

Hearing Officer Transmittal Checklist

Hearing Date
March 18, 2014
Agenda Item No.
8

Project Number: R2013-03415-(5)
Case(s): Conditional Use Permit Case No. 201300172
Environmental Assessment Case No. 201300292
Planner: Jeantine Nazar

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans
- Project Narrative
- Previous Approvals
-

Reviewed By: _____



Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012

PROJECT NUMBER **HEARING DATE**
 R2013-03415-(5) March 18, 2014

REQUESTED ENTITLEMENTS
 Conditional Use Permit No. 201300172

PROJECT SUMMARY

OWNER / APPLICANT

Pasadena Jewish Temple and Center /B'nai
 Simcha Jewish Community Preschool

MAP/EXHIBIT DATE

November 21, 2013

PROJECT OVERVIEW

Request for a Conditional Use Permit to allow a child care facility.

LOCATION

1434 N Altadena Drive, Altadena

ACCESS

Altadena Drive

ASSESSORS PARCEL NUMBER(S)

5751-004-019

SITE AREA

2.07 Acres

GENERAL PLAN / LOCAL PLAN

Altadena Community Plan

ZONED DISTRICT

Altadena Zoned District

LAND USE DESIGNATION

I-Institutions

ZONE

R-1-7500 (Single-Family Residence)

PROPOSED UNITS

None

MAX DENSITY/UNITS

COMMUNITY STANDARDS DISTRICT

Altadena Community Standards District

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the Altadena Community Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit burden of proof requirements)

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit 201300172 in the Fifth Supervisorial District subject to draft conditions and findings.

CASE PLANNER:

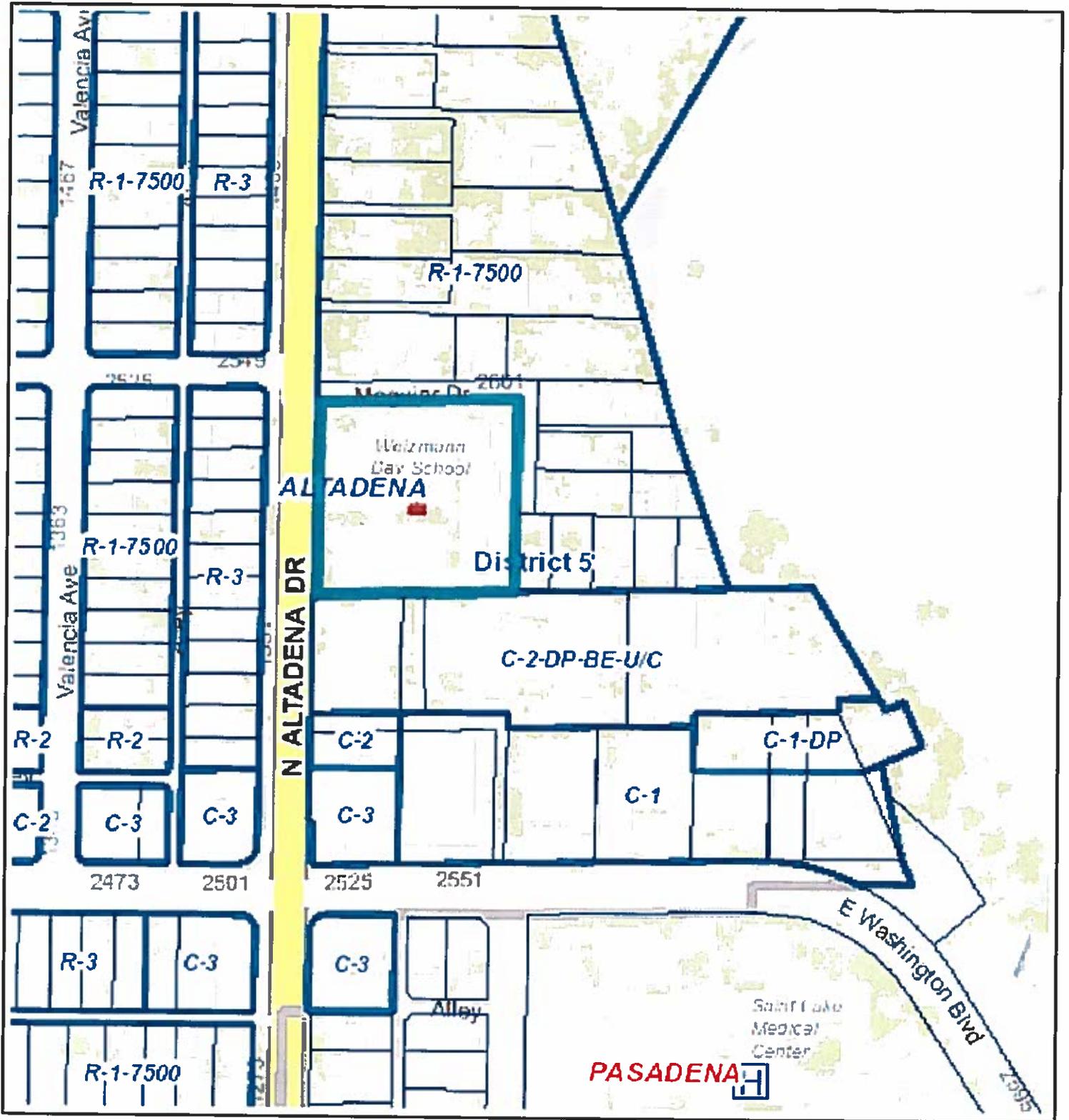
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Created in GIS-NET3

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ENTITLEMENTS REQUESTED

Conditional Use Permit (CUP) for the operation and maintenance of a child care center in the R-1-7500 (Single-Family Residence with a Minimum of 7,500 Square Feet Lot Size Required) zone. Pursuant to County Code Section 22.20.100 a child care center is allowed in this zone, provided a CUP has first been obtained.

PROJECT DESCRIPTION

The applicant, B-nai Simcha Jewish Community Preschool, requests a Conditional Use Permit for a child care center to allow the operation of a preschool with a maximum of 55 students located at 1434 North Altadena Drive in the unincorporated Altadena area. A child care center as defined per Zoning Code Section 22.08.030.C means a facility other than a large family child care home in which less than 24-hour-per-day nonmedical care and supervision is provided for children in a group setting as defined and licensed under the regulations of the state of California. A child care center includes a preschool. The proposed preschool facility will use four (4) classrooms previously assigned to the Weizmann Day School, which also operates on the property. The Day School will use the Hebrew Language classrooms during the day. The preschool will employ four (4) full-time and six (6) part-time staff. The preschool operates two hundred (200) days during the year and is closed on national and Jewish holidays, two (2) weeks in December, one (1) week in spring and a six (6) week summer session. The preschool children are between 2 to 5 years old. The hours of operation for the proposed preschool are from 9:00 a.m. to 1:00 p.m. Monday through Friday. However, the school also offers a full-time program from 7:30 a.m. to 5:30 p.m. A maximum of twenty (20) of the fifty-five (55) children participating in the morning program participate in the full-day program.

The subject property currently includes 50 striped parking spaces. The applicant proposes six additional spaces for a total of 56 striped on-site parking spaces. The parking calculation of the subject property has been determined to be based on the occupant load for the largest assembly requiring 66 parking spaces. A parking deviation was approved in 2012, reducing the requirement to 50, from the required 66 parking spaces.

The subject property includes a Temple, a Kindergarten through 8th grade day school for a maximum of 80 students and a Hebrew School. The day school operates from 7:30 am to 6:00 pm Monday through Friday. There are a total of ten (10) classrooms for the day-school, which includes a computer lab. The day school employs 23 staff members. The Hebrew School classes start at 7:00 pm and end at 9:00 pm. The Weizmann Day School was originally permitted, along with the Pasadena Jewish Temple, and Hebrew School located on the same property. While the temple and Hebrew School continues to operate under CUP2303 without an expiration date, the day school portion of the CUP was approved under CUP201200024, with an expiration date of August 29, 2037. This CUP also approved a shade structure in play area C. The current application includes a landscape plan for the play area C.

SITE PLAN DESCRIPTION

The subject lot is approximately 90,000 square feet in size and contains three separate buildings. The first structure consists of a 17,000 square-foot rectangular shaped building located on the south side of the property containing a temple, offices, classrooms and a social hall. The second building is an "L" shaped building that is used for religious events, youth programs and a library. The third building on the north side of the property contains the classrooms, a computer lab, teacher's room and a school office. A central parking lot provides striped parking spaces with ingress and egress access from Altadena Drive.

EXISTING ZONING

The subject property is zoned R-1-7,500 (Single-Family Residence), and is also located within the Altadena Community Standards District (CSD).

Surrounding properties are zoned as follows:

North: R-1-7,500 (Single-Family Residence 7,500 square-foot minimum lot size)

South: C-2-DP-BE-U/C (Neighborhood Business Development Program, Billboard Exclusion)

East: R-1-7,500 (Single-Family Residence 7,500 square-foot minimum lot size)

West: R-3 (Limited-Multiple Residence).

EXISTING LAND USES

The subject property is developed with a temple and a school.

Surrounding properties are developed as follows:

North: Single-Family Dwelling and Meguire Drive (a 30-foot wide private street)

South: Skilled Nursing and Assisted Living Facility

East: Single Family Dwelling

West: Single-Family, Triplex, and Fourplex Dwellings and Meguire Drive

PREVIOUS CASES/ZONING HISTORY

CUP 201200024 was approved by the Regional Planning Commission on August 29, 2012 and allowed the continued operation of a day school, kindergarten through 8th grade, with a maximum of 80 students. This permit expires on August 29, 2037. Concurrently, a Minor Parking Deviation application approved a 24 percent reduction in the required number of parking spaces and allowed for 50 striped parking spaces while 66 is required.

CUP 2303 was approved by the Board of Supervisors on July 16, 1985, and authorized the following uses on the subject property:

- a. Continued operation of the temple and accessory uses, including religious instruction and community outreach programs.
- b. Continuation of an existing pre-school with a maximum enrollment of 30 students with a termination date of September 1, 1985.
- c. Maintenance of an elementary school, limited to 80 students in grade levels kindergarten through 6.

The pre-school has been discontinued. There is no termination date for the temple.

In May 1985, on appeal of the decision by the Regional Planning Commission, the Board of Supervisors, ("Board"), instructed the applicant to implement a barrier between the Temple/school property and adjoining neighbors to protect the neighbors from noise and to improve the aesthetics. As a result, an agreement between the temple and the adjacent neighbors was signed with the following description of improvement:

1. A six foot high masonry wall is to be constructed along the approximately 90 foot length of the north-westerly portion of the Temple property, bordering Meguiar Street. The masonry wall will be set back at least one foot from the property line in order that plants may be established between the wall and the pavement of Meguiar Street. The wall is to be painted a color such that it matches as closely as possible the color of the existing wall between the Temple property and Altadena Drive.
2. Plants are to be planted along the entire length of the proposed wall and be maintained in an aesthetic appearance by the Temple sufficiently close to each other such that the height will be six feet, as planted, and that they will fill-in to cover the wall area within one year of planting. A plant variety other than oleander may be substituted for the above.
3. A drip-watering system has been installed by the Temple for the watering of the above plants.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that the Hearing Officer determine this project qualifies for a Categorical Exemption Class 1 Exemption, Existing Facilities under the California Environmental Quality Act (CEQA) and the County Environmental Guidelines. The proposed preschool project will convert four (4) classrooms, 55 students and 10 staff members. The increase in the number of students would not have a negative impact on parking due to the nature of the business. The hours of operation for the preschool are from 9:00 a.m. to 1:00 p.m., however, only about 15 students would be on-site before 7:30 a.m. or after 5:30 p.m. The applicant proposes to offset the hours of operation for the preschool with the hours of the existing programs so that parking on the subject property will be adequate for drop-off and pick-up needs. Further, the applicant is proposing to add two (2) compact and four (4) standard parking spaces for a total of six (6) spaces. This project involves negligible or no expansion of use beyond the existing use. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is designated as Institutions in the Altadena Community ("Plan"). The Institutions land use designation is intended for all public and private schools, private institutions, churches, temples, hospitals and government facilities. (Altadena Community Plan p.4-10). The existing school facility and the temple are within the parameter of an institutional classification in the Altadena Community Plan and therefore consistent with the permitted uses of the underlying land use category.

The following policies of the Altadena Community Plan are applicable to the proposed project:

- *The Washington Boulevard corridor and intersection with N. Altadena Drive in the southeast portion of Altadena is presently developed with commercial uses. Multi-family residential development and institutional uses also characterize this area. The Community Plan recommends continuation of these commercial, residential and institutional uses. (Policy 4.5.4)*

CUP 2303 approved the continuation of a preschool with a maximum enrollment of 30 students with a termination date of September 1, 1985. The proposed preschool facility is a continuation of the previously approved preschool use. The Land Use Policy of the Plan recommends continuation of the development of institutional uses at this location.

- *Provide school facilities to serve the community's social, cultural, vocational, and recreational, as well as educational needs which are compatible with the character and local interests to Altadena. (Policy 8.3, Issue 4.1).*

The Altadena Community Plan encourages the development of schools to meet the cultural, social and educational needs. The proposed preschool project will provide an opportunity for children to learn about Jewish culture and the Hebrew language.

- *Provide for the mitigation of adverse impacts on schools from heavy traffic, excessive noise, offensive odors, and/or incompatible land uses where they exist. (Policy 8.3, Issue 4.2).*

The applicant proposes alternate hours of operation for the preschool which would not conflict with the hours of operation for the Weizmann Day School.

- *Complement existing school recreational areas, where possible, with additional adjacent parks or playgrounds. (Policy 8.3, Issue 4.3)*

The proximity of the Eaton Canyon Nature Center to the subject property supports the Community Plan's objective of locating schools adjacent to recreational facilities.

Zoning Ordinance and Development Standards Compliance

Parking Analysis

Pursuant to County Code section 22.52.1200.B "Every building used as a school auditorium of a school in which any pupil is in a grade higher than the sixth shall have, within 500 feet thereof; one automobile parking space for each five persons, based on the occupant load of the largest auditorium or room used for public assembly; as determined by the county engineer".

The parking calculation for the day school is determined based on the largest place of assembly. CUP 2303 determined the parking requirement to be 66, based on the Building and Safety division occupancy load calculation for the largest on-site assembly (the temple). There have not been any additions and the largest assembly remains the same. The site currently has 50 striped parking

spaces available, including three reserved as handicap accessible. A total of 15 to 18 additional overflow (non-striped) parking spaces can be provided at the play area to accommodate the required parking spaces, which were approved by the previous permit during non-school hours. The applicant is proposing six additional striped parking spaces for a total of 56 spaces. Parking Deviation Case reduced the parking required to 50.

Pursuant to Code Section 22.52.1105 "Every adult day care facility and child care center shall have one parking space for each staff member and any motor vehicle used directly in conducting such use." In addition, each child care center shall have one parking space for each 20 children for whom a license has been issued by the state of California. Every child care center shall have a specific area designated and marked for off-street drop-off and pick up of the children.

The applicant is proposing to convert four existing classrooms for preschool students, with four (4) full-time and six (6) part-time staff members for a total of ten (10). The child care requires three additional parking spaces for each 20 children of the fifty-five (55) children for whom a license has been issued. As per the applicant, 13 additional parking spaces are required for the proposed child care facility. However, this additional activity shall not have a cumulative impact on the number of parking spaces required and shall not exceed the maximum-permitted number of parking spaces as established by the original CUP. Staff included a condition requiring that the child care center shall not schedule concurrent events during the school operation hours with other event on the site which would trigger more than 66 parking spaces. In the event, the school anticipates having an event that triggers more than the required 66 parking spaces, the school shall provide off-site parking spaces for the additional number of spaces. Staff also included a condition requiring that the preschool hours of operation shall offset the hours of operation for the preschool with the hours of the existing programs.

Neighborhood Impact/Land Use Compatibility

Staff finds that the existing school is compatible within the adjacent residential neighborhood. The subject property is surrounded by Altadena Drive to the west and Meguiar Drive to the north and east. There is one single-family residence immediately adjacent to the subject property on the southerly portion on the east corner. The subject property is surrounded by a continuous wall of 5-feet to 7-1/2 feet in height surrounded with mature landscaping. The buffering is appropriate aesthetically and it provides a barrier between the subject property and adjacent residential uses. Staff included photos showing the buffering surrounding the subject site.

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.040 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

COMMENTS AND RECOMMENDATIONS

Staff has not received any comments at this time.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS The proposed project is scheduled for review of the Altadena Town Council Land Use Committee on March 4th and the Altadena Town Council on March 18, 2014.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Staff has not received any comments against or in favor of this project at this time.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2013-03415, Conditional Use Permit Number 201300172, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NUMBER 201300172 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Jeantine Nazar, RPAll, Zoning Permits East Section
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section
Attachments:

Draft Findings, Draft Conditions of Approval
Applicant's Burden of Proof statement
Correspondence
Site Photographs, Aerial Image
Site Plan, Land Use Map

MM: JN
3/10/14

**DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
PROJECT NO. R2013-03415-(5)
CONDITIONAL USE PERMIT NO. 201300172
ENVIRONMENTAL PERMIT NO. 201300292**

1. **ENTITLEMENT(S) REQUESTED.** The applicant, B'nai Simcha Jewish Community Preschool, is requesting a Conditional Use Permit (CUP) to authorize the operation and maintenance of a preschool in the R-1-7500 (Single-Family Residence with a Minimum of 7,500 Square Feet Lot Size Required) zone.
2. **HEARING DATE: March 18, 2014**
3. **PROCEEDINGS BEFORE THE HEARING OFFICER.** *To be inserted after the public hearing to reflect hearing proceedings.*
4. **PROJECT DESCRIPTION.** The applicant, B-nai Simcha Jewish Community Preschool, requests a Conditional Use Permit for a child care center to allow the operation of a preschool with a maximum of 55 students located at 1434 North Altadena Drive in the unincorporated Altadena area. A child care center as defined per Zoning Code Section 22.08.030.C means a facility other than a large family child care home in which less than 24-hour-per-day nonmedical care and supervision is provided for children in a group setting as defined and licensed under the regulations of the state of California. A child care center includes a preschool. The proposed preschool facility will use four (4) classrooms previously assigned to the Weizmann Day School, which also operates on the property. The Day School will use the Hebrew Language classrooms during the day. The preschool will employ four (4) full-time and six (6) part-time staff. The preschool operates two hundred (200) days during the year and is closed on national and Jewish holidays, two (2) weeks in December, one (1) week in spring and a six (6) week summer session. The preschool children are between 2 to 5 years old. The hours of operation for the proposed preschool are from 9:00 a.m. to 1:00 p.m. Monday through Friday. However, the school also offers a full-time program from 7:30 a.m. to 5:30 p.m. A maximum of twenty (20) of the fifty-five (55) children participating in the morning program participate in the full-day program.
5. The subject property currently includes 50 striped parking spaces. The applicant proposes six additional spaces for a total of 56 striped on-site parking spaces. The parking calculation of the subject property has been determined to be based on the occupant load for the largest assembly requiring 66 parking spaces. A parking deviation was approved in 2012, reducing the requirement to 50 parking spaces from the required 66.
6. The subject property includes a Temple, a Kindergarten through 8th grade day school for a maximum of 80 students and a Hebrew School. The day school operates from 7:30 am to 6:00 pm Monday through Friday. There are a total of ten (10) classrooms for the day-school, which includes a computer lab. The day school employs 23 staff members. The Hebrew School classes start at 7:00 pm and ends

at 9:00 pm. The Weizmann Day School was originally permitted, along with the Pasadena Jewish Temple, and Hebrew School located on the same property. While the temple and Hebrew School continues to operate under CUP2303 without an expiration date, the day school portion of the CUP was approved under CUP201200024, with an expiration date of August 29, 2037. This CUP also approved a shade structure in play area C. The current application includes a landscape plan for play area C.

7. **LOCATION.** The subject property is located at 1434 N Altadena Drive, in the Altadena Zoned District and within the Altadena Community Standards District.
8. **SITE PLAN DESCRIPTION.** The subject lot is approximately 90,000 square feet in size and contains three separate buildings. The first structure consists of a 17,000 square-foot rectangular shaped building located on the south side of the property containing a temple, offices, classrooms and a social hall. The second building is an "L" shaped building that is used for religious events, youth programs and a library. The third building on the north side of the property contains the classrooms, a computer lab, teacher's room and a school office. A central parking lot provides striped parking spaces with ingress and egress access from Altadena Drive.
9. **EXISTING ZONING.**

The subject property is zoned R-1-7,500 (Single-Family Residence), and is also located within the Altadena Community Standards District (CSD).

Surrounding properties are zoned as follows:
North: R-1-7,500 (Single-Family Residence 7,500 square-foot minimum lot size)
South: C-2-DP-BE-U/C (Neighborhood Business Development Program, Billboard Exclusion)
East: R-1-7,500 (Single-Family Residence 7,500 square-foot minimum lot size)
West: R-3 (Limited-Multiple Residence).
10. **Existing Land Uses**

The subject property is developed with a temple and a school.
Surrounding properties are developed as follows:

North: Single-Family Dwelling and Meguire Drive (a 30-foot wide private street)
South: Skilled Nursing and Assisted Living Facility
East: Single Family Dwelling
West: Single-Family, Triplex, and Fourplex Dwellings and Meguire Drive
11. **PREVIOUS CASES/ZONING HISTORY.**

CUP 201200024 was approved by the Regional Planning Commission on August 29, 2012 and allowed the operation of a day school, kindergarten through 8th grade, with a maximum of 80 students. This permit would expire on August 29, 2037. Concurrently, a Minor Parking Deviation application approved a 24 percent reduction in the required number of parking spaces and allowed for 50 striped parking spaces while 66 is required.

12. CUP 2303 was approved by the Board of Supervisors on July 16, 1985, and authorized the following uses on the subject property:
 - a. Continued operation of the temple and accessory uses, including religious instruction and community outreach programs.
 - b. Continuation of an existing pre-school with a maximum enrollment of 30 students with a termination date of September 1, 1985.
 - c. Maintenance of an elementary school, limited to 80 students in grade levels kindergarten through 6.

13. In May 1985, on appeal of the decision by the Regional Planning Commission, the Board of Supervisors, ("Board"), instructed the applicant to implement a barrier between the Temple/school property and adjoining neighbors to protect the neighbors from noise and to improve the aesthetics. As a result, an agreement between the temple and the adjacent neighbors was signed with the following description of improvement:
 1. A six foot high masonry wall is to be constructed along the approximately 90 foot length of the north-westerly portion of the Temple property, bordering Meguiar Street. The masonry wall will be set back at least one foot from the property line in order that plants may be established between the wall and the pavement of Meguiar Street. The wall is to be painted a color such that it matches as closely as possible the color of the existing wall between the Temple property and Altadena Drive.
 2. Plants are to be planted along the entire length of the proposed wall and be maintained in an aesthetic appearance by the Temple sufficiently close to each other such that the height will be six feet, as planted, and that they will fill-in to cover the wall area within one year of planting. A plant variety other than oleander may be substituted for the above.
 3. A drip-watering system shall be installed by the Temple for the watering of the above plants.

14. **ENVIRONMENTAL DETERMINATION-** Los Angeles County ("County") Staff recommends that the Hearing Officer determine this project qualifies for a Categorical Exemption Class 1 Exemption, Existing Facilities under the California Environmental Quality Act (CEQA) and the County Environmental Guidelines. The proposed preschool project will convert four (4) classrooms, 55 students and 10 staff members. The increase in the number of students would not have a negative impact on parking due to the nature of the business. The hours of operation for the preschool are from 9:00 a.m. to 1:00 p.m., however, only about 15 students would be on-site before 9:00 a.m. or after 1:00 p.m. The applicant proposes to offset the hours of operation for the preschool with the hours of the existing programs so that parking on the subject property will be adequate for drop-off and pick-up needs. Further, the applicant is proposing to add two (2) compact and four (4) standard

parking spaces for a total of six (6) spaces. This project involves negligible or no expansion of use beyond the existing use. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

15. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The Hearing Officer finds that the existing school is compatible within the adjacent residential neighborhood. The subject property is surrounded by Altadena Drive to the west and Meguiar Drive to the north and east. There is one single-family residence immediately adjacent to the subject property on the southerly portion on the east corner. The subject property is surrounded by a continuous wall of 5-feet to 7-1/2 feet in height surrounded with mature landscaping. The buffering is appropriate aesthetically and it provides a barrier between the subject property and adjacent residential uses. Staff included photos showing the buffering surrounding the subject site.
16. The subject property is located within the Altadena Community Standards District. However, the standards of the CSD would not apply as the existing structures were built prior to the CSD requirements.
17. **GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.** The project site is designated as Institutions in the Altadena Community ("Plan"). The Institutions land use designation is intended for all public and private schools, private institutions, churches, temples, hospitals and government facilities. (Altadena Community Plan p. 4-10). The existing school facility and the temple are within the parameter of an institutional classification in the Altadena Community Plan and therefore consistent with the permitted uses of the underlying land use category.
18. The following policies of the Altadena Community Plan are applicable to the proposed project:
 - *The Washington Boulevard corridor and intersection with N. Altadena Drive in the southeast portion of Altadena is presently developed with commercial uses. Multi-family residential development and institutional uses also characterize this area. The Community Plan recommends continuation of these commercial, residential and institutional uses. (Policy 4.5.4)*

CUP 2303 approved the continuation of a preschool with a maximum enrollment of 30 students with a termination date of September 1, 1985. The proposed preschool facility is a continuation of the previously approved preschool use. The Land Use Policy of the Plan recommends continuation of the development of institutional uses at this location.
 - *Provide school facilities to serve the community's social, cultural, vocational, and recreational, as well as educational needs which are compatible with the character and local interests to Altadena.(Policy 8.3, Issue 4.1).*

The Altadena Community Plan encourages the development of schools to meet the cultural, social and educational needs. The proposed preschool

project will provide an opportunity for children to learn about Jewish culture and the Hebrew language.

- *Provide for the mitigation of adverse impacts on schools from heavy traffic, excessive noise, offensive odors, and/or incompatible land uses where they exist. (Policy 8.3, Issue 4.2).*

The applicant proposes alternate hours of operation for the preschool which would not conflict with the hours of operation for the Weizmann Day School.

- *Complement existing school recreational areas, where possible, with additional adjacent parks or playgrounds. (Policy 8.3, Issue 4.3)*

The proximity of the Eaton Canyon Nature Center to the subject property supports the Community Plan's objective of locating schools adjacent to recreational facilities.

19. ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.

Parking Analysis

Pursuant to County Code section 22.52.1200.B "Every building used as a school auditorium of a school in which any pupil is in a grade higher than the sixth shall have, within 500 feet thereof; one automobile parking space for each five persons, based on the occupant load of the largest auditorium or room used for public assembly; as determined by the county engineer".

The parking calculation for the day school for is determined based on the largest place of assembly. CUP 2303 determined the parking requirement to be 66, based on the Building and Safety division occupancy load calculation for the largest on-site assembly (the temple). There have not been any additions and the largest assembly remains the same. The site currently has 50 striped parking spaces available, including three reserved as handicap accessible. A total of 15 to 18 additional overflow (non-striped) parking spaces can be provided at the play area to accommodate the required parking spaces, which were approved by the previous permit during non-school hours. The applicant is proposing six additional striped parking spaces for a total of 56 spaces. Parking Deviation case reduced the parking requirement to 50 parking spaces.

Pursuant to Code Section 22.52.1105 "Every adult day care facility and child care center shall have one parking space for each staff member and any motor vehicle used directly in conducting such use." In addition, each child care center shall have one parking space for each 20 children for whom a license has been issued by the state of California. Every child care center shall have a specific area designated and marked for off-street drop-off and pick up of the children.

The applicant is proposing to convert four existing classrooms for preschool students, with four (4) full-time and six (6) part-time staff members for a total of ten (10). The child care requires three additional parking spaces for each 20 children of the fifty-five (55) children for whom a license has been issued. As per the applicant, 13 additional parking

spaces are required for the proposed child care facility. However, this additional activity shall not have a cumulative impact on the number of parking spaces required and shall not exceed the maximum-permitted number of parking spaces as established by the original CUP. Staff included a condition requiring that the child care center shall not schedule concurrent events during the school operation hours with other event on the site which would trigger more than 66 parking spaces. In the event, the school anticipates having an event that triggers more than the required 66 parking spaces, the school shall provide off-site parking spaces for the additional number of spaces. Staff also included a condition requiring that the preschool hours of operation shall offset the hours of operation for the preschool with the hours of the existing programs.

20. COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.

Staff received comments from the Fire Department dated March 5, 2014 clearing the project.

21. OTHER AGENCY COMMENTS AND RECOMMENDATIONS The proposed project is scheduled for review of the Altadena Town Council Land Use Committee on March 4th and the Altadena Town Council on March 18, 2014.

22. LEGAL NOTIFICATION AND PUBLIC OUTREACH. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.

23. PUBLIC COMMENTS.

Staff has not received any comments regarding this project in favor or against the project.

FINDINGS

24. The proposed preschool is consistent with the Altadena Community Plan goals and policies. The plan encourages the development of institutional uses at the Washington Blvd. corridor and intersection with N. Altadena Drive. The preschool will provide an opportunity for children to learn about Jewish culture and the Hebrew language, therefore serves the Altadena Community Plan policy promoting school facilities to serve community's cultural, social, and educational needs. The preschool offers enriched programs to foster children's skills and abilities.

Therefore, the proposed use will be consistent with the adopted general plan for the area.

25. The applicant proposes alternate hours of operation for the preschool which would not conflict with the hours of operation of the Weizmann Day School. The proposed use is complimentary to its existing use.

Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

26. The proposed project is using existing buildings and there is no new structures proposed. The applicant is proposing six additional striped parking spaces for a total of 56 spaces while 66 spaces are required. The proposed preschool does not have a cumulative impact on the required number of parking spaces. The preschool would not exceed the maximum-permitted attendance established by the original CUP.

Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

27. The proposed preschool is adequately served by three major thoroughfares; Altadena Drive to the west, New York Drive to the north and east and Washington Blvd to the south. Public transportation stop is available immediately next to the subject property, which allows commuters to travel to Pasadena, Arcadia and City of Hope. The applicant proposes alternate operating hours so that the traffic would be adequate during drop-off and pick-up of children.

Therefore, fourth finding statement, e.g. the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

ENVIRONMENTAL DETERMINATION

28. The proposed preschool project will not have a negative impact on parking due to the nature of the business. The applicant proposes to offset the hours of operation for the preschool with the hours of the existing programs so that parking on the subject property will be adequate for drop-off and pick-up needs. Further, the applicant is proposing to add two (2) compact and four (4) standard parking spaces for a total of six (6) spaces. This project involves negligible or no expansion of use beyond the existing use.

Therefore, the project qualifies as a Categorical Exemption (Class 1) and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

29. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer

determines that it is necessary to limit the term of the grant to Twenty –three (23) years.

30. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. That the proposed use will be consistent with the adopted general plan for the area; and
- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, the information submitted by the applicant and presented at the public hearing/meeting substantiates the required findings for a Conditional Use Permit] as set forth in Section. 22.56.090] of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER/DIRECTOR ACTION:

- 1. The Hearing Officer determines that the project is exempt from the California Environmental Quality Act pursuant to the Class 1 – Existing Facilities categorical exemption.)
- 2. In view of the findings of fact and conclusions presented above, Conditional Use Permit Number 201300172 is Approved subject to the attached conditions.

MM: JN
03/10/14

c: Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2013-03415-(5)
CONDITIONAL USE PERMIT NO. 201300172
ENVIRONMENTAL ASSESSMENT NO 201300292**

PROJECT DESCRIPTION

The project is a Conditional Use Permit (CUP) request to authorize the operation and maintenance of a preschool in the R-1-7500 (Single-Family Residence with a Minimum of 7,500 Square Feet Lot Size Required) zone subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense,

including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on March 18, 2037.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken

on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1,000.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **Five (5) Inspections (one inspection on the first year, and one inspection every five years afterwards)** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal

decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **Three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **May 18, 2014**.

PROJECT SITE SPECIFIC CONDITIONS

This grant authorizes the operation of a child care facility on the subject property, which contains an existing Temple, a Hebrew School and a Kindergarten through 8th grade day school previously approved.

18. The facility shall provide 56 striped parking spaces. In addition, a total of 15 to 18 additional overflow (non-striped) parking spaces shall be provided as overflow parking at play area "C" during non-school hours, as needed;
19. The permittee shall offset the hours of operation for the preschool with the hours of the existing programs so that parking on the subject property will be adequate for drop-off and pick-up needs;
20. There shall be no concurrent activities triggering more than 66 required parking spaces.
21. In the event, the school anticipates having an event that triggers more than the required parking spaces, the school shall provide off-site parking spaces for the additional number of required spaces. Otherwise, the school shall not exceed the maximum-permitted number of parking spaces established by the original CUP;
22. The preschool shall maintain an effective car pooling program for extra curriculum activities and events;
23. The permittee shall meet the requirements of the Building and Safety Division for a child care center and shall obtain the required permits;
24. The permittee shall meet the requirements from the Department of Public Health for food service and kitchen equipments and shall obtain the required permits;

25. The drop-off/pick-up spaces as depicted must be maintained and approved by Public Works;
26. The permittee shall maintain a valid license from the State of California, Department of Social Services to operate the facility;
27. The permittee shall obtain clearance from the Fire Department in order to satisfy the State licensing requirements for a child care center;
28. The permittee shall comply with all staffing, rules, regulations and facility requirements established and regulated by the State of California, Department of Social Services; and
29. In the event additional activities with no cumulative impacts are proposed, the permittee shall apply for a Revised Exhibit "A" or a Zoning Conformance Review.

Attachments:

Fire Department Letter dated 03/05/2014



COUNTY OF LOS ANGELES FIRE DEPARTMENT

Fire Prevention Division – Land Development Unit

5823 Rickenbacker Road
Commerce, California 90040-3027
Office (323) 890-4243 Fax (323) 890-9783

DATE: March 5, 2014

SITE PLAN DATE: 02/12/14

TO: Department of Regional Planning
Zoning Permits – Jeantine Nazar

PROJECT #: R2013-03415

LOCATION: 1434 North Altadena Drive, Pasadena (CO)

- The Fire Department has no requirements for this permit.
- The Fire Department's Land Development Unit has no requirements for this permit.
- If there are going to be tenant improvements to any of the on-site buildings, the applicant shall submit two complete sets of architectural drawings to the Fire Prevention Engineering Section - Building Plan Check Unit. Contact (323) 890-4125 for additional information and submittal location.

Provide the following information on the site plan:

- Fire Department access shall comply with Section 503 of the Los Angeles County Fire Code.
- Cross-hatch any on-site Fire Department vehicular access.
- Show any existing fire hydrants within 300 feet of the lot frontage.
- Submit a fire flow availability form along with plans.
- All fire hydrants shall measure 6" x 4" x 2 1/2", conforming to AWWA Standard C503-75 or approved equal.
- Chapter 5, Section 507 and Table(s) B and C of the Los Angeles County Fire Code will be used to determine water requirements for fire fighting purposes.
- Show type of construction, occupancy classification, square footage of structure per floor and number of floors.
- Indicate address of subject property.

- Comments:** The proposed project is "cleared" to proceed to public hearing.

Fire Protection facilities; including access, must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office @ (323) 890-4243.

Inspector: *Wally Collins*



CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

See attached.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

See attached.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

See attached.

**CONDITIONAL USE PERMIT BURDEN OF PROOF
B'NAI SIMCHA JEWISH COMMUNITY PRESCHOOL
1434 North Altadena Drive, Pasadena, California 91107**

An applicant must substantiate, to the satisfaction of the hearing officer, findings set forth in the Los Angeles County Code (the “Code”) Section 22.56.040 to obtain approval for a conditional use permit. B’nai Simcha Jewish Community Preschool (the “Preschool”) respectfully requests that the County of Los Angeles (the “County”) approve a conditional use permit (the “Proposed CUP”) to allow the operation of the Preschool at 1434 North Altadena Drive, Assessor Parcel Number 5751-004-019, in the unincorporated Altadena area of the County (the “Property”).

The following is a delineation of the required findings and the application of the relevant facts to the same.

CRITERIA A:

- 1. THAT THE REQUESTED USE AT THE LOCATION WILL NOT ADVERSELY AFFECT THE HEALTH, PEACE, COMFORT OR WELFARE OF PERSONS RESIDING OR WORKING IN THE SURROUNDING AREA**

Summary of Responses (a) Through (g):

- (a) the Preschool’s use of the proposed site is supported by, and complementary to, the Property’s existing uses;
- (b) the Preschool supports the general welfare by providing a developmental preschool that prepares children for success in their future years;
- (c) the Preschool supports the greater multi-cultural community as the only Jewish-affiliated preschool in the San Gabriel Valley;
- (d) the Preschool has operated with continuous success in an existing residential neighborhood since its founding in 1981 and the Preschool is compatible with the Property’s adjacent residential neighborhood;
- (e) the Preschool accommodates children with special needs and furthers its desire to accommodate children with special needs through relationships with Frank D. Lanterman Regional Center, San Gabriel/Pomona Regional Center, The Frostig Center and early education special needs departments of neighboring school districts;
- (f) the Preschool’s addition as a use at the Property will support the community through resulting increased patronage to neighborhood businesses; and

- (g) the Preschool plans to support community service through inter-generational activities with the neighboring assisted-living community, the Terraces at Park Marino.

Each of responses (a) through (g), above, is more fully discussed below:

Response (a)

(a) The Preschool's use of the proposed site is supported by, and complementary to, the Property's existing uses.

The Preschool is seeking a new location because the Preschool's current facilities will be razed and replaced with condominiums as a result of a change in ownership at the Preschool's current location. Understanding the Preschool's predicament and wishing to help the Preschool continue its history of providing a nurturing Jewish environment that enables children to grow and learn in a developmentally appropriate way, the Pasadena Jewish Temple & Center (the "Temple") located at the Property has offered the Preschool, and the Weizmann Day School also using the Property has agreed to share, use of the Property for the Preschool. The Preschool's use of the Property will only require some modest redesign of already existing outdoor space and some additional fencing within the interior of the Property to increase child safety. The Preschool will be using already existing buildings for its classrooms and office. There will be no change to the existing footprint of the Property due to the Preschool's use of the Property and there will be no changes to the Property that are visible from the street.

Furthermore, the Preschool's use of the proposed site is complementary to its existing uses. For one, the addition of the Preschool to the Property is complementary to the Property's existing uses because the addition of the Preschool will not create traffic flow issues. This is discussed in more detail in Criteria C, below, and is so because the Preschool's primary hours of operation do not conflict with those of the Temple or Weizmann Day School. The community is also benefited by the Preschool's addition to the Property because the Preschool's addition to the Property creates a single, central location for the complementary uses of the Temple, the Preschool (the only Jewish-affiliated preschool serving the San Gabriel Valley) and Weizmann Day School (the only Jewish-affiliated day school serving the San Gabriel Valley). Per the Temple's Articles of Incorporation, two of the purposes for which the Temple was formed are: (i) to promulgate and promote studies, plans and programs whereby Jewish social service problems, community needs and the relief and welfare work incident thereto may be thoroughly understood, efficiently and economically dealt with, and adequately met, and to develop a spirit of cooperation among the organizations and agencies devoted to those problems and needs and (ii) to coordinate and harmonize the activities of such organizations and agencies, to counsel and advise with respect to the extension thereof and with respect to the establishment of new organizations, and in particular to foster, develop and coordinate all important phases of Jewish religious and social service, relief, welfare, educational, recreational and community life. By having the Temple, the Preschool and Weizmann Day School in the same immediate location, members of the Temple, families of the children attending the Preschool and Weizmann Day School and the Jewish community at large can naturally and more efficiently discuss and address common issues concerning the Temple, the Preschool, the Weizmann Day School or the community at large, and, together, better utilize their synergies to further the Temple's founding

goals and appropriately plan and coordinate events by and between the Temple, the Preschool and Weizmann Day School for the benefit of the Jewish community and surrounding community at large.

Response (b)

(b) The Preschool supports the general welfare and betters the community by providing a developmental preschool that prepares children for success in their future years.

The Preschool is a developmental preschool that encourages children to explore the world while developing small and large muscle coordination, eye-hand coordination, language skills and a strong sense of self-esteem. The programs at the Preschool help children learn that they are capable of working independently, that there are appropriate times and ways to ask for help, and that they can successfully work in group situations while still having their individual needs met. Children at the Preschool experience a wide variety of activities including art, music, movement, water play, manipulative play (i.e. building sets, puzzles, etc. that help develop problem solving skills), stories and quiet time. The Preschool also seeks to build leadership skills by combining teacher directed activities with child-led interactive play.

The Preschool's program goals are to help children develop a strong sense of self-esteem and self-confidence, understand the cause and effect of their actions, cooperate in a group setting, focus attention to follow directions and know when to appropriately obtain help when needed. Achieving these goals by placing children in situations where they can face new challenges, where they are presented with a wide array of experiences geared to their level of expected competency and by avoiding situations that would prove overly frustrating by requiring skills and knowledge not yet within their grasp, the Preschool prepares children for success in their future years.

Response (c)

(c) The Preschool supports the greater multi-cultural community as the only Jewish-affiliated preschool in the San Gabriel Valley.

In an effort to preserve Jewish history and culture, many parents seek educational institutions that support the continuation of such traditions. While being the only preschool in the San Gabriel Valley that fills the need of a preschool for the general Jewish community, the Preschool also provides access to its programs to non-Jewish children and welcomes students from all races, religions, ethnicities and backgrounds, providing opportunities for the further enhancement of the cultural development of all children who attend.

Response (d)

(d) The Preschool has operated with continuous success in an existing residential neighborhood since its founding in 1981 and the Preschool is compatible with the Property's adjacent residential neighborhood.

Since its founding in 1981, the Preschool has created and fostered a unique and effective child development program for children living in the County. The Preschool has a thirty-two (32) year

history of continuous success at its current location (550 S. Second Avenue, Arcadia, California 91006), where the Preschool has operated alongside the Jewish Federation of the Greater San Gabriel & Pomona Valley in an existing residential neighborhood. The Preschool has never caused any issues in its current local community, including any potential issues related to noise levels or traffic logistics, nor have any of the Preschool's neighbors taken issue with, nor complained about, any aspect of the Preschool's operation.

In moving to the Property, the Preschool should not create any issues with the surrounding neighborhood. Any concern regarding increased noise at the Property should be further mitigated by the fact that the Property is adequately buffered from adjacent residential properties by Altadena Drive, an eighty-five (85) foot major artery to the west, and Meguiar Drive, a thirty (30) foot road, on the north and east sides. The Property is also surrounded by a continuous wall of five (5) feet to seven and one-half (7.5) feet in height that is surrounded by mature landscaping. While there is one single-family residence to the immediate east on the southerly portion of the Property, a six (6) foot wall with mature landscaping separates the Property from the single family dwelling. Such buffering is appropriate aesthetically and provides a barrier between the Property and adjacent residential uses.

Response (e)

(e) The Preschool accommodates children with special needs and furthers its desire to accommodate children with special needs through relationships with Frank D. Lanterman Regional Center, San Gabriel/Pomona Regional Center, The Frostig Center and early education special needs departments of neighboring school districts.¹

Through the Preschool's relationship with Frank D. Lanterman Regional Center, the Preschool accommodates children with speech and visual developmental delays, as well as children with autism. Through the Preschool's relationship with the San Gabriel/Pomona Regional Center, The Frostig Center and early educational special needs departments of neighboring school districts, the Preschool's staff receives training and support and special needs children participating in the Preschool's program are able to receive special services from these agencies while participating in the Preschool's program. Approving the Preschool's use of the Property will allow the Preschool to continue this relationship and continue its history of providing a positive developmental and educational environment for children with special needs.

Response (f)

(f) The Preschool's addition as a use at the Property will support the community through resulting increased patronage to neighborhood businesses.

¹ Frank D. Lanterman Regional Center is a private, non-profit corporation that operates under contract with California's Department of Developmental Services. The Frank D. Lanterman Regional Center serves over 7,000 children and adults with developmental disabilities, who have or are at risk for a developmental delay or disability, and who are at high-risk of parenting an infant with a disability. For more information on the Frank D. Lanterman Regional Center, please see their website at <http://www.lanterman.org/>. The Frostig Center helps children with learning disabilities reach their full potential through an integrated approach of primary research, professional development and consultation, and the Frostig School. For more information on The Frostig Center, please see their website at <http://frostig.org/>.

The parents of children attending the Preschool will provide increased patronage to, and revenue for, Café Culture, Phoenix Pharmacy, House of Cakes and Cookies, Anna's Cake House, 7-Eleven and McDonald's before and after drop-off at the Property. Café Culture, Domenico's, Phoenix Pharmacy, Carmela Ice Cream, House of Basturma, Egg Roll Express, House of Cakes and Cookies, Anna's Cake House, 7-Eleven and McDonald's will also benefit from increased patronage before and after parents pick-up their children from the Property.

Response (g)

(g) The Preschool plans to support community service through inter-generational activities with the neighboring assisted-living community, the Terraces at Park Marino.

The assisted-living community, the Terraces at Park Marino, is within walking distance of the Property, allowing for safe travel to and from the assisted-living community and easy visitation by the Preschool's students. The Preschool plans to reach out and provide support to the neighboring assisted-living community by having the Preschool's children visit the assisted-living community to sing, to participate in intergenerational art programs, to have the residents read with the children and to deliver art work and gifts the children have created for the residents. These interactions will benefit both the Preschool's children and those living at the assisted-living community by creating positive cross-generational relationships. The Preschool's visits to the assisted-living community will also help children in the community develop a sense of community involvement and an early understanding of the importance of, and rewards associated with, community service.

2. THAT THE REQUESTED USE AT THE LOCATION WILL NOT BE MATERIALLY DETRIMENTAL TO THE USE, ENJOYMENT OR VALUATION OF PROPERTY OF OTHER PERSONS LOCATED IN THE VICINITY OF THE SITE

Summary of Responses (a) Through (c):

- (a) the Preschool has operated with continuous success in an existing residential neighborhood since its founding in 1981 and the Preschool is compatible with the Property's adjacent residential neighborhood;
- (b) preschools produce long-term improvements in school success, including higher achievement test scores, and better test scores are associated with increased property values; and
- (c) the Preschool supports the objectives of the Los Angeles County General Plan (the "General Plan") and the Altadena Community Plan (the "ACP").

Each of responses (a) through (c), above, is more fully discussed below:

Response (a)

(a) Consistent with response A.1(d), above, the Preschool has a thirty-two (32) year history of continuous success at its current location in an existing residential neighborhood and in moving

to the Property, the Preschool should not create any issues with the Property's surrounding neighborhood.

Response (b)

(b) Preschools produce long-term improvements in school success, including higher achievement test scores, and better test scores are associated with increased property values.

W. Steven Barnett, National Institute for Early Education Research explains, "A detailed and comprehensive assessment of evidence . . . [shows w]ell-designed preschool education programs produce long-term improvements in school success, including higher achievement test scores, lower rates of grade repetition and special education, and higher educational attainment."² Furthermore, higher test scores are linked to increases in home prices. When housing prices at school boundaries have been analyzed, it was found that "there is a sharp increase in housing prices at the boundary, with prices being roughly 12 percent higher for houses just inside the high-scoring district".³ Therefore, because preschools help produce higher achievement test scores and home prices are positively associated with higher-scoring schools, the requested use at the location may in fact increase property value.

Additionally, studies have shown the importance of early childhood education to such a convincing extent that, in his February 12, 2013 State of the Union address, President Barack Obama stated,

"In states that make it a priority to educate our youngest children...studies show students grow up more likely to read and do math at grade level, graduate high school, hold a job, form more stable families of their own. We know this works. So let's do what works and make sure none of our children start the race of life already behind."⁴

Furthermore, per The White House Office of the Press Secretary, "[R]esearch has shown that taxpayers receive a high average return on investments in high-quality early childhood education, with savings in areas like improved educational outcomes, increased labor productivity, and a reduction in crime."⁵

Response (c)

(c) The Preschool supports the goals, principals and objectives of the General Plan and the ACP, which collectively outline standards for the preservation, betterment and prosperity of the community.

² Barnett, W.S., *Preschool Education and its Lasting Effects: Research and Policy Implications*, Boulder and Tempe: Education and Public Interest Center & Education Policy Research Unit at page 1 (2008).

³ Thomas J. Kane, Douglas O. Staiger and Stephanie K. Reigg, *School Quality, Neighborhoods and Housing Prices: The Impacts of School Desegregation*, National Bureau of Economic Research at page 22 (2005).

⁴ The White House Office of the Press Secretary, *Fact Sheet President Obama's Plan for Early Education for all Americans*, available at <http://www.whitehouse.gov/the-press-office/2013/02/13/fact-sheet-president-obama-s-plan-early-education-all-americans> (published for immediate release February 13, 2013).

⁵ *Id.*

The Preschool supports the General Plan through the following avenues:

- i. **General Plan – Needs - Provide More Jobs:** The General Plan identifies “providing more jobs” as a “priority task”.⁶ The Preschool provides jobs to ten (10) teachers and staff members in the community and thus promotes one of the General Plan’s “priority tasks”. In addition, the Preschool will support the strength of neighboring businesses because of increased patronage to, and revenue for, Café Culture, Phoenix Pharmacy, House of Cakes and Cookies, Anna’s Cake House, 7-Eleven and McDonald’s before and after drop-off at the Property. Café Culture, Domenico’s, Phoenix Pharmacy, Carmela Ice Cream, House of Basturma, Egg Roll Express, House of Cakes and Cookies, Anna’s Cake House, 7-Eleven and McDonald’s will also benefit from increased patronage before and after parents pick-up their children from the Property.
- ii. **General Plan – Needs - Improve Health, Education and Crime Control Services:** The General Plan states that “the availability and fair allocation of essential services, such as those for health, education, and crime control are key factors in maintaining neighborhood quality, attracting investments, and promoting equal opportunity”.⁷ As an outstanding educational institution, the Preschool furthers this goal by increasing the availability of educational services in the community.
- iii. **General Plan – Policies:** The Preschool also furthers the General Plan by fostering the following general policies: “Encourage cultural and social diversity and the preservation of the cultural heritage of Los Angeles County” and “Encourage the maintenance and enhancement of the cultural values and the ethnic variety of communities”.⁸ The Preschool supports the greater multi-cultural community as the only Jewish-affiliated preschool in the San Gabriel Valley. In an effort to preserve Jewish history and culture, many parents seek educational institutions that support the continuation of such traditions. While being the only preschool in the San Gabriel Valley that fills the need of a preschool for the general Jewish community, the Preschool also provides access to its programs to non-Jewish children and welcomes students from all races, religions, ethnicities and backgrounds, providing opportunities for the further enhancement of the cultural development of all children who attend, encouraging cultural and social diversity and encouraging the maintenance and enhancement of the cultural values and the ethnic variety of the community.

The Preschool supports the ACP through the following avenues:

- i. **ACP Goals:** The Preschool supports the following goals of the ACP: “Maintain and enhance the quality and distribution of land uses which characterize the Altadena community and make it an attractive environment in which to live, work and enjoy leisure hours” and “Maintain and enhance a living environment for Altadena residents which provides for their needs: health, physical safety, and a high quality of life”.⁹ By providing preschool services to a residential area at the proposed site, the Preschool will

⁶ General Plan at I-7

⁷ General Plan at I-9

⁸ General Plan at I-19

⁹ ACP § 4.2 (1)-(2)

help maintain and enhance the quality and distribution of land uses which characterize the Altadena community and make it an attractive environment in which to live, work and enjoy leisure hours because the addition of the Preschool to the community would enable parents in the community to conveniently drop children off from residences in the community and proceed to their places of employment. Furthermore, by providing a full-day program from 7:30 a.m. to 5:30 p.m., the Preschool allows parents to work a typical work day knowing their children are in a safe, positive, enriching developmental environment, further making the Altadena community an attractive environment in which to live, work and enjoy leisure hours and helping to maintain and enhance a living environment for Altadena residents which provides for their health, physical safety, and a high quality of life.

- ii. **ACP Policy Objectives:** The Preschool supports the following policy objectives of the ACP: “Preserve existing residential neighborhoods, commercial districts, community facilities, institutions, and environmental amenities”; “Provide for new development which is compatible with and complements existing uses”; and “Preserve and enhance existing land uses and areas of historical and/or unique importance”.¹⁰ First, the Preschool’s addition to the Property does not affect the existing uses of the Temple and the Weizmann Day School, therefore preserving the existing community facilities and institutions currently present. Second, the Preschool’s addition to the Property is compatible with and complements the existing uses of the Temple and Weizmann Day School because the addition of the Preschool will not create traffic flow issues and because the Preschool’s addition to the Property creates a central location for the Temple, the Weizmann Day School and the Preschool that, third, enhances existing land uses because of the benefits to the community that arise due to the Temple’s, Weizmann Day School’s and the Preschool’s nature as compatible and complementary institutions. The non-effect on traffic flow is discussed in more detail in Criteria C, below, and should be of no consequence to the community because the Preschool’s primary hours of operation do not conflict with those of the Temple or Weizmann Day School with respect to child drop-off and pick-up. The community is also benefited by the Preschool’s addition to the Property because the Preschool’s addition to the Property creates a single, central location for the complementary uses of the Temple, the Preschool (the only Jewish-affiliated preschool serving the San Gabriel Valley) and Weizmann Day School (the only Jewish-affiliated day school serving the San Gabriel Valley). Per the Temple’s Articles of Incorporation, two of the purposes for which the Temple was formed are: (i) to promulgate and promote studies, plans and programs whereby Jewish social service problems, community needs and the relief and welfare work incident thereto may be thoroughly understood, efficiently and economically dealt with, and adequately met, and to develop a spirit of cooperation among the organizations and agencies devoted to those problems and needs and (ii) to coordinate and harmonize the activities of such organizations and agencies, to counsel and advise with respect to the extension thereof and with respect to the establishment of new organizations, and in particular to foster, develop and coordinate all important phases of Jewish religious and social service, relief, welfare, educational, recreational and community life. By having the Temple, the Preschool and the Weizmann Day School in the same immediate location, members of

¹⁰ ACP §§ 4.3(1); 4.3(2); 4.3(4)

the Temple, families of the children attending the Preschool and Weizmann Day School and the Jewish community at large can naturally and more efficiently discuss and address common issues concerning the Temple, the Preschool, the Weizmann Day School or the community at large, and, together, better utilize their synergies to further the Temple's founding goals and appropriately plan and coordinate events by and between the Temple, the Preschool and Weizmann Day School for the benefit of the Jewish community and surrounding community at large.

- iii. **ACP Economic Development Issues:** The fact that commercial districts in the Altadena area have experienced a gradual decline in quality and utilization by local residents has been identified as the major economic development issue of the Altadena community.¹¹ Per ACP § 4.5.4, "the Washington Boulevard corridor and intersection with N. Altadena Drive in the southeast portion of Altadena is presently developed with commercial uses . . . [and t]he Community Plan recommends continuation of these commercial, residential, and institutional uses".¹² The addition of the Preschool to the Property will increase the utilization of local commercial uses because the parents of children attending the Preschool will provide increased patronage to, and revenue for, Café Culture, Phoenix Pharmacy, House of Cakes and Cookies, Anna's Cake House, 7-Eleven and McDonald's before and after drop-off at the Property and Café Culture, Domenico's, Phoenix Pharmacy, Carmela Ice Cream, House of Basturma, Egg Roll Express, House of Cakes and Cookies, Anna's Cake House, 7-Eleven and McDonald's will also benefit from increased patronage before and after parents pick-up their children from the Property.
- iv. **ACP Public Services - Issue 1 and Issue 4:** With respect to public services, the ACP identifies that "1. Crime is a serious threat to Altadena because of socioeconomic conditions in certain portions of the community and too few Sherriff Department personnel".¹³ The addition of the Preschool to the community will help reduce crime in the community because, per The White House Office of the Press Secretary, "[R]esearch has shown that taxpayers receive a high average return on investments in high-quality early childhood education, with savings in areas like . . . a reduction in crime."¹⁴

The ACP also advocates, with respect to Issue 4, Schools, to "[p]rovide school facilities to serve the community's social, cultural, vocational, and recreational, as well as education needs" and the "complement[ing] of existing school recreational areas, where possible, with additional adjacent parks or playgrounds".¹⁵ The Preschool's addition to the Property will help serve these needs because the Preschool, which will employ ten (10) teachers and staff members and is the only Jewish-affiliated preschool serving the San Gabriel Valley, provides opportunities for children from all races, religions, ethnicities and backgrounds to participate in a developmental, educational program that helps develop children's small and large muscle coordination, eye-hand coordination,

¹¹ ACP § 7.1

¹² ACP § 4.5.4

¹³ ACP § 8.1

¹⁴ The White House Office of the Press Secretary, *Fact Sheet President Obama's Plan for Early Education for all Americans*, available at <http://www.whitehouse.gov/the-press-office/2013/02/13/fact-sheet-president-obama-s-plan-early-education-all-americans> (published for immediate release February 13, 2013).

¹⁵ ACP § 8.3, Policies, Issue 4.

language skills, problem solving skills, artistic awareness and musical awareness through experiencing a wide variety of activities including movement, water play, manipulative play (i.e. building sets, puzzles, etc. that help develop problem solving skills), stories, quiet time, art and music. In addition, the Property's unique geographic proximity to the Eaton Canyon Center would additionally support the ACP's objectives by locating the Preschool adjacent to recreational facilities.

3. THAT THE REQUESTED USE AT THE LOCATION WILL NOT JEOPARDIZE, ENDANGER OR OTHERWISE CONSTITUTE A MENACE TO THE PUBLIC HEALTH, SAFETY OR GENERAL WELFARE

Summary of Responses (a) Through (d):

- (a) the Preschool has operated with continuous success in an existing residential neighborhood since its founding in 1981 and the Preschool is compatible with the Property's adjacent residential neighborhood;
- (b) the Preschool supports the development of fifty-five (55) children from families in the community;
- (c) the Preschool will benefit the community through improved educational outcomes, increased labor productivity, and a reduction in crime; and
- (d) the Preschool provides jobs for ten (10) members of the community.

Each of responses (a) through (d), above, is more fully discussed below:

Response (a):

(a) Consistent with response A.1(d), above, the Preschool has a thirty-two (32) year history of continuous success at its current location in an existing residential neighborhood and in moving to the Property, the Preschool should not create any issues with the Property's surrounding neighborhood.

Response (b):

(b) The Preschool provides beneficial developmental and educational services to fifty-five (55) children and their families in the community.

The Preschool's developmental program encourages children to explore the world while developing small and large muscle coordination, eye-hand coordination, language skills and a strong sense of self-esteem. The programs at the Preschool help children learn that they are capable of working independently, that there are appropriate times and ways to ask for help, and that they can successfully work in group situations while still having their individual needs met. Children at the Preschool experience a wide variety of activities including art, music, movement, water play, manipulative play (i.e. building sets, puzzles, etc. that help develop problem solving skills), stories and quiet time. The Preschool also seeks to build leadership skills by combining teacher directed activities with child-led interactive play.

The Preschool's program goals are to help children develop a strong sense of self-esteem and self-confidence, understand the cause and effect of their actions, cooperate in a group setting, focus attention to follow directions and know when to appropriately obtain help when needed. Achieving these goals by placing children in situations where they can face new challenges, where they are presented with a wide array of experiences geared to their level of expected competency and by avoiding situations that would prove overly frustrating by requiring skills and knowledge not yet within their grasp, the Preschool sets children up to succeed in school in their future years.

Response (c)

(c) The preschool will benefit the community through improved educational outcomes, increased labor productivity, and a reduction in crime. The White House Office of the Press Secretary has confirmed, "[R]esearch has shown that taxpayers receive a high average return on investments in high-quality early childhood education, with savings in areas like improved educational outcomes, increased labor productivity, and a reduction in crime."¹⁶

Response (d)

(d) The Preschool provides jobs for ten (10) members of the community. The preschool employs a total of ten (10) teachers and staff members who would need to find new positions elsewhere in the County, potentially going unemployed, should the Preschool not be able to find a new home and continue its operation at the proposed location.

CRITERIA B: THAT THE PROPOSED SITE IS ADEQUATE IN SIZE AND SHAPE TO ACCOMMODATE THE YARDS, WALLS, FENCES, PARKING AND LOADING FACILITIES, LANDSCAPING AND OTHER DEVELOPMENT FEATURES PRESCRIBED IN THIS TITLE 22, OR AS IS OTHERWISE REQUIRED IN ORDER TO INTEGRATE SAID USE WITH THE USES IN THE SURROUNDING AREA

Summary of Responses (a) Through (b):

- (a) a child care center is a conditionally permitted use in Zone R-1; and
- (b) the Property substantially complies with zoning laws relevant to location in Zone R-1-7500.

Each of responses (a) through (b), above, is more fully discussed below:

Response (a)

(a) Under the Code, and pursuant to a conditional use permit, properties in Zone R-1 may be used for child care centers.¹⁷ Under the Code, "child care center" means a facility other than a

¹⁶ The White House Office of the Press Secretary, *Fact Sheet President Obama's Plan for Early Education for all Americans*, available at <http://www.whitehouse.gov/the-press-office/2013/02/13/fact-sheet-president-obama-s-plan-early-education-all-americans> (published for immediate release February 13, 2013).

¹⁷ Code at § 22.20.100(A).

large family child care home or a small family child care home in which less than 24-hour-per-day nonmedical care and supervision is provided for children in a group setting as defined and licensed under the regulations of the state of California.¹⁸ Thus, the Preschool is a child care center. As such, the use the Preschool seeks is adequate for the site.

Response (b)

(b) The Property substantially complies with all relevant zoning laws associated with location in Zone R-1-7500. The Code states, “Unless specifically modified by a conditional use permit, all regulations prescribed in the zone in which such conditional use permit is granted shall apply.”¹⁹ Per the Final Findings and Order of Regional Planning Commission, County of Los Angeles, Project No. R2012-00246-(5), Conditional Use Permit 201200024 (the “Final Findings”), “[t]he subject property meets the zoning ordinance and development standards by providing required setbacks” and “[t]he landscaping on the site is very well maintained”.²⁰ The following chart summarizes development standards associated with location in Zone R-1-7500:

Chart 1: The Property’s Compliance with Development Standards

Development Standard	Zoning Code	Compliance Status
Minimum Required Area	7,500 square feet per lot. (Code § 22.52.100(C)(1)(b)).	Complies. Lot area is greater than 90,000 square feet.
Maximum Height Limit	Not to exceed 35 feet above grade, except for chimneys and rooftop antennas. (Code § 22.22.110).	Complies. Maximum height of all buildings is 35 feet with a maximum 2 stories.
Minimum Required Parking	Current Use: 66 parking spaces, pursuant to Code § 22.52.1200, as referenced in the Final Findings at page 2. Proposed New Use: 13 parking spaces; one parking space for each staff member and any motor vehicle used directly in conducting such use (10) and one parking space for each 20 children for whom a license has been issued by the State of California (3). (Code § 22.52.1105(A)-(B)).	Complies with County requirements and previously approved MPD. The County has advised that the Preschool’s proposed use does not have a cumulative impact on parking at the Property, that the total number of required spaces remains sixty-six (66), and that a new MPD is not required. An MPD permits up to 30 percent deviation from parking requirements and an MPD was approved concurrently with the Final Findings for a 24 percent deviation. The Preschool’s

¹⁸ Code at § 22.08.030(C).

¹⁹ Code at § 22.56.110.

²⁰ Final Findings at page 4.

		Proposed Parking Plan will provide 56 spaces, which is 15 percent less than required. 16 additional overflow (non-striped) parking spaces can be provided at the play area to accommodate during non-school hours.
Yard Requirements	Front yard: 20 feet in depth. Rear yard: 15 feet in depth. Interior side yards: 5 feet. (Code § 22.20.120).	Complies with the Site Plan, approved by the County in 1995. (Front yard: 10 feet; rear yard: 11 feet; and side yards: 5 feet.)
Gross Structural Area and Lot Coverage	Not applicable because the Property contains no dwelling units. (Code § 22.20.060).	Not applicable.

As illustrated, the Property complies with all development standards.

CRITERIA C:

- 1. THAT THE PROPOSED SITE IS ADEQUATELY SERVED BY HIGHWAYS OR STREETS OF SUFFICIENT WIDTH, AND IMPROVED AS NECESSARY TO CARRY THE KIND AND QUANTITY OF TRAFFIC SUCH USE WOULD GENERATE**

Summary of Responses (a) Through (c):

- (a) the proposed site is located in close proximity to three of the ten major thoroughfares in the Altadena area, providing ease of transportation to and from the Property;
- (b) the proposed site is easily accessible by public transportation; and
- (c) the proposed use will not create significant traffic flow issues.

Each of responses (a) through (c), above, is more fully discussed below:

Response (a)

(a) The proposed site is located in close proximity to three of the ten major thoroughfares in the Altadena area, providing ease of transportation to and from the Property. The ACP concludes that ten major and secondary highways serve the community.²¹ Three out of ten of these

²¹ ACP at § 3.2

highways serve the Property: Washington Boulevard, New York Drive and Altadena Drive. The ACP notes that “all of the arterials in Altadena operate basically under ‘free-flow’ conditions, well within their capacity”.²² As the Final Findings explained,

“The primary access to the subject site is from Altadena, a major artery, defined in the Altadena Community Plan as operating under ‘free flow’ conditions. There is no access to the Property from Meguiar Drive. Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.”²³

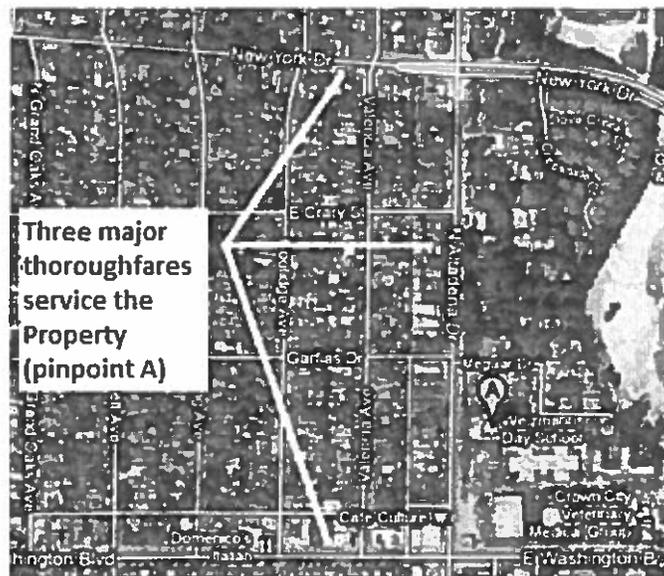


Figure 1: New York Drive, North Altadena Drive and Washington Boulevard service the Property (pinpoint A)

Response (b)

(b) Los Angeles Metro Route of Line 264 stops immediately next to the Property at the Altadena / Meguiar and Altadena / Garfias stops on Altadena Drive. This allows parents, with their children, and staff members of the Preschool to utilize public transportation to get to the Property, reducing the number of vehicular trips and consequent pollution caused by vehicular trips.

Response (c)

(c) The addition of the Preschool to the Property will not create traffic flow issues, because the Preschool’s primary hours of operation do not conflict with those of the Temple or Weizmann Day School. The majority of the traffic due to the Preschool’s presence on the Property will be

²² *Id.*

²³ Final Findings at page 4.

between 8:45 a.m. and 9:15 a.m. for drop-off (after the Weizmann Day School children, who begin at 8:15 a.m., have already been dropped-off) and between 12:45 p.m. and 1:15 p.m. for pick-up from the school (well before the Weizmann Day School school day ends at 3:30 p.m.). While the synagogue on the Property has a religious school that meets two days a week, the religious school meets at 4:00 p.m., with those attending arriving after the majority of the Preschool children have already left the Property, and ends at 6:00 p.m., after the Preschool is closed for the day at 5:30 p.m. While the Weizmann Day School also offers an after school program and extracurricular classes, the after school program and extracurricular classes also end at 6:00 p.m., after the Preschool is closed for the day at 5:30 p.m. Any other potential overlap in pick-up or drop-off between the Preschool and Weizmann Day School will be of an intermittent nature, is outside the hours of primary pick-up and drop-off for each, includes any families picking-up or dropping-off children at both the Preschool and Weizmann Day School and should not be expected to create traffic flow issues.

Furthermore, the Property's parking lot is constructed to effectively manage the flow of cars on site. The arrows depicted in Figure 2, below, illustrate the directional flow of traffic for cars entering and exiting the main parking lot on the Property. The Proposed Parking Plan does not affect the efficient flow of cars in and out of the site, to and from Altadena Drive, as provided by the parking lot's current construction.

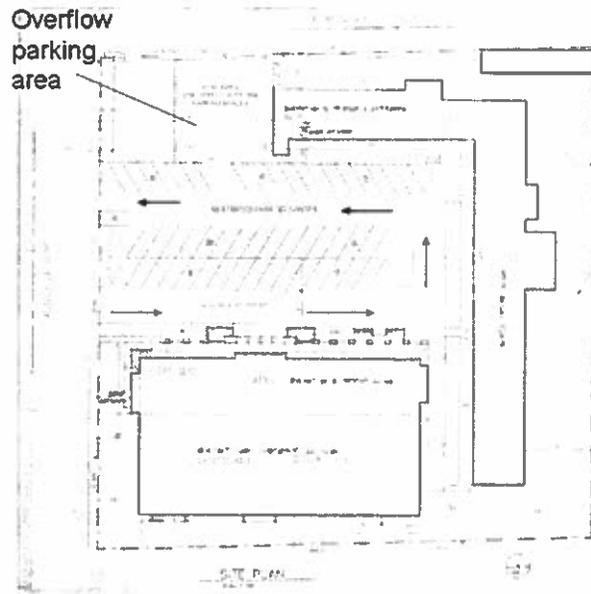
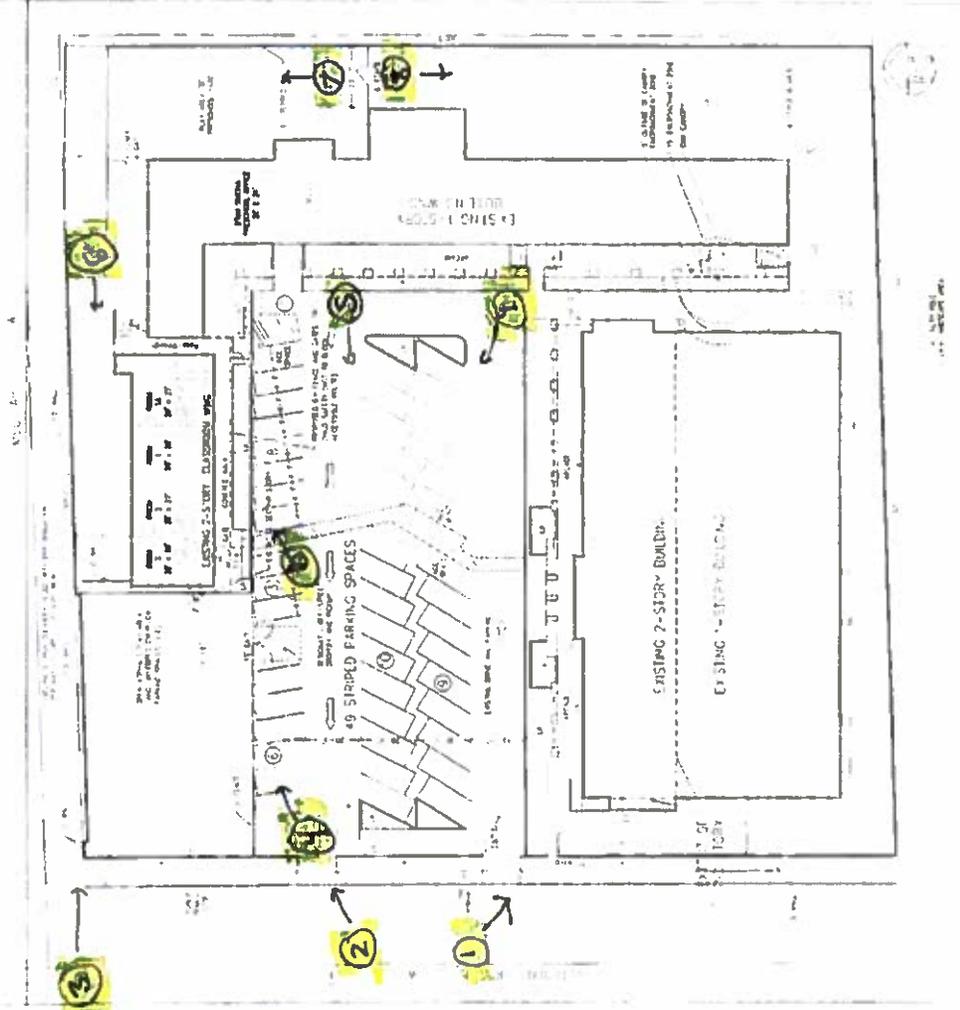


Figure 2: Property's parking lot is designed to avoid traffic and congestion problems.

2. THAT THE PROPOSED SITE IS ADEQUATELY SERVED BY OTHER PUBLIC OR PRIVATE SERVICE FACILITIES AS ARE REQUIRED

The proposed site is located within a 10-minute drive of multiple crucial services, including three hospitals, the Los Angeles County Sherriff's Department and the Pasadena Fire Station. These crucial services provide an additional sense of safety and security to the students and staff at the Preschool.

PHOTO KEY MAP



1. SITE PLAN WITH FIRST FLOOR PLANS



MAIN TEMPLE BUILDING SECOND FLOOR PLAN

PROPERTY INFORMATION

APN	001 001 001 001
OWNER	THE TEMPLE FOUNDATION
PROJECT	TEMPLE REPAIRS
DATE	08/11/08
SCALE	1/8" = 1'-0"
DATE	08/11/08
SCALE	1/8" = 1'-0"
DATE	08/11/08
SCALE	1/8" = 1'-0"

AREA TABULATION

AREA	AREA (SQ FT)	PERCENT
EXISTING 2-STORY CLASSROOM WING	10,000	10.0%
EXISTING 2-STORY BUILDING	10,000	10.0%
EXISTING 1-STORY BUILDING	10,000	10.0%
PARKING	10,000	10.0%
TOTAL	100,000	100.0%

TABULATION OF BE-BUILDING PRELIMINARY

NO.	DESCRIPTION	AREA (SQ FT)	PERCENT
1	EXISTING 2-STORY CLASSROOM WING	10,000	10.0%
2	EXISTING 2-STORY BUILDING	10,000	10.0%
3	EXISTING 1-STORY BUILDING	10,000	10.0%
4	PARKING	10,000	10.0%
5	TOTAL	100,000	100.0%

NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER CODES.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER CODES.
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER CODES.

FACILITY USE

USE	RECREATION
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VICTORY MAP

MAP NO.	101 2
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SITE PLAN, E FLOOR PLANS WITH EXISTING PAVING

CONDITIONAL USE PERMIT

P.A. ADRIAN BROWN, LICENSED ARCHITECT

WILLIAMS DAY 2008

C/O B. M. SMITH ARCHITECTS, INC.

1000 W. 10TH STREET, SUITE 100, DENVER, CO 80202

DATE: 08/11/08

SCALE: 1/8" = 1'-0"











Picto

Print Date: 03/03/2014

Image Date: 01/11/2011

Level: Community

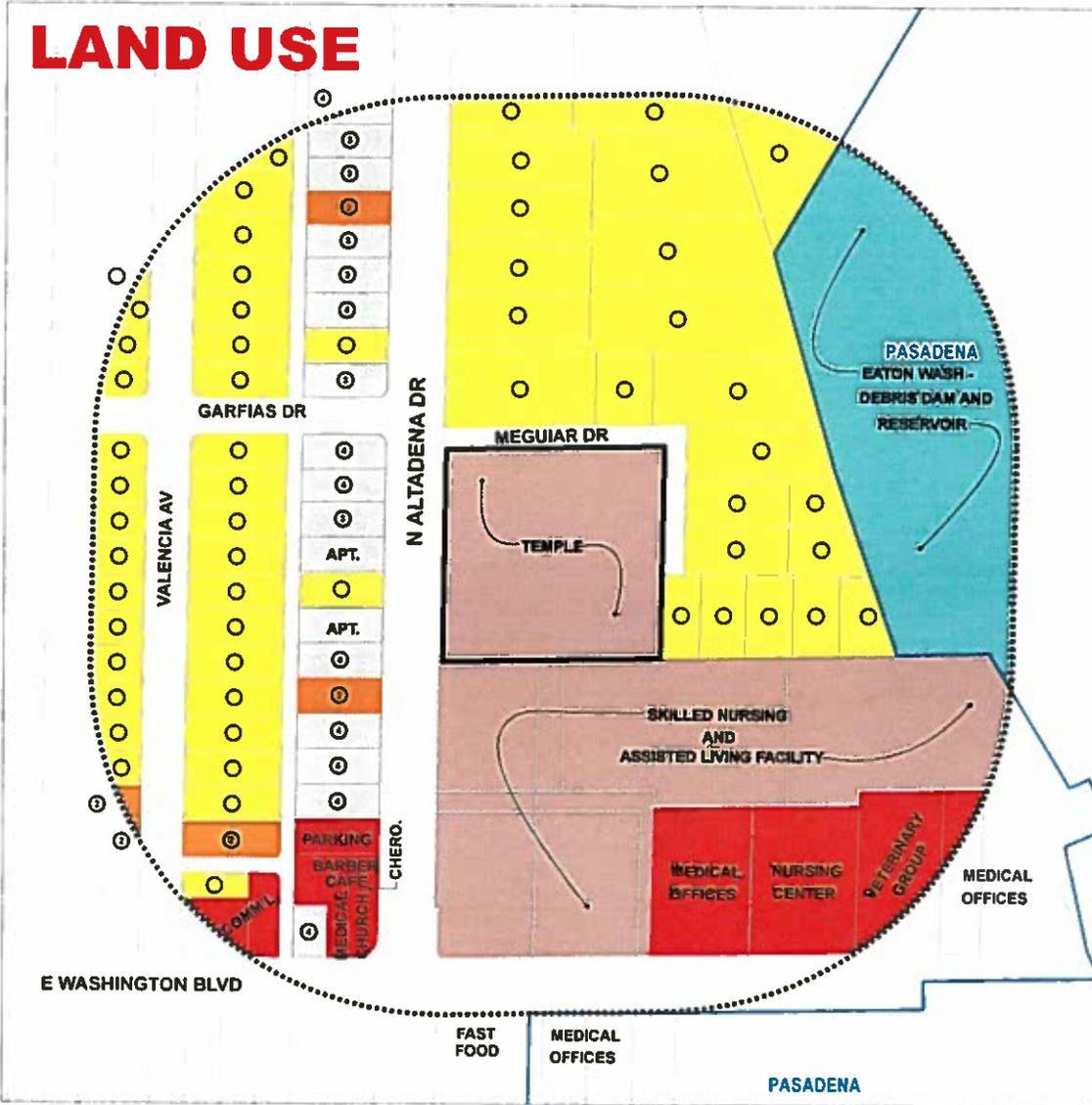
LAND USE

LAND USE 500 FOOT RADIUS MAP

Proj. R2013-03415 (5)
RCUP 2013-00172

Legend

- SINGLE-FAMILY RESIDENCE
- ⊙ MULTI-FAMILY RESIDENCE
- SINGLE-FAMILY RESIDENCE
- TWO-FAMILY RESIDENCE
- MULTI-FAMILY RESIDENCE
- INSTITUTION (NON-PROFIT)
- COMMERCIAL
- WATER
- VACANT



VICINITY MAP



0 30 60 120 180 240 Feet



LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012

PASADENA

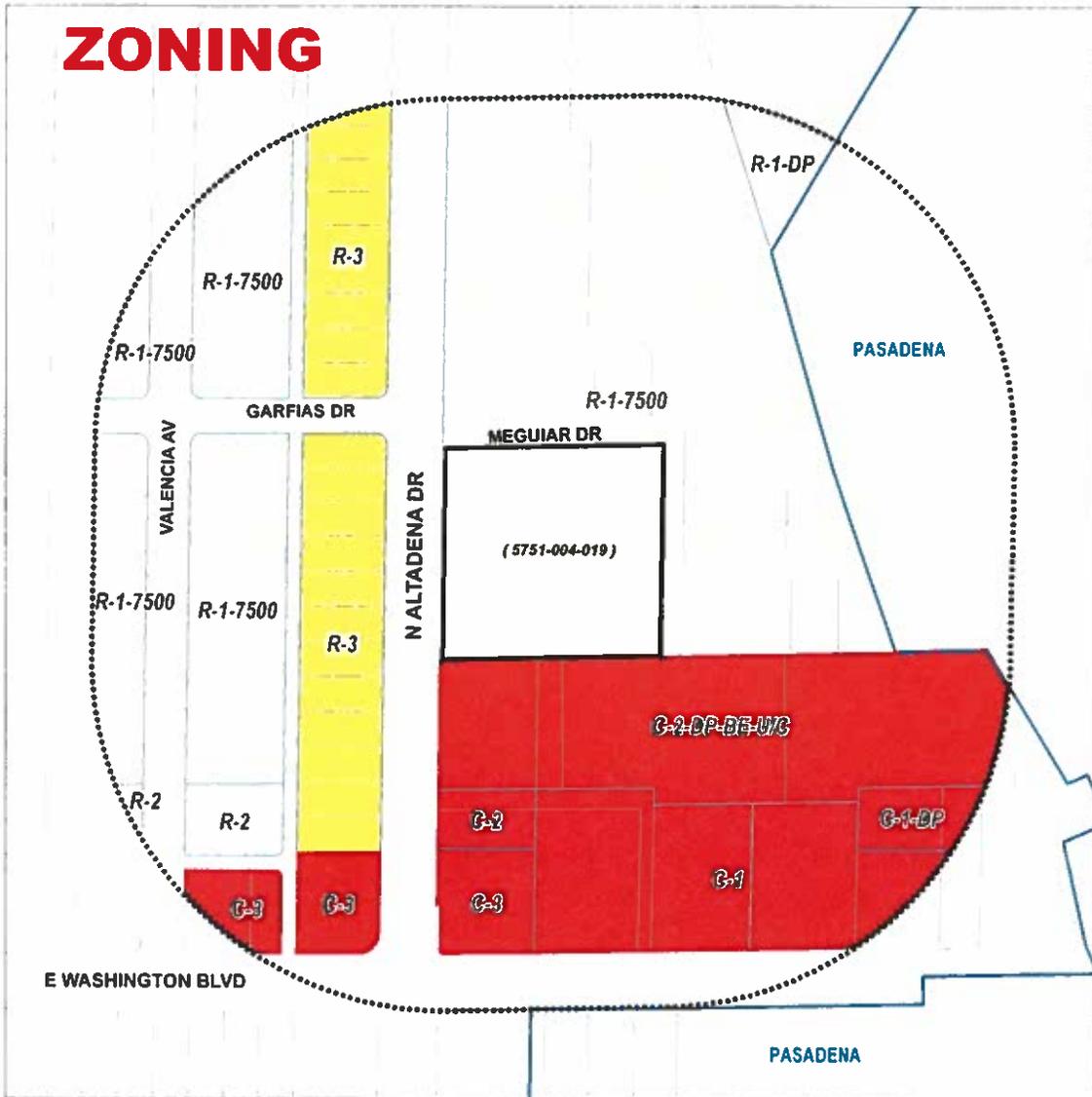
ZONING

ZONING 500 FOOT RADIUS MAP

Proj. R2013-03415 (5)
RCUP 2013-00172

Legend

- R-1 - SINGLE-FAMILY RESIDENCE
- R-2 - TWO-FAMILY RESIDENCE
- R-3-(U) - LIMITED MULTIPLE RESIDENCE
- C-1 - RESTRICTED BUSINESS
- C-2 - NEIGHBORHOOD COMMERCIAL
- C-3 - UNLIMITED COMMERCIAL



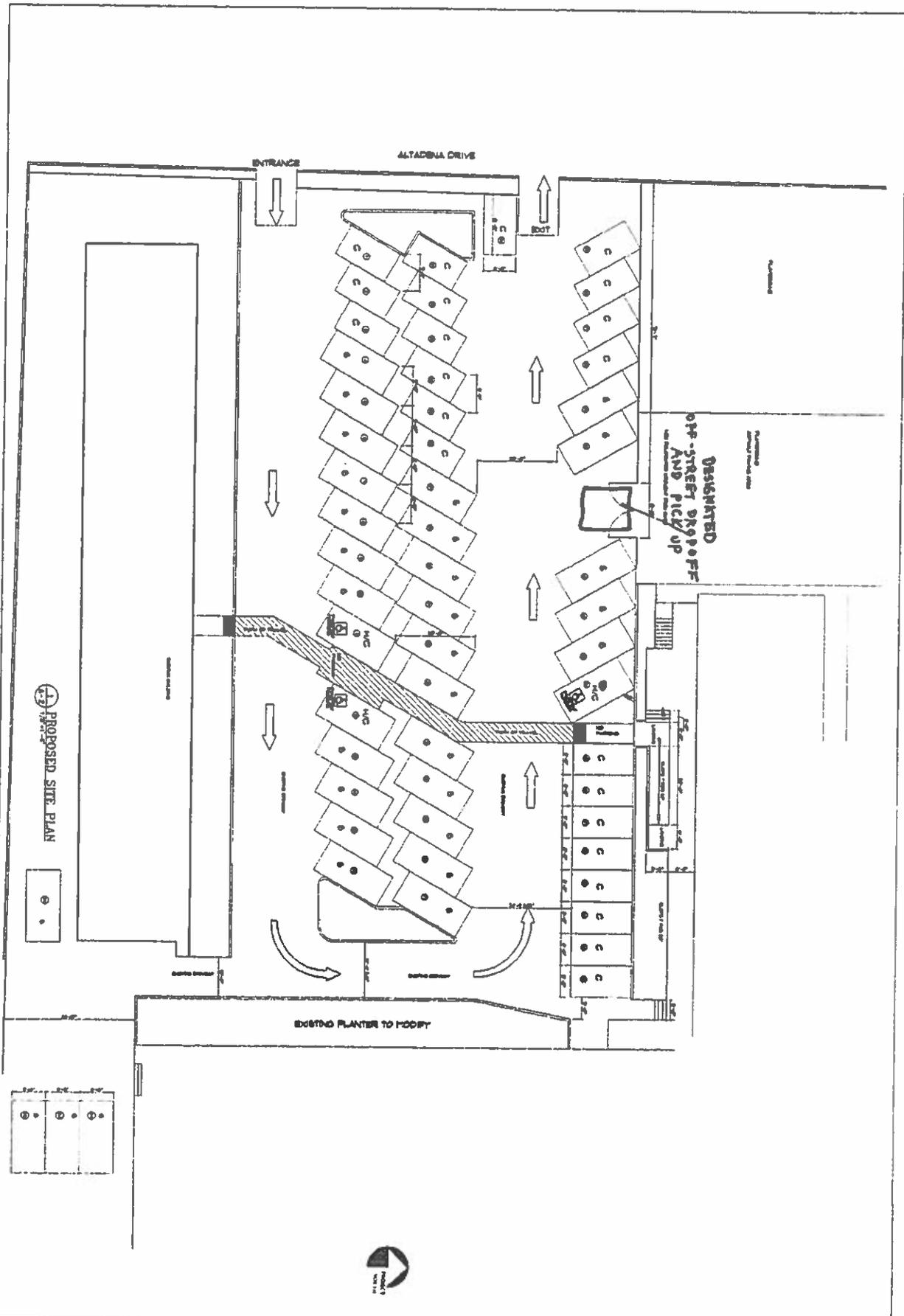
VICINITY MAP



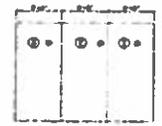
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LOS ANGELES COUNTY
Department of Regional Planning
320 W Temple St.
Los Angeles, CA 90013



1. PROPOSED SITE PLAN



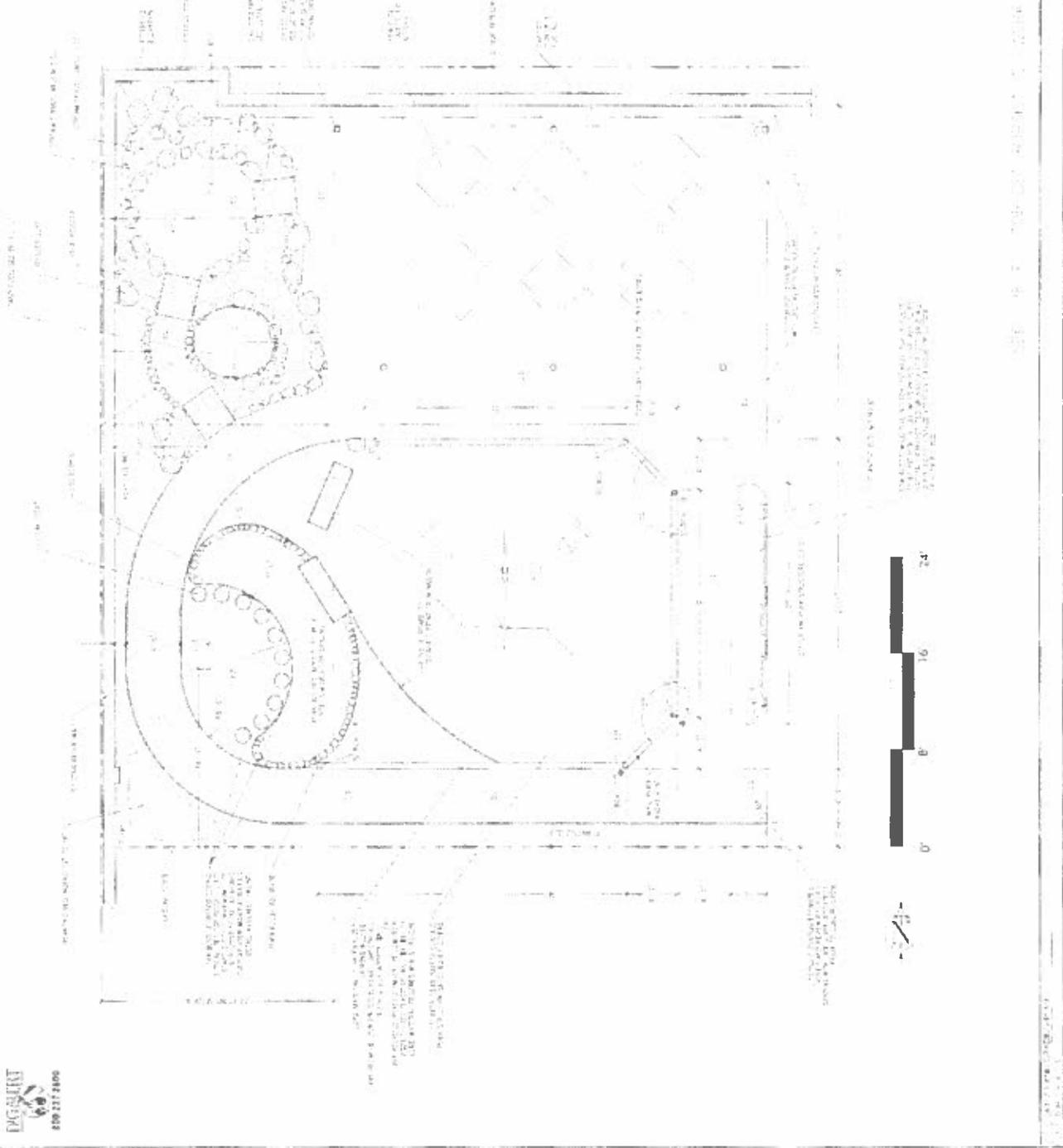
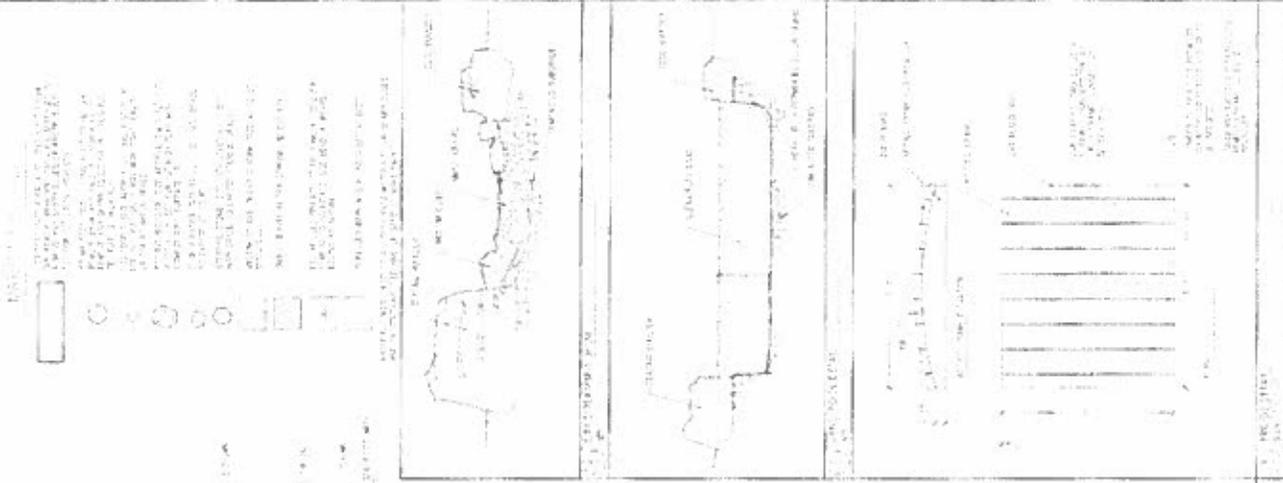
A-3 SHEET NO. DATE: 8-25-2011 DRAWN BY: [blank] CHECKED BY: [blank]	NEW PARKING PLAN	JEWISH TEMPLE CENTER 1434 N. ALTADENA DR. PASADENA, CA 91107		DAHL ARCHITECTS 1134 EL CENTRO STREET S PASADENA, CA 91106 OFFICE: 626 564 0011 FAX: 626 564 1591	REV. DATE 1 2 3
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Play Yard Development

Pasadena Jewish Temple & Center

1434 N. Altadena Drive Altadena, CA 91107

General Land-Use



PROJECT NARRATIVE
B'NAI SIMCHA JEWISH COMMUNITY PRESCHOOL
1434 North Altadena Drive, Pasadena, California 91107

Project Applicant: B'nai Simcha Jewish Community Preschool

Project Location: 1434 North Altadena Drive, Pasadena, California 91107

I. OVERVIEW

B'nai Simcha Jewish Community Preschool (the “Preschool”) respectfully requests that the County of Los Angeles (the “County”) approve a conditional use permit (the “Proposed CUP”) to allow the operation of the Preschool at 1434 North Altadena Drive, Assessor Parcel Number 5751-004-019, in the unincorporated Altadena area of the County (the “Property”).

Pursuant to the Los Angeles County Zoning Code (the “Code”), properties in Zone R-1 may be used for child care centers with a conditional use permit.¹ The Property is in Zone R-1-7500. Under the Code, “child care center” means a facility other than a large family child care home or a small family child care home in which less than 24-hour-per-day nonmedical care and supervision is provided for children in a group setting as defined and licensed under the regulations of the state of California.² The Preschool is a child care center.

II. PROJECT LOCATION AND DESCRIPTION

The Property is located at 1434 North Altadena Drive, in the unincorporated Altadena area of Los Angeles County (Assessor’s Parcel Number 5751-004-019). The Property is located in the proximity of three major thoroughfares. North Altadena Drive is located to the west of the Property, New York Drive is located to the north of the Property and East Washington Boulevard is located to the south of the Property. Los Angeles Metro Route of Line 264 stops immediately next to the Property at the Altadena / Meguiar and Altadena / Garfias stops on North Altadena Drive.

The Property is rectangular in shape and is approximately 90,000 square feet in size. The Property consists of: (i) an approximately 17,000 square foot rectangular shaped building near the south Property line that is used for religious services, synagogue offices, classrooms and event spaces; (ii) an “L” shaped building to the north and east Property lines that is used for religious services, youth programs and other synagogue events; (iii) a third small building; and (iv) a central parking lot with access to and from North Altadena Drive.

¹ Code at § 22.20.100(A).

² Code at § 22.08.030(C).



Figure 1: Property Location at North Altadena Drive and Meguiar Drive

The Property is located within the jurisdiction of the Altadena Community Plan (“ACP”), which “establishes a framework of goals, policies, and programs which are designed to provide guidance to those making decisions affecting the allocation of resources, pattern, density, and character of development in Altadena”.³ The Property is also located within the Altadena Community Standards District (“ACSD”), which is not applicable because the Property was developed prior to the County’s adoption of the ACSD.

The Property is in Zone R-1, which allows a child care center with a conditional use permit.⁴ Under the Code, “child care center” means a facility other than a large family child care home or a small family child care home in which less than 24-hour-per-day nonmedical care and

³ ACP, at page 1-1.

⁴ Code at § 22.20.100(A).

supervision is provided for children in a group setting as defined and licensed under the regulations of the state of California.⁵ The Preschool is a child care center.

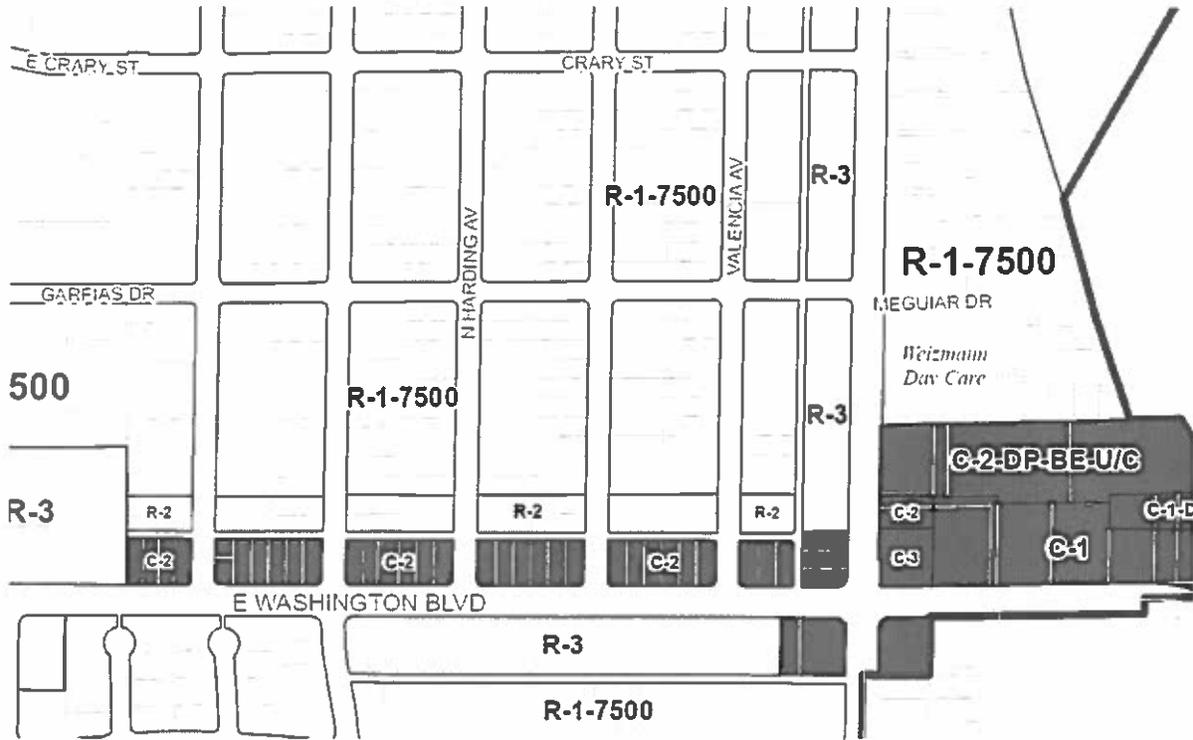


Figure 2: Zoning Map for the Property Neighborhood
 (Note: The Property is the parcel noted as Weizmann Day Care)⁶

To the south of the Property lies Park Marino Health Center Nursing Home, the DaVita Eaton Canyon Dialysis Center, and the Terraces at Park Marino, an assisted-living community, which are zoned C-2-DP-BE-U/C (Neighborhood Business Development Program, Billboard Exclusion). To the west of the Property lies duplexes, single family homes and the Eaton Canyon Natural Area Park and Nature Center, which are zoned R-3 (Limited Multiple Residences). To the north and the east of the Property lie single family homes which are zoned R-1-7500 (Single-Family Residences, 7,500 square-foot minimum lot size).

III. PRESCHOOL INFORMATION

The Preschool currently operates on property shared by the Jewish Federation of the Greater San Gabriel & Pomona Valley and located at 550 South Second Avenue, Arcadia, CA 91006. While the Preschool has always maintained a positive rapport with the Jewish Federation of the Greater San Gabriel & Pomona Valley and its neighbors, the Preschool is searching for a new home because of a change in ownership at its current location that will result in the Preschool's facilities being razed and replaced with condominiums. Understanding the Preschool's

⁵ Code at § 22.08.030(C).

⁶A portion of that certain Community Zoning Map "Altadena" downloadable at http://planning.lacounty.gov/assets/upl/data/map_z12_01-altadena.pdf

predicament and wishing to help the Preschool continue its history of providing a nurturing Jewish environment that enables children to grow and learn in a developmentally appropriate way, the Pasadena Jewish Temple & Center (the “Temple”) located at the Property has offered the Preschool, and the Weizmann Day School also using the Property has agreed to share, use of the Property for the Preschool.

The Preschool, which is accredited by the Bureau of Jewish Education, is a 501(c)(3) non-profit organization that was established in 1981 to provide a nurturing Jewish environment that enables children to grow and learn in a developmentally appropriate way. The Preschool is the only preschool in the San Gabriel Valley that fills the need of a preschool for the general Jewish community. While the Preschool is the only preschool in the San Gabriel Valley that fills the need of a preschool for the general Jewish community, the Preschool also provides access to its programs to non-Jewish children and welcomes students from all races, religions, ethnicities and backgrounds. The Preschool also accommodates children with special needs and furthers its desire to accommodate children with special needs through relationships with Frank D. Lanterman Regional Center, San Gabriel/Pomona Regional Center, The Frostig Center and early education special needs departments of neighboring school districts.⁷

The Preschool is open approximately two hundred (200) days during the year. This includes a program that runs the last week of August through the first week of June and a six (6) week summer session. The Preschool closes for two (2) weeks in December, one (1) week in the spring and on national and Jewish holidays.

The Preschool’s morning program runs Monday through Friday, from 9:00 a.m. to 1:00 p.m. Up to fifty-five (55) children are at the preschool during the morning program. In 1986, the Preschool expanded from its original morning program to offer both a morning program and a full-day program. Up to twenty (20) children of the fifty-five (55) children participating in the morning program participate in the full-day program. The Preschool’s full-day program runs Monday through Friday, from 7:30 a.m. to 5:30 p.m.

The Preschool employs a total of four (4) full-time employees and six (6) part-time employees. The maximum number of teachers and staff present on the Property at one time is ten (10).

The Preschool is a developmental preschool that encourages children to explore the world while developing small and large muscle coordination, eye-hand coordination, language skills and a strong sense of self-esteem. The programs at the Preschool help children learn that they are capable of working independently, that there are appropriate times and ways to ask for help, and that they can successfully work in group situations while still having their individual needs met. Children at the Preschool experience a wide variety of activities including art, music, movement,

⁷ Frank D. Lanterman Regional Center is a private, non-profit corporation that operates under contract with California’s Department of Developmental Services. The Frank D. Lanterman Regional Center serves over 7,000 children and adults with developmental disabilities, who have or are at risk for a developmental delay or disability, and who are at high-risk of parenting an infant with a disability. For more information on the Frank D. Lanterman Regional Center, please see their website at <http://www.lanterman.org/>.

The Frostig Center helps children with learning disabilities reach their full potential through an integrated approach of primary research, professional development and consultation, and the Frostig School. For more information on The Frostig Center, please see their website at <http://frostig.org/>.

water play, manipulative play (i.e. building sets, puzzles, etc. that help develop problem solving skills), stories and quiet time. The Preschool also seeks to build leadership skills by combining teacher directed activities with child-led interactive play.

The Preschool's program goals are to help children develop a strong sense of self-esteem and self-confidence, understand the cause and effect of their actions, cooperate in a group setting, focus attention to follow directions and know when to appropriately obtain help when needed. Achieving these goals by placing children in situations where they can face new challenges, where they are presented with a wide array of experiences geared to their level of expected competency and by avoiding situations that would prove overly frustrating by requiring skills and knowledge not yet within their grasp, the Preschool sets children up to succeed in school in their future years.

IV. CURRENT USES AND THE PRESCHOOL'S HARMONIOUS ADDITION TO THE PROPERTY

The Property is currently used by the Temple and Weizmann Day School.

The Temple is a synagogue and community center that serves as an active place of religion, education and assembly. The Temple traces its roots back to 1923 with the opening of Temple B'nai Israel at the southeast corner of Hudson and Walnut Streets in Altadena. The Temple relocated to its present location at the Property in 1942.

Weizmann Day School is a non-profit, independent, co-educational K-8 school that was established in 1983 and is accredited by the Western Association of Schools and Colleges. A typical school day at Weizmann Day School begins at 8:15 a.m. and concludes at 3:30 p.m. The school day at Weizmann Day School ends at 3:00 p.m. on Fridays. Kindergarten ends each day at 2:30 p.m. Weizmann Day School also offers before-school care between the hours of 7:30 a.m. and 8:15 a.m. and an after school program and extracurricular classes until 6:00 p.m.

The Preschool's use of the Property will have low impact on the Property's existing uses.

The Preschool's use of the Property will only require some modest redesign of already existing outdoor space and some additional fencing within the interior of the Property to increase child safety. The Preschool will be using four rooms in the "L" shaped building for its classrooms and space in another room for an office. There will be no change to the existing footprint of the Property and there will be no changes to the Property that are visible from the street.

The addition of the Preschool to the Property will not create traffic flow issues because the Preschool's primary hours of operation do not conflict with those of Weizmann Day School or the Temple. The majority of the traffic due to the Preschool's presence on the Property will be between 8:45 a.m. and 9:15 a.m. for drop-off (after the Weizmann Day School children, who begin at 8:15 a.m., have already been dropped-off) and between 12:45 p.m. and 1:15 p.m. for pick-up from the school (well before the school day at Weizmann Day School ends at 3:30 p.m. Monday through Thursday, at 3:00 p.m. on Friday and at 2:30 each day for kindergarten). While the synagogue on the Property has a religious school that meets two days a week, the religious school meets at 4:00 p.m., with those attending arriving after the majority of the Preschool

children have already left the Property, and ends at 6:00 p.m., after the Preschool is closed for the day at 5:30 p.m. While the Weizmann Day School also offers an after school program and extracurricular classes, the after school program and extracurricular classes end at 6:00 p.m., after the Preschool is closed for the day at 5:30 p.m. Any other potential overlap in pick-up or drop-off between the Preschool and Weizmann Day School will be of an intermittent nature, is outside the hours of primary pick-up and drop-off for each, includes any families picking-up or dropping-off children at both the Preschool and Weizmann Day School and should not be expected to create traffic flow issues.

The Final Findings and Order of the Regional Planning Commission, County of Los Angeles, Project No. R2012-00246-(5), Conditional Use Permit 201200024 (the “**Final Findings**”) explain that the Temple’s and Weizmann Day School’s use of the Property requires sixty-six (66) parking spaces based on the Building and Safety division occupancy load calculation for the largest assembly.⁸ The Property currently has fifty (50) parking spaces. A minor parking deviation (“**MPD**”) was approved concurrently with the Final Findings, reducing the required number of parking spaces by twenty-four (24) percent (to fifty (50) required spaces) pursuant to Code § 22.56.1762. For a child care center, the Code requires one parking space for each staff member and any motor vehicle used directly in conducting such use as well as one parking space for each 20 children for whom a license has been issued by the state of California.⁹ The Preschool’s ten (10) total teachers and staff members and fifty-five (55) children thus require thirteen (13) parking spaces under the Code. The County has advised that the Preschool’s proposed use does not have a cumulative impact on parking at the Property, that the total number of required spaces remains sixty-six (66), and that a new MPD is not required. Nonetheless, the Preschool’s proposed parking plan (the “**Proposed Parking Plan**”) will add six (6) striped parking spaces to the Property without affecting the parking lot’s natural and expedient one-way flow to and from North Altadena Drive, bringing the total number of parking spaces available in the parking lot to fifty-six (56). Furthermore, the fifty-six (56) spaces made available through the Preschool’s Proposed Parking Plan do not affect the sixteen (16) additional overflow (non-striped) parking spaces referenced in the Final Findings at page 1 and available at the play area during non-school hours. The Code also requires a specific area designated and marked for off-street drop-off and pick-up of the children.¹⁰ Please see the Preschool’s Proposed Parking Plan attached as Exhibit A showing fifty-six (56) parking spaces and the proposed specified area designated and marked for off-street drop-off and pick-up of the children.

Finally, while the Preschool’s Proposed Parking Plan will add six (6) striped parking spaces to the Property, and although the parking lot is unlikely to ever reach levels near capacity during the primary hours for the Preschool and Weizmann Day School because the Temple is not being used by the community during this time, only the four (4) full-time employees of the Preschool’s staff will actually need to park on the Property during the entire day because the other six (6) part-time employees are only at the Property during the Preschool’s morning program (from 9:00 a.m. to 1:00 p.m.), at which time there is also ample street parking available.

⁸ Final Findings, at page 2

⁹ Code at § 22.52.1105(A)-(B)

¹⁰ Code at § 22.52.1105(B)

V. REQUESTED ACTION

The Preschool respectfully requests that the County approve the Proposed CUP for the operation of a child care center on the Property. The grant of this approval will ensure the Preschool's continued operation as an outstanding child development and child care institution in the community.

EXHIBIT A

[Proposed Parking Plan]

FINDINGS OF THE BOARD
OF SUPERVISORS AND ORDER
CONDITIONAL USE PERMIT 2303

1. The subject property is a parcel of about 2 acres located at 1434 N. Altadena Drive, Altadena. It is presently developed with a temple and accessory buildings, containing a gym, library, classrooms and offices, together with an outdoor pool and parking facilities.
2. In addition to the temple and related religious schools, the property is currently used as a preschool with an enrollment of about 30 students and K-4 grade school presently having an enrollment of approximately 40 students.
3. The applicants propose to expand the elementary school to the 6th grade level and a maximum of 80 students. The preschool would be eliminated effective September 1, 1986.
4. The subject property is Zoned R-1-7500 (Single Family Residential - 7500 square feet minimum lot area). Under existing law, all uses on the property need a conditional use permit.
5. The original building was on the site, a replica of the Mission San Juan Capistrano, was constructed under a zone exception approved in 1928. These buildings were used for the exhibition and sale of antique furniture and art. Later the property was used as a restaurant and night club.

The temple together with certain additional construction was permitted by a series of variances. The first of these was issued in 1942. The most recent was Zone Exception Case No. 1454, approved November 13, 1953.
6. The temple became non-conforming due to a change in County Ordinance in 1971. The K-4 elementary school was recently established on the property without the required use permit. A conditional use permit is therefore necessary for both the existing and expanded school operations.
7. The subject property is within an area classified "Low Density Residential" on the County General Plan. Institutional uses are permitted in this classification where they are compatible in use and scale with the planned residential character of the surrounding area.

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However, as a condition of this grant the pool will not be used during late evening hours to avert any possible nuisance to the convalescent hospital or the neighboring residences. The same restriction will apply to the adjacent play areas.

16. This request qualifies for a categorical exemption from the California Environmental Quality Act since it meets the criteria set forth in Class One of the State Environmental Guidelines and Class One of the County Environmental Guidelines.
17. Granting the proposed conditional use permit with the conditions and restrictions hereinafter mentioned will be consistent with the general plan adopted for the area.
18. The requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare.
19. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in the Ordinance, and as is otherwise required in order to integrate said use, as modified, with the uses in the surrounding area.
20. The proposed site has adequate traffic access and said site is adequately served by other public or private service facilities which it requires for the use recommended.
21. This permit is subject to the attached conditions.

THEREFORE, the Board of Supervisors orders that Conditional Use Permit Number 2303 be approved, subject to the attached conditions.

003801

CONDITIONAL USE PERMIT NUMBER 2203

7. The temple shall, within one year of the date of this grant, plant a hedge along the portion of the northerly property line where no wall exists. At the option of the temple, a six foot high wall with landscaping on its north side may be substituted.
8. Three copies of a landscape plan for the wall or hedge, which may be incorporated into a revised plot plan, shall be submitted to, and approved by, the Planning Director prior to installation of the hedge or wall. The landscape plan shall show size, type, and location of all plants, trees, and watering facilities. If a hedge is installed, the plantings shall be sized so that the hedge will be filled in and at a height of at least six feet within three years from the date of installation. The temple shall provide all necessary maintenance to keep the hedge trimmed and in good condition.
9. All structures shall conform with the requirements of the Division of Building and Safety of the Department of County Engineer.
10. The temple shall maintain effective carpooling programs for all grade school and late afternoon educational activities.
11. The pool and play areas A and B, as shown on Exhibit 'A', shall not be used for active recreation between the hours of 10:00 p.m. and 9:00 a.m.
12. This grant as it relates to the elementary school will expire ten years from the date of grant. There will be no termination date for the temple.
13. In the event that the operation of any part of this facility should result in substantial complaints to the Department of Regional Planning, or the Regional Planning Commission, the above described conditions may be modified if, after a duly advertised hearing by the Regional Planning Commission, such modification is deemed appropriate in order to eliminate or reduce said complaints.
14. Upon becoming effective, this use permit shall supercede all previous grants on the subject property.

002603

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November 29, 1984

CERTIFIED - RETURN
REQUESTED

Pasadena Jewish Temple & Center
1434 N. Altadena Drive
Pasadena, California 91107



Gentlemen:

RE: CONDITIONAL USE PERMIT CASE NO. 2303-(5)
To operate a day school, kindergarten through fourth
grades, in conjunction with an existing temple
and day nursery.
1434 N. Altadena Drive.
Northeast Pasadena Zoned District, Zone R-1-7,500

The Regional Planning Commission, by its action of November 28, 1984,
GRANTED the above-described permit. Documents pertaining to
this grant are enclosed.

Your attention is called to the following:

1. Condition No. 1, that this grant shall not be effective for any purpose until the applicant and the owner of the property involved, or his duly authorized representative, have filed at the office of the Department of Regional Planning the enclosed affidavit stating that they are aware of, and accept all the conditions of this permit;
2. Condition No. 4, pointing out limitations of this grant;
3. The Commission's decision may be appealed to the Board of Supervisors at the office of Mr. Larry J. Monteilh, Executive Officer, Room 382, Hall of Administration, 500 West Temple Street, Los Angeles, CA, 90012. The appeal must be postmarked or delivered in person within 15 days after this notice is received by the applicant. This grant will not become effective until and unless this period has passed without an appeal;
4. The Commission's grant affects the following described property. (See Attached Sheet)

Legal Description of Property ~~RIANVELDA KHAICHALDI COM N 07 4 07' 55" E~~
(Legal description from deed)

10 FT. FROM NW COR OF LOT 1 'LOCK C BONESTELL
TRACT TH N 14 01' 35" E 300 FT. WITH A UNIFORM
DEPTH OF 305 FT. N. B9 & 07' 55" E PART OF W/4 OF
Section 13 Twp. 1N range 12 west.

CONDITIONAL USE PERMIT CASE NO. 2303-(5)

HEARING DATES: March 27, May 23, September 25, and October 31, 1984

PROCEDURE BEFORE THE BOARD:

Hearing of March 27 - Representatives of the Pasadena Jewish Temple and Center testified in favor of a request to operate an elementary school at the temple.

Two persons spoke in opposition.

The Zoning Board continued the hearing to May 23, 1984, to allow time for the applicants to discuss their differences with the opposition and to clarify plans for the school.

Hearing of May 23 - Representatives of the temple summarized present usage of the facility and plans for future expansion of the grade school. The representatives also indicated that attempts to resolve their differences with the neighbors had been unproductive.

One neighbor testified that he continues in opposition.

The Board continued the matter with instructions to staff to readvertise the case in that the original ad said the school would be grades K-3 rather than K-6 as disclosed by the hearing testimony.

hearing of September 25 - Three persons, all representing the temple, presented further information on the grade school and responded to questions from the Board.

Two persons spoke in opposition and presented a petition from neighboring residents opposing the school.

The Board scheduled a field meeting which was conducted on October 29, 1984.

Hearing of October 29 - After receiving further testimony from temple representatives, the hearing was closed and the Board rendered its decision.

Commissioner Clark was absent and did not participate in the Board's deliberations.

FINDINGS:

1. The subject property is a parcel of about 2 acres located at 1434 N. Altadena Drive, Altadena. It is presently developed with a temple and accessory buildings, containing a gym, library, classrooms and offices, together with an outdoor pool and parking facilities.

2. In addition to the temple and related religious schools, the property is currently used as a preschool with an enrollment of about 30 students and a K-4 grade school presently having an enrollment of approximately 40 students.
3. The applicant's propose to expand the elementary school to the 6th grade level and a maximum of 80 students. The preschool would be eliminated effective September 1, 1986.
4. The subject property is Zoned R-1-7500 (Single Family Residential - 7500 square feet minimum lot area). Under existing law, all uses on the property need a conditional use permit.
5. The original buildings on the site, a replica of the Mission San Juan Capistrano, were constructed under a zone exception approved in 1928. These buildings were used for the exhibition and sale of antique furniture and art. Later the property was used as a restaurant and night club.

The temple together with certain additional construction was permitted by a series of variances. The first of these was issued in 1942. The most recent was Zone Exception Case No. 1454, approved November 13, 1953.

6. The temple became non-conforming due to a change in County Ordinance in 1971. The K-4 elementary school was recently established on the property without the required use permit. A conditional use permit is therefore necessary for both the existing and expanded school operations.
7. The subject property is within an area classified "Low Density Residential" on the County General Plan. Institutional uses are permitted in this classification where they are compatible in use and scale with the planned residential character of the surrounding area.
8. The west side of Altadena Drive, across the street from the subject property, is developed with low and medium density residential buildings. Along the north and east boundaries of the parcel is Meguiar Drive, a 30 foot wide private street. The property on Meguiar Drive is improved exclusively with single family residences.

To the south side of the temple, fronting on Altadena Drive, is a vacant lot with a convalescent hospital to the rear.

9. The temple takes access from Altadena Avenue, a County Secondary Highway improved to full width. No access is taken from Meguiar Drive.

10. Sixty-eight (68) parking spaces are provided on site, the minimum required for the use. However, 15 spaces in the northwest corner of the property are fenced off during school hours for a play yard during school hours. This play yard is used for the elementary school children.
11. Two additional small play areas, labeled "A" and "B" on the applicant's plot plan, lie adjacent to the north and east property lines. These are currently used by the pre-school children.
12. The existing play areas are only marginally adequate for the grade levels currently at the elementary school. However, these areas are clearly inadequate in size to contain the outdoor play activities typical of grades 5 and 6. Further, the available play areas are insufficient to accommodate the proposed expansion of the school to 80 students.
13. The applicants have considered leasing the vacant lot south of the temple for additional play area. However, the applicants were unable to commit to acquiring this area as a condition of expansion to grade 6.
14. A hedge which formerly screened the play area in the northwest corner of the site has been removed. This hedge should be replaced or a wall should be installed to properly buffer the single family residence across Meguiar from the play yard/parking area.
15. The temple operates a Hebrew School at the site on Tuesdays and Thursdays starting at 4:00 p.m. There are 72 students. Since the parking facilities are minimal and as a portion of the parking is in shared use, there should be a minimum of one hour between the close of the elementary school and the beginning of the Hebrew School to minimize on-site congestion and spill over of traffic into the adjacent residential area.
16. The majority of students at the elementary and Hebrew schools are driven to the school from areas outside of the immediate neighborhood. The applicants indicate that the students live in sufficient concentration to enable use of carpooling.

The schools should maintain an effective carpooling program to further mitigate any traffic impacts which their operation may cause.
17. The outdoor swimming pool is located in the southwest corner of the site adjacent to the convalescent hospital. The pool is used intermittently, mostly during the summer months. The convalescent hospital's management indicates that the pool use at its present level does not bother the patients.



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Larry J. Montalhi, Executive Officer
Clerk of the Board of Supervisors
383 Hall of Administration
Los Angeles, California 90012

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On motion of Supervisor Dana, seconded by Supervisor Schabarum, unanimously carried (Supervisor Hahn being absent), the attached findings, conditions and order(s) were adopted.

003798

JUL 16 1985

FINDINGS OF THE BOARD
OF SUPERVISORS AND ORDER
CONDITIONAL USE PERMIT 2303

1. The subject property is a parcel of about 2 acres located at 1434 N. Altadena Drive, Altadena. It is presently developed with a temple and accessory buildings, containing a gym, library, classrooms and offices, together with an outdoor pool and parking facilities.
2. In addition to the temple and related religious schools, the property is currently used as a preschool with an enrollment of about 30 students and K-4 grade school presently having an enrollment of approximately 40 students.
3. The applicants propose to expand the elementary school to the 6th grade level and a maximum of 80 students. The preschool would be eliminated effective September 1, 1986.
4. The subject property is Zoned R-1-7500 (Single Family Residential - 7500 square feet minimum lot area). Under existing law, all uses on the property need a conditional use permit.
5. The original building was on the site, a replica of the Mission San Juan Capistrano, was constructed under a zone exception approved in 1928. These buildings were used for the exhibition and sale of antique furniture and art. Later the property was used as a restaurant and night club.

The temple together with certain additional construction was permitted by a series of variances. The first of these was issued in 1942. The most recent was Zone Exception Case No. 1454, approved November 13, 1953.
6. The temple became non-conforming due to a change in County Ordinance in 1971. The K-4 elementary school was recently established on the property without the required use permit. A conditional use permit is therefore necessary for both the existing and expanded school operations.
7. The subject property is within an area classified "Low Density Residential" on the County General Plan. Institutional uses are permitted in this classification where they are compatible in use and scale with the planned residential character of the surrounding area.

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8. The west side of Altadena Drive, across the street from the subject property, is developed with low and medium density residential buildings. Along the north and east boundaries of the parcel is Meguiar Drive, a 30 foot wide private street. The property on Meguiar Drive is improved exclusively with single family residences.

To the south side of the temple, fronting on Altadena Drive, is a vacant lot with a convalescent hospital to the rear.

9. The temple takes access from Altadena Avenue, a County Secondary Highway improved to full width. No access is taken from Meguiar Drive.
10. Sixty-eight (68) parking spaces are provided on site, the minimum required for the use. However, 15 spaces in the northwest corner of the property are fenced off during school hours for a play yard during school hours. This play yard is used for the elementary school children.
11. Two small play areas, labeled "A" and "B" on the applicant's plot plan, lie adjacent to the north and east property lines. These are currently used by the pre-school children, but will be available to the elementary school upon closing of the preschool in September, 1985. This space will supplement the other extensive facilities available on site, including the parking lot play yard, the large indoor gym and classrooms.
12. A hedge which formerly screened the play area in the northwest corner of the site has been removed. This hedge will be replaced or a wall will be installed to properly buffer the single family residence across Meguiar from the play yard/parking area.
13. The temple operates a Hebrew School at the site on Tuesdays and Thursdays starting at 4:00 p.m. There are 72 students.
14. The majority of students at the elementary and Hebrew schools are driven to the school from areas outside of the immediate neighborhood. The applicants indicate that the students live in sufficient concentration to enable use of carpooling.

Since the parking facilities are minimal and as a portion of the parking is in shared use, the schools will maintain an effective carpooling program to further mitigate any traffic impacts which their operation may cause.

15. The outdoor swimming pool is located in the southwest corner of the site adjacent to the convalescent hospital. The pool is used intermittently, mostly during the summer months. The convalescent hospital's management indicates that the pool use at its present level does not bother the patients.

002800

However, as a condition of this grant the pool will not be used during late evening hours to avert any possible nuisance to the convalescent hospital or the neighboring residences. The same restriction will apply to the adjacent play areas.

16. This request qualifies for a categorical exemption from the California Environmental Quality Act since it meets the criteria set forth in Class One of the State Environmental Guidelines and Class One of the County Environmental Guidelines.
17. Granting the proposed conditional use permit with the conditions and restrictions hereinafter mentioned will be consistent with the general plan adopted for the area.
18. The requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare.
19. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in the Ordinance, and as is otherwise required in order to integrate said use, as modified, with the uses in the surrounding area.
20. The proposed site has adequate traffic access and said site is adequately served by other public or private service facilities which it requires for the use recommended.
21. This permit is subject to the attached conditions.

THEREFORE, the Board of Supervisors orders that Conditional Use Permit Number 2303 be approved, subject to the attached conditions.

003801

CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT

NUMBER 2303

1. This permit shall not be effective for any purpose until the applicant and the owner of the property involved, or his duly authorized representative, have filed at the office of the Department of Regional Planning, their affidavit stating that they are aware of, and agree to accept, all of the conditions of this permit.
2. It is hereby declared to be the Commission's intent that if any provision of this permit is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
3. It is further declared and made a condition of this permit that if any condition hereof is violated, or if any law, statute or ordinance is violated, the permit shall be suspended and the privileges granted hereunder shall lapse.
4. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in the permit or shown on the approved plot plan.
5. The subject property shall be maintained in substantial compliance with the plans on file marked Exhibits "A" and "B". In the event that subsequent revised plot plans are submitted, the written authorization of the property owner is necessary.
6. This grant authorizes the following uses on the subject property.
 - a. Continuation of the existing temple and accessory uses, including religious instruction and community outreach programs;
 - b. Continuation of the existing pre-school through September 1, 1985, with a maximum enrollment of 30 children;
 - c. Maintenance of an elementary school, limited to 80 students in grade levels Kindergarten through 6.

The offering of secondary level instruction, as taught in the public schools above the sixth grade, is expressly prohibited.

003802

JUL 16 1985

CONDITIONAL USE PERMIT NUMBER 2203

7. The temple shall, within one year of the date of this grant, plant a hedge along the portion of the northerly property line where no wall exists. At the option of the temple, a six foot high wall with landscaping on its north side may be substituted.
8. Three copies of a landscape plan for the wall or hedge, which may be incorporated into a revised plot plan, shall be submitted to, and approved by, the Planning Director prior to installation of the hedge or wall. The landscape plan shall show size, type, and location of all plants, trees, and watering facilities. If a hedge is installed, the plantings shall be sized so that the hedge will be filled in and at a height of at least six feet within three years from the date of installation. The temple shall provide all necessary maintenance to keep the hedge trimmed and in good condition.
9. All structures shall conform with the requirements of the Division of Building and Safety of the Department of County Engineer.
10. The temple shall maintain effective carpooling programs for all grade school and late afternoon educational activities.
11. The pool and play areas A and B, as shown on Exhibit 'A', shall not be used for active recreation between the hours of 10:00 p.m. and 9:00 a.m.
12. This grant as it relates to the elementary school will expire ten years from the date of grant. There will be no termination date for the temple.
13. In the event that the operation of any part of this facility should result in substantial complaints to the Department of Regional Planning, or the Regional Planning Commission, the above described conditions may be modified if, after a duly advertised hearing by the Regional Planning Commission, such modification is deemed appropriate in order to eliminate or reduce said complaints.
14. Upon becoming effective, this use permit shall supercede all previous grants on the subject property.

002603

JUL 16 1985



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

August 29, 2012

Paul Hastings LLP
Edgar Khalatian Associate
515 South Flower Street, Twenty Fifth Floor
Los Angeles, CA 90071

**REGARDING: PROJECT NO.R2012-00246-(5)
CONDITIONAL USE PERMIT NO. 201200024
1434 N. ALTADENA DR. ALTADENA**

The Regional Planning Commission, by its action of August 29, 2012, has **APPROVED** the above-referenced project. Enclosed are the Commission's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

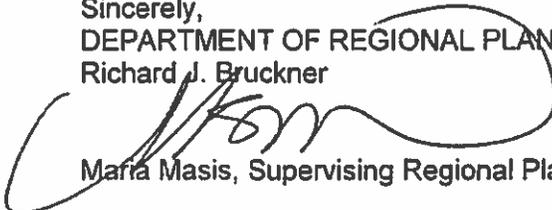
The applicant or any other interested persons may appeal the Regional Planning Commission's decision. The appeal period for this project will end at 5:00 p.m. on **September 12, 2012**. **Appeals must be delivered in person.**

Appeals: To file an appeal, please contact:
Executive Office of the Board of Supervisors
Room 383, Kenneth Hahn Hall of Administration
500 West Temple Street, Los Angeles, CA 90012
(213) 974-1426

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Jeantine Nazar, of the Zoning Permits East Section at (213) 974-6435, or by email at jnazar@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner


Maria Masis, Supervising Regional Planner, Zoning Permits East Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance
c: Board of Supervisors; DPW (Building and Safety); Zoning Enforcement;
MM : JN

CC 060412

**FINAL FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. R2012-00246-(5)
CONDITIONAL USE PERMIT NO 201200024**

ENTITLEMENTS REQUESTED. The applicant, Weizmann Day School, is requesting a Conditional Use Permit (CUP) to authorize the continued operation of a day school, kindergarten through 8th grade, in the R-1-7500 (Single-Family Residence 7,500 square feet minimum lot size) Zone pursuant to County Code Section 22.20.100. The applicant is also requesting a parking deviation reducing the parking spaces by 24 percent pursuant to County Code Section 22.56.1762.

HEARING DATE: August 29, 2012

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION.

A duly noticed public hearing was held on August 29, 2012 before the Regional Planning Commission. Commissioners Valadez, Louie, Helsley, Pedersen, Modugno were present. The applicant's representative, Edgar Khalatian presented testimony in favor of the request and answered questions presented by the Commission.

There being no other testimony the Commission closed the public hearing and voted to approve the project unanimously.

1. **PROJECT DESCRIPTION** The applicant proposes to expand the existing kindergarten through 6th grade day school to include up to 8th grade level, while maintaining the existing maximum of 80 students. The school employs 23 staff members including administrative staff, full-time and part-time teachers. The day school currently has 69 students enrolled. The day school operates from 7:30 am to 6 pm, Monday through Friday. The hours of instruction are from 8:15 am to 3:30 pm. Before school care is between 7:30 am and 8:15 am. The day school offers after school enrichment programs until 6 pm. There are a total of ten (10) existing classrooms for the day school including a computer lab. The day school holds two major events during the year, a book fair and a concert.

A Minor Parking Deviation reducing the required parking spaces by 24 percent is being reviewed concurrently with the CUP application pursuant to County Code Section 22.56.1762, which allows a minor deviation for a reduction of less than 30 percent. The Weizmann Day School was originally permitted along with the Pasadena Jewish Temple, located on the same property. While the temple continues to operate under CUP 2303, without an expiration date, the school portion of the CUP did expire in 1995. The CUP 2303 approval requires that the school and temple maintain 66 on-site parking spaces, based on the occupancy load of the temple sanctuary, which is the largest assembly area for the day school as well. Currently 50 parking spaces are striped and available at all times on the subject property. The previous approval included in its parking calculation 16 additional non-striped spaces located in the day school's play area C. As these spaces are not available during school operating hours, a deficiency of 24 percent exists. The spaces would be available during non-school hours as over flow parking.

2. **LOCATION** The subject property is an approximately two acre parcel located at 1434 N Altadena Drive, in the Altadena Zoned District.
3. **SITE PLAN DESCRIPTION** The subject property contains a temple and a day school.

The site plan depicts a day school consisting of nine classrooms, school offices, a teacher's room, a library and a computer lab. There are three interconnected outdoor play areas. The plan also shows the temple and accessory structures used in conjunction with the religious activities. Two driveways for ingress and egress provide access to the site via Altadena Drive, a major artery in Altadena. There is no access to the property from Meguiar Drive.

4. **EXISTING ZONING.** The subject property is zoned R-1-7,500 and is located within the Altadena Community Standards District (CSD).
Surrounding properties are zoned as follows:
North: R-1-7,500 (Single-Family Residence, 7,500 square-foot minimum lot size).
South: C-2-DP-BE-U/C (Neighborhood Business Development Program, Billboard Exclusion).
East: R-1-7,500 (Single-Family Residence, 7,500 square-foot minimum lot size).
West: R-3 (Limited Multiple Residence)
5. **EXISTING LAND USES**
The subject property is developed with a temple and a school. Surrounding properties are developed as follows:
North: Single-Family Dwelling
South: Skilled Nursing and Assisted Living Facility
East: Single-Family Dwelling
West: Single-Family, Triplex, and Fourplex Dwellings
6. **PREVIOUS CASE CUP 2303** adopted by the Board of Supervisors on July 16, 1985, authorized the following uses on the subject property:
 - a. Continued operation of the temple and accessory uses, including religious instruction and community outreach programs;
 - b. Continuation of an existing pre-school with a maximum enrollment of 30 students with a termination date of September 1, 1985.
 - c. Maintenance of an elementary school, limited to 80 students in grade levels kindergarten through 6.This grant as related to the elementary school expired on July 16, 1995, ten years from the date of the grant. The pre-school has been discontinued. There is no termination date for the temple.
7. **COMMUNITY PLAN CONSISTENCY** The project site is located within the Institutions designation of the Altadena Community Plan. The Institutions land use designation is intended for all public and private schools, private institutions churches, temples hospitals and governmental facilities. The existing temple and school facilities are within the parameter of an institutional classification of Altadena Community Plan and is therefore consistent with the permitted uses of the underlying land use category.
8. **ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE** Pursuant to Code section 22.52.1200 "Every building used as a school auditorium of a school in which any pupil is in grade higher than the sixth shall have, within 500 feet thereof; one automobile parking space for each five persons, based on the occupant load of the largest auditorium or room used for public assembly; as determined by the county engineer. CUP 2303 determined the parking requirement to be 66 based on the Building and Safety division occupancy load calculation for the largest assembly. There has not

been any addition and the largest assembly remains the same. The site currently has 50 striped parking spaces available, including three reserved as handicapped accessible. This is a reduction of 24 percent. A total of 15 to 18 additional overflow (non-striped) parking spaces can be provided at the play area to accommodate the code required number of parking spaces during non-school hours.

9. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY** The existing school is compatible within the adjacent residential neighborhood. The subject property is surrounded by Altadena Drive to the west and Meguiar Drive to the north and east. There is one single-family residence immediately adjacent to the subject property on the southerly portion on the east corner. The subject property is surrounded by a continuous wall of 5-feet to 7-1/2 feet in height surrounded by mature landscaping. The buffering is appropriate aesthetically and it provides a barrier between the subject property and adjacent residential uses.
10. **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS** The Los Angeles County Fire Department cleared the project for public hearing on August 2, 2012; The Department of Public Health provided a clearance letter dated August 8, 2012; the Department of Public Works provided a clearance letter with conditions on August 28, 2012, and the Department of Parks and Recreation cleared the project on August 2, 2012.
11. **PUBLIC COMMENTS** The Regional Planning Commission finds that the existing school is compatible with the adjacent residential neighborhood. A petition with seven signatures in favor of the project has been received. Five of the residents are residing on Meguiar Drive and two on Altadena Drive.
12. **LEGAL NOTIFICATION** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.

CONDITIONAL USE PERMIT AND PARKING DEVIATION SPECIFIC FINDINGS

13. The Altadena Community Plan encourages commercial, institutional and residential developments at the Washington Blvd corridor and intersection with N. Altadena Drive. Presently, the subject area is developed with such uses.
14. The Altadena Community Plan describes Altadena Drive as one of the principal core of the community containing retail, office, commercial uses and community facilities. The Community Plan promotes school facilities to serve the community's social, cultural, vocational, and recreational, as well as educational needs which are compatible with the character and local interests of Altadena. The existing day school is therefore compatible with the interests of the community of Altadena.
15. The existing school is adequately buffered from adjacent residential properties by Altadena Drive, an 85 foot major artery to the east and Meguiar Drive, a 30 foot road, on the north and east sides. There is only one single family residence to the immediate east on the southerly portion of the lot. A 6-foot wall with landscaping separates the school from the single family dwelling. Therefore, the existing and continued use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment

or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

16. The subject property meets the zoning ordinance and development standards by providing required setbacks. The landscaping on the site is very well maintained. Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
17. The majority of students at the day school are driven to the school from areas outside of the immediate neighborhood. The school maintains an effective carpooling program.
18. The primary access of the subject site is from Altadena, a major artery, defined in the Altadena Community Plan as operating under "free flow" conditions. There is no access to the property from Meguiar Drive. Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
19. No physical improvements are included with the project, with exception of a shade structure. The site is adequate in size to accommodate this small addition.

ENVIRONMENTAL DETERMINATION

20. This project involves negligible or no expansion of use beyond the existing use. The addition of middle school grades 7 and 8 will not add to the total number of students remains the same 80 as approved under the previous conditional use permit. In addition, there is no addition of classroom. Therefore, the project qualifies as a Categorical Exemption Class I-Existing Facilities and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
21. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Regional Planning Commission determines that it is necessary to limit the term of the grant to twenty-five (25) years.
22. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

WITH RESPECT TO THE CONDITIONAL USE PERMIT AND MINOR PARKING DEVIATION:

- A. That the proposed use will be consistent with the adopted Altadena Community Plan; and

- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and**
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and**
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.**
- E. That the use and application of development standards is suitable from the standpoint of functional development design.**

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit as set forth in Sections 22.56.090 and for a minor parking deviation in parking requirements as set in Section 22.56.1690 of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

- 1. The Regional Planning Commission has considered the Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.**
- 2. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 201200024 is **APPROVED** subject to the attached conditions.**

VOTE:

Concurring: Commissioners Valadez, Louie, Helsley, Pedersen, Modugno

Dissenting:

Abstaining:

Absent:

Action Date: August 29, 2012

c: Commission Services, Zoning Enforcement, Building and Safety

**MM: JN
8/29/2012**

**FINAL CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2012-00246-(4)
CONDITIONAL USE PERMIT NO. 201200024**

PROJECT DESCRIPTION

The project is for the continued operation of a day school, kindergarten through 8th grade, with a Minor Parking Deviation reducing the parking spaces by 24 percent subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9, shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on August 29, 2037.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit, application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.

This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the day school and satisfaction of Condition No. 2 shall be considered use of this grant.

9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken

on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of \$2,400.00. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for twelve (12) biennial inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
11. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
12. All development shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director.
13. All development pursuant to this grant shall conform with the requirements of County Department of Public Works.
14. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings

shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

15. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **Three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.

PROJECT SITE SPECIFIC CONDITIONS

This grant authorizes the continued operation of a Day School from Kindergarten through 8th grade with a maximum of 80 students subject to the following conditions:

16. The play areas A, B and C as shown on Exhibit 'A' shall not be used for active recreation between the hours of 10:00 pm and 9:00 am.
17. The facility shall provide 50 striped parking spaces. In addition, a total of 15 to 18 additional overflow (non-striped) parking spaces shall be provided as overflow parking at play area "C" during non-school hours, as needed.
18. The school shall maintain an effective car pooling program for the day school, extra curriculum activities and events.
19. The buffering surrounding the property consisting of walls, landscaping and hedges as depicted in the Exhibit A shall be maintained properly and in a neat condition. In any event, the existing landscaping would be substituted, the new landscaping shall be other than an oleander plant and shall not be any plants identified as invasive, at that time.
20. The day school shall not schedule concurrent events with other events on the site.

Attachments:

Fire/Public Works/Public Health and Parks and Recreation Department Letters



GAIL FARNER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone (626) 458 5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 146C
ALHAMBRA, CALIFORNIA 91802-1460

August 28, 2012

IN REPLY PLEASE
REFER TO FILE LD-1

TO: Maria Masis
Zoning Permits East Section
Department of Regional Planning

Attention Jeantine Nazar

FROM:  Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 201200024
PROJECT NO. R2012-00246
1434 NORTH ALTADENA DRIVE
ASSESSOR'S MAP BOOK NO. 5751, PAGE 4, PARCEL NO. 19

- Public Works recommends approval of this CUP.
- Public Works does **NOT** recommend approval of this CUP.

This memo supersedes our August 20, 2012, memo. We revised the street improvement requirements for the continued operation of a kindergarten through eighth grade school with a minor parking deviation to allow 50 parking spaces instead of the required 66 parking spaces.

Upon approval of the site plan, we recommend the following conditions:

1. Road

Comply with the following road conditions or as otherwise modified by Public Works. Public Works may modify or waive the road conditions if it is determined that unforeseen costs due to field conditions or factors outside the control of the applicant create undue hardship.

- 1.1 Reconstruct/construct driveway approaches to the site to comply with current Americans with Disabilities Act guidelines and to the satisfaction of Public Works. Relocate any affected utilities.
- 1.2 Repair any improvements damaged during construction to the satisfaction of Public Works.
- 1.3 Provide sidewalk pop-outs (transitions) around all above-ground fixed objects to accommodate a minimum of four-foot lateral clearances to the satisfaction of Public Works.
- 1.4 Submit acceptable improvement plans within 18 months and complete construction within 30 months of the CUP approval to the satisfaction of Public Works. A review fee is required.

Be advised that County project, RDC 0012976, was recently completed on June 9, 2012. The project involved resurfacing of Altadena Drive. The applicant is hereby placed on notice that a pavement moratorium of two years has been placed along the affected roadways. No construction will be allowed during the moratorium period within the new pavement, unless special design considerations are incorporated into the applicant's plans to address pavement rehabilitation and restoration. A permit may be issued to allow the applicant to construct private improvements and reconstruct additional pavement area to the satisfaction of Public Works.

For questions regarding the road conditions, please contact Sam Richards at (626) 458-4910 or srich@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ruben Cruz at (626) 458-4910 or rcruz@dpw.lacounty.gov.

RC:tb



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

"Parks Make Life Better!"

Russ Guiney, Director

John Wicker, Chief Deputy Director

August 2, 2012

Sent via e-mail: jinazar@planning.lacounty.gov

TO: Jeantine Nazar
Department of Regional Planning

FROM: Julie Yom, Park Planner *JY*
Environmental and Regulatory Permitting Section

SUBJECT: **PROJECT CONSULTATION
COUNTY PROJECT NO. R2012-00246
RCUP 201200024
APN 5751-004-019, PASADENA**

The above project has been reviewed for potential impacts on the facilities of this Department. We have determined that the proposed project will not affect any Departmental facilities.

Thank you for including this Department in the review of this notice. If we may be of further assistance, please contact me at (213) 351-5127 or jyom@parks.lacounty.gov.

JY: R2012-00246/ Continued operation and maintenance of a K- 8 day school

c: Parks and Recreation (N. E. Garcia, K. King, J. Rupert, J. Barber, L. Bradley, O. Ruano)



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

JACQUELINE TAYLOR, REHS
Director of Environmental Protection Bureau

PATRICK NEJADIAN, REHS
Chief EHS, Land Use Program

KEN HABARADAS, M.S., REHS
Environmental Health Staff Specialist
Land Use Program
5050 Commerce Drive
Baldwin Park, California 91708
TEL (626) 430-5382 • FAX (626) 980-2740

www.publichealth.lacounty.gov



BOARD OF SUPERVISORS

Gloria Molina
First District

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Second District

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Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

August 8, 2012

TO: Jeantine Nazar
Zoning Permits East Section
Department of Regional Planning

FROM: Ken Habaradas, M.S., REHS *K Habaradas*
Environmental Health Division
Department of Public Health

SUBJECT: PERMIT CONSULTATION – WEIZMANN DAY SCHOOL
PROJECT NO. R2012-00246 / CUP 201200024
1434 NORTH ALTADENA DRIVE, ALTADENA, 91107

- Public Health recommends approval of this CUP.
- Public Health does NOT recommend approval of this CUP.

The Department of Public Health has reviewed the information provided for the project identified above. The CUP is for the continued operation and maintenance of a K-8 grade school.

The Department has no comments regarding this project.

If you should have any questions regarding our review, please feel free to contact me at (626) 430-5382.

KH:kh



COUNTY OF LOS ANGELES FIRE DEPARTMENT

Fire Prevention Division
Land Development Unit
5823 Rickenbacker Road
Commerce, California 90040-3027
Office (323) 890-4243 Fax (323) 890-9783

DATE: August 2, 2012

SITE PLAN DATE: Not Shown

TO: Department of Regional Planning
Zoning Permits East Section - Jeantine Nazar

PROJECT #: R2012-00246

LOCATION: 1434 North Altadena Drive, Pasadena

- The Fire Department Land Development Unit has no additional requirements for this permit.
- The required fire flow for this development is ____ gallons per minute for _ hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. __ Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- All fire hydrants shall be 6" X 4" X 2 1/2" and conform to AWWA C503-75 or approved equal standard. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Install ____ public fire hydrant(s).
Install ____ private on-site fire hydrant(s).
Provide Fire Flow Test for ____ existing public fire hydrant(s).

Water: ____

Access: ____

Conditions for Approval: ____

Comments: The Fire Department is not setting additional access and water requirements since there is no proposed changes to the existing project. The project is "cleared" for public hearing.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: Wally Collins