles Municipal Code permits the filing, review, and determination of conditional use applications as enumerated in Section 12.24. Provided

findings of fact are made herein for the subject case action, the decision-maker may act appropriately.

**B. Conditional Use Findings Plan Approval**

- 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 benefit provided by the ongoing private High School, is desirable to the public convenience and welfare by providing additional education resources to the community. Since the High School is utilizing existing structures on the site, it does not detract from the built environment of the surrounding neighborhood. Additionally, hours of operation and uses on the site are carefully thought out in order to avoid noise or traffic impacts to the surrounding neighborhood. Given such structure and school policies, the public welfare and neighboring community will not be negatively affected. Lastly, security provisions which were adopted during the first approval (security lighting and cameras) were implemented to ensure the health, safety, and well-being of students and the community. For the reasons discussed above, the continued private High School use and the recommended operational changes are desirable to the public convenience and welfare.

- 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 Property is located within the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan area (the "Community Plan") and is classified with a Low Residential land use designation. The site is currently being utilized for a private High School for up to 450 students and Community Center Service uses.

The High School and Community Center uses are proper in relation to adjacent uses and the development of the community. The West Valley Jewish Community Center was established in 1974, along with nursery and child care facilities (Case No. BZA-2252). Those operations were expanded and modified by subsequent City approvals over the years. In 2002, the City approved a CUP for the use and maintenance of a pilot high school program accommodating a maximum of 54 students for a term of 3 years (Case No. 2001- 5433-CU). Afterwards, the High School continued to use the site for athletic practices and events, and as such, the Property has been used for educational and community center purposes for over 40 years.

Private schools are permitted in the A1-1 zones by a CUP. The intent and purpose of a CUP is to apply a discretionary process for a particular use which is not allowed as a matter of right within a zone. A CUP can single out types of uses which are essentially desirable, but because of potential impacts they require specific restrictions tailored to them. Continued use of the private High School and Community Center uses at the Property will not affect any development in the community as all of the parcels within the vicinity of the project site are already developed with existing one and two-story single-family residential uses. The Community Center and educational uses have coexisted in this residential neighborhood for decades while operating under conditional use authority.

With the previous CUP approval, conditions were enacted to ensure continued compatibility between the existing neighborhood land uses and the school. Any potential impacts generated by the private High School were adequately regulated by the previous Conditions of Approval and the previous Transportation Demand Management ("TDM") program which identified mitigation measures.

Furthermore, based on requested modifications from the applicant and from the community, new conditions will ensure that the private High School and the Community Center operations and facilities will remain compatible with the residences in the vicinity of the campus. Specifically, the new conditions address issues such as the maximum number of people allowed on-site. In light of the above, continued use of the subject property as a private High School would be entirely proper in relation to adjacent uses and development of the community.

- . The site, as previously approved, has been designed to harmonize with existing uses and development in the surrounding area. Since the Plan Approval contemplates only minor operational changes, and no expansion of buildings, the project would not be detrimental to the character of development in the immediate neighborhood.
3. **The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.**

The Property is situated along the southerly side of Vanowen Street, between Fallbrook Avenue and Sale Avenue, directly across the street from Shadow Ranch Park. The Property is bounded to the south, east, and west by RS-1 zoning and single family residences. The Shadow Ranch Park property is zoned OS-IXL. Approximately two-thirds of the western Property boundary is buffered by Vicky Avenue and approximately fifty percent of the eastern Property boundary is buffered by Faust Avenue. Both Vicky Avenue and Faust Avenue terminate in cul-de-sacs on either side of the Property. Each of the adjoining uses have been long established and are accustomed to the Property's longstanding community center and educational uses.

The purpose of the various elements and objectives of the General Plan is to promote coherent development ensuring compatibility between land uses, development and the environment. With respect to this, the private High School use is consistent with the General Plan's land use designation of Low Residential and those uses permitted by the corresponding A1-1 Zone (as provided by the Conditional Use Provisions of the Code). Further, the instant case was previously analyzed with respect to environmental effects, land use policies, and compatibility between the use, adjacent development and the larger community. The location of the school in an area designated for Low Residential uses is consistent with the many goals the Plan. Given the numerous conditions of approval, the project's design and history of such uses occurring on the site and in the immediate vicinity, the continued private High School use and the recommended operational changes can be deemed to be in harmony with the General Plan.

### **C. CEQA Findings**

The previously issued Mitigated Negative Declaration (MND), ENV-2011-1188-MND, adopted by the Los Angeles City Planning Commission on March 22, 2012, analyzed the subject project. The Plan Approval application is to modify various operational Conditions of Approval on an existing conditional use permit. Thus the lead agency determines that the requested action is exempt pursuant to the California Environmental Quality Act (CEQA) guidelines, Section 15301(City CEQA Guidelines, Art. III, Class 1, Category 22 – renewal or nonsignificant change in conditional use of existing facility.)