

Condition Compliance Review of
Case No. ZA 2006-7192(CU)(YV) ^{1/}

1. Utilization of this grant supersedes and renders null and void the grant approved under Case No. ZA 2004-5923(CU) issued on February 18, 2005.
2. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

Compliance confirmed review of DBAS Clearances ([See Exhibit](#))

3. The use and development of the property shall be in substantial conformance with the plot plan Submitted with the application and marked Exhibit "A -plot plan, and Exhibit "B", except as may be revised as a result of this action.

Compliance confirmed review of DBAS Clearances ([See Exhibit](#))

Staff noted in ZA Case No. 2006-7192(CU)(YV)(PA1): "For the most part, the development of the site is in compliance, except for the parking layout ..."

4. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

Zoning Administrator's Determination

Staff noted in ZA Case No. 2006-7192(CU)(YV)(PA1): "In compliance. The site surroundings and the classrooms appear to be very orderly and clean."

5. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

Compliance confirmed by photographs of subject site (Photo No.1) No graffiti is anywhere on the property.

6. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Fire Department, Bureau of Engineering, Zoning Administrator and the Department of Building and Safety for purposes of having a building permit issued.

¹ The use of "Hypertext" in this document is to access related documents without having to scour through the case file. Hypertext is only available when using the CD submitted with the application and used with Adobe or Adobe Reader.

Compliance confirmed by planning counter's signoff for the building permit. ([See Exhibit](#))

7. The maximum of children permitted on the site at any time is 82. (Pursuant to ZA Case No. 2006-7192(CU)(YV)(PA1))

Compliance confirmed by [Parent's Handbook](#).

Compliance confirmed State of California license. ([See Exhibit](#))

8. Enrollment shall be limited to children from six weeks of age through their 6th birthday.

Compliance confirmed by [Parent's Handbook](#).

9. Hours of operation shall not exceed 7:30 a.m. through 5:30 p.m., Monday through Friday. In no event, shall there be any overnight lodging of children.

Compliance confirmed by [Parent's Handbook](#).

10. The business operator shall maintain and distribute a parent's handbook to all parents and guardians of enrolled children instructing them of the appropriate manner in which to deliver and pick-up their children. The handbook shall instruct parents to pull forward for drop-off where faculty and/or administrators will open the car door and assist the child out of the vehicle while the parent or guardian remains in the driver's seat. The handbook shall also instruct parents that for pick-up, they may park their car in any of the on-site parking spaces and pick up their child children but not linger more than a few minutes so that other parents will have the opportunity to do the same.

Compliance confirmed by [Parent's Handbook](#).

11. The facility shall be appropriately licensed by the State of California. A copy of such license shall be provided by the applicant to the Zoning Administrator upon its issuance.

Compliance confirmed by [Exhibit](#)

12. No loudspeaker or public address system shall be installed or operated. Any recorded music shall be sufficiently modulated so as to not be disturbing or detrimental to persons residing in the immediate vicinity.

Compliance confirmed by Applicant's representation.

13. A solid masonry fence 6 feet in height shall be constructed along the north, east and west property lines if no such fence exists. Any new or replacement fence shall have a top cap and shall be stucco on the side of the abutting lot(s).

Compliance confirmed by photographs of subject site. (Photo No.1)

14. The parents' handbook shall instruct parents and guardians to park on the school property and not on the street or on other private property.

Compliance confirmed by [Parent's Handbook](#).

15. A current copy of the handbook shall be provided to the Zoning Administrator prior to the sign-off of building plans.

Compliance confirmed by [Parent's Handbook](#).

16. There shall be no school buses involved in transporting children to and from the school other than for occasional field trips.

Compliance confirmed by Applicant's representation.

17. Outside play equipment and climbing apparatus shall be located so as to minimize the opportunity for children to throw objects onto abutting properties.

Compliance as confirmed by photographs of subject site. See Photo No. 4

18. A minimum of seven parking spaces shall be retained on the property for parents and other visitors and shall be discreetly indicated as such. At least six parking passes shall be obtained for staff and faculty to park at Valley College. A copy of an agreement between the applicant and the College shall be provided to the Zoning Administrator prior to the sign-off of building plans by the Zoning Administrator. Staff and faculty shall be instructed to park at the off-site location.

Compliance confirmed by photographs of subject site. See Photo Nos. 2, 3. (Six onsite spaces approved by DBS, Approved Plans)

Compliance confirmed by [Exhibit](#) for off-site parking.

Staff noted in ZA Case No. 2006-7192(CU)(YV)(PA1): "Related to parking spaces, the attached Exhibit "A" is in compliance with earlier Office of Zoning Administration sign-offs. Exhibit "A" contains four surface parking spaces and the two additional covered spaces in the garage located at 6051 Fulton Avenue for six on-site parking spaces."

19. All drop-off and pick-up of children shall occur on the property and not on the street.

Compliance confirmed by [Parent's Handbook](#).

20. Any proposed outside sign shall first be submitted to the Zoning Administrator for approval. Sign size shall be as set forth in Section 12.21-A, 7 of the Municipal Code.

Compliance confirmed by photographs of subject site showing no use of signage. (Photo Nos.1, 3.)

21. No over-in-height fences or walls are authorized herein as none were requested. The fence in the front yard appears to exceed 3 feet 6 inches in height and needs to be made conforming prior to the sign-off of building plans by the Zoning Administrator.

Compliance confirmed by photographs of subject site. (Photo No.1) (Pursuant to [Case No. ZA 2010-0720\(F\)](#), approved March 9, 2011 for a 6-foot combination block wall and wrought iron fence with gates.)

22. All lighting shall be shielded and directed onto the site.

Compliance confirmed by photographs of subject site and Approved Plans.

23. The applicant shall submit a landscape and irrigation plan to the satisfaction of the Zoning Administrator providing for landscaping in the front yard. The selected plants, other than trees, shall be among those whose natural growth pattern does not exceed 42 inches in height and which are drought tolerant.

Compliance confirmed by photographs of subject site and Approved Plans. Photo Nos. 2, 5.

Staff noted in ZA Case No. 2006-7192(CU)(YV)(PA1): “In compliance indicated plans included in Case File No. ZA 2006-71 92(CU)(PAI).”

24. The applicant shall obtain the stamped approval of the Fire Department and Bureau of Engineering on a common set of building plans to be submitted to the Zoning Administrator for his sign-off on the building plans.

Compliance confirmed by [Exhibit \(pg. 6\)](#)

25. The subject ownership (Fr. Lot 4, Arb. 3 and 4, of Tract 201 14) shall be held as one for the duration of the approved use.

Compliance confirmed by review of DBAS Clearances ([See Exhibit](#))

26. The applicant shall provide evidence to the Zoning Administrator prior to his sign-off of building plans showing that all required street dedication has been made to the satisfaction of the Bureau of Engineering.

Compliance confirmed by [Exhibit \(pg. 6, dated 01/25/2010\)](#)

Compliance confirmed by photographs of subject site. (Photo No.6)

27. The applicant shall obtain an assurance bond promising to perform all required public improvements of Fulton Avenue to the satisfaction of the Land Development Unit of the Bureau of Engineering within 18 months of the effective date of this grant.

Compliance confirmed by [Exhibit \(pg. 6, dated 01/25/2010\)](#)

Compliance confirmed by photographs of subject site. (Photo No.6)

28. The applicant shall annually review the results of the Register of California's Convicted Sex Offenders Database for the zip code of the subject site and submit a letter to the Zoning Administrator so verifying.

Compliance confirmed by [Exhibit](#).

29. The use shall be subject to any and all applicable regulations of the State Department of Social Welfare.

Compliance: Refer to Condition No. 11.

30. This grant shall expire on September 1, 2017.

Compliance: Application for renewal pursuant to [Memo. No. 122](#).

31. Environmental Conditions

- a. Aesthetics (Landscaping):

All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.

Compliance: Refer to Condition No. 23

- b. Aesthetics (Surface Parking):

- 1) A minimum of one 24-inch box tree (minimum trunk diameter of 2 inches and a height of 8 feet at the time of planting) shall be planted for every four parking spaces.
- 2) The trees shall be dispersed within the parking area so as to shade the surface parking area and shall be protected by a minimum 6-inch high curb, and landscape. Automatic irrigation plan shall be approved by the Zoning Administrator. 3) Palm trees shall not be considered in meeting this requirement.

Compliance Refer to Condition No. 23

- c. Aesthetics (Graffiti):

- 1) Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and ,free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.81 04.

- 2) The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant Municipal Code Section 91.8104.15.

Compliance: Refer to Condition No. 5.

d. Aesthetics (Signage):

- 1) On-site signs are limited to the maximum allowable under the Code.
- 2) Multiple temporary signs in the windows and along the building walls are not permitted. Comment: In compliance. No signs are to found on the property.

Compliance: Refer to Condition No. 20.

e. Aesthetics (Landscape Buffer):

- 1) A minimum 5-foot wide landscape buffer shall be planted adjacent to residential uses. Comment: In compliance.
- 2) A landscape plan shall be prepared by a licensed Landscape Architect to be submitted and approved by the Zoning Administrator. Comment: Plans in the Plan Approval file show compliance with this requirement.

Compliance: Refer to Condition No. 23

f. Aesthetics (Light):

Outdoor lighting shall be designed and installed with shielding so that the light source cannot be seen from residential properties.

Compliance: Refer to Condition No. 22

g. Air Pollution (Stationary):

Commercial/Institutional: The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 11 or better in order to reduce the diminished air quality effects on occupants of the project.

Compliance: Home Depot, Filter MERV 13, Model No. RB_P25S_612020

h. Air Quality Objectionable Odors:

The trash receptacle(s) shall be located at least 50 feet front the property line of any adjacent residential property.

Compliance confirmed by photographs of subject site. (Photo Nos.)

i. Tree Removal (Non-Protected Trees):

- 1) Prior to the issuance of a grading permit or building permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the decision maker and the Urban Forestry Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.
- 2) The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1 :1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Maintenance and the decision maker.
- 3) The genus or genera of the tree(s) shall provide a minimum crown of 30 to 50 feet. Please refer to City of Los Angeles Landscape Ordinance (Ord. No. 170,978), Guidelines K -Vehicular Use Areas.

Note: Removal of all trees in the Public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at (213) 485- 5675.

Compliance confirmed by review of DBAS Clearances ([See Exhibit](#)).

Staff noted in ZA Case No. 2006-7192(CU)(YV)(PA1): “No. trees will be removed.”

- j. Explosion/Release (Asbestos Containing Materials) Prior to the issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACIW are present in the building. If ACM are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules and regulations.

Compliance confirmed review of DBAS Clearances ([See Exhibit](#))

k. Flooding Tidal Waves:

The project shall comply with the requirements of the Flood Hazard Management Specific Plan, Ordinance No. 172,081 effective 7/3/98.

Compliance confirmed by review of DBAS Clearances ([See Exhibit](#))

32. Within 30 days of the effective date of this determination, the property owner shall record a covenant acknowledging and agreeing to comply with all the terms and conditions established herein in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on

any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Zoning Administrator for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

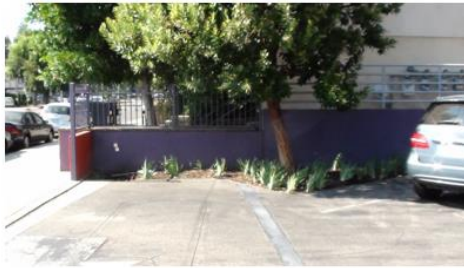
Compliance: Compliance: No proof of compliance. Applicant agrees to record new modified conditions.

Photographs 6047-6051 Fulton Avenue

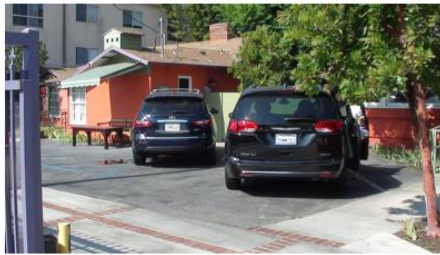
Photograph No. 1



Photograph No. 2



Photograph No. 3

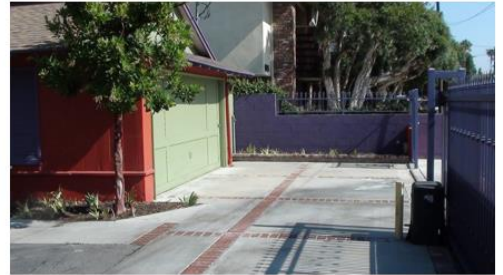


Photograph No. 4





Photograph No. 5



Photograph No. 6

