

September 10, 2012

Consideration of an Appeal of Planning Commission Denial of Conditional Use Permit Modification (CUP/M 2011-175) to Allow the Addition of 200 Students to The Help Group Private School Facility at 12095-12101 Washington Boulevard

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVITS AND POSTING OF PUBLIC NOTICE AND CORRESPONDENCE RECEIVED.

Thomas Gorham, Planning Manager, provided a summary of the material of record.

Discussion ensued between Councilmembers and staff regarding the wall and the City of Los Angeles; clarification that the study was done on the entire project, not just on the incremental increase; incremental development; whether the City is receiving a fair share of revenue; the voluntary contribution; property and business taxes; clarification that the taxpayers would not be subsidizing the expansion of the Help Group; a modification to limit expansion beyond the current campus; the approved site plan; and the medical building.

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY COUNCILMEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING.

Mayor Weissman invited public input.

The following members of the audience addressed the City Council:

Dr. Barbara Firestone, The Help Group, discussed the establishment of the school in 1999; the need to expand programs and services; the challenges of autism; their work with the City and the state; bond funding; their demonstrated commitment to the City and neighbors; access to educational opportunity; and publicly funded tuition.

Susan Osborne discussed her experiences with Village Glen West.

Ben Reznik, of Jeffer, Mangels, Butler and Mitchell, discussed the condition dealing with the number of staff and he thanked the City for their efforts.

Discussion ensued between Councilmembers and Mr. Reznik regarding the specific definition of future plans for the site; concern with flexibility to the number of staff; Help Group intent not to trigger any impacts; traffic studies and parking capacity; the new location for Silver Lining; the way that staff is counted; the definition of full-time equivalent staff; impacts; trip generation; and substitute language.

Carlene Brown discussed the Silver Lining resale store; a clip of the Help Group graduation ceremony; sensitivity to neighbors complaints; and mutual benefits.

Larry Green requested that the City Council uphold the denial and he expressed concern with increased traffic and parking in the neighborhood.

Wally Marks expressed support for the project and urged approval of the Help Group request noting that concerns had been addressed.

Cary Anderson indicated that he could see both sides of the issue; he asked about staff parking on campus; discussed the cost of the wall; whether additional students would be new students or students from other campuses; and the original intent of the Help Group when opened in 1999.

Doris Green expressed opposition to the expansion of The Help Group due to parking and traffic issues; she discussed the number of buses and taxis on site; and she expressed concern with the size of the yard.

Mayor Weissman received clarification that a condition could be added that the Help Group discourage parents from parking in the neighborhood.

Michelle Krupkin expressed support for the Planning Commission denial of the CUP; she expressed concern that the traffic report did not fully address certain issues in the neighborhood; she discussed use of a private road on the property; safety issues; the existing parking structure; the number of buses and taxis; staging areas; concern with taxis and cars blocking driveways; noise issues; and the number of parking spaces available for staff.

Vice Mayor Cooper exited the dais.

Jeremy Green, Management Analyst, read a written comment submitted by:

Marta Zaragoza

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER CLARKE THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	CLARKE, O'LEARY, SAHLI-WELLS, WEISSMAN
NOES:	NONE
ABSENT:	COOPER
ABSTAIN:	NONE

Martin Cole, Assistant City Manager/City Clerk, reported that correspondence received earlier in the day had been distributed to Councilmembers and would become part of the official record.

Vice Mayor Cooper returned to the dais.

Discussion ensued between staff and Councilmembers regarding the original 1999 approvals; the original intent of The Help Group; Help Group purchase of the property; Planning Commission denial of the project; sound levels in the playground; noise studies; working with Los Angeles to address issues; concentrating on the number of students rather than the number of staff; the voluntary contribution; decals for staff cars to discourage neighborhood parking; support from state and county officials for The Help Group; adding a condition to address noise issues; length of the process; due diligence; support for the process; improvements to the area; traffic mitigations; support for adding 250 students; monitoring and enforcement; concern with driveways and safe access; an assertion that estimated traffic is more than will actually be present; and whether there is a history of accidents in the area.

Discussion ensued between the City Council and Ben Reznik regarding the original intent of The Help Group to expand and make use of the medical building when the need arose and funding became available; how the proposed number of staff was arrived at; full time equivalent language; clarification that staff could be as many as 230; the reduction of the expansion from 250 students to 200

students; playground noise exemptions; and clarification that the new students will play on a rooftop playground.

Additional discussion ensued between Councilmembers and staff regarding adding 250 students rather than 200; impacts to emergency services; clarification that the traffic study considered 600 students; base traffic; conditions of approval; adding a condition that any additional mitigation would be paid for by The Help Group; suggested language to address the number of staff; concern with repeated studies and updates; setting a cap on staffing levels; having The Help Group take affirmative steps to prohibit parking on the adjacent residential streets; adequate parking in the structure to accommodate staff and parents.

Councilmember O'Leary moved to grant the appeal. Vice Mayor Cooper seconded the motion and the discussion continued.

Further discussion ensued between Councilmembers and Help Group staff regarding the number of taxis and buses; hours when taxis and buses are dropping off and picking up; the three public parking spots on Grandview; turning radius of the bus and visibility; provided parent parking; and placing a hard cap on adding 200 students.

Dr. Susan Berman, The Help Group, indicated that they would appreciate the ability to expand as the need continues to rise.

Additional discussion ensued between Councilmembers and staff regarding expanding to the originally requested 250 students; a suggestion that if the expansion to the 600 level is successful that the opportunity to add 50 additional students be allowed; including additional language in Condition 53 that would enable The Help Group to submit a request to increase the number by going through a similar analysis; evaluating impacts to the number of students; the importance of agreeing upon a cap; the CUP process; and concern that the information for the agenda item was based on the 200 student cap.

Ben Reznik indicated that the school would be satisfied with the 600-student cap, the CPI flexibility and voluntary payment, and he suggested that The Help Group could take back their statement that they would never expand beyond

600 students and return for additional consideration if there is a need for 50 more students.

Further discussion ensued between staff and the City Council regarding concern with changing consideration of the item to 650 students; removal of Condition 59; and agreement to cap staffing levels to 230 with additional modifications regarding noise and parking.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

2.A ADOPT A NEGATIVE DECLARATION, IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), FINDING THE PROJECT WILL HAVE LESS THAN SIGNIFICANT IMPACTS ON THE ENVIRONMENT; AND

2.B. ADOPT RESOLUTION NO. 2012-R_____, GRANTING THE APPEAL AND (I) REVERSING THE PLANNING COMMISSION'S DENIAL OF THE CONDITIONAL USE PERMIT MODIFICATION FOR THE INCREASE IN ENROLLMENT OF THE HELP GROUP SCHOOL AND (II) APPROVING CONDITIONAL USE PERMIT MODIFICATION CUP/M 2011-175.

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Recess

At 9:58 p.m. the City Council took a brief recess.

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Reconvene

The City Council reconvened its meeting at 10:03 p.m. with all Councilmembers present.

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Item PH-3

Consideration of Appeal of Planning Commission Approval of an Administrative Site Plan Review to Allow the Development of a One-Story Retail Building with 2,500 Square Feet of Floor Area and 12 On-Site Parking Spaces Located at 4436 Sepulveda Boulevard

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY VICE MAYOR COOPER