

# Agenda Report

**TO:** CITY COUNCIL

**DATE:** JANUARY 9, 2006

**FROM:** CITY MANAGER

**SUBJECT:** APPEAL OF CONDITIONAL USE PERMIT #4533, 94-112 WAVERLY DRIVE AVENUE

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Adopt a Mitigated Negative Declaration for the project in accordance with CEQA; and
2. Adopt the findings in Attachments A and approve the application with Conditions of Approval in B, C, and D to establish a proposed private high school.

## **BACKGROUND:**

This is the appeal of the approval of an application to relocate a private high school for 120 students to a new site. It includes a Conditional Use Permit for the school use; Minor Conditional Use Permit for tandem parking; Variance for a parking lot located in the front yard; Variance for reduced landscaping of the parking lots; and Private Tree Removal of one protected specimen tree.

The project site is 29,969 square feet. It is bordered by Waverly Drive on the north and May Alley on the south. The site is developed with ten structures: eight housing units and two garages. All existing structures are currently vacant. Two historic resources on the site are eligible for local landmark designation: a bungalow court and a 2-story house. These two resources are proposed to be retained.

The project includes: demolition of two houses and garages; conversion of existing houses into classrooms; relocation of a historic house from Palmetto Street onto the project site and its conversion into classrooms; and the construction of a three-story, multi-purpose building. The total square footage of all buildings is 16,746. A total of 25 parking spaces are proposed. Vehicular access to the site is on Waverly Drive and May Alley. Classes would be conducted from approximately 8:30 a.m. to 3:30 p.m., Monday through Thursday, and 8:30 a.m. to 2:30 p.m. on Friday. A total of six staff would be on the campus during regular school hours.

According to the applicant, the Waverly School, founded in 1993, is noted as the San Gabriel Valley's only progressive institution serving students continuously from grades

K-12. Currently, the school is located approximately 100 feet southeast of the subject site, with access from Bellevue Drive and May Alley. The students are offered an education built upon the research and teachings of psychologist Jean Piaget, and philosopher/educator John Dewey. Currently, the Waverly School includes a total of 268 students. The School anticipates a total enrollment of 285 students for the 2005-2006 school year. The addition of the high school campus under review in this application would allow the school to grow to a total enrollment of 360 students, 180 in elementary school, 60 in middle school, and 120 in high school.

The applications were disapproved by the Hearing Officer (H.O.) due to street parking and vehicular circulation issues. The Board of Zoning Appeals (BZA) overturned the decision of the hearing officer and approved all applications. The community concerns raised at the previous public hearings included: 1) incompatibility of the school use with existing uses in the neighborhood; 2) increased vehicle trips and demand of on-street parking; 3) added vehicles in the alleys; and 4) noise from the school.

In between the meetings of the H.O. and the BZA, the applicant met with property owners and tenants in the neighborhood to discuss the project. In response to neighborhood concerns and issues raised by the H.O., the applicant revised the site plan prior to the BZA meeting. The plans that were approved by the BZA are presented in this application. The application was appealed by the applicant because of concerns about traffic and parking in the surrounding neighborhood.

### **ANALYSIS:**

#### **Conditional Use Permit for school use in the CD-6 zoning district**

The proposal for a school use requires a C.U.P. The C.U.P. application complies with the development standards (height, setbacks, floor area ratio) of the CD-6 zoning district. The proposal also complies with the requirements of the Code for schools, including required indoor classroom space, outdoor open space, and vehicle and bicycle parking. Due to the proposed design and proposed restrictions on hours of use (see Attachment B), the school use would be compatible with Central District uses and surrounding commercial and office developments. It would be operated in a manner that would allow for harmonious relationships among land uses. The City has a history of schools (e.g., Art Center South Campus, St. Andrews, William McKinley, etc.) that are established in the Central District.

#### **Minor Conditional Use Permit for tandem parking**

The Code permits up to 75% of the total off-street parking spaces provided for a non-residential use to be tandem parking, but only upon approval of a Minor Conditional Use Permit (MCUP). In addition, the Code requires the tandem parking to include a full-time parking attendant be on duty at all times the parking facility is available for use. The project proposes eight tandem parking spaces (equivalent to 32% of the total off-street parking spaces required for the project), adjacent to May Alley.

May Alley is utilitarian and not visible from primary streets or the primary entrances of nearby developments. The alley is not pedestrian oriented, and the City does not anticipate that it will be used as a pedestrian thoroughfare. The proposed tandem

spaces would not have a visual impact on the neighborhood and are not expected to impact the traffic flow along the Alley or create a hazard to parked vehicles. The school staff will serve as the parking attendants and will manage the tandem parking arrangement. Also, the tandem parking spaces shall comply with the Code requirement of a combined minimum dimension of 9' x 34'.

#### Variance for vehicle parking in the front yard

The Zoning Code does not permit a surface parking lot in the front yard. The proposal includes vehicle parking in the front yard for seven cars. Four parking spaces would be located at the northeast corner of the site; three spaces would be located parallel to the driveway. Currently, a parking lot for four spaces exists in the front yard at the northeast corner of the site. The proposal would enlarge the existing parking area, which is a legal, non-conforming condition. The block includes several developments with parking lots in the front yard. In addition, on-site surface parking near the street for schools is fairly common in the city. The preservation of the historic structures on the site creates limitations on the site design and the ability of the project to fully comply with this standard of the Code.

#### Variance to deviate from landscaping standards for parking lots

The Code requires that all parking lots have a minimum five-foot wide perimeter landscaped area, minimum five percent of the parking lot landscaped, and at least one tree for every four vehicle parking spaces. The proposed parking lot in the front yard, adjacent to Waverly Drive, proposes no landscaping. The proposed parking lot adjacent to May Alley proposes two trees in planting strips. Neither parking lot meets the standards for landscaping. However, the campus will substantially landscaped with plant material including several new trees.

Few of the existing parking lots on Waverly Drive and in the adjacent alleys include landscaping. The existing, legal, non-conforming front yard parking lot would be expanded under this application. The alley is utilitarian, non-pedestrian-oriented, and is not visible from the street. In addition, the preservation of the historic structures on the site creates limitations on the site design and the ability of the project to fully comply with this standard of the Code.

#### Variance for back-up turning radius for loading space

For a non-residential project, the Zoning Code requires a 12' x 30' loading space. The project proposes a loading space adjacent to the parking lot on May Alley with a reduced backup of approximately five feet. Based on the site plan review by the Transportation and Planning staff, the proposed backup turning radius is adequate to accommodate loading activities from a truck of moderate size.

The narrow width (17') of the existing alley will not accommodate large trucks that would require a standard 12' x 30' loading space. Condition #17 (see Attachment B) requires the applicant to meet with staff to develop a plan to address the hours of truck delivery and the size of trucks accessing the site. In addition, the preservation of the historic structures on the site creates limitations on the site design and the ability of the project

to fully comply with this standard of the Code. The staff recommends approval of this application.

Private Tree Removal of one specimen tree

The project proposes removal of one specimen tree, a fraxinus oxycarpa (Raywood Ash) that is protected by the Tree Protection Ordinance. In order to permit removal of one or more protected trees, the application is required to comply with the Tree Protection Ordinance by meeting at least one applicable finding. In this project, the tree canopy coverage in the proposed landscape plan will exceed, in five years, the existing tree canopy coverage on the project site. Therefore, the project complies with the Tree Protection Ordinance, Finding #6: *The project includes a landscape plan that will result in a tree canopy coverage of greater significance than the tree canopy coverage being removed, within a reasonable time after completion of the project.*

**ENVIRONMENTAL DETERMINATION AND TRANSPORTATION MITIGATIONS:**

An environmental initial study and a traffic study were prepared for the project. The potential impacts identified in the initial study concern transportation/traffic and historic resources. Therefore, mitigation measures are proposed to be incorporated to the project. Because mitigation measures will be incorporated into the project, the staff determined that there will be less than significant impacts on the environment, and a mitigated Negative Declaration has been prepared. A summary of the proposed mitigation measures regarding transportation/traffic are as follows:

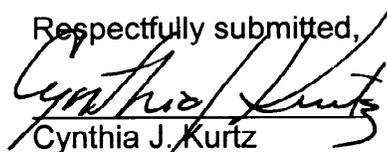
- The City shall review the implementation of the student drop-off and pick-up plan within one year of the issuance of a Certificate of Occupancy to ensure that the school is in compliance.
- The applicant shall fund the installation of signs to restrict up to two parking spaces on the south side of the Bellevue Drive for the westbound approach to Fair Oaks Avenue during the Midday peak hour.
- Fund the improvement of two transit stops in the project vicinity along Fair Oaks Avenue.
- The project shall participate in the Citywide Traffic Performance Monitoring Network project.

Any potentially significant impacts on historic resources would be reduced to a level of insignificance because the structures the rehabilitations, restorations, and new construction re-used according to the Secretary of the Interior’s Standards for Rehabilitation. These standards would be applied by the Design Commission during Design Review.

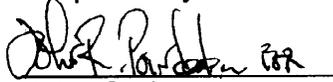
**FISCAL IMPACT:**

The approval of this project is not expected to have a financial impact. Further reviews by the city will require the necessary fees from the applicant.

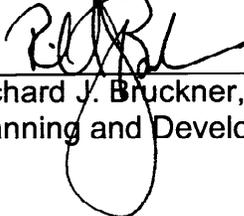
Respectfully submitted,

  
Cynthia J. Kurtz  
City Manager

Prepared by:

  
John Steinmeyer  
Senior Planner

Approved by:

  
Richard J. Bruckner, Director  
Planning and Development Department

**ATTACHMENTS:**

- A. Specific Findings for Conditional Use Permit #4533
- B. Conditions of Approval for Conditional Use Permit #4533
- C. Department of Public Works Conditions of Approval
- D. Department of Transportation Conditions of Approval
- E. Environmental Initial Study
- F. Site Plan