





CITY OF RANCHO PALOS VERDES


TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS

FROM: JOEL ROJAS, AICP, COMMUNITY DEVELOPMENT DIRECTOR 

DATE: MAY 18, 2010

SUBJECT: APPEAL OF THE MARYMOUNT COLLEGE FACILITIES EXPANSION PROJECT (CASE NO. ZON2003-00317) / 30800 PALOS VERDES DRIVE EAST -

REVIEWED: CAROLYN LEHR, CITY MANAGER 

Project Manager: Ara Michael Mihranian, AICP, Principal Planner 

RECOMMENDATION

1. Adopt Resolution No. 2010-__ certifying the project's Environmental Impact Report, including Appendices A and D, pursuant to the California Environmental Quality Act with a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations; and,
2. Adopt Resolution No. 2010-__, upholding the Planning Commission's conditional approval of the proposed expansion project with modifications that:
 - A. Reduce the height of the proposed Athletic Building a total of 10-feet and require landscaping, consisting of preserved and replanted existing mature trees on the southern slope, to help screen the Athletic Building and the adjacent retaining wall that supports the fire access lane;
 - B. Require that incoming students take a driver training course regarding local roadway conditions; and,
 - C. Identify Alternative No. D-2 as the approved design and layout of the athletic field and split tennis courts with the following conditions:
 - I. 30-foot retractable netting on the north, south and the entire length of the west side of the athletic field;
 - II. 20-foot height tennis court fencing around the entire perimeter of the west tennis courts;
 - III. 6-foot high wrought iron fencing along the curvature of Palos Verdes Drive East between the east tennis courts and the detention basin; and,
 - D. Accept the College's offer to pay \$200,000 towards the City's construction of a roadway median barrier along the curvature of Palos Verdes Drive East.

BACKGROUND

On March 31, 2010, the City Council, after considering public testimony, closed the public hearing, voted to certify the project EIR (including Appendices A and D), and approved a modified version of the Planning Commission approved project. At the April 6, 2010 meeting, the Council indicated its desire to revisit specific issues relating to the athletic field. On May 4, 2010, the City Council conducted a public hearing to consider the following specific issues:

- The location of the proposed athletic field;
- Parking affected by the location of the proposed athletic field; and,
- Consideration of any safety measures related to the location of the proposed athletic field including but not limited to increasing the height of the retractable net and/or installing a median safety barrier along Palos Verdes Drive East.

After considering the athletic field alternatives presented by Staff and public testimony, including testimony from the College's legal counsel and members of CCC/ME, the Council approved with a 3-2 vote (Mayor Wolowicz and Councilman Misetich dissenting) the site configuration depicted in Alternative D-2 of Appendix D of the Final EIR with the following modifications:

- 30-foot retractable netting on the north, south and the entire length of the west side of the athletic field;
- 20-foot height tennis court fencing around the entire perimeter of the west tennis courts;
- 6-foot high wrought iron fencing along the curvature of Palos Verdes Drive East between the east tennis courts and the detention basin; and,
- Accepted the College's offer to pay \$200,000 towards the City's construction of a roadway median barrier along the curvature of Palos Verdes Drive East

The Council closed the public hearing and directed Staff to prepare the appropriate resolutions memorializing the Council's actions at the March 31, 2010 and May 4, 2010 meetings for adoption at its May 18, 2010 meeting. Pursuant to the Council's direction, the Council is being asked to adopt the CEQA and Planning Application Resolutions this evening.

DISCUSSION

Based on Council direction to Staff at its March 31st and May 4th meetings, attached are the CEQA and Planning Application Resolutions that have been prepared by the City Attorney for the Council's review and adoption. The CEQA Resolution is based on the analysis in the EIR and the project revisions that were analyzed in Appendices A and D of the Final EIR. The Planning Application Resolution memorializes the Council's direction on the project applications, including the Council's direction on the Athletic Field Alternative D-2 and the points of the appeal. The following is a summary description of the CEQA and Planning Applications Resolutions.

CEQA Resolution

The attached CEQA Resolution accomplishes the following:

- Certifies the Final Environmental Impact Report for the Marymount College Facilities Expansion Project that was approved by the Planning Commission, excluding the residence halls, including Appendices A and D to the Final EIR;
- Makes environmental findings pursuant to the Californian Environmental Quality Act (CEQA) and that the EIR was prepared in compliance with CEQA;
- Adopts a Statement of Overriding Consideration for environmental impacts that cannot be reduced to a level of insignificance; and,
- Adopts a Mitigation Monitoring and Reporting Program

Attached as Exhibit B to the CEQA Resolution is the Mitigation Monitoring and Reporting Program (MMRP) which identifies the milestones and responsibilities for monitoring each mitigation measure. The Applicant will have the responsibility for implementing the measures, and various City Departments will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures. The mitigation monitoring and reporting program has been revised to reflect the analysis for the revised project, as discussed in Appendices A and D to the Final EIR.

Planning Application Resolution

The attached Planning Application Resolution approves, with conditions, the project with the exception of the Residence Halls. All other aspects of the proposed project are approved, including the Athletic Building (with modifications), the Library Building, the addition to the Student Union, the expansion of the Admissions Building, parking lot improvements, athletic field and tennis courts (as depicted in Alternative D-2 of Appendix D), and other site buildings and improvements based on the stated Findings of Facts.

Included as an attachment to the Planning Application Resolution are the Conditions of Approval. The attached Conditions of Approval are the conditions adopted by the Planning Commission with new revisions based on information raised to the City Council during the appeal hearings. Staff is also providing the Council with a redline version that depicts the revisions to the Conditions of Approval since the March 31st meeting. The redline version identifies conditions as underlines for added text and ~~strike-outs~~ for deleted text. In summary, the revisions since the March 31st meeting consist of the following:

- Approving Athletic Field Alternative D-2
- Requiring a 30-foot retractable net around the north, south and west sides of the athletic field
- Requiring a 20-foot chain link fence around the perimeter of the westerly tennis courts
- Modifying the height of the Athletic Building per Council direction at the March 31st meeting
- Modifying the landscape conditions per Council direction at the March 31st meeting
- Requiring a driver's training course for incoming students

- Clarifying or adding more specificity to existing conditions of approval.

ADDITIONAL INFORMATION

Correspondence Received

At this time, there has been no public comment letters submitted to the City since the May 4, 2010 Council meeting. Public comment letters submitted to the City after the transmittal of this Staff Report will be provided to the Council prior to the May 4th meeting as late correspondence.

ATTACHMENTS:

- CEQA Resolution No. 2010-___
 - Exhibit A – Findings of Facts
 - Exhibit B – Statement of Overriding Considerations
 - Exhibit C - Mitigation Monitoring and Reporting Program
- Planning Entitlements Resolution No. 2010-___
 - Exhibit A - Conditions of Approval (Redline and Clean versions)
 - Exhibit B - Mitigation Monitoring and Reporting Program
 - Exhibit C - Statement of Overriding Considerations

RESOLUTION NO. 2010- _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE MARYMOUNT COLLEGE FACILITIES EXPANSION PROJECT, LOCATED ON THE PROPERTY AT 30800 PALOS VERDES DRIVE EAST, AT THE INTERSECTION OF PALOS VERDES DRIVE EAST AND CREST ROAD; MAKING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS; AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, on September 2, 1975, the City Council of the City of Rancho Palos Verdes (the "City Council") adopted Resolution No. 75-73 granting Marymount College (the "College") Conditional Use Permit #9 ("CUP No. 9"), thereby allowing the College to operate a non-profit, private two-year liberal arts community college at the 30800 Palos Verdes Drive East (the "Property") under certain conditions of approval; and,

WHEREAS, the College sought and received various additional approvals from the City between 1975 and 2000; and,

WHEREAS, on July 12, 2000, the College submitted applications for revisions to the College's facilities (Conditional Use Permit No. 9 – Revision "D"), which application was subsequently withdrawn by the College on June 12, 2003, in light of geological constraints on a portion of the Property that impacted the proposed library, maintenance and art studio buildings; and,

WHEREAS, on June 12, 2003, the College submitted case No. ZON2003-00317 including applications for a Conditional Use Permit No. 9 – Revision "E", Grading Permit, Variances, Master Sign Permit (collectively, the "Application"), and Environmental Assessment, for the Property; and,

WHEREAS, the Application proposed a number of revisions to, and expansion of, the existing Marymount College facilities, including but not limited to the demolition of approximately 18,022 square feet of existing buildings, the addition of approximately 14,916 square feet to existing buildings, the construction of 121,092 square feet of new buildings consisting of a library building, a maintenance building, an athletic building, and two residence hall buildings consisting of approximately 125 double occupancy rooms; and,

WHEREAS, the existing College campus consists of 92,268 square feet of floor area, and after factoring the demolition of approximately 18,022 square feet of existing floor area and the construction of 139,008 square feet of new floor area, including expanding 14,916 square feet of existing buildings, the proposed development would result in a total of 210,254 square feet of campus floor area; and,

WHEREAS, on August 21, 2005, the Application was deemed complete for processing, pursuant to the State Permit Streamlining Act (PSA), Government Code Section 65920 *et seq.*; and,

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 *et. seq.* ("CEQA"), the State's CEQA Guidelines, California Code of Regulation, Title 14, Section 15000 *et. seq.*, the City's Local CEQA Guidelines, and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), the City of Rancho Palos Verdes prepared an Environmental Impact Report (State Clearinghouse Number 2002021127) (the "EIR"); and,

WHEREAS, the City prepared an Initial Environmental Study (the "Initial Study") for the Project pursuant to Section 15063 of the CEQA Guidelines. The Initial Study concluded that there was substantial evidence that the Project might have a significant environmental impact on several specifically identified resources and governmental services, including aesthetics / light and glare, air quality, noise, geology and soils, hydrology and water quality, land use and relevant planning, public services and utilities, traffic and circulation (including parking), and biological resources; and,

WHEREAS, the City and its EIR consultants prepared and distributed a Revised Initial Study and Notice of Preparation of an EIR on November 17, 2005, and held public scoping meetings on December 13, 2005, and January 10, 2006; and,

WHEREAS, the City Council and the Planning Commission held a voluntary pre-screening workshop on January 31, 2006 to provide the College with input on the proposed Project; and,

WHEREAS, prior to finalization of the Draft EIR, the College and an interested community group, Concerned Citizens Coalition/Marymount Expansion ("CCC/ME"), were provided an opportunity to review an administrative draft of the EIR; and,

WHEREAS, the City circulated the Draft EIR for a public review and comment period between October 24, 2007, and January 4, 2008; and,

WHEREAS, the College constructed a partial silhouette of the proposed structures on the project site, which remained in place for viewing between December 20, 2007 and January 25, 2008; and,

WHEREAS, the City and its EIR consultants prepared responses to comments on the Draft EIR; and,

WHEREAS, a Final EIR was prepared and presented to the Planning Commission and the public; and,

WHEREAS, after notice was issued pursuant to the requirements of the Rancho Palos Verdes Development Code and CEQA, the Planning Commission held a duly noticed public hearing on October 28, 2008, at which time all interested parties were given an opportunity to be heard and further present evidence regarding the Final EIR and the responses to the comments received regarding the Draft EIR; and,

WHEREAS, on October 28, 2008, the Planning Commission continued the item to the December 9, 2008, Planning Commission meeting to allow time for additional review of the Project's EIR; and,

WHEREAS, response letters were sent to each public agency that commented on the Draft EIR; and,

WHEREAS, the Planning Commission held a continued public hearing on December 9, 2008, at which time all interested parties were given an opportunity to be heard and present evidence, and the item was continued to the Planning Commission meeting of January 27, 2009; and,

WHEREAS, on December 19, 2008, the College submitted modified plans and updated information to Staff, including an application for a Minor Exception Permit and an additional Variance Permit to allow fencing and netting around the perimeter of the proposed athletic field and tennis courts to be considered by the Planning Commission as part of the overall development proposal (collectively, with the Application, referred to as "the Project"); and,

WHEREAS, on January 5, 2009, the City's Traffic Safety Commission conducted a public hearing, at which time presentations were made by the EIR traffic consultant, the City's independent traffic consultant retained to review the traffic study, and the College's traffic consultant, and all interested parties were given an opportunity to be heard and present evidence on the project related traffic study prepared for the project EIR; and,

WHEREAS, on January 8, 2009, public notice of the Minor Exception Permit and additional Variance Permit applications were mailed to all property owners within a 500-foot radius of 30800 Palos Verdes Drive East (Marymount College) and to interested parties, as well as concurrently published in the *Peninsula News*; and,

WHEREAS, on January 9, 2009, public notice of the Minor Exception Permit and additional Variance Permit applications was issued by electronic correspondence to the city's list-serve subscribers; and,

WHEREAS, on January 27, 2009, the Planning Commission held a duly noticed and continued public hearing, at which time all interested parties were given an opportunity to be heard and present evidence, and continued the item to its March 10, 2009, meeting; and,

WHEREAS, prior to the March 10, 2009, Planning Commission meeting, the College formally requested that the Project not be considered at the March 10, 2009, meeting due to the unavailability of the College's President on that date; and,

WHEREAS, on March 10, 2009, the Planning Commission continued the hearing on the Project to March 31, 2009, at the request of the College; and;

WHEREAS, on March 31, 2009, supplemental responses to various environmental concerns raised by the public, the applicant and the Commissioners, were provided to the Planning Commission; and,

WHEREAS, certain revisions were made to the Project to address concerns raised during the consideration of the Project, as more specifically described in Appendix A of the Final EIR, which revisions include the removal of the Residence Halls, relocation and redesign of the Athletic Building, and redesign of the East Parking Lot. The Project, with this revision, is referred to as the "Revised Project"

WHEREAS, after deliberations, and taking into account changes made by the College, changes recommended by the Planning Commission, and exclusion of the Residence Halls, Appendix A to the Final EIR was prepared; and,

WHEREAS, the Planning Commission continued deliberation regarding the Project at the May 26, 2009, and June 9, 2009, Planning Commission meetings; and,

WHEREAS, the Planning Commission closed the continued public hearing regarding the Project on June 9, 2009; and,

WHEREAS, the Planning Commission certified the EIR with the adoption of Resolution 2009-27; and,

WHEREAS, CCC/ME filed a timely appeal of the Planning Commission's certification of the EIR and approval of the project to the City Council; and,

WHEREAS, on August 18, 2009, the City Council held a duly noticed public hearing, at which time all interested parties were given an opportunity to be heard and present evidence, and continued the item to a meeting on Saturday, September 12, 2009, meeting; and,

WHEREAS, on September 9, 2009, the College issued a press release announcing its intention to seek accreditation for and to commence offering four-year degree programs as early as the Fall of 2010; and,

WHEREAS, the introduction of four-year degree programs was deemed by the City to be a revision to the project that had the potential to cause greater environmental impacts than the project as analyzed in the Final EIR certified by the Planning Commission, thus the City conducted further review as required by CEQA; and,

WHEREAS, the additional environmental analysis is embodied in Appendix D to the Final EIR; and,

WHEREAS, Appendix D was circulated for public review and comment, during which time the City received a number of comments to which responses were prepared; and,

WHEREAS, the City Council held a public meeting on February 16, 2010, during the public comment period, to provide an opportunity for the College and the public to provide comments on Appendix D; and,

WHEREAS, the City Council held a continued public hearing on March 30, 2010, at which time testimony, both written and oral, was taken, after which the public hearing was closed; and,

WHEREAS, the City Council continued its deliberations on March 31, 2010, at which time the City Council considered the Revised Project, with the inclusions of the Bachelor of Arts degree programs; and,

WHEREAS, on April 6, 2010 the City Council directed staff to notice a public hearing regarding the Project for the meeting of May 3, 2010, for the purpose of revisiting issues related to the athletic field; and

WHEREAS, on May 3, 2010, the City Council held a public hearing regarding the athletic field issues, took testimony, closed the public hearing and concluded its deliberations regarding the Project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

Section 1. Pursuant to Guidelines Sections 15064 and 15081, and based upon information contained in the Initial Study, the City ordered the preparation of an Environmental Impact Report (“EIR”) for the Project. The City contracted with independent consultants for the preparation of the technical studies for the EIR and on November 17, 2005, prepared and sent a Notice of Preparation of the EIR to responsible, trustee, and other interested agencies and persons in accordance with Guidelines Section 15082(a). Comments on the Notice of Preparation were accepted during an extended 57-day comment period ending on January 13, 2006. During the

scoping period, the City held advertised public meetings on December 13, 2005 and January 10, 2006, to facilitate public input regarding the scope of the EIR.

Section 2. The City completed the Draft EIR, together with those certain technical appendices (the “Appendices”), on or about October 24, 2007. The City circulated the Draft EIR and the Appendices to the public and other interested parties between October 24, 2007 and January 4, 2008, for a 72-day comment period. In addition to receiving numerous written comments submitted during this time, public comments were received at the November 27, 2007, regularly scheduled Planning Commission meeting and at City’s Traffic Safety Commission meeting on December 10, 2007.

Section 3. Throughout the proceedings, CCC/ME representatives and other members of the public expressed concerns regarding various environmental issues.

Section 4. As a result of the comments received during the public comment period for the Draft EIR and the comments received at the various Planning Commission hearings, as well as concerns raised by the College, CCC/ME and the Planning Commission, the Planning Commission recommended various modifications to the Project. At the conclusion of the Planning Commission’s deliberations, the College removed the Residence Halls from its proposal, the Athletic Building was relocated and reduced in height, the east parking lot modified to provide a greater buffer between the college and neighboring residences, and other minor modifications described in Appendix A of the Final EIR were made. The College has agreed not to pursue the entitlements for the Residence Halls and pursue only the remaining portions of the Project. The Project as described in Appendix A of the Final EIR, and approved by the Planning Commission, is referred to herein as the “Revised Project.”

Considering the analysis of the originally proposed Project, the analysis of the various project alternatives, the analysis of the Revised Project in Appendix A of the Final EIR, the analysis of the four-year degree program aspect of the Revised Project and consideration of other potential project revisions in Appendix D of the Final EIR, and extensive testimony in the record, the City Council hereby finds that the potential impacts of both the Revised Project and the Final Project as modified by the City Council, were fully assessed and fully disclosed. The City Council has reviewed and adopts the findings set forth in the Findings and Facts in Support of Findings attached here as Exhibit A.

Section 5. The City Council considered the administrative record before it, which is hereby incorporated by reference, including the Final Environmental Impact Report, the written and oral comments on the EIR, staff reports and responses to comments incorporated into the EIR and all testimony related to environmental issues.

Section 6. During the Draft EIR public comment period, the City received over 140 individual comment letters, many of which contained numerous comments. In addition, comments were received during public hearings before the Planning

Commission on November 27, 2007 and the Traffic Safety Commission on December 10, 2007. Responses to each of the individual comments, including a number of master responses, were prepared and made available in October 2008. The comments and responses are found from pages 12-1 through 12-1046 of volumes 1 and 2 of the Final EIR, and are incorporated herein by reference. In response to the comments, the Draft EIR was revised as appropriate, as set forth in the Errata contained in Volume 2 of the Final EIR. The written responses to comments were made available for public review in the Community Development Department, at the Rancho Palos Verdes Public Library and on the City's website. After reviewing the responses to comments, the revisions to the Draft EIR, and the Final EIR, the City Council concludes that the information and issues raised by the comments, the responses thereto and the additional analysis in response to the Revised Project revisions set forth in Appendix A do not constitute new information requiring recirculation of the Draft EIR. As more fully explained in Appendix A, the additional clarifying information does not show (a) that a new significant impact would result from the Revised Project or from a new mitigation measure, (b) a substantial increase in the severity of an environmental impact that cannot be mitigated to a less than significant level, (c) the existence of a feasible project alternative or mitigation measure considerably different from those already analyzed that would clearly lessen the significant environmental impacts of the Revised Project, or (d) that the Draft EIR is inadequate such that meaningful public review and comment were precluded.

Section 7. Additional written comments on the EIR from the College, CCC/ME and the public were submitted during the Planning Commission proceedings, although the comment period for the EIR had lapsed. Nonetheless, the City prepared responses to certain written comments, which were incorporated into the Final EIR. In addition, Appendix D to the Final EIR was prepared in light of the introduction of four-year degree programs into the Revised Project while the appeal of the Planning Commission decision was pending, and Appendix D was recirculated for comment. Various comments were received, and responses were provided to those comments.

Section 8. The Final EIR is comprised of the Draft EIR, including Appendices, dated October 2007; the Comments and Response to Comments on the Draft EIR included in the Volumes 1 and 2 of the Final EIR dated October 2008, including errata pages; and the Mitigation Monitoring and Reporting Program, responses to additional comments presented to the Planning Commission, Final EIR Appendix A which provides analysis of the project as revised by the Planning Commission, Final EIR Appendix D and the responses to comments on Appendix D and Mitigation Monitoring and Reporting Program, and all other appendices of the Final EIR (collectively the "Final EIR").

Section 9. The findings made in this Resolution are based upon the information and evidence set forth in the Final EIR and upon other substantial evidence that has been presented at the hearings before the City Council and in the record of the proceedings before the Planning Commission, which were presented to and considered by the City Council. The documents, staff reports, technical studies,

appendices, plans, specifications, and other materials that constitute the record of proceedings on which this Resolution is based are on file for public examination during normal business hours in the Community Development Department and with the Community Development Director, who serves as the custodian of these records. Each of those documents is incorporated herein by reference.

Section 10. The City Council finds that the applicant, CCC/ME and interested members of the public, have been afforded ample notice and opportunity to comment on the EIR and the Project.

Section 11. The City Council has independently reviewed and considered the contents of the Final EIR prior to rendering a decision on the Project. The City Council hereby finds that the Final EIR reflects the independent judgment of the City as to the Project, with additional changes as directed by the Council which exclude the residence halls (hereafter the “Final Project”). The City Council further finds that the additional information provided in the staff reports, in the Final EIR and the evidence presented in written and oral testimony at the City Council Hearings, does not constitute new information requiring further recirculation of the EIR under CEQA. None of the information presented to the City Council has deprived the public of a meaningful opportunity to comment upon a substantial environmental impact of the Final Project or a feasible mitigation measure or alternative that the City has declined to implement.

Section 12. The City Council finds that the comments regarding the Draft EIR and the responses to those comments were received by the Commission; that the Planning Commission and City Council received documents and public testimony regarding the adequacy of the EIR; and that the City Council has reviewed and considered all such documents and testimony and the Final EIR prior to making its determination on the Final Project. The City Council, pursuant to Guidelines Section 15090, hereby certifies the Final EIR has been completed in compliance with CEQA, as to the Final Project.

Section 13. Based upon the Final EIR and the record before the City Council, the City Council finds that the Final Project will not cause any significant environmental impacts after mitigation except in the areas of noise (short term - construction), and traffic (cumulative at Palos Verdes Drive East and Palos Verdes Drive South). Explanations for why the impacts other than the foregoing were found to be less than significant are contained in the Environmental Findings set forth in Exhibit A to this Resolution and more fully described in the Final EIR.

Section 14. Based upon the Final EIR and record before the City Council, the City Council finds that the Final Project will create significant unavoidable impacts to noise (short term - construction), and traffic (cumulative - Palos Verdes Drive East and Palos Verdes Drive South). These significant impacts are further described in the “Findings and Facts in Support of Findings” set forth in Exhibit A, which is attached hereto and incorporated herein by this reference, and in the Final EIR. The findings in

Exhibit A explain that all feasible mitigation, including project revisions, have been incorporated to reduce the level of impact, but that even after mitigation certain impacts remain significant.

Section 15. The EIR describes, and the City Council has fully considered, a reasonable range of alternatives to the Project.

With respect to each of the alternatives analyzed in the EIR, the City Council hereby makes the findings, set forth in Exhibit A which is attached hereto and incorporated by reference. On the whole, the Final Project, which incorporates features of some of the alternatives and variations, is environmentally superior to other feasible alternatives. As such, the City Council finds all other alternatives and variations infeasible or not environmentally preferable for the reasons set forth in Exhibit A.

Section 16. For the significant and unavoidable impacts, consisting of noise (short term - construction) and traffic (cumulative at Palos Verdes Drive East and Palos Verdes Drive South) as identified in the Final EIR as “significant and unavoidable,” the City Council hereby adopts the “Statement of Overriding Considerations” as set forth in Exhibit B, which is attached hereto and incorporated herein by reference. The City Council finds that each of the overriding benefits, by itself, would justify proceeding with the Final Project despite any significant unavoidable impacts identified in the Final EIR or alleged to be significant in the record of proceedings.

Section 17. The City Council hereby adopts the Mitigation Monitoring and Reporting Program, attached hereto as Exhibit C and incorporated herein by this reference, and imposes each mitigation measure as a condition of the Final Project's approval. City staff shall be responsible for enforcement and monitoring the mitigation measures as described in Exhibit C.

PASSED, APPROVED, AND ADOPTED this 18th day of May 2010.

Mayor

Attest:

City Clerk

State of California)
County of Los Angeles) ss
City of Rancho Palos Verdes)

I, Carla Morreale, the City Clerk of the City of Rancho Palos Verdes, do hereby certify that the above Resolution No. 2010-___ was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on May 18, 2010.

City Clerk

EXHIBIT A

Findings and Facts in Support of Findings

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EXHIBIT A

Findings and Facts in Support of Findings

I. Introduction

The California Environmental Quality Act (“CEQA”) and the State CEQA Guidelines (the “Guidelines”) provide that no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that will occur if a project is approved or carried out unless the public agency makes one or more of the following findings:

- A. Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effects identified in the EIR.**
- B. Such changes or alterations are within the responsibility of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.**
- C. Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR.¹**

Pursuant to the requirements of CEQA, the City Council hereby makes the following environmental findings in connection with the proposed construction of the Marymount College Facilities Expansion Project at 30800 Palos Verdes Drive East project, as more fully described in the Final EIR and as revised by the Planning Commission and City Council (the “Final Project”). These findings are based upon evidence presented in the record of these proceedings, both written and oral, the EIR and all of its contents, the Comments and Responses to Comments on the Draft EIR, all appendices to the Final EIR, including Appendix A and Appendix D, and staff and consultants’ reports contained in the record or proceedings.

II. Project Objectives

As set forth in the Final EIR, objectives that Marymount College (the project applicant, hereafter referred to as the “Applicant” or the “College”) seeks to achieve with this Project (the “Project Objectives”) are as follows:

- To create an enhanced learning environment for the College’s students to enable the College to fulfill its religious and educational mission.
- To provide additional course offerings and degree programs in response to

¹ Cal. Pub. Res. Code § 21081; 14 Cal. Code Regs. § 15091.

student needs and to assist the College in retaining existing students and recruiting new students.

- To ensure that the College maintains its reputation as a distinguished institution of higher education by providing the type and quality of academic and recreational facilities available at other liberal arts colleges.
- To relocate parking facilities to improve the design of the campus and increase the number of parking spaces to reduce the need for off-site parking.
- To relocate outdoor athletic facilities away from nearby residences.
- To provide enhanced facilities for community activities.

III. Background

The College's proposal for the Project consists of demolition of certain existing facilities and construction of new and expanded facilities. The following table provides details of the College's proposal:

Building I.D.	Building	Total Existing Building (SF)	Proposed Building Demolition (SF)	Proposed Building Addition (SF)	Total Building (SF)
Existing Buildings					
A	Classroom/Academics	26,180	0	0	26,180
B	Auditorium/Fine Arts Studio	8,012	0	1,869	9,881
C	Faculty Office	7,346	0	7,455	14,801
D	Student Union/Bookstore/Faculty Dining	18,158	0	3,492	21,650
E	Administration/Admissions	9,450	0	2,100	11,550
Buildings to be Removed					
F	View Room/Hall	1,530	(1,530)	0	0
	Maintenance/Photo Lab	2,696	(2,696)	0	0
	Bookstore/Health Center	2,870	(2,870)	0	0
	Arts	3,648	(3,648)	0	0
	Preschool	2,998	(2,998)	0	0
	Library	4,072	(4,072)	0	0
	Pool Equipment	208	(208)	0	0
G	Church	5,100	0	0	5,100
Subtotal Existing Buildings		92,268	(18,022)	14,916	89,162
Buildings to be Added					
N	Library			26,710	26,710

Building I.D.	Building	Total Existing Building (SF)	Proposed Building Demolition (SF)	Proposed Building Addition (SF)	Total Building (SF)
O	Maintenance			1,975	1,975
P	Athletic Facility			33,243	33,243
	(1) Subtotal New Buildings			61,928	61,928
	(2) Total			76,844	151,090

The campus modernization plans propose a variety of site improvements. These improvements are summarized as follows:

- Two new entry signs (6.0 feet in height);
- An information/welcoming booth at the campus entrance (48 square feet);
- A rose garden;
- Substantial new landscaping and new trees;
- Raised planters;
- Fountains;
- Multiple plazas;
- Colored and textured pedestrian walkways;
- Low retaining walls with stone finishes;
- Trellis structures;
- Loading facilities adjacent to the maintenance and athletic facility; and
- Trash enclosure in the service yard area.

The existing vehicle entry access to the College would remain at its current location at the intersection of Palos Verdes Drive East and Crest Road. The current driveway is narrow and intersects Palos Verdes Drive East at an awkward angle. To improve this condition, the driveway would be widened and oriented to Palos Verdes Drive East, such that a right angle is formed.

Parking at the campus would be increased and reconfigured, and would primarily be located on the north and east portions of the campus. A total of 463 off-street parking spaces, plus loading spaces, would be provided with the proposed Project: 383 full size spaces; 71 compact spaces; and nine (9) handicap spaces. This would represent a net increase of 120 parking spaces over the existing 343 spaces.

Pursuant to existing conditions of approval established by Revision “C” to CUP No. 9, enrollment of students at the College is limited to an average of 750 full-time students (students taking 12 units or more) for the Fall and Spring semesters, and a maximum of 20 part-time students (students taking 11 units or less) each semester with a margin for

difference of 3.0 percent. The College does not request any expansion of the existing student enrollment limitations, which are 793 students.

The College currently employs 215 full- and part-time faculty and staff. The College anticipates adding four (4) full-time and two (2) part-time security positions upon project approval (one full-time and one part-time positions are proposed for the non-residential improvements). The College also anticipates the need for one full-time maintenance position and one full-time custodial position for each 30,000 to 40,000 square feet of additional facilities (a total of six new employees for the proposed Project). In sum, the proposed Project would add approximately 7 new full- and part-time employees. The salaries associated with all of these positions would be at moderate-income levels or below.

Although analyzed in the Draft EIR, the Residence Halls are not included as part of the Project approval, thus the total number of new employees would be less than ten.² Further, certification of the EIR is for the Final Project which does not include residence halls.

During Planning Commission deliberations and consideration of various project alternatives, the Commission requested certain revisions to the Project. The College made certain revisions to the Project in order to address concerns of the Commission and to respond to certain potential adverse environmental impacts of the original proposal. These revisions include:

- **Redesign of the Eastern Parking lot.** The Eastern Parking lot was redesigned to remove the proposed grasscrete material, which could result in water intrusion into areas with landslide potential. Also, the Eastern Parking lot was redesigned to increase the setback from neighboring residential properties. The original proposal included parking directly below adjacent residences and the College redesigned the parking area to create a 52'-2" landscaped setback. Due to continued concerns from the Planning Commission, the College agreed to increase the landscaped setback to 80'-6" feet.
- **Relocation of the Athletic Building.** In response to concerns regarding construction over an extreme slope, the College relocated the Athletic Building so that no part would be constructed over the extreme slope.
- **Revision to Athletic Building Height and Design.** In response to concerns regarding the building height and the potential view impacts, the College revised the Athletic Building design such that the northern portion of the building is lowered by ten feet, with the southern portion of the building lowered by four feet. The College also proposed, and the Planning Commission accepted, a condition of approval that would require the Athletic Building to be designed so that there is not a significant impairment of the view of Catalina Island from the viewing area of property located at 3302 Narino Drive, which will be verified by the installation of a certified silhouette

² Final EIR, Appendix A at p. 13 . See also letter from Donald Davis to Ara Mhrianian dated April 24, 2009, pp. 3-4.

prior to the issuance of a building permit for the redesigned structures to ensure full compliance with the condition of approval. The City Council, on appeal, required the height of the Athletic Building to be reduced by ten feet, so that it does not exceed an elevation of 930 feet.

- **Incorporation of fencing and temporary retractable netting** in perimeter areas around the proposed Athletic Field to limit the possibility of errant balls from entering Palos Verdes Drive East, and inclusion of the minor exception permit necessary for the 6-foot perimeter fencing within the front and street-side setbacks, 10-foot tall recreational fencing around the eastern tennis courts, and a variance request for the height of the proposed 30-foot tall temporary retractable netting and 20-foot fencing for the westerly tennis courts.
- **Reduction in the amount of proposed grading** from 102,000 cubic yards to 84,800 cubic yards, with the grading remaining balanced on the site, excluding select fill that may be necessary. The grading was further reduced pursuant to the Applicant's revised estimates that only 79,155 cubic yards was necessary.
- **Minor revisions** to the Library including a reduction in the overall structure height from 44 feet to 39 feet, changing the orientation of the tennis courts, reconfiguration and relocation of the rose garden, incorporation of temporary modular buildings to house certain College functions when permanent buildings for these functions are under construction, changes in the construction phasing, landscaping modifications, a net increase of 5 student seats beyond the existing condition but a decrease of 56 seats from the number of seats analyzed in the Draft EIR, and lighting plan revisions.

In September 2009, while the City Council was commencing hearings regarding the Marymount College (College) project, the College announced to the City its desire to offer a Bachelor of Arts degree program (BA Program), in addition to its existing Associates of Arts degree program (AA Program), at the existing campus located at 30800 Palos Verdes Drive, in the City of Rancho Palos Verdes (City). The College requested that the City Council consider the potential change in programming when considering the appeal of the Planning Commission's decision.

Additionally, in response to concerns regarding safety from errant field balls entering Palos Verdes Drive East, the City Council directed City Staff to analyze an alternative location for the athletic field for its Council consideration at a future public hearing. Athletic Field Alternative No. D-1, as directed by the City Council, involves maintaining the athletic field at its current location in the eastern portion of the site and enlarging the field to as near regulation size soccer field, as possible. Additionally, Alternative No. D-1 involves constructing a parking lot on the western portion of the site. Athletic Field Alternative No. D-2, proposed by the College, involves modifications to the western portion of the site, including a redesign of the proposed athletic field and tennis courts layout.

At the conclusion of the City Council's deliberations, the Project supported by a majority of the Council consisted of the Project incorporating the revisions described above,

along with the additional request for inclusion of Bachelor of Arts degree programs and Athletic Field Alternative D-2 configuration that were not previously part of the proposed project. The project, as revised is referred to as the “Final Project.”

Many of the project modifications were made in furtherance of CEQA’s policy of changing the project as a method for protecting the environment. CEQA Guidelines Sec. 15002 (h). Revisions to the Project intended to, or having the effect of reducing impacts, include increased setbacks between the eastern parking lot and neighboring residences, reduced height of the Athletic Building, relocation of the Athletic Building off of an existing extreme slope, redesign of the Athletic Building to ensure no impacts to upslope properties’ views of Catalina Island, exclusion of the Residence Halls, and incorporation of fencing and netting around the athletic field and tennis courts.

Many of these revisions eliminated potentially significant impacts associated with views, visual character, land use, noise and safety. The modifications incorporated into the Final Project are not substantial, did not result in new or more severe significant impacts, and were clearly articulated during the proceedings. Between the analysis of the originally proposed Project, the analysis of the alternatives, and the analysis of the Revised Project in Appendix A of the Final EIR and the Final Project in Appendix D, the potential impacts of the Final Project have been fully assessed, fully disclosed, and mitigated or avoided to the extent feasible.

The changes proposed to the Project are assessed in Appendix D to the Final EIR, in order to determine if new environmental impacts or an increase in the severity of previously identified impacts may occur. The potential impacts resulting from the proposed changes (i.e., implementation of the proposed BA Program, as well as Athletic Field Alternative Nos. D-1 and D-2), are evaluated therein. Appendix D was recirculated for public review and comment, and responses to all comment received during the public comment period have been prepared, and are incorporated into the Final EIR.

IV. Effects Determined to be Less Than Significant/No Impact in the Initial Study/Notice of Preparation

The City of Rancho Palos Verdes originally received applications for an earlier version of the project in July, 2000. The City completed an initial study in 2002 for the July 2000 proposal, however, the Applicant subsequently withdrew the original applications in June, 2003. At the same time the 2000 proposal was withdrawn, the Applicant submitted the applications for the Project that are now under consideration by the City. Thereafter, a new initial study was completed on November 17, 2005, to determine whether the Project had the potential to result in significant adverse environmental effects. A Notice of Preparation was issued on November 17, 2005, commencing a public comment period that, due to the holidays, was extended to from 30 days to 57 days to end on January 13, 2006. During the Notice of Preparation comment period, the City held public scoping meetings on December 13, 2005, and January 10, 2006.

Thereafter, the City Council and the Planning Commission held a voluntary pre-screening workshop on January 31, 2006, to provide the College with input on the proposed Project.

In the course of the Initial Study and Notice of Preparation evaluation, certain impacts of the Project were found to be less than significant due to the inability of a project of this scope to create such impacts or the absence of project characteristics producing effects of this type. The following effects were determined not to be significant for the reasons set forth in the Initial Study, and were not analyzed in the Draft EIR (refer to Draft EIR Appendix 13.1, Initial Study/Notice of Preparation). Revisions to the Project, as described in Section III, do not change the conclusions of the Initial Study.

A. AESTHETICS

1. The Final Project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

B. AGRICULTURAL RESOURCES

1. The Final Project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.
2. The Final Project will not conflict with existing zoning for agricultural use, or a Williamson Act Contract.
3. The Final Project does not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use.

C. BIOLOGICAL RESOURCES

1. The Final Project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
2. The Final Project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
3. The Final Project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The Final

Project is not within the City approved NCCP area.

D. CULTURAL RESOURCES

1. The Final Project will not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5.
2. The Final Project will not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15604.5.
3. The Final Project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.
4. The Final Project will not disturb any human remains, including those interred outside of formal cemeteries. Nonetheless, all applicable laws relating to human remains shall be followed in the unlikely event that remains are discovered during project grading.

E. GEOLOGY AND SOILS

1. The Final Project will not expose people or structures to potential substantial adverse effects including risks involving the rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault.
2. The Final Project will not result in substantial soil erosion or the loss of topsoil.
3. The Final Project will not have soils incapable of adequately supporting the use of septic tanks or alternatives wastewater disposal systems where sewers are not available for the disposal of wastewater. The project will be connected to sanitary sewer.

F. HAZARDS AND HAZARDOUS MATERIALS

1. The Final Project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
2. The Final Project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

3. The Final Project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or wastes within one-quarter mile of an existing or proposed school.
4. The Final Project site is not included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, will not create a significant hazard to the public or environment.
5. The Final Project is not located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, and therefore will not result in a safety hazard for people residing or working in the project area.
6. The Final Project is not within the vicinity of a private airstrip, and therefore will not result in a safety hazard for people residing or working in the project area.
7. The Final Project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with vegetation.

G. HYDROLOGY and Water Quality

1. The Final Project will not be subject to inundation by seiche, tsunami, or mudflow.

H. LAND USE AND PLANNING

1. The Final Project will not physically divide an established community.
2. The Final Project will not conflict with any applicable habitat conservation plan or natural community conservation plan. The Project is not within the City approved NCCP plan area.

I. MINERAL RESOURCES

1. The Final Project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.
2. The Final Project will not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

J. NOISE

1. The Final Project is not located within an airport land use plan or within two miles of a public airport or public use airport, and thus would not expose people residing or working in the Project area to excessive noise levels from airport activities.
2. The Final Project is not located within the vicinity of a private airstrip, and thus would not expose people residing or working in the Project area to excessive noise levels from airstrip activities.

K. POPULATION AND HOUSING

1. The Final Project will not induce substantial population growth in an area, either directly or indirectly.
2. The Final Project will not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.
3. The Final Project will not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

L. PUBLIC SERVICES

1. The Final Project will not result in a substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools, parks, park service or other recreational or public facilities.

M. RECREATION

1. The Final Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

N. TRANSPORTATION AND TRAFFIC

1. The Final Project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in a substantial safety risk.

V. Effects Determined to be Less Than Significant Without Mitigation in the EIR

The Final EIR, consisting of the Draft EIR and appendices, comments on the Draft EIR and the responses to those comments, and the appendices to the Final EIR, including Appendix A and Appendix D found that the Final Project would have a less than significant impact without the imposition of mitigation on a number of environmental topic areas, listed below. A less than significant environmental impact determination was made for each of the following topic areas, based on the more expansive discussions contained in the EIR. Further, the project revisions described in Section III above do not change the following conclusions.

A. AESTHETICS / LIGHT AND GLARE

1. Construction of the Final Project would not have a substantial adverse effect on Visual Aspects identified in the City's General Plan.

B. AIR QUALITY

1. Construction of the Final Project would not generate diesel particulate matter, or other toxic emissions in a manner that would constitute a significant cancer risk from the release of this toxic air emission.
2. Construction of the Final Project would not create objectionable odors.
3. Development of the Final Project would be consistent with and not conflict with the 2007 Air Quality Management Plan.
4. Development of the Final Project would not cause cumulative operational impacts.
5. The Final Project is consistent with various strategies for reducing greenhouse gas emissions, and project and cumulative contributions to climate change are found to be less than significant.

C. BIOLOGICAL RESOURCES

1. The Final Project would not have a significant impact on plant species identified as special status.
2. The Final Project would not conflict with the Rancho Palos Verdes Natural Community Conservation Plan Subarea Plan with regard to those plant species covered by the Plan

D. GEOLOGY AND SOILS

1. Development of the Final Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault.
2. Liquefaction. Final Project implementation will result in a less than significant impact regarding the exposure of people/structures to potential substantial effects associated with liquefaction, since the subsurface conditions favorable for this hazard are not present within the Project site. No mitigation is required.
3. Lateral Spreading. Lateral spreading involves the lateral displacement of surficial blocks of sediment, as a result of liquefaction in a subsurface layer. The liquefaction potential within the Project area is considered to be nonexistent. Therefore, Final Project implementation is anticipated to result in a less than significant impact regarding the exposure of people/structures to potential substantial adverse effects associated with lateral spreading.
4. Ground Lurching. Because deposits of loose terrace sands and slopewash do not exist on the Project site, ground lurching is not expected to occur. Final Project implementation is anticipated to result in a less than significant impact regarding the exposure of people/structures to potential substantial effects associated with ground lurching.
5. Seismically Induced Landslides. The Final Project site does not lie within the bounds of a "Seismically-Induced Landslide Area," as defined by the State of California as delineated on the Seismic Hazards Zone Map-San Pedro Quadrangle (March 25, 1999). Therefore, no impacts are anticipated in this regard.
6. Tsunamis. The hazard from tsunamis is considered to be low, because the site is elevated to approximately 800 feet above sea level. Therefore, Final Project implementation is anticipated to result in a less than significant impact regarding the exposure of people/structures to potential substantial adverse effects associated with tsunamis.
7. Development associated with the Final Project, in conjunction with other related cumulative projects, would not result in cumulatively considerable geology, soils, and seismicity impacts.

E. HAZARDS AND HAZARDOUS MATERIALS

1. Development of the Final Project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, will not create a significant hazard to the public or the environment.
2. The Final Project would not impair implementation of or physically interfere with an adopted emergency or evacuation plan. According to Figure 39 of the General Plan Safety Element, there are not evacuation routes located adjacent to or in the vicinity of the Project site. Palos Verdes Drive South is the closest disaster evacuation route. The Final Project contemplates balanced grading, and thus export of material will not be required. Further, most construction related activities will occur on site. Therefore, no impacts to disaster routes will occur.

F. HYDROLOGY AND WATER QUALITY

1. Development of the Final Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned land uses for which permits have been granted).
2. The Final Project would not result in a significant increased demand for water supplies.
3. The Final Project would not result in a significant increase in waste water generation.
4. The Final Project, along with other cumulative development, would not result in significantly increased impacts to hydrology, drainage or water quality.

G. Land Use

1. The Final Project, combined with other future development, would not result in cumulatively significant increases in the intensity of land uses in the area.
2. The Final Project is consistent with the various policies of the General Plan, as more fully discussed in the Final EIR.

H. NOISE

1. Long-term mobile noise generated by the development of the Final Project would not exceed the thresholds articulated in Table 5.5-6 in the EIR and would constitute a less than significant impact without the imposition of mitigation.
2. Development of the Final Project, combined with cumulative projects, would not cause a significant construction noise impact as noise impacts would be limited to each respective project sites and their vicinities due to the distance between the Project and cumulative projects' sites.
3. The Final Project is not anticipated to cause long-term operational noise impacts associated with slowly moving trucks (deliveries).
4. The Final Project is not anticipated to cause long-term operational noise impacts associated with noise generated from the loading docks, including maneuvering and idling trucks, truck refrigeration units, fork lifts, banging and clanging of equipment, noise from the public address systems, and voices of truck drivers and employees.
5. The Final Project is not anticipated to cause long-term operational noise impacts associated with landscape maintenance tools and equipment.
6. The Final Project will not result in any long-term operational noise impacts associated with the previously proposed Residence Halls, which are not part of the Final Project.
7. Operation of the Final Project is not anticipated to cause long-term noise impacts associated with noise generated from pool equipment.
8. Operation of the Final Project would not result in cumulative significant stationary noise impacts.
9. Mobile noise generated by the operational phase of the Final Project would be nominal, as more fully detailed in the EIR, and combined with cumulative projects, would not cause a significance noise impact.

I. POPULATION AND HOUSING

1. Development of the Final Project would not induce population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).

J. PUBLIC SERVICES AND UTILITIES

1. Final Project implementation would not place a significant increased demand on existing fire protection resources, or require the construction of new fire protection facilities or the modification of existing facilities.
2. Final Project implementation would not result in a significant increase in demand for water, and the proposed Project would have an adequate water supply.
3. Final Project implementation will not result in a significant increase in wastewater generation.
4. Implementation of the Final Project would not result in a significant impact with respect to electric services, as it would not significantly impact SCE's system capacity or ability to provide service.
5. Implementation of the Final Project would not result in a significant impact with respect to natural gas services, as it would not significantly impact SCG's system capacity or ability to provide service.
6. Final Project implementation would not significantly impact Verizon's system capacity or ability to provide telephone service.
7. Implementation of the Final Project is not anticipated to result in significant impacts with respect to cable service.
8. The Final Project, along with cumulative projects, would not result in a significant increase in the demand for public services or an increase in the consumption rates for public utilities.

K. TRANSPORTATION AND TRAFFIC

1. Final Project traffic would not cause an increase in traffic that would exceed level of service standards established by the County of Los Angeles Congestion Management Program.
2. Final Project implementation would not conflict with adopted programs supporting alternative transportation, including but not limited to bus routes.
3. Development of the Final Project would not cause a significant impact on residential roadway segments in the Mira Vista Neighborhood, based on the analysis set forth in Appendix A.3 of the Final EIR.
4. The Final Project and inclusion of a total of 463 parking spaces, provides surplus parking during all periods, as more fully explained in Final EIR

Appendix A.

5. Development of the Final Project would not cause a significant impact for risk of off-site intersection collision, since the Project would not change off-site intersection location, geometrics, or traffic control devices, resulting in obstructed sight distance, over-reduced lane width, removal of exclusive left-turn or right-turn lanes, unsafe timing and phasing designs, or other safety deficiencies.

L. GROWTH INDUCING IMPACTS.

Project implementation is not anticipated to result in significant growth inducing impacts upon the City of Rancho Palos Verdes based on the following factors:

1. The Final Project is an expansion of existing facilities within the boundaries of an existing campus. The Project site is located in an area that is served by all utilities (i.e. water, sewer and storm drains) and other public services (i.e., police, fire and solid waste). Also, the existing facilities can be readily upgraded and/or extended onto the site to serve the proposed development. Project implementation would not establish a new public service or provide new access to the area. The Final Project would not remove an impediment to growth and is not considered growth inducing in this regard.
2. A project could foster population growth in an area either directly (through the development of new homes) or indirectly (through the development of employment-generating land uses). The Final Project does not involve the development of new homes, and does not change the current College enrollment cap; therefore, would not foster direct growth in the City's permanent population. The Final Project, would add 10 new full- and part-time employees to the campus, which is not considered sufficient to warrant the construction of new housing. The proposed Project does not involve the development of significant new employment-generating land uses; therefore, would not foster an indirect growth in population.
3. Final Project implementation would not result in the establishment of a precedent-setting action. No Zone Change or General Plan Amendment is proposed.
4. The Final Project would not be growth-inducing with respect to development or encroachment into an isolated or adjacent area of open space. The Project site is surrounded to the north, northeast, south and west by residential development. It is unlikely that development of the Final Project has the potential of encouraging the intensification of land uses on adjacent single-family residential properties. Additionally, the vacant lands situated to the southeast include hillsides containing extreme

slopes. The City does not consider these lands suitable for development.

5. See Also, Master Response to Comment 12.4.10 in the Final EIR.

VI. Potentially Significant Environmental Impacts Determined to be Mitigated to a Less Than Significant Level.

The EIR identified the potential for the Project to cause significant environmental impacts in the areas of aesthetics / light and glare; air quality; biological resources; geology and soils; hydrology and water quality; land use and planning; noise; public services and utilities; and transportation and traffic. With the exception of the two specific impacts as discussed in Article VII below, measures were identified, or project revisions were made, that would mitigate all of these impacts to a less than significant level.

The City Council finds that revisions contained in the Final Project, in conjunction with the feasible mitigation measures identified in the Final EIR would reduce the impacts to a less than significant level, with the exception of the two unmitigable impacts discussed in Article VII below. The City Council will adopt all of the feasible mitigation measures for the Final Project described in the Final EIR as conditions of approval of the Final Project and incorporate those into the Final Project. Use of the term “Project” in this Section VI, shall mean the Final Project, unless context indicates otherwise.

A. AESTHETICS / LIGHT AND GLARE

The Final Project’s potential impacts on aesthetics / light and glare that can be mitigated or are otherwise less than significant are discussed in Section 5.2, Aesthetics/Light and Glare, of the Draft EIR, as well as Final EIR Appendix A and Appendix D. Potential impacts include short-term visual character, long-term visual character, visual aspects, light and glare, and cumulative impacts.

1. Short-Term Visual Character

The Final EIR analyzes in detail the potential for short-term construction impacts on the visual character of the area.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Final Project that avoid or substantially lessen the significant operational related environmental effect as identified in the Draft EIR. Specifically, the following mitigation measures imposed upon the Final Project mitigate impacts to less than significant levels:

AES-1 Prior to issuance of any Grading or Building Permit, a Construction Management Plan shall be submitted for review and approval by the Community Development

Director.³ The Construction Management Plan shall, at a minimum, indicate the equipment staging areas, construction worker parking, vehicle staging areas, fencing, haul route, dust control measures, hours of construction, detailed construction schedule, and contact information for the Construction Manager.

AES-2 Prior to issuance of any Grading or Building Permit, a Construction Safety Lighting Plan shall be submitted for review and approval by the Community Development. All construction-related lighting shall include shielding in order to direct lighting down and away from adjacent residential areas and consist of the minimal wattage necessary to provide safety at the construction site.

AES-3 Upon completion of the Phase I grading activities and prior to any Building Permit issuance, the graded areas shall be hydroseeded and/or otherwise revegetated, to the satisfaction of the Community Development Director.

(b) Facts In Support of Findings

During construction of the Final Project, which would occur intermittently during an 8-year period, construction activities would periodically alter the character of the Project site. Graded surfaces, construction debris, construction equipment and truck traffic could be visible. Construction-related visual impacts would not be constant over eight years. The rough grading work would occur during Phase I for a period of approximately three months. Upon completion of the rough grading, the graded areas would be hydro-seeded and managed to mitigate visual impacts (refer to Mitigation Measure AES-3). Similarly, most heavy grading equipment would be on-site only for the period needed to complete the rough grading. Construction Phases II and III would involve less heavy equipment and once each building is completed, the associated short-term visual impacts would be eliminated. Construction-related impacts to visual character would be reduced through compliance with Code Chapter 17.56, *Environmental Protection*, which includes provisions relative to dust control, hours of operation, temporary construction fencing, and construction site maintenance; refer to the *Rancho Palos Verdes Municipal Code* discussion above. Construction-related impacts to the site's visual character would also be lessened through implementation of the recommended mitigation requiring preparation of a Construction Management Plan, which specifies measures restricting the equipment to staging areas, among others. Implementation of a Construction Safety Lighting Plan is also recommended to further minimize construction-related visual impacts. Following compliance with the provisions of Code Chapter 17.56 and the recommended mitigation, construction-related impacts to visual character are found to be less than significant.

The Final Project includes temporary use of prefabricated modular buildings for college

³ During the pendency of the appeal of this matter, the title of the Director of Planning, Building and Code Enforcement was changed to the Director of Community Development, and those titles are deemed to be interchangeable for purposes of these findings, the Mitigation Monitoring and Reporting Program, the Final EIR, and conditions of approval.

activities during construction activities to modify existing facilities and build new facilities. The modular buildings would be located in the following three areas: south of the existing faculty building, north of the existing administration building and north of the existing classroom building. The rooflines on the modular buildings, including any roof-mounted mechanical equipment would be lower than the building to which it is adjacent (approximately 15 feet). Furthermore, the finished materials are to resemble the new and remodeled buildings with similar color stucco.

The modular buildings located south of the existing faculty building would be lower in height, and therefore, the faculty building, as well as the other buildings currently located within the site (i.e., classroom/academic building, church, and student union) would primarily block views of the modular buildings from surrounding uses to the north, east, and west. Additionally, no blockage of views from off the Project site would occur from uses to the north, east, and west due to the height of the faculty building being greater than the modular buildings located directly to the south. The modular buildings would be visible from Palos Verdes Drive East and homes located to the south. However, elevations and details of the modular buildings would be provided to the City for approval as part of the Construction Management Plan to ensure that the design of the temporary buildings would be compatible with the character of the site and its surroundings.

The modular buildings located north of the existing administration building would be visible from residences located to the north and east of the Project site. However, the modular buildings would be lower in height than the existing auditorium building to the east, administration building to the south, and classroom/academic building to the southeast. Therefore, the modular buildings would not block views beyond the Project site from residential uses to the north and east. As stated, elevations and details of the modular buildings would be provided to the City for approval as part of the Construction Management Plan to ensure that the design of the buildings would be compatible with the character of the site and its surroundings. Additionally, due to the location of the modular buildings north of the administration building and the lower height, views from residential uses located to the south and from Palos Verdes Drive East would not be impacted.

The modular buildings located south/southeast of the existing auditorium, east of the administration building, and north of the classroom/academic building would be visible from residences located adjacent to the eastern property boundary. The modular buildings would be lower in height than the existing classroom/academic building to the south. Therefore, the modular buildings would not block views beyond the Project site from residential uses to the east. Additionally, due to the location of the modular buildings north of the classroom/academic building and east of the administration building, views from residential uses located to the south and from Palos Verdes Drive East would not be impacted.

Review and approval of the elevations and details of the modular buildings would

ensure that the character of the buildings is compatible with the site and surrounding area, reducing visual impacts. Specifically, the facades of the modular buildings would be required to have a Mediterranean architectural style with stucco in a color similar to other campus buildings.

2. Long-Term Visual Character / Visual Aspects / Light and Glare

Development of the proposed project could substantially degrade the existing visual character/quality of the site and its surroundings.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Final Project that avoid or substantially lessen the significant operational related environmental effect as identified in the Draft EIR. Specifically, the following mitigation measures imposed upon the Final Project mitigate impacts to less than significant levels:

AES-4 Prior to issuance of a Grading Permit for the easterly parking area or the modular buildings, a revised Landscape Plan shall be prepared and submitted to the Planning Department for review and approval. The revised Landscape Plan shall incorporate the revisions outlined below, to the satisfaction of the Community Development Director.

- Additional gold medallion tree plantings shall be incorporated on the site's northeastern boundary, up to the northern corner of the existing deck on Lot 27 (2750 San Ramon) and not beyond, in order to further screen the eastern parking lot from the adjacent property (Lot 27).
- The gold medallion tree proposed adjacent to Lot 26 shall be omitted from the Plan.
- Additional tree plantings shall be incorporated on the south-facing slope (southern portion) to further screen the temporary modular buildings and the Athletic Facility from areas to the south in a manner that would not result in view impacts to properties to the north.

AES-5 The Applicant shall be allowed to install and maintain a retractable net along the perimeter of the Athletic Field (north, south and west sides). Said net, when extended shall not exceed a height of 30-feet, as measured from the lowest adjacent grade to the top of the net. The Athletic Field retractable net shall be extended at all times when the field is used for recreational activities involving balls and shall be lowered at the conclusion of the recreational activity. Recreational activities requiring the use of said net shall be prohibited on Sundays and Federal Holidays listed in RPVMC, unless a Special Use Permit is obtained. The use of the retractable net shall be prohibited during hours of non-play.

AES-6 Lighting shall be designed as an integral part of the Project. Lighting levels shall

respond to the type, intensity and location of use. Lighting shall be designed and installed such that it is directed downward and away from adjoining properties and does not spill out onto adjacent areas, while maintaining safety and security for pedestrian and vehicular movements.

AES-7 Prior to issuance of any Grading Permit, a Revised Lighting Plan shall be submitted for review and approval by the Community Development Director and City Engineer. The Revised Lighting Plan shall include:

- Low-level bollards, not to exceed 42-inches in height, in place of the currently proposed pole-mounted lighting along the lower terrace of the eastern parking lot.
- Light standards adjacent to the privacy wall for the properties on San Ramon Drive shall not exceed the height of the privacy wall.
- Pole-mounted lighting shall not exceed 10-feet in height, except along the easterly boundary of the eastern parking lot, as noted above.
- The selected fixtures shall include reflectors, refractors, lenses, or louvers.
- The selected shielding accessories shall be the sharp cut-off type.
- Lighting fixtures with cut-off shields to prevent light spill and glare into adjacent areas.

AES-8 Ninety (90) days after the installation of lighting for each phase of the Project, the lighting equipment shall be tested and adjusted to ensure that the proper levels of light and glare have been achieved, to the satisfaction of the Community Development Director and City Engineer.

AES-9 Prior to the issuance of any Building Permit, the Applicant shall demonstrate to the satisfaction and approval of the Community Development Director and the Building Official that the Athletic Facility (south facing façade) use minimally reflective glass, based on manufacturers' guidelines. All other materials used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare. The use of glass with over 25 percent reflectivity shall be prohibited on the exterior of all buildings on the Project site.

TR-9 Prior to issuance of any Grading Plan, the Project Plans shall be revised to include wrought iron fencing along the westerly edge of the athletic field at approximately 6.0 feet in height and 80 percent open to light and air, and temporary retractable netting along the northwestern and southwestern corners of the athletic field at approximately 20.0 feet in height, so that errant balls are sufficiently contained, to the satisfaction of the Director of Planning, Building, and Code Enforcement. The retractable net shall only be extended during activities

involving field balls at the Athletic Field, subject to the limitations set forth in Mitigation Measure AES-5. The Applicant shall be responsible for retracting the net. The use of a landscape screen around and adjacent to the wrought iron fence along the perimeter of the Athletic Field shall be limited to a maximum height of 42 inches.

(b) Facts In Support of Findings

The Draft EIR determined that impacts to the south-facing slope due to the development of the proposed Athletic Building and Residence Halls would be considered significant and unavoidable. In response to mitigation (AES-4) identified in the October 2007 Draft EIR, the July 2008 project modifications proposed additional landscaping along the south-facing slope to further buffer and screen the proposed Athletic Building and the proposed Residence Halls from areas to the south; refer to Exhibits 5a, 5b and 6 in Appendix A.1. As shown in Exhibit 6 of Appendix A.1, with the introduction of a shrub buffer and tree line along the south-facing slope, views of the south-facing slope from this area, which consists of the previously proposed Residence Halls and Athletic Building, would be shielded.

In response to the Planning Commission's deliberation at its April 14, 2009 meeting, and the Commission's conclusion that the site could not accommodate the Residence Halls, the Residence Halls have been removed from the proposed project. With removal of the Residence Halls, the potentially significant and unavoidable impact to the visual character of the south-facing slope associated with the Residence Halls, as identified in the Draft EIR, would no longer occur.

As to the Athletic Building, the College proposed relocating the building footprint of the Athletic Building north by one-foot from the 906' elevation contour (with no resulting reduction in the overall building square footage) and reduction of the roof ridgeline by 10-feet along the north facing elevation with a flat roof and by four-feet along the southern elevation with a pitched roof. As shown on Exhibit 5 of Final EIR Appendix A, views of the Athletic Building along the south-facing slope would be partially shielded and views of the south-facing slope and vegetation would continue to predominate. Impacts would be considered less than significant. The City Council concludes that the building must be reduced in height so it does not exceed an elevation of 930 feet.

The July 2008 project modifications propose the reconfiguration of the east parking lot and rose garden, and additional landscaping, which would alter views of the site (Exhibits 4a and 4b in Appendix A.1 provide an updated view of the east parking lot from the adjacent residence at 2742 San Ramon Drive identified on Exhibits 5.2-9a and 5.2-9b in the October 2007 Draft EIR). The October 2007 Draft EIR determined that with implementation of recommended mitigation measures AES-4 and AES-6, impacts resulting from proposed improvements in the easterly portion of the site would be reduced to a less than significant level. Mitigation measure AES-4 requires submittal of a revised Landscape Plan incorporating additional tree plantings on the site's

northeastern boundary, up to the northern corner of the existing deck on Lot 27 to further screen the eastern parking lot from the areas to the north (Lots 26 and 27). In response to mitigation AES-4, additional landscaping would be provided along the eastern property line to further buffer views from adjacent residences on San Ramon Drive. The introduction of additional landscaping would provide additional screening of the eastern parking lot without interrupting existing views of the Pacific Ocean and Catalina Island (refer to Exhibit 4a). Further, a one-way drive aisle would be created on the lower level of the parking lot to direct cars away from the adjacent residences to reduce the potential impact of car headlights at night, and parking spaces previously proposed along the shared east property line would be relocated and replaced by a landscape buffer. Mitigation measure AES-6 requires submittal of a Revised Lighting Plan to include low-level bollards, not to exceed 42 inches in height, along the easterly boundary of the eastern parking lot and to demonstrate that all pole mounted lighting in the remaining areas shall not exceed 10-feet in height. In response to mitigation measure AES-6, the previously proposed pole mounted lighting along the easterly boundary of the eastern parking lot has been removed. Additionally, the height of the proposed pole mounted lighting in all other parking areas would be reduced to 10.0 feet above finished grade, compared to the 16.0 feet previously proposed.

Overall, with removal of the pole mounted lighting along the easterly boundary of the eastern parking lot and pole mounted lighting in the remaining area not exceeding 10 feet in height, existing views of the Pacific Ocean and Catalina Island would continue to predominate.

In response to direction from the Planning Commission to further reduce potential impacts to neighboring properties at 2742 and 2750 San Ramon Drive, the College proposed to increase the buffer between the San Ramon properties and the parking lot by relocating 14 parking spaces from the lower tier of the parking lot to the flat area of the existing athletic field (where a portion of Residence Hall No. 2 was originally proposed). Relocation of the parking spaces would result in an approximately 80-foot buffer between the San Ramon property lines and the parking lot. The 80-foot buffer would increase the original buffer (50 feet) identified in the July 2008 project revisions by 30 feet. The one-way drive aisle would also be relocated further south from the San Ramon properties. Relocation of the parking spaces to the flat area of the existing athletic field would not result in significant view impacts from residences on Vista del Mar, as additional landscaping is proposed to screen views of the east parking lot from uses south of the site (Exhibits 7a, 7b, 7c, and 7d in Appendix A.1 provide an updated view of the east parking lot and rose garden identified on Exhibits 5.2-20a, 5.2-20b, and 5.2-20c in the October 2007 Draft EIR). Impacts would remain less than significant in this regard.

Although City Staff recommended relocating 40 parking spaces from the lower tier of the parking lot to the flat area of the existing athletic field to further reduce impacts to neighboring properties on San Ramon Drive, the City Council found that an increased buffer of this size was not necessary, and that the 80-foot setback with which the

College concurred was sufficient to ensure that potential impacts to neighbors were mitigated to less than significant levels.

As part of the July 2008 project modifications, the rose garden, originally located at the south/southeastern terminus of the east parking lot has been reconfigured and relocated further southwest from the east parking lot and the rear property line for the residence on Vista del Mar. A concrete walkway between the east parking lot and the Library would provide access to the five foot wide decomposed granite ("D. G.") pathway that forms the rose garden. Although seating within the rose garden is not currently proposed, the area would nonetheless serve as an overlook and low level night lighting would be provided. The rose garden, however, would be closed between sunset and sunrise. Signs would be posted identifying the hours of use. Additional landscaping is proposed to screen views of the east parking lot and rose garden from uses south of the site.

The Draft EIR determined that impacts from development of the athletic field and tennis courts in the western portion of the site would result in less than significant impacts to the visual character of the site and its surroundings. As part of the July 2008 project modifications, the tennis courts have been reconfigured in a north-south orientation. However, the size, number, and location of the courts remain unchanged from the previously proposed project description. A 10-foot tall recreation fence is being proposed at the eastern tennis courts. The chain link fence with a green or black mesh would be 80 percent open to light and air and would not result in view obstruction from surrounding uses. The recreation fence would be allowed provided that a Minor Exception Permit for the 10-foot tall fence is approved.

The size and location of the athletic field would be consistent with the previously analyzed project description. The playing surface of the soccer field would be depressed (with a 2:1 slope bank). An approximately three to six foot tall (measured from the top of slope) continuous landscape screen is proposed around the field adjacent to Palos Verdes Drive East, extending to the tennis courts to buffer views from the residential uses west of the project site and to capture errant balls. Depending upon the height and location, the proposed landscape screen would alter existing views of the Pacific Ocean and Catalina Island, resulting in a potentially significant impact. Section 17.76.030 of the City's Development Code limits landscaping adjacent to a six-foot fence within the front and side setback area to 42 inches. To ensure that potential view impairment impacts associated with the proposed landscape screen would not occur, Mitigation Measure TR-9 is imposed on the Final Project.

To ensure that errant balls are sufficiently contained, a combination of wrought iron fencing along the curvature of Palos Verdes Drive East adjacent to the athletic field at six-feet in height and 80 percent open to light and air and 30-foot retractable netting around the north, south, and west sides of the athletic field are required. Further, 20-foot fencing is required for the western tennis courts. The provision of fencing and netting in compliance with Mitigation Measure TR-9 would not significantly impair views.

The fencing and netting would be 80 percent open to light and air and the netting, although 30.0 feet tall, would only be permitted during hours of play involving balls (during non-play times the temporary netting would be required to be retracted), further minimizing potential view obstruction. Existing views of the Pacific Ocean and Catalina Island would continue to predominate regardless of the tennis court fencing and retractable netting. Thus, impacts would remain less than significant in this regard.

Overall, in consideration of the development proposed at the top of the south-facing slope, development of the proposed Athletic Building with the reduced height would not result in a significant and unavoidable visual character impact. The Athletic Building, along the south-facing slope, would be partially shielded and views of the south-facing slope and vegetation would continue to predominate. Therefore, impact to the visual character of the south-facing slope associated with the Athletic Building and the eliminated Residence Halls would not occur.

Views analyzed in the October 2007 Draft EIR would not be significantly altered by proposed project modifications encompassed by the Final Project. As discussed, the modular buildings would be prefabricated one-story buildings on a raised foundation with a flat roof, for a total height of approximately 15 feet to the peak of the roof. The rooflines of all the modular structures, including any roof-mounted mechanical equipment would be lower than the building to which it is adjacent, thus the modular units would not block any views. To reduce potential temporary view impacts resulting from the placement of modular buildings along the south-facing slope, mitigation measure AES-4 requires submittal of a Landscape Plan prior to issuance of a grading permit for the modular buildings that provides for additional tree plantings on the south-facing slope to further screen the modular buildings from areas to the south.

The modified landscaping plan would further buffer and screen proposed improvements from adjacent uses. However, existing views would remain relatively consistent or improved from those analyzed in the October 2007 Draft EIR. Thus, impacts would remain less than significant in this regard.

Minor lighting modifications would occur, providing additional needed lighting and to minimize spillover lighting impacts to adjoining properties. In response to mitigation measure AES-6 identified in the October 2007 Draft EIR, the previously proposed pole mounted lighting along the easterly boundary of the eastern parking lot has been removed. Additionally, the height of the proposed pole mounted lighting in all other parking areas would be reduced to 10.0 feet above finished grade, compared to the 16.0 feet previously proposed. Thus, potential lighting impacts would be lessened with the proposed modifications. Additionally, a one-way drive aisle with a buffer from adjacent residential uses would be created on the lower terrace of the eastern parking lot to direct cars away from the adjacent residences to reduce the potential impact of car headlights at night. Thus, impacts would remain less than significant in this regard.

Overall, with the exception of the modular buildings and the athletic field, proposed

project modifications would not introduce any new, different, or potentially adverse aesthetic/light and glare impacts not previously considered and addressed in the October 2007 Draft EIR. The Final Project would introduce temporary visual character impacts associated with the placement of the modular buildings along the south-facing slope. However, Mitigation Measure AES-4 requires a Landscape Plan and appropriate screening of the modular buildings prior to issuance of a grading permit, reducing potential impacts to a less than significant level. Additionally, the Final Project would introduce visual impacts associated with the introduction of landscaping around the athletic field. However, as required by the Development Code, the landscaping would be required not to exceed 42 inches in height, which would reduce potential visual impacts to a less than significant level.

B. AIR QUALITY

Many of the Project's potential air quality impacts have been determined to be less than significant without mitigation, as discussed in Section V above. Below are the air quality impacts that have been determined to be less than significant through the imposition of various mitigation measures. For the reasons set forth below, the impacts will not conflict with or obstruct implementation of the applicable air quality plan, violate any air quality standard or contribute substantially to an existing or projected air quality violation result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors), expose sensitive receptors to substantial pollutant concentrations; or create objectionable odors affecting a substantial number of people.

1. Construction Related Impacts

Short-term air quality impacts are predicted to occur during grading and construction operations associated with the implementation of the proposed Project. The following potential air quality construction impacts associated with fugitive dust emissions, ROG emissions from the application of asphalt and surface coatings, total construction emissions (including construction equipment and worker vehicle exhaust), and the exceedance of localized significance thresholds will be reduced to a level of insignificance with the imposition of various mitigation measures. Additionally, proposed project modifications in the Final Project would not produce any new significant air quality impacts, or require the imposition of further mitigation to ensure the following construction related impacts are reduced to a level of insignificance.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the potentially significant construction related impacts as identified in the EIR. Specifically, the following mitigation measures are imposed upon the Project to mitigate impacts to less than significant levels:

AQ-1 Prior to issuance of any Grading Permit, the Director of Public Works and the Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with South Coast Air Quality Management District Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures, as specified in the South Coast Air Quality Management District's Rules and Regulations. In addition, South Coast Air Quality Management District Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:

- All active portions of the construction site shall be watered to prevent excessive amounts of dust;
- On-site vehicle speed shall be limited to 15 miles per hour (mph);
- All on-site roads shall be paved as soon as feasible or watered periodically or chemically stabilized;
- All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust; watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day;
- If dust is visibly generated that travels beyond the site boundaries, the Applicant shall conduct street cleaning along the roadways impacted by dust (i.e., Palos Verdes Drive East and/or Crest Drive), surrounding the Project site;
- If dust is visibly generated that travels beyond the site boundaries, clearing, grading, earth moving, or excavation activities that are generating dust shall cease during periods of high winds (i.e., greater than 25 mph averaged over one hour) or during Stage 1 or Stage 2 episodes;
- All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site;
- All delivery truck tires shall be watered down and/or scraped down prior to departing the job site; and
- No more than 5.0 acres per day shall be graded.

AQ-2 Prior to issuance of any Grading Permit, the Director of Public Works and the Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with South Coast Air Quality Management District Rule 403, ozone precursor emissions from construction equipment vehicles shall be controlled by maintaining equipment engines in proper tune per manufacturer's specifications, to the satisfaction of the City Engineer. Maintenance records shall be provided to the City. The City Inspector shall be responsible for ensuring that contractors comply with this measure during construction.

AQ-3 Prior to issuance of any Grading Permit, the City shall verify that the construction contract standard specifications include a written list of instructions to be carried

out by the Applicant/Construction Manager specifying measures to minimize emissions by heavy equipment for approval by the Director of Public Works. Measures shall include provisions for maintenance of equipment engines, measures to avoid equipment idling more than two minutes, and avoidance of unnecessary delay of traffic along off-site access roads by heavy equipment blocking traffic.

AQ-4 During construction and in compliance with South Coast Air Quality Management District Rule 1113, ROG emissions from architectural coatings shall be reduced by using pre-coated/natural colored building materials, water-based or low-ROG coatings and using coating transfer or spray equipment with high transfer efficiency.

AQ-5 Prior to issuance of any Grading Permit, the Project Engineer shall include the following measures on the Grading Plan, to the satisfaction of the Director of Public Works and Building Official:

- The General Contractor shall utilize electric- or diesel-powered stationary equipment in lieu of gasoline powered engines where feasible; and
- Work crews shall turn off equipment when not in use.

(b) Facts in Support of Findings

The construction related air quality emissions will be reduced to a level of insignificance, for the reasons set for the below.

Fugitive Dust

Fugitive dust emissions include both PM10 and PM2.5. Construction activities are a source of fugitive dust (PM10) emissions that may have a substantial, temporary impact on local air quality. Fugitive dust emissions are associated with land clearing, ground excavation, cut-and-fill operations and truck travel on unpaved roadways (including demolition as well as construction activities). Additionally, fine particulate matter (PM2.5) is mostly produced by the mechanical process, including automobile tire wear, industrial processes such as cutting and grinding, and re-suspension of particles from the ground or road surfaces by wind and human activities such as construction. However, with the imposition of the applicable mitigation measures articulated above which require that fugitive dust emissions be controlled, both PM10 and PM2.5 will not exceed SCAQMD standards, and fugitive dust emissions would be less than significant.

ROG Emissions

The application of asphalt and surface coatings creates reactive organic gas (ROG) emissions. ROG emissions are ozone precursors, and have the potential to cause a significant impact. Mitigation Measure AQ-4, which requires that all architectural coatings for the proposed Project structures comply with the SCAQMD standards, will

ensure that any potential ROG emissions impact is reduced to a level of insignificance.

Total Construction Emissions (including those from Construction Equipment and Worker Vehicle Exhaust)

Potential construction emissions include ROG's (as articulated above), NOx, CO, SOx, PM2.5, and PM10. Construction would occur in phases over an eight-year period; thus, it has been assumed that the greatest emissions would be generated within the first stages of development of each phase, during site grading and demolition activities. Additionally, the greatest ROG emissions would typically occur during the final stages of development of each phase due to the application of architectural coatings. The recommended mitigation measures provide a reduction in PM10 and PM2.5 emissions. The applied mitigation measures would not provide reductions to pollutants such as NOx and CO. The proposed Project would be required to comply with all mitigation measures, which specify compliance with SCAQMD rules and regulations, as well as proper consultation with the City prior to grading activities. With implementation of Mitigation Measures AQ-1 through AQ-5, the proposed construction would result in a less than significant impact.

Localized Significance Thresholds

The SCAQMD has also developed localized significance threshold methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts that impact sensitive receptors. The closest sensitive receptors would be homes directly surrounding the Project site. The homes are located approximately 50 to 100 feet from the site. As more fully detailed in the EIR, mitigation measures AQ-1 through AQ-5 would ensure that the proposed construction activities of the Project would not exceed the localized significance thresholds during the construction phases.

2. Operational Emissions

Total operational emissions of the Project, as well as localized Carbon Monoxide (CO) emissions associated with vehicle traffic and CO hot spots, have the potential to cause a significant air quality impact of the Project. However, with the imposition of mitigation, any potential impacts will be reduced to a level of insignificance. Additionally, proposed modifications embodied in the Final Project will not alter the impacts, or the required mitigation, to ensure a less than significant impact.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant operational air quality impacts as identified in the Draft EIR. Specifically, the following mitigation measures are imposed upon the Project to mitigate impacts to less than significant levels:

AQ-6 Prior to issuance of any Building Permit, the Applicant shall demonstrate to the satisfaction of the Building Official that the Project complies with Title 24 of the California Code of Regulations established by the California Energy Commission regarding energy conservations standards.

AQ-7 Prior to issuance of any Grading Permit, the Applicant shall submit for review and approval by the Director of Public Works and Community Development Director, a Transportation Demand Management (TDM) Plan that is applicable to students, faculty and staff. The TDM Plan shall include, but not be limited to, preferential parking for vanpooling/carpooling, subsidy for transit pass or vanpooling/carpooling, flextime work schedule and the location of bicycle racks throughout the College campus.

(b) Facts in Support of Findings

Total Operation Emissions

Project emissions would represent increased emissions for ROG by approximately 15 percent. However, emissions for NOX, CO, SO2, PM10, and PM2.5 would decrease with implementation of the Project. As more fully detailed in the EIR, emissions associated with the Final Project would not exceed SCAQMD thresholds. Therefore, impacts would be less than significant. Although the anticipated emissions from the proposed Project would not result in exceedances of SCAQMD thresholds, Mitigation Measure AQ-6 would require the Project to comply with Title 24 of the California Code of Regulations established by the California Energy Commission. All recommended mitigation measures and Project Design Features would help reduce long-term air quality impacts; therefore, emissions are anticipated to be less than significant.

Localized CO Emissions

The Project would result in an overall increase in the local and regional CO emissions pollutant load, but would not exceed SCAQMD thresholds. Although impacts are not anticipated to exceed SCAQMD thresholds, mitigation measure AQ-7 requiring a Transportation Demand Management Plan would support the reduction of any long-term operational impacts. With mitigation, impacts are anticipated to be less than significant.

C. BIOLOGICAL RESOURCES

1. Wildlife Species

The Draft EIR identified that three sensitive wildlife species, consisting of the Palos Verdes Blue Butterfly, El Segundo Blue Butterfly, and western Burrowing Owls had the potential to occur on the project site, but none were expected to occur because of lack of suitable habitat. Nevertheless, the Project includes mitigation measures to ensure a less than significant impact.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effects identified in the Draft EIR. Specifically, the following mitigation measures are imposed upon the Project to mitigate the potentially significant impacts to less than significant levels:

BIO-1 Prior to issuance of any Grading Permit, a habitat assessment for the El Segundo blue butterfly (*Euphilotes battoides allyni*) shall be conducted by a qualified biologist permitted by the USFWS to conduct surveys for this species, approved by the Community Development Director, and paid for by the Applicant. If any El Segundo blue butterfly is located in the impact area, authorization from the UFWS shall be required prior to commencing any construction activities in the surveyed area. Authorization can occur through either Section 7 or 10 of the FESA. The authorization process would require a preparation of Biological Assessment or Habitat Conservation Plan (HCP), which would include a Special Status Plant Mitigation Program to avoid or minimize impacts to this species. The Special Status Plant Mitigation Program may include avoiding the habitat of this species or purchasing off-site habitat for this species.

BIO-2 The Applicant shall hire, at the Applicant's expense, a qualified Biologist, approved by the Community Development Director, who shall conduct a focused survey for active raptor nests no more than 30 days prior to commencement of any grading or construction or the removal of the gum trees, if such activity occurs during the breeding season between February 1 and June 30. If an active nest is found, some restrictions on grading activities may be required in the vicinity of the nest until the nest is no longer active as determined by a qualified Biologist.

(b) Facts in Support of Findings

Three sensitive wildlife species were identified as having the potential to occur on the Project site: the Palos Verdes Blue Butterfly (*Glacopsyche lygdamus palosverdesensis*), El Segundo Blue Butterfly (*Euphilotes battoides allyni*) and western Burrowing Owl. Neither milk-vetch nor deerweed were observed on the Project site. The Palos Verdes Blue Butterfly is not expected to occur on the Project site due to the lack of suitable habitat. Therefore, Project implementation would result in a less than significant impact in this regard. However, to ensure no impacts to this species would occur, mitigation measure BIO-1 is included in the Project. This mitigation BIO-1 requires that a habitat assessment be conducted for the El Segundo Blue Butterfly by a biologist permitted by the U.S. Fish & Wildlife Service prior to commencing construction as an additional means to confirm whether the species has moved into the property. With implementation of this mitigation measure, potential impacts to this species would be reduced to less than significant.

Besides the potential three sensitive wildlife species, nesting raptors have the potential to occur on the Project site. No raptor (bird of prey) nests were observed in the immediate vicinity of the Project area. However, raptor species have the potential to nest in the gum trees located at the northwestern portion of the study area. Therefore, impacts to raptors (i.e., the loss of an active raptor nest) resulting from removal of the existing gum trees would be considered a violation of the CDFG Code, thus, a significant impact. However, regulations by the CDFG prohibit activities having the potential to disturb active raptor nests, a protection that is generally discontinued once nesting activity is complete. Mitigation is recommended requiring that a survey for active nests be conducted 30 days prior to commencement of construction, if construction occurs during the breeding season (February 1 to June 30). With implementation of the recommended mitigation BIO-2, Project implementation would result in less than significant impacts in this regard.

2. Special Status Species

The Draft EIR identified the potential for an impact on special status habitat based on two drainage channels located on-site (eastern drainage and western drainage) that have the potential to contain wetlands and/or riparian habitat.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effects identified in the Draft EIR. Specifically, the following mitigation measure is imposed upon the Project to mitigate the potentially significant impacts to less than significant levels:

BIO-3 Prior to issuance of any Grading Permit, a jurisdictional delineation shall be conducted by the Applicant to determine whether the two drainage channels are under the jurisdiction of ACOE and CDFG. If these agencies have jurisdiction over the Project's study area, permits or waivers thereof, would be required from one or both of these agencies prior to issuance of any Grading Permit. The Applicant shall be required to comply with all permit conditions from the ACOE and/or CDFG. Conditions of these permits may include, but are not limited to, the replacement of habitat value within the jurisdictional areas impacted. The replacement may come in the form of habitat restoration and/or enhancement onsite or in the immediate vicinity at the discretion of the permitting agencies.

(b) Facts in Support of Findings

Neither drainage channel located on-site (eastern drainage and western drainage), that has the potential to contain wetlands and/or riparian habitat, appeared to have riparian (water-dependent) vegetation during prior survey. Although no water was present on the surface of either of the drainage channels during the survey, if circumstances

changed, they may be determined to be under the jurisdiction of the ACOE and/or CDFG. Permits/agreements from these agencies may be required prior to any alteration of these areas. Mitigation BIO-3 is recommended requiring that a jurisdictional delineation be conducted to determine whether either of the two drainage channels is under the jurisdiction of ACOE and CDFG. If these agencies are determined to have jurisdiction over the Project site, permits or waivers thereof, would be required from one or both of these agencies. Acquisition and implementation of these permits may constrain development and impacts to these areas should be minimized to the extent practicable.

3. Conflict with Wildlife Species Covered by the City of Rancho Palos Verdes' Natural Community Conservation Subarea Plan

The Draft EIR identified three potential species known to occur in the vicinity of the Project site that are covered by the City of Rancho Palos Verdes' Natural Community Conservation Subarea Plan.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effects identified in the Draft EIR. Specifically, the following mitigation measure is imposed upon the Project to mitigate the potentially significant impacts to less than significant levels:

BIO-1 Prior to issuance of any Grading Permit, a habitat assessment for the El Segundo blue butterfly (*Euphilotes battoides allyni*) shall be conducted by a qualified biologist permitted by the USFWS to conduct surveys for this species. If any El Segundo blue butterfly is located in the impact area, prior to issuance of any Grading Permit, a Special Status Plant Mitigation Program shall be developed in consultation with the appropriate resource agencies if the status of the species and the size of the population warrant a finding of significance.

(b) Facts in Support of Findings

The following three species are covered by the City's Subarea Plan and are known to occur in the vicinity of the Project site: (1) El Segundo Blue Butterfly (*Euphilotes battoides allyni*); (2) Palos Verdes Blue Butterfly (*Glaucopsyche lygdamus palosverdesensis*); and (3) Coastal California Gnatcatcher (*Poliopitila californica*).

The El Segundo Blue Butterfly has a limited potential to occur on the Project site based on the limited distribution of ashy-leaf buckwheat, which is a possible, but not certain host plant. With implementation of the recommended mitigation BIO-1, which requires that a habitat assessment be conducted for the ESB by a USFWS-permitted biologist, potential impacts to this species would be reduced to less than significant.

Additionally, the Palos Verdes Blue Butterfly's known, existing, and historical locations are not on or adjacent to the Project site, nor is it expected to occur on the Project site due to the lack of suitable habitat. Similarly, California Coastal Gnatcatcher are not expected on the Project site due to the lack of suitable habitat. The known gnatcatcher locations are not on or adjacent to the Project site. Further, this species is not expected to occur on the Project site due to lack of suitable habitat.

With mitigation, no significant impacts to these wildlife species covered by the City's Subarea Plan are expected from development of the proposed Project. Also, no significant impacts to regional planning efforts are expected from Project development. Therefore, Project implementation would not conflict with the provisions of the City adopted Natural Community Conservation Subarea Plan, since the Project site is not within that plan.

D. GEOLOGY AND SOILS

The Project's potential impacts on geology and soils that can be mitigated or are otherwise less than significant are discussed in the EIR. Identified impacts include seismic groundshaking, ground failure, and expansive soils.

1. Strong Seismic Ground Shaking

Given the highly seismic character of the Southern California region, and being in close proximity to several known active and potentially active faults, severe ground shaking should be expected during the life of the proposed structures. Therefore, people and structures may be exposed to potential adverse effects from seismic groundshaking.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Final Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following mitigation measure imposed upon the Project mitigates impacts to less than significant levels:

GEO-1 Prior to issuance of any Grading Permit or Building Permit for Phases I, II, and III (as outlined in DEIR Section 3.5, Phasing) of the Project, the Applicant shall comply with each of the recommendations detailed in the Preliminary Grading Plan Review and Geotechnical Response to City of Rancho Palos Verdes (ASE, June 28, 2002, 2005), and other such measure(s) as the City deems necessary to adequately mitigate Project geotechnical impacts, which may include, but not be limited to, the following during each construction phase of the Project:

- Ingrading mapping and inspections by the Project geotechnical engineer/engineering geologist, and/or City Inspector.
- Corrosivity and expansivity soil testing upon completion of rough grading.

- Final compaction testing upon completion of precise grading.

(b) Facts in Support of Findings

The potential geological impacts from construction and operational activities of the Project have been eliminated or substantially lessened to a level of less than significant by virtue of the mitigation measures identified in the EIR. Recommendations and specifications of the geotechnical investigation, as well as compliance with all City Building and Safety standards and requirements, would guide the design and construction of the Project, and are intended to mitigate seismic impacts. In addition, the Project would be required to conform to the latest edition of the UBC, which includes design measures to mitigate against seismic hazards. The UBC and City of Rancho Palos Verdes building standards would be enforced through review of plans and inspection of structures during construction. By incorporating recommendations of the geotechnical investigation reports as required through implementation of mitigation measure GEO-1, and complying with the UBC and City of Rancho Palos Verdes standards, Project impacts related to ground shaking would be less than significant. Consideration of part of the overall grading as “remedial” due to exclusion of the Residence Halls does not change these conclusions.

2. Other Seismically Induced Hazards

The Project could result in the exposure of people or structures to potential effects associated with settlement or landslides.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant related environmental effects as identified in the Draft EIR. Specifically, mitigation measure GEO-1, as set forth above, and as imposed upon the Final Project mitigates impacts to less than significant levels.

(b) Facts in Support of Findings

Seismically Induced Ground Settlement. Unconsolidated soils, such as colluvium and poorly compacted artificial fill on the Project site, are subject to seismically induced ground settlement. Currently, no existing campus buildings appear to overlie any significant amount of these soils. However the proposed buildings would rest atop artificial fill soils, unless the artificial fill soils are removed during grading. These impacts would be considered significant unless mitigated. The Project proposes that all loose/compressible soils be removed during grading and that engineered fill be placed on very dense and competent bedrock. With implementation of mitigation recommended in the preliminary Grading Plan Review and Geotechnical Responses pertaining to site grading, impacts relative to seismically induced settlement would be reduced to a less than significant level. As all proposed buildings would be founded on either compacted fill soils or bedrock, the potential for seismically induced settlement is

not anticipated.

The Project, as analyzed in Appendix A of the Final EIR, includes revisions to certain slope configurations resulting from the removal of the Residence Halls, reconfiguration of the east parking area, and modifications to the rose garden. Geotechnical-related impacts of the proposed buildings in the Final Project associated with soils/bedrock units would be reduced through over-excavation of the bedrock and re-compaction as engineered fill beneath the proposed buildings. Impacts would be less than significant in this regard, with implementation of identified mitigation.

The potential geological impacts from construction and operational activities of the Project have been eliminated or substantially lessened to a level of less than significant by virtue of the mitigation measures identified in the EIR. Recommendations and specifications of the geotechnical investigation, as well as compliance with all City Building and Safety standards and requirements, would guide the design and construction of the Project, and are intended to mitigate seismic impacts. In addition, the Project would be required to conform to the latest edition of the UBC, which includes design measures to mitigate against seismic hazards. The UBC and City of Rancho Palos Verdes building standards would be enforced through review of plans and inspection of structures during construction. By incorporating recommendations of the geotechnical investigation reports as required through implementation of mitigation measure GEO-1, and complying with the UBC and City of Rancho Palos Verdes standards, Project impacts related to other seismically induced hazards would be less than significant. Consideration of part of the overall grading as “remedial” due to exclusion of the Residence Halls does not change these conclusions.

3. Soil Erosion

Implementation of the proposed Final Project could trigger or accelerate erosion, such that slope failure could occur.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant related environmental effect as identified in the EIR. Specifically, the following mitigation measure imposed upon the Project mitigates impacts to less than significant levels:

GEO-2 Prior to issuance of any Grading Permit or Building Permit, the Grading Plan and Landscape Plan shall demonstrate, to the satisfaction of the City Engineer, City Geologist, and City Building Official, that the plans have been designed such that:

- Runoff, including irrigation run-off, at the eastern parking lot shall be prohibited from draining onto adjacent properties including the South Shores Landslide;
- Drainage shall be prohibited from flowing over the top of the south-facing slope,

ponding, or soaking; and

- Runoff from all hardscape areas and any disturbed area in conjunction with the Project construction, particularly the parking lots, shall be prohibited from draining onto the south-facing and east-facing slopes and neighboring properties, as required by the City; all runoff shall be diverted to on-site storm drains.

To reduce the potential impact resulting from slope deformation one or more of the following measures shall be implemented prior to the issuance of any grading permit:

- Design and build improvements with flexible joints between individual structures to accommodate slope deformation; and
- Set the foundation for improvements deeper and use less flexible materials that will resist soil movement.

In the event improvements within the creep zone cannot be avoided, a soil engineer shall assess the depth of the creep zone and determine if the proposed improvements would contribute to slope deformation. The Applicant shall comply with each of the recommendations identified by the soil engineer to reduce any potential slope deformation impacts associated with the proposed improvements to the satisfaction of the City Engineer, City Geologist, and City Building Official.

(b) *Facts in Support of Findings*

Adverse surface drainage could promote accelerated soil erosion, which could undermine proposed structures and lead to surficial slope failures on either manufactured or natural slopes. Therefore, impacts associated with soil erosion would be considered significant unless mitigated. The Project would be subject to compliance with the mitigation recommended in the Preliminary Grading Plan Review and Geotechnical Responses (ASE, 2002, 2005, 2009) pertaining to the removal and recompaction of soils, and the mitigation recommended to reduce the Project's hydrology and drainage impacts. To further lessen potential impacts associated with soil erosion, mitigation has been adopted which prohibits irrigation along the eastern parking lot that drains onto the South Shores Landslide. Additionally, mitigation has been adopted, which prohibits runoff from draining onto the south-facing slopes; all runoff would be diverted to on-site storm drains. Following compliance with the recommended mitigation, impacts associated with soil erosion would be reduced to less than significant. It is also noted that implementation of grading in accordance with Code Section 17.76.040(B)(2)(a), *Grading Permit*, and the National Pollution Discharge Elimination System permit requirements would further minimize impacts in this regard. Consideration of part of the overall grading as "remedial" due to exclusion of the Residence Halls does not change these conclusions.

4. Expansive Soils

The proposed Project could be located on expansive soils, creating substantial risks to

life or property.

(a) Findings

Changes or alterations have been required in, or incorporated into the Project that avoid or substantially lessen the significant environmental effect as identified in the EIR. Specifically, mitigation measure GEO-1, discussed above, imposed upon the Project mitigates impacts to less than significant levels.

(b) Facts in Support of Findings

Laboratory test results indicate that the on-site soils and portions of the bedrock are considered to have a “moderate to very high” expansion potential. Expansive soils could result in significant distress in the form of cracking and/or differential uplift of concrete footings and floor slabs when the soils become wet. With implementation of the mitigation measures recommended in the Preliminary Grading Plan Review and Geotechnical Responses (ASE, 2002, 2005, 2009), which include additional tests during/after grading to confirm the degree of soil expansion, impacts associated with expansive soils are considered less than significant. In addition, impacts associated with expansive soils would be further lessened through compliance with City Code Chapter 15.04, *Building Codes*. Because the Project would be designed and constructed in conformance with recommendations included within the various geotechnical reports and all applicable local, state, and federal regulations, such as the UBC, impacts to life and property from expansive soils would be less than significant. Consideration of part of the overall grading as “remedial” due to exclusion of the Residence Halls does not change these conclusions.

5. Slope Stability

Development of the proposed project could be located on a geologic unit or soil that is unstable or that could, as a result of the Project, become unstable.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant related environmental effect as identified in the EIR. Specifically, the following mitigation measure imposed upon the Project mitigates impacts to less than significant levels:

GEO-3 Prior to issuance of any Grading Permit, the Final Grading Plans shall specify that the oversized (i.e., one- to three-foot-wide blocks) that are generated from excavation of the one- to two-foot-thick (+/-), discontinuous layers and/or lenses of very hard, silica and/or calcium-magnesium carbonate cemented siltstone, which is commonly referred to as “PV Stone,” shall not be placed in engineered fills unless their location and disposal methods are specifically reviewed and approved by the Project Soils Engineer and City Engineer. No rock crushing shall occur onsite.

See also Mitigation Measures GEO-2, HYD-1, HYD-2, and HYD-3.

(b) Facts in Support of Findings

The geologic structure (i.e., orientation) of weak bedding planes within the site's bedrock is both neutral (i.e. favorable) to adverse along portions of the southwest-facing slope. More specifically, the results of ASE's (2005) slope stability analyses indicate that the uppermost portions of the natural and overlying man-made fill soils along the top of the slope, along the southern side of the Project area (i.e., the area adjacent to the previously proposed Residence Halls), does not possess an adequate factor-of-safety against failure. Consequently, ASE has recommended incorporation of soil buttresses along the upper portions of the slope, which would provide the necessary factor of safety of 1.5 for static and 1.15 pseudo static conditions. The Preliminary Grading and Drainage Plan (March 13, 2007) depicted a laterally extensive buttressed slope along the southwest facing natural slope at the southeast corner of the Project site. Proposed keyway excavations for the buttress fills, which are associated with creating more stable slopes along the southerly margin of the Project site, would not require shoring.

A slope stability analysis was also performed for the natural and overlying man-made fill portion of the slope bordering the eastern side of the campus, which also demonstrated an inadequate factor of safety. In this region of the Project site, ASE has recommended a 150- to 220-foot-wide "structural setback" for the proposed Library from the top of the slope.

Surface water runoff from the parking lot may flow onto the slope bordering the eastern side of the campus. According to the Preliminary Grading and Drainage Plan, all surface water runoff from the parking area along the eastern side of the Project is designed to flow in a southerly direction. Drop inlets along the southern edge of the parking lot would then capture this water, which would not allow the runoff to flow over the top of the slope above the South Shores Landslide, nor over the top of the southerly-facing slope. Additionally, the Drainage Plan indicates that a detention basin is proposed on the south-facing slope. The surface water runoff and basin have the potential to trigger or accelerate erosion that could result in slope failure. In particular, the basin is considered a potentially significant impact to slope stability unless mitigated. These potential impacts associated with slope stability would be reduced to less than significant with implementation of the recommended mitigation, which requires that the basin design include an impermeable liner and adequate secondary overflow. Additionally, mitigation is recommended, which prohibits drainage and runoff from flowing across the south-facing slope. With implementation of the recommended mitigation, the proposed Project would result in less than significant impacts associated with slope failure from surface water runoff.

All of the bedrock units are considered easily excavatable using conventional earth moving equipment and rock crushing would not be necessary. However, based on the character of the bedrock in this area of the City, there are likely to be one- to two-foot-

thick (+/-), discontinuous layers and/or lenses of very hard, silica and/or calcium-magnesium carbonate cemented siltstone, which is commonly referred to as "PV Stone." Although these layers/lenses can be readily excavated with conventional earth moving equipment, the one- to three-foot-wide blocks that are generated from their excavation should not be placed in engineered fills beneath any of the new buildings. Further, there are generally accepted methods for incorporating these hard blocks in portions of engineered fills that do not directly support structures. With implementation of the mitigation recommended in the Preliminary Grading Plan Review and Geotechnical Response (ASE, 2002, 2005), and the recommended mitigation regarding the placement or hauling off-site of excavated materials, fill slopes are anticipated to be both surficially and grossly stable, provided they are properly maintained. With implementation of the recommended mitigation, impacts in this regard would be considered less than significant.

As to the Final Project, compliance with the geotechnical recommendations by ASE (May 19, 2009), including removal of any bentonite bed encountered during excavation, and shoring of trenching in the shear key with appropriate backfilling, the storm drain will not affect the stability of the existing or proposed slopes. Consideration of part of the overall grading as "remedial" due to exclusion of the Residence Halls does not change these conclusions.

6. Landslides

Development of the proposed Project could increase the number of people and structures exposed to potentially significant effects associated with landslides.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, imposition of mitigation measure GEO-2, as set forth above, upon the Project mitigates impacts to less than significant levels.

(b) Facts in Support of Findings

Both Keith Ehler (1997) and ASE (2002, 2005) consider the zone of potential slope instability identified by C. Michael Scullin (1983) on the slope in the southeastern corner of the site to be lacking sufficient features to indicate a zone of deep creep or landsliding, and is most likely underlain by in-place bedrock.

With respect to the Project's potential to experience an impact from or have an impact on the existing South Shores Landslide situated approximately 200 feet east of the Project site, ASE (2002, 2005) provide salient recommendations. These include the establishment of a structural setback for new buildings from the top of the slope above the South Shores Landslide; and grading recommendations to direct surface water runoff away from the top of all natural and man-made slopes. From a soils engineering

and engineering geologic point of view, the proposed improvements would have no impact (adverse or otherwise) on the South Shores Landslide, provided the Project: 1) is graded in accordance with the local codes; 2) is graded in accordance with the recommendations and grading specifications presented in ASE's 2002 and 2005 geotechnical reports; and 3) complies with the recommended mitigation, which prohibits drainage and surface water runoff from flowing onto the adjacent slopes. The Project would be subject to compliance with the City Development Code and the UBC, which would lessen potential impacts in this regard. To further reduce potential impacts in this regard, mitigation is recommended, which involves the prevention of flow onto adjacent slopes.

Further, the Project and removal of the grasscrete material will minimize the amount of water that could otherwise percolate into the South Shores Landslide area, and incorporation of catchment basins should prevent water from flowing onto the man-made slopes, as well as over the natural east-facing slope above the South Shores Landslide. As such, the Project, with mitigation measures, will not result in a significant impact with respect to landslide potential. Consideration of part of the overall grading as "remedial" due to exclusion of the Residence Halls does not change these conclusions.

E. HYDROLOGY AND WATER QUALITY

1. Drainage and Hydrology.

The proposed Project would alter drainage patterns, which could result in increased runoff amounts and erosion potential.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant related environmental effect as identified in the EIR. Specifically, the following mitigation measures imposed upon the Project mitigate impacts to less than significant levels:

HYD-1 Prior to issuance of any Grading Permit, the Director of Public Works and the City Engineer shall review and approve a Revised Storm Drain Plan. Such Plan shall:

- Include an on-site storm water collection system designed to prevent the flow (sheet or concentrated) from eroding the natural hillside surrounding the Project site.
- Identify how storm drains and catch basins are designed to control stormwater leaving the campus.
- Control erosion downstream of the development.
- Include storm drains designed to convey flows per Los Angeles County

Standards.

- Includes a system of storm drain pipes that would divert the flow to the proposed storm drain system.

Calculations shall be provided to the Director of Public Works and the City Engineer indicating that the diversion area does not impact the existing storm drains (i.e., no more than the existing condition flow at any given time).

HYD-2 Increased flows from Watersheds A and BC shall be mitigated with the installation of a detention basin (i.e., Watershed A Sub-Basin and Watershed BC Sub-Basin), as illustrated on Exhibit 5.7-3, *Proposed Storm Drain Layout*, and Exhibit 5.7-4, *Detention Basin Layout*, or where determined by the Director of Public Works and the City Engineer, to reduce the peak flow. The detention basin shall be designed such that:

- The 2- through 100-year storm events are mitigated.
- Water would be detained a minimum of 24 hours, but not greater than 96 hours, pursuant to Vector Control District standards.
- Berms shall be provided at Palos Verdes Drive East to allow adequate free board. The flow leaving the detention basin shall be maintained equal to the existing condition.
- Watershed A Sub-Basin shall include an outlet that ties into the storm drain system at Node 1.
- Watershed BC Sub-Basin shall include an outlet that drains to the storm drain system at Nodes 2 and 3.
- The pipe outlets that would drain the sub-basin shall be sized to allow no more than the existing condition flow out of the detention basin at any given time.
- Water quality requirements shall be satisfied through detention basin design. The extended detention basin shall serve also as a flood control detention basin.
- Adequate secondary overflow shall be provided.
- An impermeable liner shall be provided to eliminate saturation of soil in the vicinity.
- Maintenance of the detention basin shall be the Applicant's responsibility.

HYD-3 Prior to issuance of any Grading Permit or Building Permit for each phase of the Project, the Preliminary Grading and Drainage Plan shall be updated to specifically address the modified athletic field and tennis courts in the western portion of the site with respect to altered drainage patterns and runoff amounts.

(b) *Facts in Support of Findings*

The Preliminary Hydrology Report for Marymount College prepared by MAC Design Associates (July 6, 2006) is the hydrologic analysis and was provided by the Applicant, and was thereafter independently reviewed by the City's environmental consultant. These were utilized to determine drainage patterns and storm drain locations in order to

assess Project impacts.

HYDROLOGY

Project hydrology (based on proposed flow paths and storm drain locations) was completed by RBF Consulting to determine the impacts that the new development would have on runoff. Hydrologic analyses were performed in June 2007 in accordance with Los Angeles County Hydrology Method.

The watershed subarea boundaries were delineated utilizing topographic mapping, the *Master Plan*, a site visit and proposed Project maps. Hydrologic parameters used in the analysis, such as rainfall and soil classification, are as presented in the *Los Angeles County Hydrology Manual (January 2006)*.

Proposed Watershed Description

The proposed storm drain layout utilizes the same discharge points used in the existing condition and accounts for changes to the watershed areas and the percentage of impervious surfaces.

Similar to the existing condition, the proposed drainage area has been divided into three watersheds: Watershed A, Watershed BC and Watershed D. Hydrologic properties such as slope, assumed drainage patterns, soil type and vegetation were characterized for each subarea. The watershed subareas were utilized to develop a “link-node” model. The subareas range from 1 to 38 acres in size.

In the proposed condition, the watershed delineation changes slightly from the subareas defined by the *Master Plan (Existing Condition)* due to Project-related grading, the construction of new buildings and increases of impervious areas (parking lots, walkways and buildings). As a result, the proposed Project would alter the existing drainage patterns. Changes in tributary area would also influence flowrate. An increase in flowrate could result in increased flooding offsite. The impacts are considered potentially significant if not mitigated.

In addition, without mitigation to reduce the flow downstream, the increased runoff can contribute to onsite erosion of the hillside. A detention basin, storm drains and catch basins would be required to mitigate erosion downstream of the Project.

With increased and potential concentrated flows, significant erosion may occur. The area of particular concern is south of the existing athletic field, because the South Shores Landslide occupies the area further south. Mitigation is recommended to prevent the further erosion of the natural hillsides downstream of the Project site and to direct flows away from the South Shores Landslide. Specifically, the recommended mitigation requires preparation of a Revised Drainage Plan, which includes a storm water collection system to prevent the flow (sheet or concentrated) from eroding the natural hillside. A system of storm drainpipes would be required to divert the flow to the

proposed storm drain system.

The proposed detention basin, which involves Watershed A and BC Sub-Basins, is proposed at the bottom of the south-facing slope adjacent to Node 1. The proposed location of the detention basin is considered a potentially significant impact to slope stability unless mitigated. Therefore, mitigation has been recommended requiring that the detention basin be lined to eliminate saturation of soil in the vicinity and to eliminate the concerns of locating a detention basin on a slope.

The detention basin would be designed as a storm water and water quality detention basin to satisfy required hydraulic and water quality mitigation. The basin would detain water a maximum of 96 hours, pursuant to Vector Control District requirements. The detention basin would be required to mitigate the 2- through 100-year storm events. These facilities are commonly paired with a flood control detention basin. Maintenance of any detention basin associated with the Project would be the responsibility of the College. Underground pipes would direct flows from the proposed site to their respective sub-basins. The Watershed A Sub-basin would require an outlet that ties into the storm drain system at Node 1. The Watershed BC Sub-basin would require an outlet that drains to the storm drain system at Nodes 2 and 3. The pipe outlets that would drain the detention basin (i.e., both sub-basins) are required to be sized to allow no more than the existing condition flow out of the sub-basins at any given time.

Stormwater mitigation would be required to reduce the Project's drainage impacts to a less than significant level. Specifically, the recommended mitigation involves requirements for onsite storm drains to be designed to convey flows per Los Angeles County Standards and for detention basin calculations regarding the diversion area to be provided. With implementation of these drainage mitigation measures, drainage impacts would be reduced to a less than significant level.

Project Condition Surface Water Hydrology

The Rational Method and Modified Rational Method were used for developing the peak runoff rates (discharge) for the Project condition 10-year and 50-year storms.

Flow is assumed to cross the campus via storm drain. The Project condition would increase the amount of impervious surface, as compared to the existing condition. The change in impervious area has the potential to cause significant downstream impacts, particularly since many on the cross culverts downstream of the Project site are hydraulically deficient; refer to the *Existing Conditions* discussion in the Draft EIR.

The proposed Project would alter hydrology due to onsite grading and increases in impervious area. This could result in existing storm drains being undersized due to the increased flows onsite. Thus, the impacts are considered potentially significant if not mitigated.

Table 5.7-8, *Flow Comparison*, compares the flowrate for the three watersheds that

have been analyzed. The increased flows in Watersheds A, BC and D are considered a significant impact, since the facilities downstream of Watersheds A, BC and D are all hydraulically or maintenance deficient. The increase would cause a greater amount of flooding on Palos Verdes Drive East cross-culvert No. 2-27, 2-25 and 25th Street cross-culvert No. 2-26, as denoted in the 1998 Master Plan.

Stormwater mitigation would be required to reduce the Project's hydrology impacts to a less than significant level. Specifically, the recommended mitigation involves requirements for the provision of an onsite detention basin for increased flows if the existing storm drains are undersized. The detention basin would be required for Watershed A and BC. With implementation of this hydrology mitigation measure, hydrology impacts would be reduced to a less than significant level, and off-site flow rates would not increase. The mitigation is also sufficient to address the impacts associated with the Final Project.

2. Water Quality – Construction

Grading, excavation and construction activities associated with the proposed Project could impact water quality due to sheet erosion resulting from exposed soils and subsequent deposition of particles and pollutants in drainage areas.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant related environmental effect as identified in the EIR. Specifically, the following mitigation measures imposed upon the Project mitigate impacts to less than significant levels:

HYD-4 The hydrological and drainage improvements identified in Mitigation Measures HYD-1 and HYD-2 shall be completed during the Phase I grading period and prior to issuance of the Building Permit for the Phase II buildings (i.e., Library, Maintenance, or Athletic).

HYD-5 Prior to issuance of any Grading or Building Permit, and as part of the Project's compliance with the NPDES requirements, a Notice of Intent shall be prepared and submitted to the Los Angeles RWQCB providing notification and intent to comply with the State of California general permit. Also, a Stormwater Pollution Prevention Plan (SWPPP) shall be reviewed and approved by the Director of Public Works and the City Engineer for water quality construction activities onsite. A copy of the SWPPP shall be available and implemented at the construction site at all times. The SWPPP shall outline the source control and/or treatment control BMPs to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable." The SWPPP shall contain, at a minimum, the BMPs outlined in Appendix 13.6, Hydrology and Water Quality Data.

HYD-6 Prior to issuance of any Grading Permit, the Applicant shall prepare, to the

satisfaction of the Director of Public Works and the City Engineer, a Water Quality Management Plan, which includes Best Management Practices (BMPs), Structural Measures and Adaptive Management, under the guidelines in Development Planning for Stormwater Management - A Manual for the Standard Urban Stormwater Mitigation Plan (SUSMP) prepared by Los Angeles County Department of Public Works (2002) or the most current/updated version. The WQMP shall contain, at a minimum, the BMPs outlined in Appendix 13.6, Hydrology and Water Quality Data.

(b) Facts in Support of Findings

Construction controls are separated from other water quality management because the measures are temporary and specific to the type of construction. Construction of the proposed Project has the potential to produce typical pollutants such as nutrients, heavy metals, pesticides and herbicides, toxic chemicals related to construction and cleaning, waste materials including wash water, paints, wood, paper, concrete, food containers and sanitary wastes, fuel and lubricants.

As part of its compliance the NPDES requirements, a Notice of Intent (NOI) would need to be prepared and submitted to the Los Angeles RWQCB providing notification and intent to comply with the State of California general permit. Prior to grading or construction, a Stormwater Pollution Prevention Plan (SWPPP) is required for the construction activities onsite. Implementation of recommended mitigation (i.e., compliance with the NPDES requirements) would reduce construction-related impacts to water quality to a less than significant level. The conclusions remain the same for the Final Project.

3. Water Quality – Long Term

Implementation of the proposed Project could result in long-term impacts to the quality of stormwater and urban runoff, subsequently impacting water quality.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, mitigation measure HYD-6, set forth above, imposed upon the Project mitigates impacts to less than significant levels.

(b) Facts in Support of Findings

A Water Quality Management Plan is required prior to issuance of any grading permit for the proposed Project under the guidelines in *Development Planning for Stormwater Management- A Manual for the Standard Urban Stormwater Mitigation Plan (SUSMP)* prepared by Los Angeles County Department of Public Works. The SUSMP conforms to the NPDES permit requirement for Los Angeles County.

Project implementation would increase impervious areas and would increase the level of activity at the Marymount College campus. As a result, impacts to stormwater quality would occur. The Project would increase pollutant loadings immediately offsite and would potentially violate water quality standards. The pollutants that would be expected with implementation of the proposed Project include typical pollutants found in stormwater runoff; refer to the *Existing Setting* Section. Without mitigation, the Project would be expected to increase pollutant loadings, including hydrocarbons, fertilizers, pesticides, trash and sediment.

The specified mitigation requires preparation of a comprehensive WQMP that includes both Structural and Non-Structural BMPs and complies with the SUSMP, as required by the Los Angeles RWQCB and NPDES permits. With mitigation, potential impacts of the Project in this regard would be reduced to a less than significant level.

F. LAND USE AND PLANNING

1. City of Rancho Palos Verdes General Plan

The Project could conflict with the land use plan, policies, or regulations of the city of Rancho Palos Verdes general plan.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. The modifications involve withdrawal of the Residence Halls, and the relocation of the Athletic Building north by one-foot from the 906' elevation contour, resulting in no portion of the Athletic Building being sited within an existing extreme slope area.

Thus, these previously identified significant and unavoidable impacts associated with construction over extreme slopes would no longer occur.

(b) Facts in Support of Findings

The *General Plan* contains elements mandated by the State. The consistency analysis of the proposed Project with the applicable goals and policies of each *General Plan* Element is provided in Table 5.1-1, *General Plan Consistency Analysis*, and is incorporated herein by reference, except as modified in the Final EIR and as discussed herein. The *General Plan* further identifies issues and contains requirements for development, which pertain to the Project, as set forth in the *Environmental Setting* discussion in the Draft EIR. The Draft EIR concluded that the Project was consistent with all *General Plan* policies with the exception of one (Urban Environment Element Residential Activity Policy 11 (“Control the alteration of natural terrain”), for the reasons set forth in the Draft EIR.

The Draft EIR concluded that impacts would be significant and unavoidable as to Urban Environment Element Residential Activity Policy 11 because of the grading and the construction over extreme slopes. However, in response to comments on the Draft EIR and reconsideration of the issues related to general plan inconsistency, the Final EIR concludes that the Project would be consistent with Residential Activity Policy 11 of the Urban Environment Element. Specifically, project implementation is subject to review and approval of a Major Grading Permit, which, with appropriate conditions of approval, would control the alteration of the natural terrain and minimize grading. The proposed Athletic Building and Residence Halls (although not part of the Final Project) are designed to be cut into the site in order to maintain the general contours of the terrain and minimize the profile of the structures. Further, with the exclusion of the Residence Halls, and the relocation of the Athletic Building off of the extreme slope area, impacts would be reduced further.

Land Use Plan. The Project site is designated Institutional - Educational (I-E) in the *General Plan* Land Use Policy Map. The Project does not propose to change the current land use, but rather, proposes to expand the existing facilities. Therefore, Marymount College would continue to operate as a private educational institution. The Project would be consistent with the site's existing land use designation and a less than significant impact would result in this regard.

The Land Use Plan notes the Project's "environmental impacts must be mitigated through proper design." Mitigation and project revisions have been recommended in this EIR and during the proceedings to avoid or lessen the Project's potential environmental impacts.

In summary and as is evidenced by the analysis presented above, Project implementation would be in compliance with the relevant policies of the Rancho Palos Verdes General Plan. Further, the modifications contemplated in the Final Project do not alter this conclusion.

2. City of Rancho Palos Verdes Development Code

The proposed project could conflict with the land use plan, policies or regulations of the City of Rancho Palos Verdes development code.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. The project modifications involve withdrawal of the Residence Halls, and relocation of the overall building footprint of the Athletic Building north by one-foot from the 906' elevation contour, resulting in no portion of the Athletic Building being sited within an existing extreme slope area.

Thus, these previously identified significant and unavoidable impacts associated with construction over extreme slopes would no longer occur.

(b) Facts in Support of Findings

The Project site is zoned Institutional (I) District. The consistency analysis of the proposed Project with the relevant standards of the Development Code is provided in Draft EIR Section 5.1. With completion of the necessary entitlement procedures applicable to the Project and by complying with the specific development provisions set forth in the City's Development Code, the Final Project conforms to the Development Code's requirements. Although the Draft EIR concluded that the Project would be inconsistent with the Development Code because of construction over an extreme slope, the Final Project does not contemplate any construction over an extreme slope. As such, the Final Project would not conflict with the provisions of the Development Code.

Code Section 17.11.140 (Affordable Housing Requirements for Nonresidential Project)

Because the proposed Project involves construction, expansion, or intensification of nonresidential uses (i.e., Institutional) and includes an application for a CUP whereby more than 10,000 SF of space would be created, the Project would be subject to the requirements of this Code section. However, the Final Project would result in less than 10 new employees, and the affordable housing provisions would not apply.

Approval of the entitlements for the Final Project, and compliance with the Mitigation Measures and conditions of approval, demonstrates compliance with the relevant provisions of the Development Code, and no land use impacts would result.

G. NOISE

The proposed Project has the potential to cause long-term stationary noise impacts.

1. Long-Term Stationary Noise Impacts

Project implementation would create both new noise sources and would eliminate/relocate existing noise sources. The major noise sources associated with the proposed Project that may impact nearby residences include the following: Mechanical equipment (i.e., trash compactors, air conditioners, etc.); Slow moving delivery/supply trucks on the Project site, approaching and leaving the loading docks; Activities at the loading docks (i.e., maneuvering and idling trucks, banging and clanging of equipment); Parking lots (i.e., car door slamming, car radios, engine start-up and car pass-by); Landscape maintenance; Athletic field (i.e., practices, games and athletic tournaments); Tennis courts; and Outdoor pool.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effects identified in the Draft EIR. Specifically, the following mitigation measures are imposed upon the Project to mitigate impacts to less than significant levels:

NOI-2 Prior to issuance of any Certificate of Occupancy, the Applicant shall submit a noise analysis that demonstrates to the satisfaction of the Community Development Director and the City Engineer, that site placement of stationary noise sources would not exceed noise standards indicated in the State Land Use Noise Compatibility Guidelines for adjacent residences (i.e., Community Noise Exposure (Ldn or CNEL, DBA) for Residential – Low Density, Single-Family would be 50 – 60/Normally Acceptable, 55 –70/Conditionally Acceptable, 70 – 75/Normally Unacceptable, and 75 –85/Clearly Unacceptable).

NOI-3 Prior to issuance of any Building Permit, the Applicant shall demonstrate, to the satisfaction of the Community Development Director, compliance with the following:

- All mechanical equipment shall include specifications on quiet equipment;
- All mechanical equipment shall be properly selected and installed according to manufacturer’s specifications, and shall include sound attenuation packages;
- To the extent possible, all mechanical equipment shall be oriented away from the nearest noise sensitive receptors; and
- All mechanical equipment shall be screened and enclosed to minimize noise.

NOI-4 Prior to issuance of any Certificate of Occupancy, a subsequent noise analysis shall be prepared, to the satisfaction of the Community Development Director and the City Engineer, which demonstrates that all reasonable sound attenuation has been incorporated into the northeasterly and easterly parking areas (i.e., landscaping and brushed driving surfaces), such that noise from the parking areas has been minimized.

NOI-5 Prior to issuance of any Certificate of Occupancy, the Marymount College Code of Conduct shall be reviewed and approved by the Planning Commission at a duly noticed public hearing. The provisions of the Code of Conduct shall outline measures for minimizing operational/stationary source noise impacts to the surrounding neighborhoods that would also minimize the need for police enforcement). The City or Applicant could initiate revisions or modifications to the Code of Conduct, which shall be reviewed and approved by the Planning Commission at a duly noticed public hearing. The Code of Conduct shall, at a minimum, include

provisions for the parking lots, common open space area , and security measures, in order to ensure stationary noise impacts are minimized, and shall specify the following provisions, among others:

- “Quiet Hours” throughout the campus are designated between 10:00 PM and 7:00 AM; and
- Limitations on noise from congregations during quiet hours.

City review and approval of the Code of Conduct shall be limited to provisions related to potential Project impacts to adjacent neighbors (i.e., offsite) related to noise and police protection.

NOI-6 Use of the athletic field and tennis courts shall be prohibited between sunset and sunrise, seven days per week, unless a Special Use Permit for said use has been issued by the Community Development Director, pursuant to Code Chapter 17.62, Special Use Permits.

NOI-7 The use of amplified sound shall be prohibited at the proposed athletic field, tennis courts and swimming pool, and other outdoor gathering areas, unless a Special Use Permit for said use has been issued by the Community Development Director, pursuant to Code Chapter 17.62, Special Use Permits.

(b) Facts in Support of Findings

Mechanical Equipment

Mechanical equipment noise from various sources, including the proposed library, and the proposed Athletic Building, are not anticipated to exceed the City’s 65 dBA noise standard and a less than significant impact is anticipated. The Project eliminated any potential mechanical equipment noise source from the proposed Residence Halls. Although the mechanical equipment noise from the proposed Library and the proposed Athletic Building is anticipated to be a less than significant impact, the Project would be subject to the provisions of City Code Section 17.26.040.F, which restricts the operation of mechanical equipment that emits noise levels in excess of 65 dBA (as measured from the closest property line to the equipment) to between the hours of 7:00 AM and 7:00 PM, Monday through Sunday. Noise levels from mechanical equipment would be further minimized with the implementation of mitigation requiring the orientation of the equipment away from any sensitive receptors, proper selection of equipment and installation of equipment with proper acoustical shielding. With implementation of the recommended mitigation NOI-2 and NOI-3 and compliance with Code provisions, impacts from mechanical equipment would be further minimized and a less than significant impact will be ensured.

Parking Lots

Noise associated with operation of the parking lots to be reconfigured and expanded as

part of the Project would be a less than significant impact as noise at the nearest residences would not exceed the City's 65 dBA level. In particular, the Project plans a reconfiguration of existing parking lots in a respective westerly and easterly direction. In addition, parking would be removed from the top of the south-facing slope and a new parking area would be provided in the area currently occupied by the tennis and hardball courts, and athletic field. Modifications to the Project from that proposed in the EIR involve a reconfiguration of the east parking lot to relocate parking spaces along the shared east property line and installation of a landscape buffer, which would both lessen noise impacts in the area. Compliance with mitigation NOI-4 ensuring all sound attenuation from parking areas, and NOI-5 requiring review of the Marymount College Code of Conduct, the less than significant noise impact associated with the parking lots would be even further reduced.

Athletic Fields/Tennis Courts

The Project proposes to relocate the existing athletic field and tennis courts to the western portion of the Project site. Modifications to the Project would reconfigure the tennis courts in a north-south orientation. These modifications do not change the impact analysis contained in these findings or in the Draft EIR.

Noise associated with activities on the athletic field are not anticipated to exceed the City's 65 dBA standard as the nearest residences are 80 feet away from the proposed athletic field, and noise levels at the property line of the closest residences is estimated to be 54 dBA. Comments were raised during circulation of the Draft EIR, and a master response regarding noise was provided, based on the technical studies contained in the Draft EIR. The City has taken into consideration the short term and maximum noise levels that might occur, but concludes that with mitigation, the CNEL standards relied upon are not exceeded.

The distance between the proposed relocation of the tennis court and the property lines of residences is 110 feet, and noise is estimated to be 50.9 dBA, as more fully detailed in the EIR. Therefore, the 65 dBA CNEL standard would not be exceeded and a less than significant impact is anticipated.

To further lessen the already anticipated less than significant impact, compliance with mitigation measure NOI-6 and NOI-7 requiring particular usage times and prohibition of sound amplification equipment at the athletic fields and tennis courts, will ensure a less than significant impact.

Outdoor Pool Activity Noise

The proposed pool facilities would be located approximately 250 feet from the nearest sensitive receptors (residential uses across Palos Verdes Drive East). Based on the standard attenuation rate of 6 dBA per doubling of distance, pool activity noise would be less than 57 dBA Leq. Although pool activity may result in peak noise instances of 87.5 dBA Lmax at 35 feet, the continuous noise level is not anticipated exceed the City's 65

dBA CNEL noise standard. Noise from pool activities would be primarily attenuated due to the proposed retaining wall and grade differential between the pool and adjacent structures (i.e., pool elevation is approximately 898 feet and proposed Maintenance and Athletic buildings are approximately 912 feet). Noise from pool activities would be further attenuated by distance and intervening structures and vegetation that would block the line of sight of the pool from the adjacent residential uses. Additionally, roadway noise along Palos Verdes Drive East would mask peak noise levels. As a result, the continuous noise level is not anticipated to exceed the City's or EPA noise standards. Thus, a less than significant impact is anticipated. A less than significant impact will be ensured by the imposition of NOI-7, which requires that the use of amplification equipment at the outdoor pool be prohibited unless a Special Use Permit has been issued.

H. PUBLIC SERVICES AND UTILITIES

1. Police Protection

The Draft EIR articulated a potential increase in calls for service for police protection with Project implementation, especially in regard to the Residence Halls. The Residence Halls were withdrawn, and as a result will not cause any increase in impacts beyond those articulated in the Draft EIR.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effects identified in the Draft EIR. Specifically, the following mitigation measure is imposed upon the Project to mitigate the potentially significant impact to less than significant levels:

PSU-1 Prior to issuance of any Certificate of Occupancy, a private security program, reviewed and approved by the Planning Commission and the Los Angeles County Sheriff's Department at a duly noticed public hearing, shall be implemented at the campus enforcing the Project's Conditions of Approval and the Marymount College Code of Conduct; refer to Mitigation Measure NOI-5. The private security program shall, at a minimum, consist of a security patrol officer and a staffed security/info kiosk (during the Campus' operational hours).

(b) Facts in Support of Findings

The Los Angeles County Sheriff's Department (LACSD) advises that there could be an increase in calls for service as a result of Project implementation, including from the proposed Residence Halls (i.e., students living on campus resulting in 24-hour operation). An increase in calls for service would place a greater demand on police protection services. Although Project implementation could result in an increase in calls for service to the Project site, it would not generate the number of calls that warrants the construction of new police protection facilities, nor would it result in the need for

alteration of existing facilities. Further, the Project would not include the proposed Residence Halls. Thus, the potentially significant impact is even less so with project modifications. Nevertheless, recommended mitigation PSU-1 would require implementation of a private security program at the campus, as well as the City's review/approval of the Marymount College Code of Conduct. Following implementation of the recommended mitigation, the Project would result in a less than significant impact with respect to police protection services.

2. Solid Waste

The Draft EIR has identified potentially significant solid waste impacts due to the demolition and construction of the Project, and due to long-term operations of the Project.

(a) *Findings*

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effects identified in the EIR. Specifically, the following mitigation measures are imposed upon the Project to mitigate the potentially significant impacts to less than significant levels:

PSU-2 Prior to issuance of any Building or Grading Permit, an approved Construction and Demolition Materials Management Plan shall be prepared and submitted to the Director of Public Works for review and approval. Said Plan shall include:

- All demolition (buildings and hardscape), new construction and alterations/additions.
- How the Applicant proposes to divert 85 percent of the existing parking/paving, concrete walkways and other concrete or asphalt pavement away from land disposal.
- Identify where recycled material generated by the demolition of the existing buildings and parking areas will be stockpiled on-site and disposed.
- Identify measures to reuse or recycle 50 percent of the demolition and construction materials, including, but not limited to wood, metal and cardboard, to meet the City's diversion goal requirements, as established by AB 939.

PSU-3 Upon completion of demolition and construction, and prior to issuance of any Certificate of Occupancy, a Construction and Demolition Materials Disposition Summary shall be submitted to the Director of Public Works. The Summary shall indicate actual recycling activities and compliance with the diversion requirement, based on weight tickets or other sufficient documentation.

PSU-4 Where possible, the site design shall incorporate for solid waste minimization, the use of recycled building materials and the re-use of on-

site demolition debris.

PSU-5 The proposed Project shall incorporate storage and collection of recyclables into the Project design, and refuse collection contracts shall include provisions for collection of recyclables. Recycling shall be included in the design of the Project by reserving space appropriate for the support of recycling, such as adequate storage areas and access for recycling vehicles.

PSU-6 Prior to issuance of any Certificate of Occupancy, the Applicant shall, to the satisfaction of the Director of Public Works, implement a comprehensive Recycling Program on an on-going basis, including but not limited to the following measures:

- Grasscycle, use as mulch, or compost all greenwaste generated from the athletic field and landscape areas.
- Recycle all bottles, aluminum cans, glass and foodwaste.
- The existing paper recycling program shall be expanded to include the proposed improvements, including but not limited to the Library and Administration Building.
- Reports detailing the progress of the recycling for each academic year (including summer) shall be prepared and submitted to the Director of Public Works at the end of the academic year. Said report shall include the volume of tonnage that has been diverted to solid waste disposal, recycling, composting and grasscycling.

(b) Facts in Support of Findings

Site preparation (demolition of existing buildings and parking areas, vegetation removal and grading activities) and construction activities, would generate typical construction debris including wood, paper, glass, plastic, metals, cardboard and green wastes. The construction wastes would result in an incremental and intermittent increase in solid waste disposal at landfills and other waste disposal facilities within Los Angeles County. Implementation of the recommended mitigation PSU-2 through PSU-4 requiring preparation of a Construction Demolition Materials Management Plan, which addresses the recycling of building materials resulting from demolition and construction of the Project, would reduce construction-related solid waste impacts to a less than significant level.

The long-term operations associated with the proposed improvements would increase the volume of solid waste generated by the College. The increase in solid waste generation would increase the demand to provide disposal service and would impact the capacities at the Puente Hills Landfill and additional landfill facilities. Further, the increased solid waste generation would incrementally shorten the lifespan of the Puente Hills Landfill. The volume of the Project's solid waste, which would be ultimately disposed of at the Puente Hills Landfill, would be minimized through compliance with the requirements of AB 939 and AB 399. The Project would also be subject to

compliance with the provisions of Code Chapter 17.58, Recycle, which would facilitate the diversion of solid waste and recyclable materials from landfills. To further lessen potential impacts in this regard, mitigation measures PSU-5 and PSU-6 have been adopted.

I. TRANSPORTATION, TRAFFIC, AND CIRCULATION

The EIR analyzed the traffic related impacts of the Final Project, concluding that all impacts could be mitigated to less than significant levels with the exception of a cumulative impact at the intersection of Palos Verdes Drive East and Palos Verdes Drive South, which is discussed more fully in Section VII below.

1. Construction Traffic

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following mitigation measure imposed upon the Project mitigates impacts to less than significant levels:

TR-1 Prior to issuance of any Demolition or Grading Permit, the Community Development Director shall review and approve the Construction Management Plan, which shall specify the following, at a minimum:

- Demolition debris hauling and materials delivery shall be scheduled, as indicated below, to avoid the peak hour traffic period and minimize obstruction of through traffic lanes adjacent to the site. If necessary, a flag person shall be retained to maintain safety adjacent to existing roadways:
 - Weekdays: Hauling and deliveries shall be scheduled between 9:00 AM and 4:00 PM, with consideration given to reduce deliveries during the 11:30 AM to 1:30 PM lunch period.
 - Saturdays: Hauling and deliveries, if any, shall not occur during the peak hour period of 11:30 AM to 1:30 PM.

There shall be no idling or staging of equipment or accumulation of vehicles on Rancho Palos Verdes City streets. Staging of trucks for the hauling of all demolition debris shall be limited to the College campus.

(b) Facts in Support of Findings

The Project would be constructed in three phases over an eight-year period. The Grading Plan proposes a balanced cut and fill on the Project site; thus, no import/export of material would be required, excluding select fill (building material, gravel, sand, and

rock). The proposed demolition, grading, and construction activities would, however, generate traffic from construction workers (approximately 100) and truck haul trips.

During each construction period, demolition debris hauling and materials delivery would be scheduled for the least inconvenient time period to the public, avoiding the peak traffic period. Truck traffic would be directed to minimize congestion within the City of Rancho Palos Verdes and would require approval by the City. Mitigation is recommended, which requires preparation of Construction Management Plan that specifies the provisions for debris hauling and deliveries, among other things.

As previously noted, demolition, grading, and construction activities would generate traffic from worker vehicles and truck haul trips. However, the resultant traffic impacts are not expected to be significant, based on the following:

- Construction workers are estimated to generate approximately 200 average daily trips (two trips per worker), which would not constitute a substantial percentage of current daily volumes in the area or significantly impact the levels of service at area intersections.
- The proposed construction would be phased over eight years; for certain phases of construction, there would be fewer workers onsite.
- For certain phases of construction, construction would occur during the summer when school is not in session or during breaks in the academic calendar, thereby, reducing construction worker related trips.
- Construction workers may be instructed to park at the PV North Facility and take the shuttle to the campus, thereby, reducing construction worker related trips.

As such, given implementation of an approved Construction Management Plan that prescribes haul routes and times of operation that avoid peak-hour traffic, traffic impacts during construction activities would be less than significant.

2. Project Level Traffic Impacts compared to Existing Conditions

Project traffic could cause a significant increase in traffic when compared to the traffic capacity of the street system and could exceed an established standard.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following mitigation measures imposed upon the Project mitigate impacts to less than significant levels:

TR-2 Prior to issuance of the last Certificate of Occupancy for the Phase II buildings (i.e., Library, Maintenance, or Athletic Facility), the Applicant shall implement the following improvement and may be eligible in the future for partial reimbursement from future projects that result in impacts on this intersection:

- Palos Verdes Drive East/Miraleste Drive – Signalize the intersection. The intersection traffic signal shall be designed to include a westbound right-turn overlap, which would preclude u-turn movement from southbound to northbound Palos Verdes Drive East.

TR-3 Prior to issuance of the last Certificate of Occupancy for the Phase II buildings (i.e., Library, Maintenance, or Athletic Facility), the Applicant shall implement the following improvement, at the City’s direction, and may be eligible for reimbursement from future projects that result in impacts on this intersection:

- Western Avenue (SR-213)/Trudie Drive-Capitol Drive – Re-stripe the eastbound Trudie Drive approach from one shared left-turn/through lane and one de-facto right-turn lane to consist of one left-turn lane and one shared through/right-turn lane. The Project Applicant shall coordinate with the City of Rancho Palos Verdes, City of Los Angeles, and Caltrans regarding implementation of this mitigation.

TR-4 The traffic impacts and corresponding mitigation measures assume the Marymount College student enrollment at a maximum of 793 weekday students (based on the formula allowing 750 full-time students, 20 part-time students, and a marginal difference of 3.0 percent), and 150 weekend students. Additionally, it is assumed, Marymount College student enrollment as a maximum of 250 weekday students enrolled in the BA Program and a maximum of 793 weekday students minus current BA Program weekday students enrolled in the AA Program. Therefore, prior to issuance of any Certificate of Occupancy, student enrollment shall be limited to a maximum of 793 weekday students and 150 weekend students, including full- and part-time students, and maximum of 250 weekday students enrolled in the BA Program and a maximum of 793 weekday students minus current BA Program weekday students enrolled in the AA Program. The College shall submit to the City an Enrollment Report for each Term within an academic year for all Traditional and Non-Traditional Degree Programs and Summer Educational Programs no later than 30-days after a term has commenced.

(b) Facts in Support of Findings

The forecast Project trip generation in the Draft EIR considers the following:

- Construction of an additional 77,504 square feet of campus facilities consisting of:
 - 14,916 square feet of additions to existing buildings;
 - 26,710 square foot library;
 - 1,975 square foot maintenance building;
 - 33,243 square foot athletic facility; and
 - 660 square foot gallery connecting Residence Halls.
- Demolition of 18,022 square feet of campus facilities; and
- Construction of 128 dormitory rooms (58,504 square feet) occupied by a maximum of 250 full-time weekday enrolled students (including 10 residential student advisers) plus five faculty supervisors (Residence Assistants) for a total of 255 occupants; and
- Campus addition of 12 new security, custodial, and maintenance staff.

ITE Trip Generation published trip generation rates were used for the proposed uses to determine forecast trip generation of the Project. The trip rates are presented as "daily trip rate" and "peak hour rate." The daily trip rates consider the total number of trips generated by a land use during a 24-hour period and are identified for both the typical weekday and typical Saturday. Therefore, the trip rates take into account trips off campus. The peak hour trip rates consider the total number of trips generated by a land use during a peak 1-hour, which is considered the worst-case scenario for the surrounding circulation system. Hence, trips during non-peak hours, such as those anticipated from hypothetical Residence Hall occupants, would result in fewer impacts than during peak hours. Use of the *ITE* trip rates is an industry-accepted standard and methodology. It is noted, while the DEIR analysis did not independently study the impacts of the Residence Halls' nighttime and off-school hours, the impact analysis is more conservative in that it presents the worst-case scenario based on peak hour analyses. The traffic analysis is prepared at study intersections based on peak hour trips generated during times when the system is peaking rather than late at night or off-school hours.

ITE describes the Junior/Community College land use as including two-year junior, community, or technical colleges (four-year colleges or universities are described separately by ITE as the University/College land use). ITE trip rates are based on surveys of representative facilities throughout the United States. The ITE Junior/Community College category is assumed to include buildings serving administration and instruction, as well as ancillary uses such as library, cafeteria, athletic facilities, etc., but not on-campus dormitories. ITE trip rates for the Junior/Community College category is assumed to account for trips associated with students, faculty, and support staff.

As indicated in Final EIR Appendix A, the Revised Project excluding the Residence Halls is forecast to generate approximately 1,636 weekday daily trips, which includes approximately 177 weekday a.m. peak hour trips, approximately 183 weekday mid-day peak hour trips, approximately 157 weekday afternoon trips, and approximately 152 weekday p.m. peak hour trips.

Although ITE also publishes Junior/Community College trip generation rates based on enrolled students; therefore, if ITE trip generation rates based on enrolled students were used, the junior college component of the proposed project would generate no new weekday trips because enrollment is not proposed to change. The City Council finds that use of enrollment based generation rates would not be appropriate because it is unreasonable to expect that the proposed campus development would not increase student activity and traffic related thereto. For this reason, use of the enrollment generation rates is rejected.

The Revised Project and thus the Final Project is forecast to generate approximately 696 additional Saturday daily trips, which include approximately 87 additional Saturday mid-day peak hour trips.

The trip distribution utilized in this analysis is consistent with that identified in the October 2007 Draft EIR and is assumed to remain unchanged with the Final Project.

Based on City established thresholds of significance, the addition of Project-generated trips is forecast to result in a significant impact at the following study intersections for existing plus Project weekday conditions:

- Palos Verdes Drive East/Miraleste Drive (AM and PM peak hours); and
- Western Avenue (SR-213)/Trudie Drive-Capitol Drive (AM peak hour only).

Similar impacts would result from the Final Project.

Based on City of Los Angeles established thresholds of significance, the addition of Project-generated trips is forecast to result in a significant impact at the following study intersection for existing plus Project weekday conditions:

- Western Avenue (SR-213)/Trudie Drive-Capitol Drive (AM peak hour only).

Similar impacts would result from the Final Project.

Existing Plus Project Without Residence Halls Weekday Mid-day and Afternoon Peak Hour Intersection LOS

Based on City of Rancho Palos Verdes established thresholds of significance, the addition of Final Project-generated trips is forecast to result in a significant impact at the following study intersection for weekday conditions:

- Palos Verdes Drive East/Miraleste Drive (mid-day and afternoon peak hours).

Existing Plus Project Without Residence Halls Saturday Mid-day Peak Hour Intersection LOS

Based on City of Rancho Palos Verdes established thresholds of significance, the addition of project-generated trips is forecast to result a significant impact at the following study intersection for Final Project Saturday conditions:

- Palos Verdes Drive East/Miraleste Drive (mid-day peak hour).

As shown in the Final EIR, no significant impacts are forecast to occur at City of Rancho Palos Verdes study intersections assuming full implementation of the recommended mitigation measures for Project weekday conditions a.m. and p.m. peak hours.

As shown in the Final EIR, no significant impacts are forecast to occur at City of Los Angeles study intersections assuming full implementation of the recommended mitigation measure for the Project weekday conditions a.m. and p.m. peak hours.

As shown in the Final EIR, no significant impacts are forecast to occur at City of Rancho Palos Verdes study intersections assuming full implementation of the recommended mitigation measure for the Project weekday conditions mid-day and afternoon peak hour.

As shown in the Final EIR, no significant impacts are forecast to occur at City of Rancho Palos Verdes study intersections assuming full implementation of the recommended mitigation measure for the Project during Saturday mid-day peak hour conditions.

Signal Warrant Analysis

A *MUTCD* signal warrant analysis was prepared to determine if signalization is warranted at the four unsignalized study intersections for weekday and Saturday conditions for the following the signal warrants:

- § Minimum Vehicular Traffic Warrant;
- § Interruption of Continuous Traffic Warrant; and
- § Combinations Warrant.

Traffic signal warrants are satisfied at the following study intersection for existing plus Project conditions:

§ Palos Verdes Drive East/Miraleste Drive (weekday conditions only).

3. State Highway Analysis

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, mitigation measure TR-3, as set forth above, imposed upon the Project mitigates impacts to less than significant levels.

(b) Facts in Support of Findings

As indicated in the Final EIR, with the addition of project-generated trips, the Western Avenue (SR-213)/1st Street intersection is forecast to continue to operate at a deficient LOS (LOS D or worse) according to Caltrans performance criteria with the addition of the traffic from the Project during the various studied periods.

As indicated in the Final EIR, with the addition of project-generated trips, the following study intersections are forecast to operate at a deficient LOS (LOS D or worse) according to Caltrans performance criteria for forecast year 2012 with the Project in weekday conditions:

- Western Avenue (SR-213)/Trudie Drive-Capitol Drive (both a.m. and p.m. peak hour); and
- Western Avenue (SR-213)/1st Street (both a.m. and p.m. peak hour).

As also indicated in the Final EIR, the addition of project-generated trips is forecast to result in a significant impact at the Western Avenue (SR-213)/Trudie Drive-Capitol Drive intersection for forecast year 2012 with project without residence halls weekday conditions.

However, with the incorporation of the mitigation measures set forth above, each of these impacts is reduced to a less than significant level.

4. Parking

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, exclusion of the Residence Halls from the Project with no reduction in the amount of parking proposed results in a surplus of parking. However, introduction of the Bachelor of Arts degree programs, the following mitigation measures are required to ensure impacts remain less than significant.

TR-5 Prior to issuance of any Certificate of Occupancy, the Applicant shall institute, to the satisfaction of the Community Development Director and the Public Works Director, parking management strategies to reduce weekday College-related parking demand by the following values:

- 11 percent or greater for student enrollment between 744 and 793;
- 6 percent or greater for student enrollment between 694 and 743;
- 0 percent or greater for student enrollment of 693 or less.

Potential parking management strategies may include, but are not limited to, the following:

- Provision of “carpool only” parking spaces;
- Implementation of parking pricing for campus parking permits;
- Utilization of remote parking;
- Provision of increased shuttle services;
- Offering financial incentives; and
- Implementation of restrictions on parking allowed by residents of the Palos Verdes North Facility.

TR-6 A Parking Management Strategy Program shall be prepared and submitted by the Applicant for review and approval by the Community Development Director, by July 1st of every year. Said Program shall:

- Document the prior-year’s achieved parking demand reductions;
- Identify strategies for use in the upcoming academic school year; and
- Be modified on an as needed basis, as deemed necessary by the Community Development Director.

TR-7 The parking impacts and corresponding mitigation measures assume the Marymount College student enrollment as a maximum of 793 weekday students (based on the formula allowing 750 full-time students, 20 part-time students, and a marginal difference of 3.0 percent) and 150 weekend students. Additionally, it is assumed, Marymount College student enrollment as a maximum of 250 weekday students enrolled in the BA Program and a maximum of 793 weekday students minus current BA Program weekday students enrolled in the AA Program. Therefore, prior to issuance of any Certificate of Occupancy, student enrollment shall be limited to a maximum of 793 weekday students and 150 weekend students, including full- and part-time students, and maximum of 250 weekday students enrolled in the BA Program and a maximum of 793 weekday students minus current BA Program weekday students enrolled in the AA Program.

(b) Facts in Support of Findings

Parking operations associated with the project modifications are analyzed to determine if impacts are greater, the same, or less than those identified in the *Marymount College Facilities Expansion Project Traffic & Parking Impact Analysis* (September 28, 2007). The analysis includes review of parking capacity required based on City of Rancho Palos Verdes Parking Code, as well as based on observed college-related parking counts, including forecast demand associated with the proposed junior college project without residence halls component. The existing on-site parking requirements have been revised to reflect the updated number of student seats, as further verified by the College.

Existing On-Site Parking Required According to City Code

The parking capacity required according to City of Rancho Palos Verdes Parking code (RPVMC Section 17.50.020) to accommodate current on-site land uses based on the following existing conditions:

- Maximum student enrollment of 793 students;
- 215 employees and faculty members; and
- 648 student seats provided on campus.

According to City of Rancho Palos Verdes Parking Code, 635 parking spaces are currently required to accommodate the existing Marymount College.

Because the College currently provides 343 parking spaces, a 292 parking space deficiency currently exists based on City of Rancho Palos Verdes Parking Code. While parking spaces required by City code indicated a potential deficiency of 292 parking spaces, only 49 college-related vehicles were observed to park on the street during the weekday peak parking demand between 2:00 p.m. and 3:00 p.m. when 54 parking spaces were unoccupied on-campus.

According to the City of Rancho Palos Verdes Parking Code 640 parking spaces would be required to accommodate the entire Marymount College parking demand assuming completion of the proposed project.

Since the entire Marymount College, assuming completion of the Project, is planned to provide 463 parking spaces, a 177 parking space deficiency is forecast to occur based on City of Rancho Palos Verdes Parking Code.

Parking deficiencies are forecast to occur for existing and future conditions based on calculations using City code rather than observed parking counts, therefore an alternate parking analysis was prepared to more accurately portray future parking conditions assuming completion of the proposed Project.

The EIR summarizes the Marymount College-related weekday and Saturday peak hour parking ratio for existing conditions, based on observed parking demand during the Fall 2005 semester when weekday student enrollment was 658 students and weekend student enrollment was 80 students.

As indicated in the EIR, the existing peak parking ratio at Marymount College is 0.57 parked vehicles/student during weekday conditions and 0.12 parked vehicles/student during Saturday conditions. The parking ratio assumes all on-street parking associated with Marymount College is included, and therefore, forecast demand using these ratios assumes all Marymount College-related on-street parking activity is relocated on-campus.

Forecast parking demand for weekday and Saturday conditions was prepared utilizing the following assumptions:

- Maximum weekday student enrollment is 793 students (based on the formula allowing 750 full-time students, 20 part-time students, and a marginal difference of 3.0 percent);
- Maximum weekend student enrollment is 150 students (based on modified Project description and mitigation measure);
- Students would park at the campus based on the observed vehicle to student peak parking ratios;
- Calculations of parking spaces required assumes no Marymount College-related parking on adjacent streets, i.e., all on-street parking demand is relocated to on-campus parking areas;
- Parking spaces required for new student seats is based on City of Rancho Palos Verdes Parking Code for colleges and universities;
- Addition of 7 new security, custodial, and maintenance staff; and
- The cumulative projects identified within the traffic analysis section are not forecast to increase parking demand at the parking study area.

As indicated in Appendix A, since the proposed Project is planned to add 120 parking spaces to the existing 343 parking spaces, a six parking space surplus is forecast to occur during the weekday peak hour based on the observed weekday parking ratio and City of Rancho Palos Verdes Parking Code.

Appendix A summarizes the forecast parking capacity required for existing plus Revised Project Saturday peak hour conditions assuming a maximum weekend enrollment of 150 students, based on the observed Saturday parking ratio and City of Rancho Palos Verdes Parking Code. Since weekday enrolled students utilize the campus during

weekend conditions, the 793 maximum enrolled weekday students are included in the Saturday parking demand forecast.

As indicated in Table 35, since the proposed project is planned to add 120 parking spaces to the existing 343 parking spaces, a 345 parking space surplus is forecast to occur during the Saturday peak hour based on the observed Saturday parking ratio and City of Rancho Palos Verdes Parking Code.

However, with the introduction of the Bachelor of Arts programs, as analyzed in Appendix D, mitigation is required to ensure impacts do not occur. Therefore, mitigation measures identified in the Draft EIR as TR-5, TR-6, and TR-7, are necessary. Project revisions reduce potential parking impacts to less than significant levels.

5. Traffic Hazards

Project implementation could increase traffic hazards due to a design feature, in that the proximity of the athletic field to Palos Verdes Drive East could result in errant balls creating hazards for vehicles.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the Project's potential traffic hazard impacts, as identified in the EIR. Specifically, the following mitigation measure imposed upon the Project mitigates the cumulative impacts to less than significant levels:

- TR-9 Prior to issuance of any Grading Plan, the Project Plans shall be revised to include wrought iron fencing along Palos Verdes Drive East at approximately 6.0 feet in height and 80 percent open to light and air, temporary retractable netting along the northern, southern and western sides of the athletic field at approximately 30.0 feet in height, and chain link fencing at 20.0 feet in height around the perimeter of the western tennis courts and 10.0 feet in height around the perimeter of the eastern tennis courts so that errant balls are sufficiently contained, to the satisfaction of the Community Development Director. The retractable net shall only be extended during activities involving field balls at the Athletic Field, subject to the limitations set forth in Mitigation Measure AES-5. The Applicant shall be responsible for retracting the net. The use of a landscape screen around and adjacent to the wrought iron fence along the perimeter of the Athletic Field shall be limited to a maximum height of 42 inches.

(b) Facts in Support of Findings

The existing athletic field is proposed to be relocated to the western portion of the Project site; refer to Exhibit 3-5, Proposed Site Plan. Although the playing surface of

the athletic field would be depressed (2:1 slope bank) and a grade differential of approximately ten feet would exist between the field's northern boundary and Palos Verdes Drive East, due to the tennis courts' and field's proximity to the roadway, a major arterial in the City, the potential exists for errant balls to enter the roadway and create a hazard for motorists. Therefore, Project implementation could increase traffic hazards along portions of Palos Verdes Drive East resulting in a potentially significant impact unless mitigated. In order to reduce this potential traffic hazard to less than significant, mitigation is recommended which requires installation of a combination of fencing (approximately 6.0 feet in height and 80 percent open to light and air) and temporary retractable netting (approximately 30 feet in height during game activities involving field balls, i.e., footballs, soccer ball, etc.) along the north, south and west sides of the athletic field. Further, 20-foot tall fencing is required around the westerly tennis courts, and 10-foot tall fencing is required around the easterly tennis courts. With implementation of the recommended mitigation, potential traffic hazards associated with errant soccer balls entering the Palos Verdes Drive East would be reduced to less than significant.

6. Cumulative Traffic Impacts

(a) *Findings*

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the Project's contribution to cumulative traffic impacts as identified in the Draft EIR. Specifically, mitigation measures TR-2, TR-3, TR-4 and TR-5 imposed upon the Project mitigate the cumulative impacts to less than significant levels in all aspects except for the intersection of Palos Verdes Drive East and Palos Verdes Drive South, as discussed in Article VII below.

(b) *Facts in Support of Findings*

Full implementation of the recommended mitigation measures would reduce the significant cumulative impacts to a level considered less than significant at the following intersections for forecast year 2012 for both the Project and the Revised Project :

- Palos Verdes Drive East/Miraleste Drive;
- Palos Verdes Drive East/Palos Verdes Drive South; and
- Western Avenue (SR-213)/Trudie Drive-Capitol Drive.

Although one significant cumulative traffic impact remains, as discussed below, the remainder of the Project's cumulative impacts are mitigated to less than significant levels.

VII. Environmental Effects that Remain Significant and Unavoidable After Mitigation

In the environmental areas of construction related noise and cumulative traffic impact to the intersection of Palos Verdes Drive East and Palos Verdes Drive South, there are instances where environmental impacts would remain significant and unavoidable after mitigation. These areas are discussed below. Use of the term "Project" in this Section VII, shall mean the Final Project, unless context indicates otherwise.

A. NOISE

1. Construction Noise

Short-term construction related noise impacts are anticipated during the three phases of construction, as more fully detailed in the EIR.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effects identified in the EIR. Specifically, the following mitigation measure is imposed upon the Project to mitigate the potentially significant impacts :

NOI-1 Prior to issuance of any Grading Permit, the Applicant shall provide, to the satisfaction of the Community Development Director, a Noise Mitigation and Monitoring Program. Such plan shall ensure that the proposed Project provides the following:

- Construction contracts shall specify that all construction equipment, fixed or mobile, shall be equipped with mufflers maintained according to manufacturer's specifications and other state required noise attenuation devices.
- Property owners and occupants located within 0.25-mile of the Project construction site shall be sent a notice, at least 15 days prior to commencement of construction of each phase, regarding the construction schedule of the proposed Project. A sign, legible at a distance of 50 feet, shall also be posted at the Project construction site. All notices and signs shall be reviewed and approved by the Community Development Director, prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide the contact name and a telephone number of the Noise Disturbance Coordinator where residents can inquire about the construction process and register complaints.
- The Applicant shall provide, to the satisfaction of the Community Development Director, a qualified "Noise Disturbance Coordinator" who

shall be responsible for receiving, registering, and responding to any complaints about construction noise. When a complaint is received, the Coordinator shall notify the City within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Community Development Director. All notices that are sent to residential units within 0.25-mile of the construction site and all signs posted at the construction site shall include the contact name and the telephone number for the Disturbance Coordinator.

- Prior to issuance of each Grading or Building Permit, the Applicant shall demonstrate to the satisfaction of the City's Building Official how construction noise reduction methods such as shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.

Specific economic, social or other considerations make infeasible any additional mitigation measures or Project alternatives identified in the EIR, however, changes or alterations have been required in or incorporated into the Project which substantially lessen the significant impacts identified in the EIR.

(b) *Facts in Support of Findings*

Construction noise, which would occur during the proposed three phases of construction, would occur periodically throughout the duration of construction, although it would be most noticeable during the periods of demolition and site-intensive grading (over three months during Phase I). Also, noise sensitive receptors in proximity to the construction site would experience excessive noise levels intermittently during construction activities from Phase I through Phase III. Construction activities would be restricted pursuant to Code requirements and would cease upon completion of the construction. To further lessen construction-related noise impacts, a Noise Mitigation and Monitoring Program (NMMP) would be prepared that would require the muffling/placement of construction equipment and would place the stockpiling/ staging areas for construction vehicles away from sensitive receptors. Additionally, the NMMP would require the provision for a Noise Disturbance Coordinator whose responsibility would be to respond to any local complaints about construction noise, as well as provide noticing to all owners and occupants within a 0.25-mile radius of the Project site regarding construction the construction schedule. Furthermore, construction activities

are prohibited from taking place between the hours of 7:00 PM and 7:00 AM, Monday through Saturday, and Sundays or Federal Holidays. However, due to the construction related noise impacts identified above, short-term construction impacts would be significant and unavoidable and remain so, despite compliance with recommended mitigation NOI-1 and applicable Code requirements.

No additional feasible mitigation besides NOI-1 is available to reduce the short-term construction impact to a less than significant level, however adoption of the Project would result in an incremental reduction in the amount of construction noise because construction of the proposed Residence Halls would not occur.

The overriding social, economic, and other considerations set forth in the Statement of Overriding Considerations provide additional facts in support of these findings.

B. Cumulative Traffic Impact – Palos Verdes Drive East and Palos Verdes Drive South.

(a) Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effects identified in the Draft EIR. Specifically, the following mitigation measure is imposed upon the Project or Revised Project to mitigate the potentially significant cumulative traffic impact at Palos Verdes Drive East and Palos Verdes Drive South:

TR-8 Prior to issuance of any Certificate of Occupancy, the Applicant shall make a proportionate share contribution to implement the following, in addition to improvements specified in Mitigation Measures TR-2 and TR-3:

- Palos Verdes Drive East/Palos Verdes Drive South – Modify the intersection to provide a two-stage gap acceptance design for southbound left-turning vehicles. A raised median refuge area shall be constructed for vehicles to turn left from Palos Verdes Drive East to cross westbound Palos Verdes Drive South while waiting for a gap in eastbound traffic to complete the turn to eastbound Palos Verdes Drive South. Additionally, the existing raised median shall be narrowed to provide an acceleration lane along Palos Verdes Drive South to accommodate vehicles accelerating to join eastbound Palos Verdes Drive South traffic flow. Modifications to the Palos Verdes Drive East/Palos Verdes Drive South intersection shall be designed taking into account truck turning radius requirements and shall be to the satisfaction of the Public Works Director. Since the Palos Verdes Drive East/Palos Verdes Drive South intersection is impacted by the proposed Project for “Cumulative with proposed Project conditions,” a proportionate share contribution by the Project Applicant is applicable.

Specific economic, social or other considerations make infeasible any additional mitigation measures or Project alternatives identified in the EIR, however, changes or alterations have been required in or incorporated into the Project which substantially lessen the significant impacts identified in the EIR.

(b) *Facts in Support of Findings*

As indicated in the EIR, with the exception of cumulative traffic impacts (forecast year 2012 plus Project weekday and Saturday conditions), cumulative impacts would be less than significant. Since proposed project modifications would not result in new or significant changes to project impacts, new or significant changes to cumulative impacts beyond those identified in the EIR would not occur. The significant and unavoidable cumulative traffic impact from the Project at the Palos Verdes Drive East/Palos Verdes Drive South intersection would remain unchanged for the Project. All other cumulative impacts would remain less than significant with the implementation of recommended mitigation measures.

Feasible mitigation, consisting of a proportionate share contribution to the Palos Verdes Drive East/Palos Verdes Drive South intersection improvements has been required. However, payment of the fee likely will not enable the completion of the intersection improvements before the Project construction would be complete. Legal limitations on exactions limit the City's ability to require more than a fair share payment for this Project's contribution to the need for the improvement. While payment of the College's fair share will address the Project's incremental impact, it would not result in actual intersection improvements in the short term. Therefore, the significant impact at the Palos Verdes Drive East/Palos Verdes Drive South intersection would not be reduced to a level considered less than significant. A significant and unavoidable traffic impact would remain at the Palos Verdes Drive East/Palos Verdes Drive South intersection for forecast year 2012 with project without residence halls weekday conditions.

Specific economic and legal considerations make infeasible any additional mitigation measures or alternatives that would fully mitigate the cumulative impact at this intersection, although the fair share payment offsets this Project's portion of the cumulative impact.

VIII. Project Alternatives.

In defining Project alternatives that would be analyzed in the EIR, several alternatives were considered. The CEQA Guidelines stipulate that alternatives addressed in an EIR should be feasible and should not be considered remote or speculative.

As discussed below, the Draft EIR fully analyzed four alternatives. During the course of the deliberations on the EIR and the Project, the various alternatives were considered.

The City received various comments on the Draft EIR that suggested a “Sale of College Property” alternative, which envisioned that the College sell its property in Rancho Palos Verdes and relocate the entire campus to another unidentified location. Because this suggested alternative does not meet the basic Project objectives, and is not something that the City could require of the College, this alternative was rejected as infeasible and was not studied further.

A. ALTERNATIVE 1: NO DEVELOPMENT/NO PROJECT ALTERNATIVE

1. Summary of Alternative

The No Development/No Project Alternative would retain the Marymount College campus in its current condition. None of the improvements proposed, as part of the Project would occur. The campus would not be renovated and the existing buildings would not be modernized/expanded. Further, the new Library, Maintenance, Athletic Building, and Residences Halls would not be constructed, and the recreational and parking facilities would not be relocated/reconfigured.

Implementation of Alternative 1 would avoid both of the significant and unmitigable impacts because no construction activity would occur, and no change in the existing traffic patterns would result.

2. Reasons for Rejecting Alternative

The following objectives of the Project would not be met by this Alternative:

- To create an enhanced learning environment for the College’s students to enable the College to fulfill its religious and educational mission.
- To ensure that the College maintains its reputation as a distinguished institution of higher education by providing the type and quality of academic, residential and recreational facilities available at other liberal arts colleges.
- To provide additional course offerings and degree programs in response to student needs and to assist the College in retaining existing students and recruiting new students.
- To relocate parking facilities to improve the design of the campus and increase the number of parking spaces to reduce the need for off-site parking.
- To relocate outdoor athletic facilities away from nearby residences.
- To provide enhanced facilities for community activities.

3. Conclusion Regarding Alternative 1.

Although this Alternative is environmentally superior to the Project, the City Council hereby finds that failure to meet the main Project objectives set forth above is grounds for rejecting Alternative 1 as socially infeasible, which justifies rejection of Alternative 1. Further, the benefits of the Project, as set forth in the Statement of Overriding Considerations, warrant rejection of this Alternative.

B. ALTERNATIVE 2 – Reduced Density Alternative

1. Summary of Alternative

The Reduced Density Alternative involves the development of the Project's proposed improvements, however, at a reduced density as outlined in the Draft EIR. This Alternative would involve 18,022 square feet (SF) of building demolition and 14,916 square feet of building additions, similar to the proposed Project. Five new buildings would be constructed providing a total of 98,214 SF of floor area. Overall, this Alternative would involve the construction of 113,130 SF of new floor area, resulting in a total of 187,376 SF of floor area (existing and proposed). Comparatively, the net change in floor area resulting from this Alternative would be 19 percent less than the net change in floor area resulting from the proposed Project.

With this Alternative, the existing buildings would be modernized/expanded as proposed by the Project. One Residence Hall building would be developed, resulting in a total of 76 dormitory units (housing 149 students and one supervisor), in place of the proposed two Residence Halls. The Residence Hall would be designed as an "L-shaped" structure that would be setback further north of its currently proposed location and not on an extreme slope (grade of 35 percent or greater). Additionally, with this Alternative, a Library Building, Maintenance Building, and Athletic Facility would be developed, as with the currently proposed Project. The remainder of the campus grounds would be renovated with new landscaping, fountains, and hardscape walkways. The parking facilities would be relocated/reconfigured resulting in 463 parking spaces. As with the proposed Project, the athletic field and tennis courts would be relocated from the eastern portion of the College campus to the western portion. This Alternative involves a construction schedule where all of the proposed improvements are built concurrently (assumed two years), rather than in three phases over eight years, as proposed by the Project.

The Reduced Density Alternative would result in similar impacts as the initially proposed Project (which included residence halls) in most environmental impact areas analyzed, because it would involve improvements and a development footprint generally consistent with that of the proposed Project (excluding the south-facing slope). This Alternative would involve similar, although slightly reduced impacts, because it proposes 19 percent less floor area and 52 fewer dormitory units and a shortened construction period. The following discussion evaluates the potential environmental impacts associated with the Reduced Density Alternative, as compared to impacts from

the proposed Project.

2. Reasons for Rejecting Alternative

The following objectives of the Project would be met by this Alternative:

- To create an enhanced [living and] learning environment for the College's students to enable the College to fulfill its religious and educational mission.
- To ensure that the College maintains its reputation as a distinguished institution of higher education by providing the type and quality of academic, residential and recreational facilities available at other liberal arts colleges.
- To relocate parking facilities to improve the design of the campus and increase the number of parking spaces to reduce the need for off-site parking.
- To relocate outdoor athletic facilities away from nearby residences.
- To provide enhanced facilities for community activities.

The following objectives previously identified by the Applicant, but since eliminated because of withdrawal of the proposed residence halls, would be partially met by this Alternative:

- To provide on-campus housing for freshmen so they may take advantage of the full complement of academic, cultural, recreational and spiritual facilities and services offered on campus.
- To relocate housing to the campus in order to reduce traffic generation and impacts on local roads.

This Alternative generally would fulfill the proposed main Project's objectives as previously identified, although to a lesser degree than the initially proposed Project, because only one of the two Residence Halls would be constructed, resulting in a 40 percent reduction in dormitory units.

Given the withdrawal of the residence halls the reduced density Project would compromise the College's objectives with respect to its campus revitalization and modernization.

3. Conclusion Regarding Alternative 2.

Implementation of the Reduced Density Alternative would reduce the two significant and unavoidable impacts. The unmitigable construction noise would be reduced due to the reduced amount of construction. Similarly, the reduced density of the project would result in a proportional decrease in the level of cumulative traffic impacts at Palos

Verdes Drive East and Palos Verdes Drive South, however, the impacts would not be fully mitigated under this Alternative.

The City Council hereby finds that failure to fully meet the Project objectives set forth above would be an independent ground for rejecting Alternative 2 as socially infeasible and by itself, independent of any other reason, would justify rejection of Alternative 2. The Planning Council also finds that Alternative 2 is not environmentally beneficial because its impacts are similar to the unmitigable impacts associated with the Project. Further, the Applicant withdrew its request for residence halls, which are an integral part of this Alternative, and City Council declines to adopt an alternative with residence halls that the Applicant no longer proposes.

C. ALTERNATIVE 3 – Living Campus / Academic Campus Alternative

1. Summary of Alternative

Under this Alternative, development of the proposed Project would occur at two locations, rather than exclusively at the existing College campus in Rancho Palos Verdes. The two locations involved in this Alternative are: 1) the proposed Project site (i.e., Marymount College), which is located at 30800 Palos Verdes Drive East, in the City of Rancho Palos Verdes; and 2) the site of one of two existing off-site housing facilities (i.e., Palos Verdes North Living Facility), which is located at 1600 Palos Verdes Drive North, in the Harbor City portion of the City of Los Angeles.

The Palos Verdes North Living Facility (PV North Facility) involves approximately 11.4 acres. Approximately 2.0 adjacent acres have been identified as geologically constrained in a 1988 Rough Grading Report prepared for the U.S. Navy. This property was formerly a part of a 47-acre U.S. Navy Surplus property that was used for Naval housing. In April 2004, the Federal government, through the Department of Education, transferred title to the site to Marymount College, subject to certain restrictions on the use, encumbrance, and transfer of the property (including a right of reverter to the Federal government if not used for educational purposes) for a 30-year period. The PV North Facility is developed with housing (86 townhome units) and athletic facilities once used by the military. Marymount currently uses the 86 pre-existing townhomes to house students, staff, and employees (a maximum of 312 persons). The two-story townhomes have been refurbished by Marymount College. Each designated student unit is occupied by approximately four students.

The two properties involved in the Living Campus/Academic Campus Alternative would be developed as two separate campuses, a Living Campus (i.e., PV North Facility) and an Academic Campus (i.e., Marymount College campus). In general, this Alternative would reduce the amount of new development (including lot coverage) at the existing Marymount College campus; however, it would result in new development at the PV North Facility. The improvements proposed by this Alternative are described below.

Living Campus

In order to accommodate development of the Living Campus with the buildings and facilities proposed under this Alternative, it is assumed that the existing structures (86 townhomes) would be demolished. The Living Campus would consist of three Residence Halls 180 dormitory units (maximum occupancy of 359 persons), an Athletic Facility (including a health center), a Student Lounge (Gallery) and a Student Resource Center (consisting of a cafeteria, computer lab, and offices). In total, this Alternative would involve construction of 133,485 SF of new floor area at the Living Campus, whereas, the proposed Project involves no new development at this site. Additionally, an athletic field, tennis courts, outdoor pool and parking facilities (surface and subterranean) would be developed at the Living Campus. Under this Alternative, the College's physical education classes would be transferred to the Living Campus.

Academic Campus

This Alternative would involve specific educational-related improvements at the Academic Campus (Marymount College campus), including the modernization and expansion of the existing campus buildings, and construction of new buildings. Furthermore, the existing campus grounds would be improved and the existing parking facilities would be relocated and reconfigured, as part of the Academic Campus improvements. This Alternative would involve 18,022 SF of building demolition and the construction of 14,916 square feet of additions to existing buildings at the College campus, similar to the proposed Project. Similar to the proposed Project, two new buildings would be constructed providing a total of 28,685 SF of floor area (Academic/Library Building and Art Studio). The proposed Academic/Library Building would be constructed at a similar location as the proposed Project, while the proposed Art Studio would be constructed in the area vacated by the easterly most Residence Hall (outside the geologic structure setback zone). In total, this Alternative would involve the construction of 43,601 SF of new floor area at the Academic Campus, resulting in a total of 117,847 SF of floor area. Comparatively, this Alternative proposes 44 percent less floor area at the College campus than the 210,254 SF proposed by the initial Project.

This Alternative would involve a modified construction schedule, as compared to the proposed Project, because construction activities would occur consecutively to minimize disruptions to the College's academic program, however, at two separate locations. Therefore, with this Alternative, construction would occur in two phases: Phase I would involve consecutive development of the Living Campus (approximately two years) and Phase II would involve consecutive development of the Academic Campus (approximately two years).

Although this Alternative would generally result in reduced impacts at the Project site, it would also result in increased impacts at the Palos Verdes Drive North site in Los Angeles, assuming the necessary entitlements were obtained from the City of Los Angeles.

2. Reasons for Rejecting Alternative

In general, this Alternative would reduce development at the Marymount College campus and thus potential land use impacts. However, development of the athletic facilities at the Living Campus would not further the General Plan policies pertaining to the provision of additional recreational facilities within the City of Rancho Palos Verdes, because under this Alternative, the facilities would be developed in the City of Los Angeles instead. Specifically, the Alternative would not advance the Socio/Cultural Element (Current Social, Service, and Cultural Organizations Policies 1, 3, and 4, and Social Services Policy 12), and the Urban Environment Element (Recreational Activity Policy 11). Because this Alternative involves development of the PV North Facility, additional land use issues would result but at a different location. Specifically, this Alternative would require applications to City of Los Angeles for entitlement, including environmental review, to develop the Living Campus at the PV North property, which would be independent of the applications to City of Rancho Palos Verdes for entitlement to develop the Academic Campus. When compared to the proposed Project, implementation of this Alternative would result in similar land use impacts, since both would result in similar permitting requirements, although, this Alternative would involve permitting in both the City of Rancho Palos Verdes and the City of Los Angeles.

With relocation of the Residence Halls, Athletic Facility, and outdoor athletic uses to an off-campus location, this Alternative would only partially fulfill the initially proposed Project's housing- and recreational-related objectives. This Alternative:

- Enhances the [living and] learning environment for the College's students, enabling the College to fulfill its religious and educational mission, because it involves modernization and expansion of existing College campus buildings, and construction of a new Library.
- Provides the residential and recreational facilities available at other liberal arts colleges, although, they would be provided off-site at the Living Campus that is currently used by the College to house approximately 312 students and faculty. [Note: after withdrawal of the Residence Halls, this objective was deleted.]
- Provides housing for freshmen, although, it would be provided off-site at the Living Campus. [Note: after withdrawal of the Residence Halls, this objective was deleted.]
- Does not relocate housing to the campus. Housing would be retained at the Living Campus. [Note: after withdrawal of the Residence Halls, this objective was deleted.]
- Relocates and reconfigures parking facilities, thereby, improving the

design of the campus and increasing parking.

- Relocates outdoor athletic facilities away from nearby residences.
- Would not provide the amount of enhanced facilities for community activities as would the Project.

3. Conclusion Regarding Alternative 3.

Alternative 3 would not reduce the overall impact of the Project, except that many of the mitigable impacts would occur in the City of Los Angeles near the Palos Verdes Drive North site rather than in the City of Rancho Palos Verdes. Although Alternative 3 would reduce the level of impact as to the two remaining unmitigable impacts associated with the Project, those impacts remain significant and unmitigable under the Alternative. Thus, the City Council finds that Alternative 3 is not environmentally superior to either the Proposed Project or the Final Project.

Alternative 3 is also found to be legally infeasible because the City Council lacks the authority to approve any portion of the “Living Campus,” which is not within the City’s jurisdiction, but is subject to the land use controls of the City of Los Angeles.

The College has submitted evidence in support of its contention that Alternative 3 is not feasible because the Palos Verdes Drive North site is insufficient in size to accommodate all aspects of the “Living Campus.” Whether this is true or not may not be known until such time as applications are made to the City of Los Angeles and decisions made on those applications. Further, implementation of the Academic Campus portion of the project would not occur until the College first obtained entitlements from Los Angeles for the Living Campus, which could delay implementation of the project.

The City Council finds Alternative 3 infeasible due to lack of jurisdiction over half of the property included in the Alternative.

D. ALTERNATIVE 4 – Affordable Housing Alternative

1. Summary of Alternative

The initially proposed Project involved construction, expansion, or intensification of nonresidential uses (i.e., Institutional) and included an application for a CUP whereby more than 10,000 SF of space would be created. Therefore, the Project would be subject to compliance with Code Section 17.11.140, *Affordable Housing Requirements for Nonresidential Project*. Based on estimates of the number of new employment opportunities for persons of low or very low moderate income created, as a result of the Project (approximately 27 new full- and part-time positions), the College would be required to construct up to three affordable housing units within one year of the first Institutional space.

The Affordable Housing Alternative involves improvements to the Marymount College campus consistent with the initially proposed Project, in addition to construction of up to ten affordable housing units within the proposed Residence Halls (through reconfiguration of the interior floor plan, with no modifications to the proposed building footprint) for occupancy by qualifying lower income employees or students of the College. Under this Alternative, the proposed Residence Halls would be developed within a building footprint and area consistent with the initially proposed Project (no additional square footage). Under this Alternative, the two proposed Residence Halls would include approximately 103 dormitory units with occupancy for approximately 206 persons and ten (10) affordable housing units (five studio units and five two-bedroom units) with occupancy for approximately 28 persons (based on an average of 2.769 persons per household⁴). The College would reserve the occupancy of the ten affordable units to its 15 residential life staff members (10 student residential advisors plus 5 adult supervisors). Thus, the total resident population associated with this Alternative would be approximately 234 persons, an 8.0 percent decrease when compared to the proposed Project. This decrease in resident population results from reconfiguration/replacement of 25 dorm units with 10 affordable housing units, resulting in a net loss of 15 dorm units.

Similar to the initially proposed Project, the Affordable Housing Alternative involves renovations to the campus consisting of demolition of some existing buildings, modernization and expansion of existing buildings, construction of new buildings, and relocation and reconfiguration of recreational and parking facilities. No change to the College's existing academic operation or student enrollment limit is proposed under this Alternative.

Consistent with the proposed Project, the Affordable Housing Alternative involves demolition of 7 of the 13 existing buildings, representing approximately 18,022 square feet of existing floor area. Additionally, this Alternative involves construction of 136,008 square feet of new floor area, which would be developed in the form of six new buildings (121,092 square feet) and the expansion of four existing buildings (14,916 square feet). This Alternative involves a construction schedule similar to the proposed Project (i.e., three phases over eight years), with the exception of Residence Hall No. 2, which would be constructed during Phase 2, rather than in Phase 3, as proposed by the Project. According to Section 17.11.140.B.2 of the RPVMC, the affordable residential units shall be available for occupancy within one year of occupancy of the first nonresidential space within the Project.

The Affordable Housing Alternative would result in similar impacts as the proposed Project in all environmental impact areas analyzed, because it would involve improvements and a development footprint consistent with that of the initial Project. The proposed changes to the Residence Halls would occur within the building interiors

⁴ State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties and the State, 2001-2007, with 2000 Benchmark*. Sacramento, California, May 2007.

(modifications to the building floor plans). This Alternative would involve similar impacts, because it proposes an equal amount of floor area, although ten new housing units would be introduced. The following discussion evaluates the potential environmental impacts associated with the Affordable Housing Alternative, as compared to impacts from the proposed Project.

2. Reasons for Rejecting Alternative

This Alternative would fulfill all of the initially proposed Project's objectives (refer to Section 3.4, *Project Objectives*), because similar to the initial Project, the Affordable Housing Alternative involves renovations to the campus consisting of demolition of some existing buildings, modernization and expansion of existing buildings, construction of new buildings, and relocation and reconfiguration of recreational and parking facilities. However, for the following reasons, this Alternative is rejected.

The Alternative would not reduce either of the significant and unavoidable impacts associated with the Project or the Revised Project. Further, because the residence halls are not approved as part of the Project, there is no obligation for the College to provide affordable housing.

Implementation of the Alternative would not avoid any of the significant impacts associated with implementation of the Project.

Other significant impacts associated with implementation of the Project would also occur with implementation of this Alternative, which would be more impactful than the Final Project, including construction or residence halls over an extreme slope and the visual character impacts associated with the construction of the residence halls at the top of the slope with visibility from Palos Verdes Drive East.

3. Conclusion regarding Alternative 4.

The City Council hereby finds that failure of the Alternative to reduce any of the significant unmitigable impacts, and the fact that the Alternative would have incrementally greater impacts than the Final Project, although most are still mitigable, are grounds for rejecting Alternative 4 as socially and environmentally infeasible and, independent of any other reason, justify rejection of Alternative 4.

E. Appendix D – Athletic Field Alternatives

As part of Appendix D, the City studied options for relocation of the athletic field to the eastern side of the site (D-1) and a reconfigured athletic field and tennis court area at the western side of the site (D-2). Based on that analysis, staff input and public comments, the City Council finds the D-1 configuration infeasible due to the increased grading and retaining walls as well as potential for impacts to nearby landslides. Further, the City Council finds the D-2 to be superior to the prior configuration because the westerly tennis courts and increased distance between the athletic field and Palos

Verdes Drive East will serve to reduce the risk of balls creating hazards in the roadway.

F. The Final Project

1. Summary of the Final Project

This Final Project is the product of Planning Commission and City Council deliberations and modifications made by the applicant in response to Planning Commission and City Council direction. The Final Project is described in detail in Appendix A and Appendix D of the Final EIR, and would consist of removal of the Residence Halls, a minor relocation of the Athletic Building, modification to the east parking lot, reconfiguration of the tennis courts and athletic field as shown in Alternative D-2 in Appendix D, introduction of fencing and netting to control impacts to Palos Verdes Drive East from use of the athletic field, and other modifications to the project including the introduction of Bachelor of Arts degree programs.

Implementation of the Final Project would eliminate some of the significant and unavoidable impacts, including the general plan and land use compatibility impacts associated with construction of the Residence Halls and Athletic Building over extreme slope areas.

The following project objectives are met with the Final Project:

- To create an enhanced learning environment for the College's students to enable the College to fulfill its religious and educational mission.
- To provide additional course offerings and degree programs in response to student needs and to assist the College in retaining existing students and recruiting new students.
- To ensure that the College maintains its reputation as a distinguished institution of higher education by providing the type and quality of academic, residential and recreational facilities available at other liberal arts colleges.
- To relocate parking facilities to improve the design of the campus and increase the number of parking spaces to reduce the need for off-site parking.
- To relocate outdoor athletic facilities away from nearby residences.
- To provide enhanced facilities for community activities.

The following previously identified objectives are not met by the Final Project:

- To provide on-campus housing for freshmen so they may take advantage of the full complement of academic, cultural, recreational and spiritual facilities and services offered on campus. However, existing off-site housing opportunities remain available at the discretion of the College.
- To relocate housing to the campus in order to reduce traffic generation and impacts on local roads. However, as demonstrated by the analysis of the Revised Project in Appendix A, the impacts of the Proposed Project are similar to those of the Revised Project, such that allowing residences on the Project Site would not result in a reduction in the level of impact or the required mitigation of the impacts that can be mitigated.

2. Conclusion Regarding the Revised Project

The City Council finds that the Final Project achieves the Project objectives without increasing any of the impacts associated with the previously contemplated Project as described in the Draft EIR, and while addressing many of the concerns and issues raised by the public, the Planning Commission and the City Council during the hearings on the Project.

Based on the foregoing, the City Council finds the Final Project to be feasible and environmentally superior to the previously proposed and Revised Project as approved by the Planning Commission.

EXHIBIT B

Statement of Overriding Considerations

EXHIBIT B

Statement of Overriding Considerations

The following Statement of Overriding Considerations is made in connection with the approval of the Final Project.

The City Council finds that the economic, social and other benefits of the Final Project outweigh the significant and unavoidable environmental impacts identified in the EIR and in the record, some of which have been eliminated or reduced in severity to the degree feasible through modifications to the originally proposed Project. In making this finding, the City Council has balanced the benefits of the Final Project against its unavoidable impacts and has indicated its willingness to accept those adverse impacts. The City Council finds that each one of the following benefits of the Final Project, independent of the other benefits, would warrant approval of the Final Project notwithstanding the unavoidable environmental impacts of the Final Project.

- A. The Final Project provides new, expanded, and enhanced facilities that could be used for community meeting space, in furtherance of General Plan Socio/Cultural Policy 3.
- B. The Final Project provides new and expanded recreational facilities, including the new athletic field, in furtherance of General Plan Socio/Cultural Policy 4.
- C. The Final Project will upgrade on-site drainage and flood control systems, thus reducing the likelihood to site instability as a result of flood water sheet flowing across the property.
- D. The Final Project will enable the College to upgrade its facilities and programs to better provide higher education opportunities to the public.
- E. The Final Project increases the landscaped setback along Palos Verdes Drive East, thus enhancing the appearance of the campus from the public right-of-way.
- F. The Final Project will assist the College in its ability to attract and retain students, which in turn will help maintain existing jobs, including the opportunities for highly trained workers like professors and faculty.
- G. The College has committed to provide a public benefit by offering to donate \$200,000.00, to assist the City in funding construction of a median barrier in Palos Verdes Drive East adjacent to a portion of the College's site.

EXHIBIT C

Mitigation Monitoring and Reporting Program



6.0 MITIGATION MONITORING AND REPORTING PROGRAMS

6.1 INTRODUCTION

The California Environment Quality Act (CEQA) was amended in 1989 to add Section 21081.6, which requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in Section 21081.6 of the Public Resources Code:

“ . . . the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment.”

Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to final certification of the EIR.

The mitigation monitoring table below lists those mitigation measures that may be included as Conditions of Approval for the Project. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised, which identifies the milestone and responsibility for monitoring each measure. The Applicant will have the responsibility for implementing the measures, and the various City of Rancho Palos Verdes departments will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures. The Mitigation Monitoring and Reporting Program (MMRP) was revised to reflect the analyses provided for the Bachelor of Arts Degree Program and Alternative No. D-2 (modified). The MMRP for the BA Degree Program and Alternative D-2, combined, is provided in its entirety in Section 6.2.



6.2 MARYMOUNT COLLEGE FACILITIES EXPANSION PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure		Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
LAND USE AND RELEVANT PLANNING							
City of Rancho Palos Verdes Development Code							
LU-1	An Athletic Associations Membership Report shall be prepared and submitted by the Applicant for review and approval by the Community Development Director, by July 1st of every year. Said Report shall document the Athletic Association memberships and corresponding sports, in order to determine if a revision to the Conditional Use Permit is required.	By July 1st of Every Year	Community Development Director	Approval of Athletic Associations Membership Report			
AESTHETICS/LIGHT AND GLARE							
Short-Term Visual Character							
AES-1	Prior to issuance of any Grading or Building Permit, a Construction Management Plan shall be submitted for review and approval by the Community Development Director. The Construction Management Plan shall, at a minimum, indicate the equipment staging areas, construction worker parking, vehicle staging areas, fencing, haul route, dust control measures, hours of construction, detailed construction schedule, and contact information for the Construction Manager.	Prior to any Grading or Building Permit	Community Development Director	Approval of Construction Management Plan			
AES-2	Prior to issuance of any Grading or Building Permit, a Construction Safety Lighting Plan shall be submitted for review and approval by the Community Development Director. All construction-related lighting shall include shielding in order to direct lighting down and away from adjacent residential areas and consist of the minimal wattage necessary to provide safety at the construction site.	Prior to any Grading or Building Permit	Community Development Director	Approval of Construction Safety Lighting Plan			
AES-3	Upon completion of the Phase I grading activities and prior to any Building Permit issuance, the graded areas shall be hydroseeded or otherwise revegetated, to the satisfaction of the Community Development Director.	Upon Completion Of Phase I Grading and Prior to Any Building Permit	Community Development Director	Confirmation Graded Areas Hydroseeded and Revegetated			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance			
				Initials	Date	Remarks	
Long-Term Visual Character							
AES-4	<p>Prior to issuance of a Grading Permit for the easterly parking area or the modular buildings, a revised Landscape Plan shall be prepared and submitted to the Planning Department for review and approval. The revised Landscape Plan shall incorporate the revisions outlined below, to the satisfaction of the Community Development Director.</p> <ul style="list-style-type: none"> ▪ Additional gold medallion tree plantings shall be incorporated on the site's northeastern boundary, up to the northern corner of the existing deck on Lot 27 (2750 San Ramon) and not beyond, in order to further screen the eastern parking lot from the adjacent property (Lot 27). ▪ The gold medallion tree proposed adjacent to Lot 26 shall be omitted from the Plan. ▪ Additional tree plantings shall be incorporated on the south-facing slope (southern portion) to further screen the temporary modular buildings and the Athletic Facility from areas to the south in a manner that would not result in view impacts to properties to the north. 	Prior to Grading Permit for Easterly Parking or Residence Halls	Community Development Director	Approval of Revised Landscape Plan			
AES-5	<p>The Applicant shall install and maintain a retractable net along the perimeter of the Athletic Field (north, south and west sides). Said net, when extended, shall not exceed a height of 30-feet, as measured from the lowest adjacent grade to the top of the net. The Athletic Field retractable net shall be extended at all times when the field is used for recreational activities involving balls and shall be lowered at the conclusion of the recreational activity. Recreational activities requiring the use of said net shall be prohibited on Sundays and the Federal holidays listed in the RPVMC, unless a Special Use Permit is obtained. The use of the retractable net shall be prohibited during hours of non-play.</p>	On-going	Code Enforcement Department	Field Inspection			
Light and Glare							
AES-6	<p>Lighting shall be designed as an integral part of the Project. Lighting levels shall respond to the type, intensity and location of use. Lighting shall be designed and installed such that it is directed downward and away from adjoining properties and does not spill out onto adjacent areas, while maintaining safety and security for pedestrian and vehicular movements.</p>	Prior to any Grading Permit	Community Development Director and City Engineer	Approval of Revised Lighting Plan			
AES-7	<p>Prior to issuance of any Grading Permit, a Revised Lighting Plan shall be</p>	Prior to any	Community	Approval			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
submitted for review and approval by the Community Development Director and City Engineer. The Revised Lighting Plan shall include: <ul style="list-style-type: none"> ▪ Low-level bollards, not to exceed 42-inches in height, in place of the currently proposed pole-mounted lighting along the lower terrace of the eastern parking lot. ▪ Light standards adjacent to the privacy wall for the properties on San Ramon Drive shall not exceed the height of the privacy wall. ▪ Pole-mounted lighting shall not exceed 10-feet in height, except along the easterly boundary of the eastern parking lot, as noted above. ▪ The selected fixtures shall include reflectors, refractors, lenses, or louvers. ▪ The selected shielding accessories shall be the sharp cut-off type. ▪ Lighting fixtures with cut-off shields to prevent light spill and glare into adjacent areas. 	Grading Permit	Development Director and City Engineer	of Revised Lighting Plan			
AES-8	Ninety (90) days after the installation of lighting for each phase of the Project, the lighting equipment shall be tested and adjusted to ensure that the proper levels of light and glare have been achieved, to the satisfaction of the Community Development Director and City Engineer.	Sixty (60) Days After the Installation of Lighting For Each Phase	Community Development Director and City Engineer	Receipt of Field Test Results		
AES-9	Prior to the issuance of any Building Permit, the Applicant shall demonstrate to the satisfaction and approval of the Community Development Director and the Building Official that the Athletic Facility (south facing façade) use minimally reflective glass, based on manufacturers' guidelines. All other materials used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare. The use of glass with over 25 percent reflectivity shall be prohibited on the exterior of all buildings on the Project site.	Prior to Any Building Permit	Community Development Director and Building Official	Approval of Building Plans		

TRAFFIC AND CIRCULATION

Construction Traffic

TR-1	Prior to issuance of any Demolition or Grading Permit, the Community Development Director shall review and approve the Construction Management Plan, which shall specify the following, at a minimum: <ul style="list-style-type: none"> ▪ Demolition debris hauling and materials delivery shall be scheduled, as indicated below, to avoid the peak hour traffic period and minimize 	Prior to Any Demolition or Grading Permit	Community Development Director	Approval of Construction Management Plan		
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Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
<p>obstruction of through traffic lanes adjacent to the site. If necessary, a flag person shall be retained to maintain safety adjacent to existing roadways:</p> <ul style="list-style-type: none"> - Weekdays: Hauling and deliveries shall be scheduled between 9:00 AM and 4:00 PM, with consideration given to reduce deliveries during the 11:30 AM to 1:30 PM lunch period. - Saturdays: Hauling and deliveries, if any, shall not occur during the peak hour period of 11:30 AM to 1:30 PM. <p>There shall be no idling or staging of equipment or accumulation of vehicles on Rancho Palos Verdes City streets. Staging of trucks for the hauling of all demolition debris shall be limited to the College campus.</p>						
Existing Plus Project Conditions						
TR-2	<p>Prior to issuance of the last Certificate of Occupancy for the Phase II buildings (i.e., Library, Maintenance, or Athletic Facility), the Applicant shall implement the following improvement and may be eligible in the future for partial reimbursement from future projects that result in impacts on this intersection:</p> <ul style="list-style-type: none"> ▪ Palos Verdes Drive East/Miraleste Drive – Signalize the intersection. The intersection traffic signal shall be designed to include a westbound right-turn overlap, which would preclude u-turn movement from southbound to northbound Palos Verdes Drive East. 	Prior to Any Certificate of Occupancy	Community Development Director and City Engineer	Verification of Signalization		
TR-3	<p>Prior to issuance of the last Certificate of Occupancy for the Phase II buildings (i.e., Library, Maintenance, or Athletic Facility), the Applicant shall implement the following improvement, at the City's direction, and may be eligible for reimbursement from future projects that result in impacts on this intersection:</p> <ul style="list-style-type: none"> ▪ Western Avenue (SR-213)/Trudie Drive-Capitol Drive – Re-stripe the eastbound Trudie Drive approach from one shared left-turn/through lane and one de-facto right-turn lane to consist of one left-turn lane and one shared through/right-turn lane. The Project Applicant shall coordinate with the City of Rancho Palos Verdes, City of Los Angeles, and Caltrans regarding implementation of this mitigation. 	Prior to Any Certificate of Occupancy	Community Development Director and City Engineer	Verification of Modifications		
TR-4	<p>The traffic impacts and corresponding mitigation measures assume the Marymount College student enrollment at a maximum of 793 weekday students (based on the formula allowing 750 full-time students, 20 part-time students, and a marginal difference of 3.0 percent), and 150 weekend students.</p>	Prior to Any Certificate of Occupancy	Community Development Director	Verification of Student Enrollment		



Mitigation Measure		Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
	<p>Additionally, it is assumed, Marymount College student enrollment as a maximum of 250 weekday students enrolled in the BA Program and a maximum of 793 weekday students minus current BA Program weekday students enrolled in the AA Program. Therefore, prior to issuance of any Certificate of Occupancy, student enrollment shall be limited to a maximum of 793 weekday students and 150 weekend students, including full- and part-time students, and maximum of 250 weekday students enrolled in the BA Program and a maximum of 793 weekday students minus current BA Program weekday students enrolled in the AA Program. The College shall submit to the City an Enrollment Report for each Term within an academic year for all Traditional and Non-Traditional Degree Programs and Summer Educational Programs no later than 30-days after a term has commenced.</p>	No Later Than 30 Days From Commencement of Term	Community Development Director	Approval of Annual Student Enrollment Report			
Parking Capacity							
TR-5	<p>Prior to issuance of any Certificate of Occupancy, the Applicant shall institute, to the satisfaction of the Community Development Director and the Public Works Director, parking management strategies to reduce weekday College-related parking demand by the following values:</p> <ul style="list-style-type: none"> ▪ 11 percent or greater for student enrollment between 744 and 793; ▪ 6 percent or greater for student enrollment between 694 and 743; ▪ 0 percent or greater for student enrollment of 693 or less. <p>Potential parking management strategies may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▪ Provision of "carpool only" parking spaces; ▪ Implementation of parking pricing for campus parking permits; ▪ Utilization of remote parking; ▪ Provision of increased shuttle services; ▪ Offering financial incentives; and ▪ Implementation of restrictions on parking allowed by residents of the Palos Verdes North Facility. 	Prior to Any Certificate of Occupancy	Community Development Director and Public Works Director	Approval of Parking Management Strategies			
TR-6	<p>A Parking Management Strategy Program shall be prepared and submitted by the Applicant for review and approval by the Community Development Director, by July 1st of every year. Said Program shall:</p> <ul style="list-style-type: none"> ▪ Document the prior-year's achieved parking demand reductions; 	Prior to Any Certificate of Occupancy	Community Development Director and Public Works	Approval of Parking Management Strategies			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
<ul style="list-style-type: none"> Identify strategies for use in the upcoming academic school year; and Be modified on an as needed basis, as deemed necessary by the Community Development Director. 		Director	Program			
TR-7 The parking impacts and corresponding mitigation measures assume the Marymount College student enrollment as a maximum of 793 weekday students (based on the formula allowing 750 full-time students, 20 part-time students, and a marginal difference of 3.0 percent) and 150 weekend students. Additionally, it is assumed, Marymount College student enrollment as a maximum of 250 weekday students enrolled in the BA Program and a maximum of 793 weekday students minus current BA Program weekday students enrolled in the AA Program. Therefore, prior to issuance of any Certificate of Occupancy, student enrollment shall be limited to a maximum of 793 weekday students and 150 weekend students, including full- and part-time students, and maximum of 250 weekday students enrolled in the BA Program and a maximum of 793 weekday students minus current BA Program weekday students enrolled in the AA Program.	Prior to Any Certificate of Occupancy	Community Development Director and City Engineer	Annual Student Enrollment Report			
Cumulative (Forecast Year 2012) Conditions						
TR-8 Prior to issuance of any Certificate of Occupancy, the Applicant shall make a proportionate share contribution to implement the following, in addition to improvements specified in Mitigation Measures TR-2 and TR-3: <ul style="list-style-type: none"> Palos Verdes Drive East/Palos Verdes Drive South – Modify the intersection to provide a two-stage gap acceptance design for southbound left-turning vehicles. A raised median refuge area shall be constructed for vehicles to turn left from Palos Verdes Drive East to cross westbound Palos Verdes Drive South while waiting for a gap in eastbound traffic to complete the turn to eastbound Palos Verdes Drive South. Additionally, the existing raised median shall be narrowed to provide an acceleration lane along Palos Verdes Drive South to accommodate vehicles accelerating to join eastbound Palos Verdes Drive South traffic flow. Modifications to the Palos Verdes Drive East/Palos Verdes Drive South intersection shall be designed taking into account truck turning radius requirements and shall be to the satisfaction of the Public Works Director. Since the Palos Verdes Drive East/Palos Verdes Drive South intersection is impacted by the proposed Project for "Cumulative with proposed 	Prior to Any Certificate of Occupancy	Community Development Director and City Engineer	Verification of Proportionate Share Contribution			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
	Project conditions," a proportionate share contribution by the Project Applicant is applicable.					
TR-9	Prior to issuance of any Grading Plan, the Project Plans shall be revised to include wrought iron fencing along Palos Verdes Drive East at approximately 6.0 feet in height and 80 percent open to light and air, temporary retractable netting along the northern, southern and western sides of the athletic field at approximately 30.0 feet in height, and chain link fencing at 20.0 feet in height around the perimeter of the western tennis courts and 10.0 feet in height around the perimeter of the eastern tennis courts so that errant balls are sufficiently contained, to the satisfaction of the Community Development Director. The retractable net shall only be extended during activities involving field balls at the Athletic Field, subject to the limitations set forth in Mitigation Measure AES-5. The Applicant shall be responsible for retracting the net. The use of a landscape screen around and adjacent to the wrought iron fence along the perimeter of the Athletic Field shall be limited to a maximum height of 42 inches.	Prior to Any Grading Plan	Community Development Director.	Approval of Project Plans		
AIR QUALITY						
Short-Term (Construction) Air Emissions						
AQ-1	Prior to issuance of any Grading Permit, the Director of Public Works and the Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with South Coast Air Quality Management District Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures, as specified in the South Coast Air Quality Management District's Rules and Regulations. In addition, South Coast Air Quality Management District Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors: <ul style="list-style-type: none"> ▪ All active portions of the construction site shall be watered to prevent excessive amounts of dust; ▪ On-site vehicle speed shall be limited to 15 miles per hour (mph); ▪ All on-site roads shall be paved as soon as feasible or watered periodically or chemically stabilized; ▪ All material excavated or graded shall be sufficiently watered to prevent 	Prior to Any Grading Permit	Director of Public Works and Building Official	Approval of Grading Plan, Building Plans, and Specifications		



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance			
				Initials	Date	Remarks	
<p>excessive amounts of dust; watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day;</p> <ul style="list-style-type: none"> ▪ If dust is visibly generated that travels beyond the site boundaries, the Applicant shall conduct street cleaning along the roadways impacted by dust (i.e., Palos Verdes Drive East and/or Crest Drive), surrounding the Project site; ▪ If dust is visibly generated that travels beyond the site boundaries, clearing, grading, earth moving, or excavation activities that are generating dust shall cease during periods of high winds (i.e., greater than 25 mph averaged over one hour) or during Stage 1 or Stage 2 episodes; ▪ All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site; ▪ All delivery truck tires shall be watered down and/or scraped down prior to departing the job site; and ▪ No more than 5.0 acres per day shall be graded. 							
AQ-2	<p>Prior to issuance of any Grading Permit, the Director of Public Works and the Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with South Coast Air Quality Management District Rule 403, ozone precursor emissions from construction equipment vehicles shall be controlled by maintaining equipment engines in proper tune per manufacturer's specifications, to the satisfaction of the City Engineer. Maintenance records shall be provided to the City. The City Inspector shall be responsible for ensuring that contractors comply with this measure during construction.</p>	<p>Prior to Any Grading Permit</p> <p>During Construction</p>	<p>Director of Public Works and Building Official</p> <p>City Inspector</p>	<p>Approval of Grading Plan, Building Plans, and Specifications</p> <p>Review of Maintenance Records</p>			
AQ-3	<p>Prior to issuance of any Grading Permit, the City shall verify that the construction contract documents include a written list of instructions to be carried out by the Applicant/Construction Manager specifying measures to minimize emissions by heavy equipment for approval by the Director of Public Works. Measures shall include provisions for maintenance of equipment engines, measures to avoid equipment idling more than two minutes, and avoidance of unnecessary delay of traffic along off-site access roads by heavy</p>	<p>Prior to Any Grading Permit</p>	<p>Director of Public Works</p>	<p>Approval of Construction Contract Documents</p>			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
equipment blocking traffic.						
AQ-4 During construction and in compliance with South Coast Air Quality Management District Rule 1113, ROG emissions from architectural coatings shall be reduced by using pre-coated/natural-colored building materials, water-based or low-ROG coatings and using coating transfer or spray equipment with high transfer efficiency.	During Construction	City Inspector	Review of Building Materials			
AQ-5 Prior to issuance of any Grading Permit, the Project Engineer shall include the following measures on the Grading Plan, to the satisfaction of the Director of Public Works and Building Official: <ul style="list-style-type: none"> ▪ The General Contractor shall utilize electric- or diesel-powered stationary equipment in lieu of gasoline powered engines where feasible; and ▪ Work crews shall turn off equipment when not in use. 	Prior to Any Grading Permit	Director of Public Works and Building Official	Approval of Grading Plan			
Long-Term (Operational) Air Emissions						
AQ-6 Prior to issuance of any Building Permit, the Applicant shall demonstrate to the satisfaction of the Building Official that the Project complies with Title 24 of the California Code of Regulations established by the California Energy Commission regarding energy conservations standards.	Prior to Any Building Permit	Building Official	Issuance of Building Permit			
AQ-7 Prior to issuance of any Grading Permit, the Applicant shall submit for review and approval by the Director of Public Works and Community Development Director, a Transportation Demand Management (TDM) Plan that is applicable to students, faculty, and staff. The TDM Plan shall include, but not be limited to, preferential parking for vanpooling/carpooling, subsidy for transit pass or vanpooling/carpooling, flextime work schedule, and the location of bicycle racks throughout the College campus.	Prior to Any Grading Permit	Director of Public Works and Community Development Director	Approval of Transportation Demand Management Plan			

NOISE						
Short-Term Construction Noise						
NOI-1 Prior to issuance of any Grading Permit, the Applicant shall provide, to the satisfaction of the Community Development Director, a Noise Mitigation and Monitoring Program. Such plan shall ensure that the proposed Project provides the following: <ul style="list-style-type: none"> ▪ Construction contracts shall specify that all construction equipment, fixed or mobile, shall be equipped with mufflers maintained according to 	Prior to Any Grading Permit	Community Development Director	Approval of Noise Mitigation and Monitoring Program			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
<p>manufacturer's specifications and other state required noise attenuation devices.</p> <ul style="list-style-type: none"> ▪ Property owners and occupants located within 0.25-mile of the Project construction site shall be sent a notice, at least 15 days prior to commencement of construction of each phase, regarding the construction schedule of the proposed Project. A sign, legible at a distance of 50 feet, shall also be posted at the Project construction site. All notices and signs shall be reviewed and approved by the Community Development Director, prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide the contact name and a telephone number of the Noise Disturbance Coordinator where residents can inquire about the construction process and register complaints. ▪ The Applicant shall provide, to the satisfaction of the Community Development Director, a qualified "Noise Disturbance Coordinator" who shall be responsible for receiving, registering, and responding to any complaints about construction noise. When a complaint is received, the Coordinator shall notify the City within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Community Development Director. All notices that are sent to residential units within 0.25-mile of the construction site and all signs posted at the construction site shall include the contact name and the telephone number for the Disturbance Coordinator. ▪ Prior to issuance of each Grading or Building Permit, the Applicant shall demonstrate to the satisfaction of the City's Building Official how construction noise reduction methods such as shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible. ▪ During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers. 						



Mitigation Measure		Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
Long-Term Stationary Noise							
NOI-2	Prior to issuance of any Certificate of Occupancy, the Applicant shall submit a noise analysis that demonstrates to the satisfaction of the Community Development Director and the City Engineer, that site placement of stationary noise sources would not exceed noise standards indicated in the State Land Use Noise Compatibility Guidelines for adjacent residences (i.e., Community Noise Exposure (Ldn or CNEL, DBA) for Residential – Low Density, Single-Family would be 50 – 60/Normally Acceptable, 55 –70/Conditionally Acceptable, 70 – 75/Normally Unacceptable, and 75 –85/Clearly Unacceptable).	Prior to Any Certificate of Occupancy	Community Development Director and City Engineer	Approval of Noise Analysis			
NOI-3	Prior to issuance of any Building Permit, the Applicant shall demonstrate, to the satisfaction of the Community Development Director, compliance with the following: <ul style="list-style-type: none"> All mechanical equipment shall include specifications on quiet equipment; All mechanical equipment shall be selected and installed according to manufacturer's specifications, and shall include sound attenuation packages; To the extent possible, all mechanical equipment shall be oriented away from the nearest noise sensitive receptors; and All mechanical equipment shall be screened and enclosed to minimize noise. 	Prior to Any Building Permit	Community Development Director	Verification of Mechanical Equipment Specifications			
NOI-4	Prior to issuance of any Certificate of Occupancy, a subsequent noise analysis shall be prepared, to the satisfaction of the Community Development Director and the City Engineer, which demonstrates that all reasonable sound attenuation has been incorporated into the northeasterly and easterly parking areas (i.e., landscaping and brushed driving surfaces), such that noise from the parking areas has been minimized.	Prior to Any Certificate of Occupancy	Community Development Director and City Engineer	Approval of Noise Analysis			
NOI-5	Prior to issuance of any Certificate of Occupancy, the Marymount College Code of Conduct shall be reviewed and approved by the Planning Commission at a duly noticed public hearing. The provisions of the Code of Conduct shall outline measures for minimizing operational/stationary source noise impacts to	Prior to Any Certificate of Occupancy	Planning Commission	Approval of Marymount College Code of Conduct			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance			
				Initials	Date	Remarks	
<p>the surrounding neighborhoods that would also minimize the need for police enforcement). The City or Applicant could initiate revisions or modifications to the Code of Conduct, which shall be reviewed and approved by the Planning Commission at a duly noticed public hearing. The Code of Conduct shall, at a minimum, include provisions for the parking lots, common open space area, and security measures, in order to ensure stationary noise impacts are minimized, and shall specify the following provisions, among others:</p> <ul style="list-style-type: none"> ▪ "Quiet Hours" throughout the campus are designated between 10:00 PM and 7:00 AM; and ▪ Limitations on noise from congregations during quiet hours. <p>City review and approval of the Code of Conduct shall be limited to provisions related to potential Project impacts to adjacent neighbors (i.e., offsite) related to noise and police protection.</p>							
NOI-6	Use of the athletic field and tennis courts, shall be prohibited between sunset and sunrise, seven days per week, unless a Special Use Permit for said use has been issued by the Community Development Director, pursuant to Code Chapter 17.62, <i>Special Use Permits</i> .	Ongoing	Community Development Director	Enforcement of CUP			
NOI-7	The use of amplified sound shall be prohibited at the proposed athletic field, tennis courts, swimming pool, and other outdoor gathering areas, unless a Special Use Permit for said use has been issued by the Community Development Director, pursuant to Code Chapter 17.62, <i>Special Use Permits</i> .	Ongoing	Community Development Director	Enforcement of CUP			

GEOLOGY AND SOILS							
Seismic Hazards							
<i>Strong Seismic Ground Shaking</i>							
GEO-1	Prior to issuance of any Grading Permit or Building Permit for Phases I, II, and III (as outlined in DEIR Section 3.5, <i>Phasing</i>) of the Project, the Applicant shall comply with each of the recommendations detailed in the Preliminary Grading Plan Review and Geotechnical Response to City of Rancho Palos Verdes (ASE, June 28, 2002, 2005), and other such measure(s) as the City deems necessary to adequately mitigate Project geotechnical impacts, which may include, but not be limited to, the following during each construction phase of the Project:	Prior to Any Grading Permit or Building Permit For Each Phase	City Engineer	Approval of Grading Plans and Building Plans			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
Unstable Geologic Units						
<i>Slope Stability</i>						
GEO-3	Prior to issuance of any Grading Permit, the Final Grading Plans shall specify that the oversized (i.e., one- to three-foot-wide blocks) that are generated from excavation of the one- to two-foot-thick (+/-), discontinuous layers and/or lenses of very hard, silica and/or calcium-magnesium carbonate cemented siltstone, which is commonly referred to as "PV Stone," shall not be placed in engineered fills unless their location and disposal methods are specifically reviewed and approved by the Project Soils Engineer and City Engineer. No rock crushing shall occur onsite.	Prior to Any Grading Permit For Each Phase	City Engineer	Approval of Grading Plan		
HYDROLOGY AND WATER QUALITY						
<i>Drainage and Hydrology</i>						
HYD-1	<p>Prior to issuance of any Grading Permit, the Director of Public Works and the City Engineer shall review and approve a Revised Storm Drain Plan. Such Plan shall:</p> <ul style="list-style-type: none"> ▪ Include an on-site storm water collection system designed to prevent the flow (sheet or concentrated) from eroding the natural hillside surrounding the Project site. ▪ Identify how storm drains and catch basins are designed to control stormwater leaving the campus. ▪ Control erosion downstream of the development. ▪ Include storm drains designed to convey flows per Los Angeles County Standards. ▪ Includes a system of storm drain pipes that would divert the flow to the proposed storm drain system. <p>Calculations shall be provided to the Director of Public Works and the City Engineer indicating that the diversion area does not impact the existing storm drains (i.e., no more than the existing condition flow at any given time).</p>	Prior to Any Grading Permit	Director of Public Works and City Engineer	Approval of Revised Storm Drain Plan (i.e., Drainage Plan)		
HYD-2	Increased flows from Watersheds A and BC shall be mitigated with the installation of a detention basin (i.e., Watershed A Sub-Basin and Watershed BC Sub-Basin), as illustrated on <u>Exhibit 5.7-3, Proposed Storm Drain Layout</u> , and <u>Exhibit 5.7-4, Detention Basin Layout</u> , or where determined by the Director of Public Works and the City Engineer, to reduce the peak flow. The detention basin shall be designed such that:	Prior to Any Grading Permit	Director of Public Works and City Engineer	Approval of Revised Storm Drain Plan (i.e., Drainage Plan)		



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance			
				Initials	Date	Remarks	
<ul style="list-style-type: none"> ▪ The 2- through 100-year storm events are mitigated. ▪ Water would be detained a minimum of 24 hours, but not greater than 96 hours, pursuant to Vector Control District standards. ▪ Berms shall be provided at Palos Verdes Drive East to allow adequate free board. The flow leaving the detention basin shall be maintained equal to the existing condition. ▪ Watershed A Sub-Basin shall include an outlet that ties into the storm drain system at Node 1. ▪ Watershed BC Sub-Basin shall include an outlet that drains to the storm drain system at Nodes 2 and 3 ▪ The pipe outlets that would drain the sub-basin shall be sized to allow no more than the existing condition flow out of the detention basin at any given time. ▪ Water quality requirements shall be satisfied through detention basin design. The extended detention basin shall serve also as a flood control detention basin. ▪ Adequate secondary overflow shall be provided. ▪ An impermeable liner shall be provided to eliminate saturation of soil in the vicinity. ▪ Maintenance of the detention basin shall be the Applicant's responsibility. 							
HYD-3	Prior to issuance of any Grading Permit or Building Permit for each phase of the Project, the Preliminary Grading and Drainage Plan shall be updated to specifically address the modified athletic field and tennis courts in the western portion of the site with respect to altered drainage patterns and runoff amounts.	Prior to Any Grading or Building Permit	Director of Public Works and City Engineer	Approval of Revised Grading and Drainage Plan			

Water Quality – Construction							
HYD-4	The hydrological and drainage improvements identified in Mitigation Measures HYD-1 and HYD-2 shall be completed during the Phase I grading period and prior to issuance of the Building Permit for the Phase II buildings (i.e., Library, Maintenance, or Athletic).	During Phase I Grading Period and Prior to Any Building Permit	Director of Public Works and City Engineer	Verification of Drainage Improvements			
HYD-5	Prior to issuance of any Grading or Building Permit, and as part of the Project's compliance with the NPDES requirements, a Notice of Intent shall be prepared	Prior to Any Grading Permit	Director of Public Works	Verification of Submittal of			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance			
				Initials	Date	Remarks	
	and submitted to the Los Angeles RWQCB providing notification and intent to comply with the State of California general permit. Also, a Stormwater Pollution Prevention Plan (SWPPP) shall be reviewed and approved by the Director of Public Works and the City Engineer for water quality construction activities onsite. A copy of the SWPPP shall be available and implemented at the construction site at all times. The SWPPP shall outline the source control and/or treatment control BMPs to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable." The SWPPP shall contain, at a minimum, the BMPs outlined in <u>Appendix 13.6, Hydrology and Water Quality Data</u> .	or Building Permit	and City Engineer	Notice of Intent			
HYD-6	Prior to issuance of any Grading Permit, the Applicant shall prepare, to the satisfaction of the Director of Public Works and the City Engineer, a Water Quality Management Plan, which includes Best Management Practices (BMPs), Structural Measures and Adaptive Management, under the guidelines in Development Planning for Stormwater Management - A Manual for the Standard Urban Stormwater Mitigation Plan (SUSMP) prepared by Los Angeles County Department of Public Works (2002) or the most current/updated version. The WQMP shall contain, at a minimum, the BMPs outlined in <u>Appendix 13.6, Hydrology and Water Quality Data</u> .	Prior to Any Grading Permit	Director of Public Works and City Engineer	Verification of Approval of Water Quality Management Plan			
PUBLIC SERVICES AND UTILITIES							
Police Protection							
PSU-1	Prior to issuance of any Certificate of Occupancy, a private security program, reviewed and approved by the Planning Commission and the Los Angeles County Sheriff's Department at a duly noticed public hearing, shall be implemented at the campus enforcing the Project's Conditions of Approval and the Marymount College Code of Conduct; refer to Mitigation Measure NOI-5. The private security program shall, at a minimum, consist of a security patrol officer and a staffed security/info kiosk (during the Campus' operational hours).	Prior to Any Certificate of Occupancy	Planning Commission	Approval of Private Security Program			
Solid Waste							
PSU-2	Prior to issuance of any Building or Grading Permit, an approved Construction and Demolition Materials Management Plan shall be prepared and submitted to the Director of Public Works for review and approval. Said Plan shall include: <ul style="list-style-type: none"> All demolition (buildings and hardscape), new construction and alterations/additions. 	Prior to Any Building Permit or Grading Permit	Director of Public Works	Approval of Construction and Demolition Materials Management Plan			



Mitigation Measure		Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
	<ul style="list-style-type: none"> How the Applicant proposes to divert at least 85 percent of the existing parking/paving, concrete walkways and other concrete or asphalt pavement away from land disposal. Identify where recycled material generated by the demolition of the existing buildings and parking areas will be stockpiled on-site and disposed. Identify measures to reuse or recycle at least 50 percent of the demolition and construction materials, including, but not limited to wood, metal and cardboard, to meet the City's diversion goal requirements, as established by AB 939. 						
PSU-3	Upon completion of demolition and construction, and prior to issuance of any Certificate of Occupancy, a Construction and Demolition Materials Disposition Summary shall be submitted to the Director of Public Works. The Summary shall indicate actual recycling activities and compliance with the diversion requirement, based on weight tickets or other sufficient documentation.	Prior to Any Certificate of Occupancy	Director of Public Works	Approval of Construction and Demolition Materials Disposition Summary			
PSU-4	Where possible, the site design shall incorporate for solid waste minimization, the use of recycled building materials, and the re-use of on-site demolition debris.	Prior to Any Demolition Permit	Community Development Director	Approval of Site Plan and Demolition Plan			
PSU-5	The proposed Project shall incorporate storage and collection of recyclables into the Project design, and refuse collection contracts shall include provisions for collection of recyclables. Recycling shall be included in the design of the Project by reserving space appropriate for the support of recycling, such as adequate storage areas and access for recycling vehicles.	Prior to Any Building Permit	Community Development Director	Approval of Site Plan and Refuse Collection Contracts			
PSU-6	<p>Prior to issuance of any Certificate of Occupancy, the Applicant shall, to the satisfaction of the Director of Public Works, implement a comprehensive Recycling Program on an on-going basis, including but not limited to the following measures:</p> <ul style="list-style-type: none"> Grasscycle, use as mulch, or compost all greenwaste generated from the athletic field and landscape areas. Recycle all bottles, aluminum cans, glass and foodwaste. 	Prior to Any Certificate of Occupancy	Director of Public Works	Approval of Revised Recycling Plan			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
<ul style="list-style-type: none"> The existing paper recycling program shall be expanded to include the proposed improvements, including but not limited to the Library and Administration Building. Reports detailing the progress of the recycling for each academic year (including summer) shall be prepared and submitted to the Director of Public Works at the end of the academic year. Said report shall include the volume of tonnage that has been diverted to solid waste disposal, recycling, composting and grasscycling. 	End of Each Academic Year	Director of Public Works	Approval of Recycling Plan			
PSU-7	During events at the athletic field, temporary waste and recycling receptacles shall be provided.	City Inspector	Field Verification			
BIOLOGICAL RESOURCES						
Special Status Biological Resources						
BIO-1	Prior to issuance of any Grading Permit, a habitat assessment for the El Segundo blue butterfly (<i>Euphilotes battoides allyni</i>) shall be conducted by a qualified biologist permitted by the USFWS to conduct surveys for this species, approved by the Community Development Director, and paid for by the Applicant. If any El Segundo blue butterfly is located in the impact area, authorization from the UFWS shall be required prior to commencing any construction activities in the surveyed area. Authorization can occur through either Section 7 or 10 of the FESA. The authorization process would require a preparation of Biological Assessment or Habitat Conservation Plan (HCP), which would include a Special Status Plant Mitigation Program to avoid or minimize impacts to this species. The Special Status Plant Mitigation Program may include avoiding the habitat of this species or purchasing off-site habitat for this species.	Prior to Any Grading Permit	Community Development Director	Acceptance of Habitat Assessment and Acceptance of Special Status Plant Mitigation Program (if needed)		
BIO-2	The Applicant shall hire, at the Applicant's expense, a qualified Biologist, approved by the Community Development Director, who shall conduct a focused survey for active raptor nests no more than 30 days prior to commencement of any grading or construction or the removal of the gum trees, if such activity occurs during the breeding season between February 1 and June 30. If an active nest is found, some restrictions on grading activities may be required in the vicinity of the nest until the nest is no longer active as	No More Than 30 Days Prior to Any Grading or Construction or Gum Tree Removal, if Activity Occurs	Community Development Director	Acceptance of Focused Survey for Active Raptor Nests		



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
determined by a qualified Biologist.	Between February 1 and June 30					
Special Status Habitats						
BIO-3	Prior to Any Grading Permit	Community Development Director	Acceptance of Jurisdictional Delineation			
<p>Prior to issuance of any Grading Permit, a jurisdictional delineation shall be conducted by the Applicant to determine whether the two drainage channels are under the jurisdiction of ACOE and CDFG. If these agencies have jurisdiction over the Project's study area, permits or waivers thereof would be required from one or both of these agencies prior to issuance of any Grading Permit. The Applicant shall be required to comply with all permit conditions from the ACOE and/or CDFG. Conditions of these permits may include, but are not limited to, the replacement of habitat value within the jurisdictional areas impacted. The replacement may come in the form of habitat restoration and/or enhancement onsite or in the immediate vicinity at the discretion of the permitting agencies.</p>						



RESOLUTION NO. 2010-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES CONDITIONALLY APPROVING CASE NO. ZON2003-00317 FOR THE MARYMOUNT COLLEGE FACILITIES EXPANSION PROJECT, LOCATED ON THE PROPERTY AT 30800 PALOS VERDES DRIVE EAST.

WHEREAS, on September 2, 1975, the City Council of the City of Rancho Palos Verdes (the "City Council") adopted Resolution No. 75-73 granting Marymount College (the "College") Conditional Use Permit #9 ("CUP No. 9"), thereby allowing the College to operate a non-profit, private two-year liberal arts community college at the 30800 Palos Verdes Drive East (the "Property") under certain conditions of approval; and,

WHEREAS, the College sought and received various additional approvals from the City between 1975 and 2000; and,

WHEREAS, on July 12, 2000, the College submitted applications for revisions to the College's facilities (Conditional Use Permit No. 9 – Revision "D"), which application was subsequently withdrawn by the College on June 12, 2003, in light of geological constraints on a portion of the Property that impacted the proposed library, maintenance and art studio buildings; and,

WHEREAS, on June 12, 2003, the College submitted case No. ZON2003-00317 including applications for a Conditional Use Permit No. 9 – Revision "E", Grading Permit, Variance Permit, Master Sign Permit (collectively, the "Application"), and Environmental Assessment, for the Property; and,

WHEREAS, on August 21, 2005, the Application was deemed complete for processing, pursuant to the State Permit Streamlining Act (PSA), Government Code Section 65920 *et seq.*; and,

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 *et. seq.* ("CEQA"), the State's CEQA Guidelines, California Code of Regulation, Title 14, Section 15000 *et. seq.*, the City's Local CEQA Guidelines, and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), the City of Rancho Palos Verdes prepared an Environmental Impact Report (State Clearinghouse Number 2002021127) (the "EIR") for the development proposed in the Application; and,

WHEREAS, the College's current facilities do not contain sufficient on-site parking as required by the City's Municipal Code, and the College proposes to remedy this deficiency by providing additional on-site parking to meet the demand generated by the modified campus facilities, which may include taking certain steps to reduce parking demand on the site; and,

WHEREAS, the College constructed a partial silhouette of the proposed structures on the project site, which remained in place for viewing between December 20, 2007, and January 25, 2008; and,

WHEREAS, on January 18, 2008, the Planning Commission conducted a special meeting to visit the site and view the silhouette; and,

WHEREAS, on July 10, 2008 the College submitted revisions to the Application plans based in part on the comments made during the public comment period on the Draft EIR, which included:

1. providing more appropriate drought tolerant and native plant materials and increased planting on the south slope to visually screen buildings;
2. redesigning the eastern parking lot to remove parking spaces adjacent to residence at 2750 San Ramon Drive and provide a landscape buffer area. The parking lot was also redesigned to provide for one-way access to the lower portion of the parking lot so as to prevent headlights from shining into back yard area. The grading plan was revised consistent with this change, and a detailed section was provided of this area of the parking lot;
3. showing the locations of temporary modular buildings for use while construction is occurring;
4. revising the plans for the Library (within the same footprint of previous design), including lowering the height of the entry rotunda by approximately 5 feet and modifying the interior building layout;
5. revising the plans for the Athletic Building (within footprint of previous design), which added a stepped connection between the pool and exterior walkway and modified the interior building layout (with no exterior building changes);
6. providing fencing and planting plans for the athletic field; and,

WHEREAS, on September 9, 2008, the Planning Commission was presented with revisions to the Project proposed by the College; and,

WHEREAS, after notice was issued pursuant to the requirements of the Rancho Palos Verdes Development Code and CEQA, the Planning Commission held a duly noticed public hearing on October 28, 2008, at which time all interested parties were given an opportunity to be heard and present evidence regarding the Application and the EIR; and,

WHEREAS, on October 28, 2008, the Planning Commission continued the item to the December 9, 2008, Planning Commission meeting to allow time for additional review of the EIR; and,

WHEREAS, the Planning Commission held a continued public hearing on December 9, 2008, at which time all interested parties were given an opportunity to be heard and present evidence, and the item was continued to the Planning Commission meeting of January 27, 2009; and,

WHEREAS, on December 19, 2008, in response to the proposed conclusions in the Draft EIR, the College submitted modified plans and updated information to Staff, including an application for a Minor Exception Permit and an additional Variance request to allow fencing and netting around the perimeter of the proposed athletic field and tennis courts to be considered by the Planning Commission as part of the Project (collectively, the Application, the Minor Exception Permit and additional Variance are referred to as the "Project."); and,

WHEREAS, on January 5, 2009, the City's Traffic Safety Commission conducted a public hearing, at which time presentations were made by the EIR traffic consultant, the City's independent traffic consultant retained to review the traffic study, and the College's traffic consultant, and all interested parties were given an opportunity to be heard and present evidence on the Project related traffic study prepared for the EIR; and,

WHEREAS, on January 8, 2009, public notice of the Minor Exception Permit and additional Variance applications were mailed to all property owners within a 500-foot radius of 30800 Palos Verdes Drive East (Marymount College) and to interested parties, as well as concurrently published in the *Peninsula News*; and,

WHEREAS, on January 9, 2009, public notice of the Minor Exception Permit and additional Variance applications was issued by electronic correspondence to the city's list-serve subscribers; and,

WHEREAS, on January 27, 2009, the Planning Commission held a duly noticed and continued public hearing, at which time all interested parties were given an opportunity to be heard and present evidence regarding the Project, and continued the item to its March 10, 2009 meeting; and,

WHEREAS, prior to the March 10, 2009 Planning Commission meeting, the College formally requested that the Project not be considered at the March 10, 2009 meeting due to the unavailability of the College's President on that date; and,

WHEREAS, on March 10, 2009, the Planning Commission continued the hearing on the Project to March 31, 2009, at the request of the College; and;

WHEREAS, the Planning Commission continued deliberation regarding the Project at the May 26, 2009 and June 9, 2009 Planning Commission meetings; and,

WHEREAS, certain revisions were made to the Project to address concerns raised during the consideration of the Project, as more specifically described in Appendix A of the Final EIR, which revisions include the removal of the Residence Halls, relocation and redesign of the Athletic Building, and redesign of the East Parking Lot. The Project, with this revision, is referred to as the "Revised Project";

WHEREAS, on June 9, 2009, the Planning Commission adopted P.C. Resolution No. 2009-27, which certified that the Final Environmental Impact Report prepared for the Project was prepared in accordance with the provisions of CEQA, and adopted findings required by CEQA; and,

WHEREAS, the Planning Commission adopted P.C. Resolution No. 2009-28, approving the Revised Project; and,

WHEREAS, Concerned Citizens Coalition/Management Expansion (CCC/ME) filed a timely appeal of the Planning Commission approval of Conditional Use Permit No. 9 – Revision “E” to the City Council in accordance with the City’s Code; and,

WHEREAS, on August 18, 2009, the City Council held a duly noticed public hearing, at which time all interested parties were given an opportunity to be heard and present evidence, and continued the item to a meeting on Saturday, September 12, 2009; and,

WHEREAS, on September 9, 2009, the College issued a press release announcing its intention to seek accreditation for and to commence offering Bachelor of Arts degree programs as early as the Fall of 2010; and,

WHEREAS, the introduction of Bachelor of Arts degree programs was deemed by the City to be a revision to the Revised Project that had the potential to cause greater environmental impacts than the project as analyzed in the Final EIR certified by the Planning Commission, thus the City conducted further review as required by CEQA; and,

WHEREAS, the additional environmental analysis is embodied in Appendix D to the Final EIR; and,

WHEREAS, Appendix D was circulated for public review and comment (January 21, 2010 through March 8, 2010), during which time the City received a number of comments to which responses were prepared; and,

WHEREAS, the City Council held a public meeting on February 16, 2010, during the public comment period, to provide an opportunity for the College and the public to provide comments on Appendix D; and,

WHEREAS, the City Council held a continued public hearing on March 30, 2010, at which time testimony, both written and oral, was taken, after which the public hearing was closed; and,

WHEREAS, the City Council continued its deliberations on March 31, 2010, at which time the City Council considered the Revised Project, with the inclusion of the Bachelor of Arts degree programs; and,

WHEREAS, on April 6, 2010, the City Council directed staff to notice a public hearing regarding the Project for the meeting of May 4, 2010 for the purpose of revisiting issues related to the athletic field; and,

WHEREAS, on May 4, 2010, the City Council held a public hearing regarding the athletic field issues, took testimony, closed the public hearing, and concluded its deliberations regarding the Project; and,

WHEREAS, the College, at the May 4, 2010, meeting committed to assist the City's construction of a center roadway median barrier in Palos Verdes Drive East, which would be a City public works project, by donating to the City \$200,000.00 towards the cost of that improvement;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

Section 1: The City Council has considered the volumes of evidence presented in the Project's Environmental Impact Report, staff reports, written and oral public comments, and written and oral comments from the College. At the conclusion of the public testimony, the City Council considered various revisions to the project approved by the Planning Commission, including the Bachelor of Arts degree programs and potential reconfiguration of the athletic field. The project as revised by the City Council is hereby referred to as the "Final Project."

Section 2: In consideration of the requested Conditional Use Permit, the City Council finds as follows:

2.1 The site is adequate in size and shape to accommodate the proposed use and for all of the yards, setbacks, walls, fences, landscaping and other features required by Title 17 of the Rancho Palos Verdes Municipal Code or by conditions imposed under this section to integrate said use with those on adjacent land and within the neighborhood for all aspects of the Final Project for the following reasons:

2.1.1 The City Council finds the site sufficient in size to accommodate the Final Project.

2.1.2 The Final Project is located on an approximately 24.57 acre site and, as conditioned, the Final Project meets the General Plan development standards for the Institutional (I) zoning district in which the Property is located. The Final Project, as conditioned, complies with the required structure setbacks. Although the Final Project does not comply with the general development standards of the Municipal Code with respect to the height of walls and fencing, the College has applied for a Minor Exception Permit and Variance to allow for the construction of such fencing. For the reasons set forth below, the City Council finds that the Property is adequate to accommodate the proposed walls and fencing.

2.1.3 The Final Project complies with the structural setback standards for the Institutional zoning district. The proposed structures will be set back a minimum of 118-feet from the front and street-side property lines. This exceeds the 25-foot front and side setbacks for properties that abut dedicated streets, as set forth in the Municipal Code. The Institutional zoning requires a minimum of 20 feet for interior side and rear setbacks, and

the Final Project meets these requirements by providing setbacks of a minimum of 63 feet from the interior side and rear property lines.

2.1.4 The proposed parking lots for the Athletic Building, Library, Student Union, Admission Building, and Faculty Building, are within 300 feet of the subject buildings as required by Municipal Code Section 17.50.040 (c).

2.1.5 The proposed parking area would be 10 feet from the front property line. This would encroach on the 25-foot front yard setback area. The existing parking lot has a setback of between zero and two feet from the front property line. The College has requested a Variance for this parking setback requirement due to site constraints associated with the location of existing structures. The plans also incorporate landscaping into the design, and the Final Project is conditioned to construct a 42-inch tall decorative wall / wrought iron fence to visually soften views of the parking lot. For the reasons set forth below, the City Council can make the findings to approve a variance for the encroaching parking and hereby finds the setback encroachment does not render the site inadequate to accommodate the proposed uses and structures.

2.1.6 The new garden walls and retaining walls comply with criteria contained in the Development Code. The retaining walls around the tennis courts exceed the permissible height. In addition, the proposed chain link fence is not permitted by the Development Code. The proposed hedge along the western edge of the tennis courts is not permitted within the street side setback at the height requested. However, the College has submitted applications for a Variance and Minor Exception Permit to address these issues, the findings for which can be made for the reasons set forth below. The City Council therefore finds that the proposed fencing is appropriate, and that the site is adequate to accommodate the requested fencing and retaining walls.

2.1.7 In addition to other vegetation, the gold medallion trees, Aleppo pine trees, and snail seed trees will buffer and screen the College from adjacent residences, and the site is adequate in size and shape to accommodate the proposed landscaping.

2.1.8 By reducing the footprint of the Athletic Building, no portion of the structure will extend over the southern slope (906' at top-of-slope), including the existing extreme slope. Landscaping will screen the structure's visibility from down-slope.

2.1.9 The athletic field and tennis courts are set into the grade thus reducing their visibility from neighboring properties and from the public roadway. Although the retaining walls for these facilities exceed the height limits established by the Development Code, the additional Grading Permit findings can be made, as discussed below, to warrant approval of the facilities.

2.1.10 The City Council finds that the site is of adequate size to accommodate an athletic field in addition to the other components of the project, provided that it is moved further to the east, with two tennis courts on either side, because a field so configured, would not result in safety impacts on Palos Verdes Drive East.

2.1.11 For all of these reasons, the site is adequate in size and shape to accommodate the Final Project. In addition, the conditions imposed on the Project, which are set forth in Exhibit "A" attached hereto, and incorporated herein by reference, ensure consistency and compatibility of use between the College and properties within the neighborhood.

2.2 The site for the proposed use relates to streets and highways sufficient to carry the type and quantity of traffic generated by the subject use;

2.2.1 The Traffic Impact Analysis prepared by the City's environmental consultant, RBF Consulting, and subsequently reviewed by a City-retained independent traffic consultant (Fehr and Peers) as well as the City's Traffic Engineer, and the City's Traffic Safety Commission, indicates that the impacts resulting from project-generated traffic on intersections currently experiencing, or projected to experience, traffic congestion can be mitigated to a less than significant level with the incorporation of specific mitigation measures. However a significant cumulative traffic impact would occur at the intersection of Palos Verdes Drive South and Palos Verdes Drive East.

2.2.2 Construction related traffic could otherwise cause significant adverse impacts to local traffic. However, the submittal of a Construction Management Plan to control hauling schedules and prohibit staging of equipment and parking of construction related vehicles on City streets will mitigate construction related traffic impacts.

2.2.3 The Final Project would not result in any significant traffic impacts upon implementation of the mitigation measures identified in the Final EIR, including, among other things, installation of a traffic signal at the intersection of PVDE and Miraleste Drive (TR-2); re-striping Trudie Drive at Western Avenue to provide one left-turn lane, and one thru/right-turn lane (TR-3), limiting the total full-time and part-time student enrollment (TR-4), fair share payment for modifications to the intersection of PVDE and PVDS to construct a raised median refuge area for southbound left-turning vehicles to cross westbound traffic and wait for an adequate gap to enter the eastbound traffic flow (TR-8); and providing an acceleration lane along PVDS for the southbound left-turning vehicles identified above to accelerate onto PVDS (TR-8).

2.2.4 The Final Project has the potential to increase traffic hazards resulting from errant balls due to the athletic field's proximity to Palos Verdes Drive East. However, the following proposed mitigation measures would address such traffic hazards: the installation of a 6-foot high wrought iron fence along the curvature of Palos Verdes Drive East between the east tennis courts and the detention basin, the installation of retractable netting along the north, south, and western sides of the athletic field of 30 feet in height, and the installation of 20-foot high tennis court fencing around the perimeter of the west tennis courts. Further, conditions of approval have been imposed that require the College to hold harmless and indemnify the City, its officials and agents and to obtain insurance with the City, its officials and agents named in the policy or policies as additional insureds. The insurance must cover, among other things, claims made for injuries or damages that may arise from the College's operations, including the operation of the athletic field.

2.2.5 The mitigation measures proposed in the EIR and traffic study adequately address the potential traffic impacts of the Final Project at all locations, although the Final Project would add to a potentially significant cumulative impact at Palos Verdes Drive South and Palos Verdes Drive East. This cumulative impact has been mitigated to the extent feasible through a requirement to make a fair-share payment to the City for improvement of this intersection. Because the Project must mitigate its impacts, including its contribution to cumulative impacts, the City Council finds that the site relates to streets and highways sufficient to carry the type and quantity of traffic generated by the Final Project.

2.3 In approving the subject use at the specific location, there will be no significant adverse effect on adjacent property or the permitted use thereof;

2.3.1 There will be no significant adverse effect on adjacent property or the permitted use thereof because mitigation measures have been incorporated into the Project that reduce the potential impacts on Aesthetics, Air Quality, Geology and Soils, Hydrology and Water Quality, and Noise generated by Final Project operation to a less than significant level.

2.3.2 Marymount College is surrounded by well-established single-family neighborhoods, on properties designated in the City's General Plan Land Use Policy Map as Residential with densities ranging from one to four dwelling units per acre.

2.3.3 The Final Project including enhancement of the Library, Student Union, and Fine Arts Studio, and incorporating a new Athletic Building would alter the use of the College's property and likely extend the hours of operation. However, the proposed uses, subject to the hours of operation set forth in the conditions of approval, would not result in significant adverse effects on adjacent properties or nearby residential areas

2.3.4 The conditions of approval establish a fixed enrollment cap of 793 full- and part-time students in the College's traditional degree programs (weekdays) during the fall, winter, and spring terms, add a new enrollment limit to the College's non-traditional degree programs (night/weekend), add a new limit as to the cumulative attendance at summer program activities to no more than 600 students (traditional and summer educational programs), and require special use permits or an amendment to the conditional use permit for uses that are not permitted under this approval.

2.3.5 As conditioned, the enrollment limitations ensure that uses would remain compatible with the surrounding residential areas.

2.3.6 The Final Project would increase the number of on-site parking spaces from 343 to 463. The traffic demand could be minimized by implementing other measures and Mitigation Measures (TR-5 and TR-6), including: increased shuttle service, carpool incentives, and restricting guest parking. Other parking related mitigation measures would limit over-flow parking on adjacent City streets, including: requiring the College to submit a parking management program; providing carpool only spaces; utilizing remote parking; offering financial incentives for people who use the shuttle and/or public transit;

implementing parking pricing for campus parking permits; requiring the submittal of annual Parking Management Strategy Programs; and limiting student enrollment to a maximum of 793 weekday students and 150 weekend students.

2.3.7 Additional trees and shrubs, combined with existing trees and a privacy wall, will minimize impacts to the adjacent properties on San Ramon. Further, the parking lot would be set back five feet from the shared property line, as compared to a zero setback under current conditions, with the area between the privacy wall and new parking area developed with a planter wall and additional landscaping for screening.

2.3.8 The proposed Eastern Parking Lot would be located on an area of the property that is in part improved with an athletic field, tennis courts and basketball courts, and is in part unimproved open space. This area is identified as a geologic structure setback zone because of its close proximity to the South Shores Landslide. As originally proposed, the placement of parking in this area would have adversely affected the two properties at 2750 and 2742 San Ramon by introducing: parked cars directly in view from those residences; activities associated with the operation of cars such as car alarms, doors slamming, car radios, and conversations in the parking lot; and privacy impacts. The Planning Commission requested revisions to the design and placement of this parking area to increase the distance between the parking area and the adjacent properties and incorporate additional landscaping with native and low water using plant material to minimize impacts and ensure there would not be adverse effects on the adjacent properties. Although taller landscaping or walls might further reduce impacts to the adjacent properties, such improvements would have the potential to cause significant view impairment impacts. The City Council finds that as modified and as conditioned, the Final Project will not have an adverse effect on the adjacent properties.

2.3.9 Construction activities would create noise impacts. Impacts are minimized by imposition of certain conditions of approval, including limiting the time of construction activities; notifying property owners when each phase of construction will commence; addressing noise complaints immediately upon notification; limiting construction activities within the public right-of-way; limiting the hours of on-site repair, maintenance or delivery of equipment and/or materials; and imposing as conditions the noise mitigation measures identified in the project EIR. Although the EIR concludes that construction noise will remain a significant impact for purposes of the California Environmental Quality Act, the City Council finds that the temporary construction noise is not a sufficient basis for concluding that the Final Project, as conditioned, would have a significant adverse effect on adjacent properties. Final Project implementation would create new operational noise sources and eliminate or relocate existing operational noise sources. Major operational noise sources include: mechanical equipment, slow moving delivery/supply trucks, loading dock activity, parking lots, landscape maintenance, tennis courts, and the outdoor pool. The conditions of approval imposed to control operational noise impacts, including but not limited to such as hours of operation, code of conduct, and campus landscape and maintenance plan, will ensure that the Final Project will not have a significant impact on adjacent properties.

2.3.10 The Final Project would require enhancements of night lighting including security lighting, specifically at the following locations: buildings, the reconfigured parking lots, pedestrian walkways, outdoor plazas, the rose garden, the outdoor pool, and the flag pole. All lighting will be contained on-site, as shown on the photometric plan provided by the College. Moreover, conditions are imposed requiring the College to minimize the spill or glare at property lines and shield abutting properties from light generated on the Property. Further, the conditions of approval require that the athletic field and rose garden generally be closed between sunset and sunrise, unless special approval is granted, and to the extent that the lighting of the pedestrian paths to the athletic field and rose garden are illuminated at night, it must be accomplished with light fixtures that do not result in lighting impacts. Therefore, as conditioned, the lighting components will minimize potential adverse impacts to neighboring properties.

2.3.11 As discussed above, the proposed eastern parking lot would be situated near the escarpment for the South Shore Landslide. The College proposed to develop a parking lot with grasscrete pavers in a portion of this area, however, based on concerns related to percolation of irrigation water into the landslide area, the grasscrete surface is not approved. Although a subsurface drainage system could be designed to capture the irrigation water before it percolated into areas of instability, the City's Geologist expressed concern that such systems can fail in ways that would not be readily noticed, and thus could allow introduction of irrigation water into the landslide areas. To ensure that adverse effects do not occur, the grasscrete material is not approved for use in the eastern parking area and landscaping is required to consist of native or other low water use plants. Parking lot planters are required to be raised, lined and connected to the storm drain system.

2.3.12 The Final Project includes a drainage system, including a detention basin designed to meet not only drainage purposes, but also to meet water quality requirements. As designed, the system will ensure that drainage from the project site into existing storm drains will not increase above existing conditions so that the capacity of existing storm drains will not be exceeded, which results in an improvement over the existing conditions. As such, the Final Project will not affect adjacent properties because of drainage from the property.

2.3.13 The College proposes a free standing stone wall at the entry along PVDE and a retaining wall at the eastern edge of the parking lot. These walls comply with the Development Code and will not adversely affect neighboring properties. Extending the wall with a wrought iron fence to the northeast corner of the tennis courts will control pedestrian access from PVDE onto the campus and will visually screen the parking lot without adversely impacting neighboring properties.

2.3.14 The Final Project includes constructing an approximately 10-foot tall retaining wall at the northwest corner of the athletic field, a 6-foot tall wrought iron fence and a 42-inch tall hedge along the property line at the curvature of Palos Verdes Drive East , a 30-foot tall retractable net at the northern, southern and western sides of the athletic field and 20-foot tall tennis court fencing at the westerly tennis courts. None of these are permitted under the City's Development Code. However, the Minor Exception Permit and

Variance findings in this Resolution support the conclusion that the fencing, netting and retaining walls will not adversely affect neighboring properties. In addition, the installation of temporary netting, and fencing along the outside of the athletic field will reduce safety concerns regarding errant balls and avoid related effects on adjacent properties.

2.3.15 The height of each structure will exceed the 16-foot height standard imposed on buildings within the Institutional (I) zoning district, although greater height can be approved through the conditional use permit process. The Fine Arts Studio will be constructed at 17 feet, as a single-story addition to the existing Auditorium Building. The addition will be located behind the auditorium and is lower in height. Thus, the addition of the Fine Arts Studio will not be visible from neighboring properties. The Faculty Building is proposed to be two-stories and constructed at a maximum height of 28 feet. The proposed structure will be located behind existing buildings such that its height will not be visible from neighboring properties. Thus, the Faculty Building will not cause adverse impacts to neighboring properties. The two-story addition to the Student Union is proposed to be a two-story addition at a maximum height of 30 feet. The addition will be connected to the proposed Athletic Building and will not adversely impact neighboring properties in terms of mass, bulk, or views. The administration/admission structure is proposed to be a one-story addition to the existing building at a maximum height of 25 feet. The addition will be comparable to the height of the immediately surrounding buildings, and therefore will not be massive, bulky, or significantly affect views from neighboring properties. The Maintenance Building is proposed to be one-story and will be constructed at a maximum height of 20 feet. The proposed ridgeline will be lower than the Athletic Building and Student Union. This structure will not adversely impact neighboring properties with respect to mass, bulk, or views. The Library Building is proposed to be one-story and will be a maximum of 44 feet in height with the rotunda height at 39 feet as measured from the lowest finished grade adjacent to the building. The design of the library will result in a single-story appearance from properties located to the north and a two-story appearing structure from the south. The applicant lowered the entry rotunda by five feet to address potential view impairments of the residence at 2925 Crest Road. The articulation and varying roof planes should minimize mass and bulk. The library as proposed will not significantly impair views from neighboring properties, specifically 2925 Crest Road.

2.3.16 The Athletic Building is proposed to be two stories, at a maximum height of 32.25 feet with a maximum ridgeline elevation of 930 feet. It will be notched into the site to give the appearance of a single-story structure when viewed from properties to the north, and a two-story structure when viewed from properties to the south. The structure has been revised so that it does not encroach into an existing extreme slope area of the site. Photos of the project silhouette and visual simulations included in the EIR suggest the building would be massive and bulky when viewed from the south, including from PVDE. However, certain design adjustments, including reducing the footprint of the structure so that no portion extends beyond the top-of-slope, providing an additional landscape buffer, articulating the portion of the structure exceeding 16 feet in height along the southern façade, and installing new and replanted mature trees adjacent to the southern façade, should minimize the mass and bulk of the structure. As originally designed, the height of the athletic building would impair views of the Pacific Ocean and isthmus of Catalina Island from the lot located at 3302 Narino Drive. Lowering the roof by

ten feet from the original proposed building height, reduced any potential view impairment, and ensures no adverse effects on neighboring properties would result. A condition of approval has been imposed to require the appropriate modifications.

2.3.17 The architectural style of the proposed buildings conforms to the Mediterranean climate in Rancho Palos Verdes and the existing architectural context. The proposed use of Palos Verdes stone veneer, large overhangs, clay tile roofs, and wood and earth tone stucco resembles the architectural integrity of the surrounding residential neighborhoods.

2.4 The proposed use is not contrary to the General Plan;

2.4.1 The Final Project is consistent with the General Plan's Institutional land use designation of the site, and with the types of land uses permitted within the Development Code's Institutional zoning district because the College will continue to operate as a private educational institution. The Project site is designated Institutional – educational, on the City's General Plan Land Use Map. The General Plan lists educational facilities and activities as appropriate institutional land uses, and includes reference to Marymount College within the context of Institutional and Educational Activities. Thus, college level educational facilities are consistent with the Institutional-educational land use designation applied to the Project site.

2.4.2 The Final Project complies with the Natural Environment Element because independent engineering studies concerning geotechnical and other stability factors were conducted and peer-reviewed not only by the City's geologist but also by a geologist assisting with the preparation of the EIR for the Project. In addition, the Final Project has been reviewed through the Major Grading Permit process with the findings related thereto set forth in Section 2 below. Therefore, the Final Project was subject to regulation with respect to irrigation, natural drainage, and other water related considerations, which is consistent with Natural Environment Element Policy 3 (even though such policy only applies in the zone, and no part of the Project site is designated as RM-2 in the General Plan) and Policy 11. The Final Project is also consistent with Policy 2 because no construction over the existing extreme slope area is contemplated. The Final Project, as conditioned, is also consistent with Natural Environment Overall policy 7 because the project site has been assessed for the presence of unusual flora and fauna, including the El Segundo blue butterfly in part because ash-leaf buckwheat (*Erigonum cinereum*) occurs on the site and some biologists postulate, without proof, that this type of plant might be able to serve as a host plant for the El Segundo blue butterfly. Site surveys were conducted by qualified biologists in February 2002 and January 2006, and neither El Segundo blue butterflies nor indicators of the butterflies were observed on the site. Nonetheless, to ensure that the passage of time has not resulted in establishment of any El Segundo blue butterflies on the site, mitigation measure BIO-1 has been adopted to require a further habitat assessment for the El Segundo blue butterfly before any grading permit can be issued. The mitigation measure also provides for preparation of a Special Status Plan Mitigation Program in the event that the further study finds a population of this species that warrants a finding of significance. Because there are no resources on the site at present, and because further confirmation of this condition is required before any site

disturbance can occur, the Final Project as conditioned is fully consistent with Policy 7, which encourages study and preservation of unusual flora and fauna. Further, the project site is not within the Palos Verdes Nature Preserve, a Natural Communities Conservation Plan (NCCP), and the south facing slope is not adjacent to the preserve, whereas proposed eastern parking lot is adjacent to the preserve area lying generally to the east.

2.4.3 The Final Project is consistent with the Socio/Cultural Element because it proposes the development of new library and athletic facilities. The Socio/Cultural Element indicates that a major problem in the City is a lack of indoor and outdoor facilities for meetings and events and the heavy use of schools' facilities and libraries. The Socio/Cultural Element also provides that youth athletic organizations need more playing fields and that the City lacks facilities to stage plays, concerns, etc., to adequately accommodate attendees and performers. The Final Project would therefore support the General Plan's intent to provide socio/cultural facilities within the City.

2.4.4 The Final Project is consistent with the Urban Environment Element. The Final Project would be consistent with the site's designation as an Institutional activity area because it involves an expansion of facilities entirely within the boundaries of the existing campus. The occurrence of recreational activities on the campus would continue. As conditioned for the removal of the grasscrete pavers for the eastern parking lot area the City Council finds that any inconsistencies of the Project with Disposal/Recovery Systems Policy No. 4 (requiring developers to install necessary flood control devices to mitigate downstream flood hazard induced by proposed upstream developments), and Policy No. 5, (requiring that all flood control/natural water source interfaces and systems be treated so that erosion will be held to a minimum) have been eliminated. Further, Urban Environment Element Residential Policies 13, 14 and 15 are not applicable to the subject property because the policies relate to residential areas and development. Nonetheless, the Final Project, as conditioned is consistent with these policies because the Final Project has been analyzed with respect to potential view impacts and has been modified and conditioned to ensure preservation of views and to minimize impacts on the visual character of the area. Further, the Final Project has been conditioned to ensure that existing scenic views reasonably expected by neighboring residences are not encroached upon, including conditions of approval that restrict the height of structures to be built on the site, including the Athletic Building.

The Final Project is also consistent with Urban Environment Element Institutional Activity Policy 1, because as conditioned the Final Project maintains appropriate buffers between the college uses and the nearby residential uses through perimeter walls, vegetation, location of open spaces and capitalization on the buffer provided by Palos Verdes Drive East. Further, the process undertaken to review the Project and its relationship to adjacent sites and, the environmental review which included analysis of potential impacts of the Project, and the conditions of approval and project modifications required to address land use compatibility demonstrate, in the opinion of the City Council, that the Final Project location and site design have been carefully reviewed in compliance with Urban Environment Element Institutional Activity Policy 6.

The Final Project is also consistent with Urban Environment Element Noise Policies, including Policy 3, which requires regulation of land uses so that there is a minimal degree of noise impact on adjacent land uses. Additional mitigation measures and conditions of approval have been imposed to minimize any potential noise impacts on adjacent uses. Because Residence Halls are not included as part of the Final Project approval, there is no need to require special noise attenuation measures in multi-family residential units, and Urban Environment Element Noise Standards Policy 8 is inapplicable to the Final Project.

The Final Project is also consistent with Urban Environment Element Residential Policy 11 in that the Final Project has been subject to review and approval through the Major Grading Permit process, which controls and regulates the alterations to natural terrain and tends to minimize grading. Further, the Athletic Building is designed to be cut into the site in order to maintain the general contours of the terrain and to minimize the profile of the structures and improvements. As conditioned, the Final Project is consistent with Policy 11 regarding control of alterations of natural terrain.

The Final Project, as conditioned, provides new meeting facilities while maintaining a portion of existing meeting space; allows for expansion of existing cultural, and educational needs of the community; and maintains an educational use on a major arterial with adequate buffer from residential uses and with sufficient parking and access. The Final Project, as conditioned, is hereby found by the City Council to be consistent with Socio/Cultural Element Cultural Social, Service and Cultural Organization Policies 3 and 4, Socio/Cultural Element Social Services Policy 12, Urban Environment Element Educational Activity Policy 1, Urban Environment Element Recreational Activity Policy 11, and Urban Environment Element Transportation Systems Policy 18.

2.4.5 The City Council, for the foregoing reasons, finds the Final Project to be consistent with the General Plan, and thereby rejects Appellant's assertion that the Final Project is inconsistent with the General Plan.

2.5 That, if the site of the proposed use is within any of the overlay control districts established by Chapter 17.40 (Overlay Control Districts) of Title 17 of the Rancho Palos Verdes Municipal Code, the proposed use complies with all applicable requirements of that chapter;

2.5.1 The Project site is not situated within any Overlay Control District. Therefore, this finding is not applicable for the proposed Final Project.

2.6 Conditions, as set forth in Exhibit A, attached hereto and incorporated herein by reference, have been imposed on the Final Project to protect the health, safety and general welfare. These conditions of approval relate to various issues including, but not limited to setbacks and buffers; fences or walls; lighting; vehicular ingress and egress; noise, vibration, odors and similar emissions; landscaping; maintenance of structures, grounds or signs; Service roads or alleys; and such other conditions as will make possible development of the City in an orderly and efficient manner and in conformity with the intent and purposes set forth in Title 17 of the City's Municipal Code.

2.7 For the foregoing reasons, the City Council can make the findings to grant a conditional use permit for the Final Project except that (a) it can only make the findings for the Athletic Building if that building is modified so as not to encroach over the extreme slope, to minimize visual character impacts, and to ensure that no significant impacts to Catalina views from Narino Drive will occur, and (b) it can only make the findings for the eastern parking lot if it is revised to be set back from the rear yards of properties fronting San Ramon by 80' 6" with additional landscaping buffer provided between the relocated parking area and the neighboring properties.

Section 3: In consideration of the requested Grading Permit, the City Council finds as follows:

3.1 The grading does not exceed that which is necessary for the permitted primary use of the lot, as defined in Chapter 17.96 (Definitions) of Title 17 of the Rancho Palos Verdes Municipal Code;

3.1.1 The College originally proposed to conduct 102,000 cubic yards of grading to prepare the site for the Project, however, as demonstrated by the recent grading plan that was submitted by the College, the grading quantity necessary for the Final Project would be 79,155 cubic yards. The grading is balanced on-site eliminating the need to import or export earth.

3.1.2 The majority of the grading occurs at the southern portion of the campus and involves cutting into existing terrain to lower the finished pad elevations to address potential view impacts to properties to the north. Retaining walls are proposed along the northern, western and eastern sides of the athletic field and tennis court area to support the grade cut. An additional retaining wall is proposed along the southern slope to support the fill required for the Fire Access Lane. The proposed Athletic Building is also being notched into the existing grade so that when viewed from the neighboring properties to the north and the adjacent roadway, the structure appears to be single-story.

3.1.3 The grading proposed for the eastern parking lot will be terraced into two levels, with the lower level being cut into the slope. A retaining wall will be used to support the cut between the parking lot's upper and lower terraces. This grading enables sensitivity to neighboring residential uses, and allows for additional parking to accommodate the primary use of the site, thus the finding can be made for the grading associated with the eastern parking lot.

3.1.4 The Athletic Building is being notched into the grade to minimize view impacts to the north, and has been relocated so that it does not extend beyond the top of slope (906') into the extreme slope area, and to minimize the structure's visibility from down slope properties and Palos Verdes Drive East. Therefore, the City Council finds that grading for this building does not exceed that which is necessary for the permitted primary use of the lot.

3.2 The proposed grading and/or related construction does not significantly adversely affect the visual relationships with, or the views from the viewing area of neighboring

properties. In cases where grading is proposed for a new residence or an addition to an existing residence, this finding shall be satisfied when the proposed grading results in a lower finished grade under the building footprint such that the height of the proposed structure, as measured pursuant to Section 17.02.040(B) of Title 17 of the Rancho Palos Verdes Municipal Code, is lower than a structure that could have been built in the same location on the lot if measured from preconstruction (existing) grade. However, it should be noted that the second part of this finding is inapplicable to the Project because the Project is not a single-family residence;

3.2.1 Portions of the grading would allow the depression of the proposed improvements into the grade in order to minimize view impacts to neighboring properties and roadway to the north. These improvements include the Athletic Field, Tennis Courts, Athletic Building (as conditioned), Swimming Pool, and parking lots. Extensive visual simulations were prepared, from various vantage points, and studied in the Final EIR. In addition, a silhouette was constructed to assess views. These studies found that no General Plan protected view will be impacted after changes to the Athletic Building are made in accordance with conditions set forth in Exhibit "A." The grading enables these improvements to be developed without adversely affecting the visual relationship to neighboring properties and streets, and serves to protect the views and viewing areas of neighboring properties.

3.2.2 The height of the Athletic Building as initially proposed created a significant view impact to the ocean and Catalina views from the lot located at 3302 Narino Drive. Modifying the Athletic Building to ensure no significant impairment of Catalina Island views either by lowering the roof ridgeline, lowering the building pad elevation, or both, will minimize the view impacts. The Final Project has been conditioned accordingly.

3.3 The nature of the grading minimizes disturbance to the natural contours and finished contours are reasonably natural;

3.3.1 The grading for these improvements also occurs in a relatively flat portion of the site and does not encroach into the existing south-facing slope that helps to define the Property.

3.3.2 The grading for the tennis courts and athletic field is designed to resemble the existing natural contours of the site by depressing the improvements into the grade, utilizing transitional slopes, incorporating terracing, and largely preserving the site's appearance as viewed from the south along Palos Verdes Drive East.

3.3.3 The Athletic Building is set back from the south-facing slope, which includes extreme slopes of more than 35 percent. However, as discussed below with respect to remedial grading, the extreme slope will be removed and restored to its more natural grade. Thus, the City Council finds that the Athletic Building will minimize disturbance to the south-facing slope and will result in reasonably natural finished contours.

3.4 The grading takes into account the preservation of natural topographic features and appearances by means of land sculpturing so as to blend any man-made or manufactured slope into the natural topography;

3.4.1 In general, the new slopes will be similar to the existing slopes, but with the elimination of the man-made extreme slopes.

3.4.2 The 2:1 cut slope at the southern side of the building areas exceeds the natural slope, however, the City Council finds that if the proposed slope is modified to be less than 35 percent, it will blend in with the natural topography of the area, which is generally less than 35 percent. The project is conditioned accordingly.

3.5 The grading permit finding regarding grading and construction compatibility with immediate neighborhood character applies only to the construction of new single family homes, and thus is inapplicable to this institutional project.

3.6 The grading permit finding regarding preservation and introduction of plant materials in new residential tracts so as to protect slopes from soil erosion and slippage and minimize visual effects of grading and construction on hillside areas is not applicable, because the Project is an institutional facility that is not in a new residential tract. Nonetheless, the biological study prepared for the EIR suggests that potential impacts to biological resources, such as wildlife and vegetation, were assessed based on the proposed grading limits, including construction activities such as staging and equipment areas. According to the assessment in the EIR, the Final Project is not anticipated to adversely impact biological resources.

3.7 The grading permit finding regarding street design and improvements which serve to minimize grading does not apply to the Project because no new streets are proposed.

3.8 The grading would not cause excessive and unnecessary disturbance of the natural landscape or wildlife habitat through removal of vegetation;

3.8.1 The biological study prepared for the EIR discusses the potential impacts to biological resources, such as wildlife and vegetation, based on the proposed grading limits, including construction activities such as staging and equipment areas. According to the assessment in the EIR, the Final Project is not anticipated to adversely impact biological resources, with the implementation of the mitigation measures incorporated as conditions of this approval.

3.9 The grading conforms to the City's standards for grading on slopes, creation of new slopes, heights of retaining walls, and maximum driveway steepness;

3.9.1 Section 17.76.040(E)(9) of the Rancho Palos Verdes Municipal Code outlines additional grading criteria. The grading proposed in this Final Project would not occur on slopes equal to or exceeding 35 percent. Unusual topography, soil conditions, previous grading or other circumstances make grading and fill exceeding a depth of five feet reasonable and necessary. Although, the proposed maximum depth of cut of 18 feet

and a maximum 25-foot depth of fill are not consistent with the development standards, these amounts of grading are found appropriate because of the findings set forth in section 3.10 below.

3.9.2 The proposed grading is intended to prepare the site for the proposed improvements, and is designed to address certain potential impacts such as views from neighboring properties by lowering finished pad elevations for such improvements as the tennis courts, athletic building, and eastern parking lot.

3.9.3 Although the grading exceeds certain criteria, such grading is found to be appropriate for the improvements included in the Final Project for the reasons discussed herein.

3.10 A grading permit for development in excess of that permissible under subsection (E)(9) of section 17.76.040 of the Rancho Palos Verdes Municipal Code upon finding that:

3.10.1 The criteria of subsections (E)(1) through (E)(8) of section 17.76.040 of the Rancho Palos Verdes Municipal Code are satisfied. The relevant findings can be made as described in subsections 3.1 to 3.8, of this Resolution as to the Final Project.

3.10.2 In general, the approval is consistent with the purposes set forth in subsection A of section 17.76.040 of the Rancho Palos Verdes Municipal Code, including permitting reasonable development of land, ensuring the maximum preservation of natural scenic character of the area consistent with reasonable economic use of the property, ensuring that the development of land occurs in a manner harmonious with adjacent lands, and ensuring that the Final Project is consistent with the General Plan.

3.10.3 Departure from the standards in subsection (E)(9) of section 17.76.040 of the Rancho Palos Verdes Municipal Code will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity. The proposed Project requires a significant amount of grading to accommodate the improvements and minimize impacts to neighboring properties by depressing the improvements into existing grades. The Property is roughly 24.57 acres in size. Development proposals on parcels of similar or larger size typically require a significant amount of grading to accommodate improvements while minimizing impacts to neighboring properties. Thus, the proposed deviations will not grant special privileges inconsistent with the limitations upon other properties in the vicinity.

3.10.4 Departure from the standards of subsection (E)(9) of section 17.76.040 of the Rancho Palos Verdes Municipal Code will not be detrimental to the public safety nor to other property. The City Geologist reviewed geotechnical reports to determine the feasibility of this Project. The City Geologist conceptually approved the proposed Project, including grading, during the planning stage. The Final Project must undergo additional review at the building and safety review and permitting stage such that engineered plans will be submitted for grading and building permits. The EIR also required analysis of the

geology and drainage, finding that the Final Project would not have an adverse impact on the environment with the proposed mitigation measures.

3.11 In conclusion, the findings can be made to warrant approval of the grading or the Final Project, subject to certain modifications as noted above.

Section 4: In consideration of the requested Variance to permit deviation from Section 17.50.040.C.2 to allow development of a new parking area within the front and street-side setback area (25 feet), the City Council finds as follows:

4.1 There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, which do not apply generally to other property in the same zoning district;

4.1.1 The College currently provides 343 parking spaces of which the existing northern parking area is currently set back from zero to two feet from the front property line. The College proposes to reconfigure the northern parking area utilizing much of the existing parking area. The reconfigured parking area will have 120 more parking spaces than before.

4.1.2 In order to provide the additional needed parking spaces in the northern parking lot without having to significantly alter the location of existing buildings, the northern parking lot could only be setback 10 feet from the property line, which lessens the nonconformity of the existing zero to 2-foot setback, and increases the amount of area along the street that can be landscaped as a buffer.

4.1.3 The area between the property line and the new parking stalls will be landscaped and is conditioned to include a 42-inch tall decorative combined wall and wrought iron fence to create a visual buffer from the roadway.

4.1.4 Because of the limited area of the site that can accommodate the needed parking spaces due to the sloping topography of the site, and the importance of providing sufficient on-site parking to ensure spill-over parking into adjacent streets and neighborhoods does not occur, there are exceptional circumstances that apply to this parking lot.

4.2 Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the same zoning district;

4.2.1 Other Institutional zoned properties within the City are similarly developed with parking spaces located within the front yard setback. These include the Art Center, the Peninsula Community Church, and the Congregation Ner Tamid Temple.

4.2.2 A parking variance to allow the parking spaces to be located in the front yard setback at the Congregation Ner Tamid Temple was approved by the City of Rancho Palos Verdes with a landscaped buffer area. This parking variance is similar to that requested here. In that instance, the City found that site constraints resulting from

access easements limited the area for the placement of the parking lot warranting an encroachment into the front yard setback.

4.2.3 In this instance, in order to accommodate parking at the north portion of the site without demolishing existing buildings, the parking lot is proposed to encroach into the 25-foot front yard setback by 15 feet. The 10-foot setback will be used as a landscaping planter to visually buffer the parking lot from the roadway.

4.2.4 This variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the Institutional zoning district.

4.3 Granting the variance will not be materially detrimental to the public welfare or injurious to property and improvements in the area in which the property is located;

4.3.1 The intent of the required front or street-side setbacks is to provide an adequate buffer between parking lots, the property line, and adjacent uses.

4.3.2 The proposed northern parking lot would be setback 10 feet from the property line, which will significantly reduce the existing non-conformity. The resulting area in between the parking lot and the property line would be used as a landscape planter to visually screen and buffer the parking lot from the roadway.

4.3.3 The roadway itself, Palos Verdes Drive East, which is approximately 100 feet wide in this area, provides an additional buffer between the parking lot and the neighboring properties.

4.3.4 Granting a variance for the reduction of the 25-foot setback requirement for the northern parking lot is not materially detrimental to the public or neighboring properties. This finding can be made.

4.4 Granting the variance will not be contrary to the objectives of the General Plan or the policies and requirements of the coastal specific plan;

4.4.1 The proposed northern parking lot would be set back 10 feet from the property line along Palos Verdes Drive East. The City's Municipal Code requires parking lots to be set back 25 feet from the property line.

4.4.2 The 10 feet between the parking lot and the property line will constitute a landscape buffer, including shrubs and a 42-inch combined decorative wall and wrought iron fence, providing aesthetic screening of the northern parking lot.

4.4.3 Urban Environment Element Institutional Activity Policy No. 6 requires the City to review the location and site design of future institutional uses very carefully to ensure compatibility with adjacent uses. Urban Environment Element Institutional Activity Policy No. 6 requires the City to locate schools on or near major arterials or collectors, buffered from residential uses, and provide adequate parking and automobile access. The proposed parking configuration has been carefully reviewed, and with the landscaped areas

between the parking and Palos Verdes Drive East, the City Council finds that the appearance of the front line of the campus is compatible with adjacent uses.

Section 5: In consideration of the requested Variance to permit the installation and use of 20-foot high tennis court fencing of the westerly tennis courts and 30-foot tall retractable netting on the north, south and west sides of the athletic field during activities that involve field balls, the City Council finds as follows:

5.1 There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, which do not apply generally to other property in the same zoning district;

5.1.1 The existing athletic field is proposed to be relocated in the western portion of the Project site, located near a major arterial street. The western end of the campus follows the curvature of PVDE, meaning that the property abuts the roadway on the north, west, and south sides. Placing the athletic field and tennis courts on the western end of campus means they are in close proximity to the roadway on three sides, which is unlike other institutionally zoned properties.

5.1.2 Given the proximity of the proposed athletic field and tennis courts to a major arterial street, the potential exists that errant balls will enter the roadway and create a potential hazard for motorists, however, relocation of the field further to the east, and relocation of two tennis courts to buffer the field from PVDE, as shown in the alternative D-2 discussed in Final EIR Appendix D, in conjunction with fencing and retractable netting would minimize any such hazards.

5.1.3 The EIR identifies retractable netting as a possible mitigation measure.

5.1.4 The athletic field and tennis courts will be depressed and a grade differential of at least approximately 10 feet would exist between the field's northern boundary line and the road. Nonetheless, the potential for balls to enter the roadway still exists.

5.1.5 Retractable netting will prevent most if not all errant balls from entering the road. However, time limits should be placed on the use of such netting to minimize the visual and view impacts to adjacent properties.

5.1.6 Schools (Institutional zoned properties) located in the general vicinity of the College have similar facilities that are in close proximity to roadways. Miraleste Intermediate, Miraleste Elementary, and Dodson Middle School have athletic field fencing ranging in height from 9-feet to 20 feet.

5.1.7 The College has had athletic field and tennis court uses for many years, and thus inclusion of these facilities, even if in a different location, constitutes an intended, but ancillary, use of the site.

5.1.8 With conditions regarding maintenance and operation of the retractable netting, this finding can be made for the temporary use of 30-foot tall netting at the athletic field.

5.2 Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the same zoning district;

5.2.1 Several other educational facilities located throughout the City's institutional zoning district have playgrounds with fencing, including Miraleste Intermediate, Miraleste Elementary, and Dodson Middle School. Further, the College has had an athletic field and tennis courts in use on the site, although in a different location, for a number of years. The other educational facilities in the City tend to use permanent fencing rather than the proposed netting.

5.2.2 To minimize view impacts, the netting used in connection with the College is required to be retractable and only used when the athletic field is in use during activities involving field balls.

5.2.3 This variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the Institutional zoning district.

5.3 Granting the variance will not be materially detrimental to the public welfare or injurious to property and improvements in the area in which the property is located;

5.3.1 The proposed athletic field retractable netting would be 30 feet tall, a height higher than but comparable to that used at the existing athletic field to contain errant balls from entering property located on Vista del Mar.

5.3.2 The conditions imposed on the use of netting, including the retractable nature of the netting and the limited use during activities involving field balls, will reduce the view impacts to neighboring properties.

5.3.3 Certain neighboring properties may be potentially impacted by the use of the retractable net, especially the properties located at 30853, 30865, 30871 Casilina Drive and 3324 Narino Drive. However, at its highest point, the proposed athletic field would have a finished grade of 893 feet. Given the 30 foot height of the netting, measured from the finished grade of the athletic field, the proposed net would not exceed an elevation of 923 feet, which remains 2 feet lower than the lowest pad elevation of the homes across the street (925 feet).

5.3.4 The netting for this type of use is typically thin and open to light and air. A mock-up of the proposed net was installed in April 2009, and was photographed from adjacent properties and the public right-of-way. Further, view simulations of the proposed netting were prepared and submitted and considered by the Council. Based on observations and review of the simulations and other testimony, the City Council finds that

this type of netting allows for the continued enjoyment of views through the net. Furthermore, the nets will only be used during limited activities to minimize view impacts.

5.3.5 The retractable netting will not be detrimental to the public welfare or adjacent properties, and would help to protect the public welfare by containing errant balls on-site to minimize safety impacts associated with balls rolling in the public rights-of-way. This finding can be made.

5.3.6 The 20-foot tall tennis court fencing will not be detrimental to the public welfare or adjacent properties, will not substantially impact any views, and will assist in containing errant ball on-site to minimize safety impacts associated with balls rolling into the public right-of-way.

5.4 Granting the variance will not be contrary to the objectives of the general plan or the policies and requirements of the coastal specific plan;

5.4.1 The proposed athletic field netting is intended to contain errant field balls from entering the public roadway during sporting activities. The netting will be retractable and will only be used during activities involving field balls during limited hours. The use of the athletic field involving field balls and the use of the net is prohibited on Sundays and Federal Holidays.

5.4.2 The City's General Plan includes the following policies: "Urban Environment Element Institutional Activity Policy No. 6 – Review the location and site design of future institutional uses very carefully to ensure compatibility with adjacent uses; Urban Environment Element Residential Activity Policy No. 14 – Prohibit encroachment on existing scenic views reasonably expected by neighboring residents; Urban Environment Element Residential Activity Policy No. 15 – Enforce height controls to further lessen the possibility for view obstructions; Urban Environment Element Recreational Activity Policy No. 11 – Encourage public use of institutional recreation facilities where possible."

5.4.3 The conditions placed on the use of the netting, including the limitation on hours of use and the retractable nature of the netting, support the General Plan policies cited in the previous finding.

5.4.4 The proposed athletic field net and tennis court fencing are not contrary to the General Plan. This finding can be made.

Section 6: In consideration of the requested Minor Exception Permit to allow the construction of a 6-foot tall wrought iron fence within the front- and street-side setback and to allow a 10-foot tall recreational fence along the perimeter of the eastern tennis courts, the City Council finds as follows:

6.1 The requested minor exception is necessary to avoid practical difficulties;

6.1.1 The Project proposes relocating the athletic field and tennis courts from the eastern portion of the campus to the western portion of the campus. The proposed

location is in close proximity to PVDE such that the athletic field and tennis courts would abut the roadway on three sides.

6.1.2 The wrought iron fencing and sports court fencing will help to contain balls on-site and within the respective tennis courts, thereby preventing hazards to passing vehicles or pedestrians.

6.2 Conditions of approval, as set forth in Exhibit A, attached hereto and incorporated herein by reference, are placed on the minor exception permit to ensure the permit is within the intent of Chapter 76 of Title 17 of the Rancho Palos Verdes Municipal Code.

6.3 The height of the fence, wall, or hedge will not be detrimental to the public safety and welfare;

6.3.1 The proposed height of the athletic field wrought iron fence will not exceed 6 feet, while the tennis court fence for the eastern courts will not exceed 10 feet.

6.3.2 The fencing is setback from the roadway and is on private property. Landscaping, including shrubs at a height of 42-inches, will soften the appearance of the fence and add aesthetic value.

6.3.3 Thus, the construction of the tennis court fence and wrought iron fence will not be detrimental to the public safety and welfare.

6.4 The line of sight over or through the fence is adequate for safety and does not significantly impair a view from the viewing area of an adjacent parcel as defined in Section 17.02.040 (Single-Family Residential Districts) of Title 17 of the Rancho Palos Verdes Municipal Code;

6.4.1 The proposed wrought iron fence will be 6 feet in height and setback by approximately 3 feet from the property line. The fence will run parallel along Palos Verdes Drive East from the tennis courts to the detention basin.

6.4.2 The wrought iron fence will be open to light and air and will not impede on the line of sight over or through the fence. The wrought iron fence will not impair views from adjacent properties to the north because at its highest point, the fence will have an elevation of approximately 908' and the lowest finished pad elevations for the properties to the north range from 925' to 930' – which is at least 17' higher in elevation than the highest point of the wrought iron fence.

6.4.3 The proposed tennis courts and athletic field will be depressed into the grade and supported by a retaining wall that ranges in height from 10 feet to 23.5 feet. Given the lower pad elevation of the courts, the only fencing used along the northern side will be a 30-inch safety fence placed on top of the retaining wall.

6.4.4 Given these findings, the proposed fencing will not result in line-of-sight impacts or significant view impacts.

6.5 On corner lots, intersection visibility as identified in Section 17.48.070 (Lots, Setbacks, Open Space Area and Building Height) of Title 17 of the Rancho Palos Verdes Municipal Code is not obstructed;

6.5.1 This finding is not applicable because the proposed fencing is not located on a corner lot or within an intersection visibility triangle.

6.6 The height of the retaining wall portion does not exceed the grading limits set forth in Section 17.76.040 (Grading Permit) of Title 17 of the Rancho Palos Verdes Municipal Code;

6.6.1 The proposed height of the retaining wall for the tennis courts exceed the permitted height for upslope retaining walls, as set forth in section 17.76.040 of the Rancho Palos Verdes Municipal Code.

6.6.2 The proposed retaining walls may be permitted to exceed the specified height criteria if certain grading findings can be made.

6.6.3 The grading permit findings in Section 3 of this Resolution are sufficient to allow the retaining walls to exceed the specified height criteria deemed appropriate for the Final Project.

Section 7: In consideration of the requested Master Sign Permit to allow the construction of two new entry signs adjacent to the campus entry and other campus signs, the City Council finds as follows:

7.1 The proposed signs are consistent with the sign standards of the City's Development Code with respect to height and materials;

7.1.1 The applicant proposes to affix two new entry signs to the proposed stone veneer wall at a maximum height of 6 feet. The letters will be individually mounted brass finished letters, and will be backlit.

7.1.2 The proposed entry signs are acceptable in terms of height and materials. However, since the sign is mounted to a decorative wall that runs parallel to the street, the sign cannot be double-faced. The College thereby seeks to install two signs on the decorative wall on each side of the entry driveway.

7.1.3 These signs will not result in adverse impacts, especially if back lit.

7.1.4 The proposed way-finding signs, building identification signs, and other signs related to educational use will be added in accordance with the Complete Master Sign Plan that the College will submit for review and approval by the Planning Director. This Plan will ensure that campus signs comply with the City's Codes and, accordingly, are approved for that reason.

Section 8: As a result of the removal of the Residence Halls from the Final Project, grading that previously was analyzed as part of the Major Grading Permit can be

classified as remedial grading. Therefore, the City Council considered the additional findings necessary to approve remedial grading, and finds as follows:

8.1 The maximum vertical height of cut or fill should not exceed that which is necessary to enhance soil stability and reduce geotechnical hazards due to natural land movement or the presence of natural hazards, except that fissures of any depth may be filled to the level of the adjacent ground surface. Such grading should be designed to reduce the local topographic relief and in no case should fill be placed on a slope steeper than thirty-five percent such that it might cause a soil slip or mud-flow.

8.1.1 According to the revised grading plan submitted by the College on March 5, 2010, the overall project grading has been reduced from 102,000 cubic yards to 79,155 cubic yards. The proposed earth movement will remain balanced on-site. The maximum vertical height of cut is 25' and the maximum vertical height of fill is 18', similar to the vertical heights in the original grading plan. The proposed remedial grading on the southern slope is intended to remove the band of extreme slope and to stabilize the slope for the proposed improvements by removing the un-compacted fill and re-contouring the slope to best resemble the existing contours. The proposed remedial grading for the southern slope adjacent to the new central walkway (also known as the Fire Access Lane) consists of the cutting into the pre-existing slope (by approximately 20-feet which is similar to the cut proposed under the original major grading permit), installing a shear key, and back filling the slope at a grade that is less than 35%, giving the appearance of a continuous gradual downward slope. Furthermore, the remedial grading of the slope adjacent to the proposed rose garden is not only intended to support the upslope improvements by stabilizing this area with a cut that is approximately 25-feet (which is similar to the cut proposed under the original grading permit), but is also designed to re-contour the slope to match the finished grade of the area surrounding the rose garden and parking area that has been lowered by approximately 6-feet from the existing grade of the existing athletic field and adjacent areas.

The proposed remedial grading is essentially the same as the grading originally contemplated for the Project, no new earth movement is proposed. However, the grading considered for the original Project was requested because of the relationship to the proposed buildings and site improvements, such as the site preparation to accommodate the construction of the Residence Halls. In light of the removal of the Residence Halls, the grading is now characterized as "remedial" because, although the grading is no longer necessary to accommodate construction of a structure, the grading is still needed to stabilize the slopes adjacent to the proposed improvements.

The City Geologist and the Geologist for the project EIR have reviewed the proposed remedial grading plan and the related geotechnical and soils report prepared by the College's geologist, Associated Soils and Engineering (ASE), and have concluded that the proposed remedial grading is necessary for the stabilization of the southern slope to accommodate the proposed improvements. Furthermore, the geologists conclude that the remedial grading is not excessive and is needed for safety reasons to stabilize the slope. In no case will fill be placed over extreme slopes, rather, the extreme slopes will be cut

away and back filled at grades not to exceed 35% to better resemble a continuous natural slope. As such, this finding can be made.

8.2 Where remedial grading on a residential lot involves importation of fill material from a source outside of the lot, no more than that which is necessary to enhance soil stability and reduce geotechnical hazards due to natural land movement or the presence of natural hazards should be permitted.

8.2.1 This finding does not apply because the proposed remedial grading does not occur on a lot zoned for residential use. Rather, the subject lot is designated for Institutional uses and the proposed remedial grading is intended to, among other things, remove un-compacted fill by re-contouring the slope with grades less than 35%.

8.3 Remedial grading along private roads should be restricted to maintaining the roads in a safe and usable condition and to improving surface drainage so that runoff water does not flow into closed depressions or fissures. In areas adjacent to scarps, the crests of the scarps should be periodically lowered so as to reduce the volume of imported fill needed to maintain the proper road grade on the down-thrown sides of the scarps. In no event shall remedial grading bring the road surface higher than the original grade. Such remedial grading should be the responsibility of the appropriate homeowners association or the adjacent property owners.

8.3.1 This finding does not apply because the proposed remedial grading is not intended for either public or private roads.

8.4 Stockpiling will be allowed for road repair and remedial grading; providing, the stockpiles in any given area do not exceed two hundred cubic yards, are not in yard areas visible from any right-of-way and are not stockpiled for more than six months.

8.4.1 This finding can be made because conditions will be placed on the project that limit stockpiling for the intended remedial grading to 200 cubic yards, prohibit stockpiling visible from any right-of-way and prohibit stockpiling for more than six months.

8.5 Remedial grading shall be designed to improve surface drainage and in no case cause ponding or surface runoff so as to increase the likelihood of surface water infiltration.

8.5.1 As part of the overall project grading, the existing drainage facilities are proposed to be improved with the construction of the following:

- Roof drains on all new and improved buildings
- Grading contours designed to redirect water run-off from flowing onto adjacent properties
- Parking lot curbs

- Catch basins that will collect and divert water run-off to the proposed detention basin through a campus-wide pipe system. Included are catch basins along the top-of slope adjacent to the area of the proposed remedial grading intended to capture run-off from flowing onto the southern slopes
- A detention basin intended to capture water run-off and to control the flow into the City's storm drains at pre-construction levels.

Based on the above improvements, as shown on the preliminary Grading and Drainage Plan, that have been reviewed and conceptually approved by the City Geologist and analyzed in the project EIR, this finding can be made because water run-off flows associated with the remedial grading and site development contemplated by the Final Project are designed to be captured and diverted to a detention basin in order to avoid ponding and surface run-off and infiltration.

8.6 The nature of the grading shall minimize disturbance to the natural contours and finished contours should remain reasonably natural.

8.6.1 The grading proposed along the southern slope has been substantially reduced from the original proposal with the cut and fill slopes and the shear key moving closer to the top-of-slope, a major factor in the reduction of the amount of earth movement. The existing slopes will be graded with manufactured slopes that are designed to be less than 35% (which is considered an extreme slope). Under the current proposal, the reduction of the grading on the southern slope minimizes disturbance to the slope and the finished contours shall remain reasonably natural. As such, this finding can be made.

8.7 The grading shall take into account the preservation of natural topographic features and appearances by means of land sculpturing so as to blend any man-made or manufactured slope into the natural topography.

8.7.1 The proposed remedial grading along the southern slope is designed to re-contour the existing slope by removing the band of extreme slope with a cut and fill slope that is less than 35%. The manufactured slope located near the top-of-slope will tie into the existing slope resulting in a similar appearance as the natural topography. Furthermore, the remedial grading will remove the un-compacted fill stabilizing the condition of the southern slope to support the improvements located at the top-of-slope. As such, this finding can be made.

8.8 The grading shall avoid or minimize disturbance to coastal sage scrub habitat. If disturbances or impacts to coastal sage scrub are unavoidable, all impacts shall be mitigated to the satisfaction of the city.

8.8.1 At the time the project EIR was prepared a Biological Study was prepared to assess potential impacts to biological resources, such as wildlife and vegetation including Coastal Sage Scrub, based on the project grading limits and construction activities, including staging and equipment areas. According to the Biological Study in the project EIR, the southern slope does not consist of protected vegetation, such

as Coastal Sage Scrub. As such, the proposed remedial grading is not anticipated to adversely impact Coastal Sage Scrub or other biological resources. Notwithstanding, mitigation measures are included in the project EIR intended to address potential impacts to biological resources if encountered during project grading and construction. As such, this finding can be made.

8.9 Where appropriate, the grading shall include provisions for the preservation and introduction of plant materials so as to protect slopes from soil erosion and slippage and minimize the visual effects of grading and construction on hillside areas.

8.9.1 The existing southern slope currently consists of ruderal grasses, shrubs and trees. The existing plant material contributes toward minimizing slope erosion and slippage of the existing slope while visually screening some of the existing improvements located on the flat areas of the campus adjacent to the subject slope. As part of the proposed project, a preliminary landscape plan is included in the project plans indicating the retention of existing plant material and the installation of new plant material. In regards to the southern slope and the related remedial grading, the College proposes to plant the subject slope with new grasses, shrubs and trees including native species. The new plant material serves multiple purposes, such as stabilizing the southern slope from soil erosion and slippage and visually screening the existing and proposed improvements located beyond the top-of-slope. Additionally, a condition is included that requires the installation of landscaping for each phase of the project construction to visually screen the constructed improvements. As such, this finding can be made with the recommended conditions.

8.10 Where appropriate, the grading should utilize street designs and improvements that serve to minimize grading alternatives and harmonize with the natural contours and character of the hillside.

8.10.1 This finding does not apply because the proposed remedial grading is not intended for public or private streets or roadways.

8.11 The grading should not cause excessive and unnecessary scarring of the natural landscape through removal of vegetation.

8.11.1 As indicated in Section 9.9 above, the existing southern slope currently consists of ruderal grasses, shrubs and trees. The existing plant material contributes toward minimizing slope erosion and slippage of the existing slope while visually screening some of the existing improvements located on the flat areas of the campus adjacent to the subject slope. As part of the proposed project, a preliminary landscape plan is included in the project plans indicating the retention of existing plant material and the installation of new plant material. In order to minimize excessive scarring of the southern slope that may be caused by the proposed remedial grading, a condition of approval has been imposed requiring the College to retain existing trees located on the southern slope that may be impacted by the proposed remedial grading. These trees should be boxed and replanted on the southern slope so at the conclusion of the remedial grading, the potential scarring of the southern slope is minimized with the planting of established and mature trees.

Moreover, the replanting of the existing mature trees will assist in visually screening the existing and new improvements, including the Athletic Building and the retaining wall supporting the Fire Access Lane. As such, the College shall submit a Landscape Plan that identifies the existing trees to be boxed and replanted. Furthermore, in the event retained trees are unable to thrive, such trees that die are to be replaced with new trees by the College. The replanted trees shall not be allowed to grow beyond the highest roof ridgelines adjacent to the nearest buildings to minimize potential view impacts from upslope properties to the north. With the appropriate conditions, this finding can be made.

Based on the foregoing, the City Council can make the necessary findings and approves the remedial grading with the appropriate conditions of approval.

Section 9: The Project involves the construction, expansion or intensification of nonresidential uses, and includes an application for a conditional use permit seeking construction of more than 10,000 square feet of new building area. Therefore, the Project is subject to compliance with Rancho Palos Verdes Municipal Code Section 17.11.140 *Affordable Housing Requirements for Nonresidential Projects*. However, because the Residence Halls have been removed from the Project, the College represents that the Final Project would result in the creation of less than ten (10) new employment opportunities for persons of low or very low income. Thus, the Final Project is exempt from the affordable housing requirements for nonresidential projects pursuant to Section 17.11.140 B. 3.

Section 10: The Project has been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Sections 21000, et seq.) (“CEQA”), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, et seq.), and the City’s Local CEQA Guidelines. A Final Environmental Impact Report (the “Final EIR”) was prepared for the Project and is hereby incorporated by reference. The City Council, by separate Resolution No. 2010-█ certified the Final EIR, made environmental findings, adopted a statement of overriding considerations, which is attached thereto as Exhibit C, and adopted a mitigation monitoring and reporting program concerning the Project, which is attached thereto as Exhibit B.

Section 11: The City Council, in response to the Appeal, has made certain revisions to the findings as previously made by the Planning Commission, as memorialized in this Resolution and Resolution No. 2010-___ (the CEQA Resolution), in the conditions of approval attached hereto. Other than those changes, the City Council hereby rejects the Appellant’s appeal. The City Council hereby adopts the rationale set forth in the staff reports dated August 18, 2009, September 12, 2009, March 30, 2010 and May 4, 2010 as the basis for rejection of Appellant’s Appeal. Pursuant to Municipal Code Section 17.80.120, Appellants shall be entitled to a refund of one-half of the appeal fees.

Section 12: For the foregoing reasons and based on the information and findings included in the staff reports, minutes and other records of proceedings, the City Council of the City of Rancho Palos Verdes hereby affirms the Planning Commissions decision, with certain revisions, and hereby conditionally approves Conditional Use Permit #9 – Revision “E”, Grading Permit, certain Variance Permits, Minor Exception Permit, and Master Sign Permit, with the inclusion of the Bachelor of Arts degree programs, and approves the Final

Project, subject to the conditions of approval in the attached Exhibit A, and the mitigation measures set forth in the Mitigation Monitoring and Reporting Program attached hereto as Exhibit B, which Exhibits are incorporated herein by this reference.

Section 13: The City Council hereby accepts the College's offer to donate the \$200,000.00, to assist the City with its separate project to construct a center median barrier along Palos Verdes Drive East adjacent to a portion of the campus site.

PASSED, APPROVED, AND ADOPTED this 18th day of May 2010.

Mayor

Attest:

City Clerk

State of California)
County of Los Angeles) ss
City of Rancho Palos Verdes)

I, Carla Morreale, the City Clerk of the City of Rancho Palos Verdes, do hereby certify that the above Resolution No. 2010-XX was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on May 18, 2010.

City Clerk

Exhibit "A"

**Conditions of Approval
Case No. ZON2003-00317
(Conditional Use Permit #9 – Revision "E", et. al.)**

RESOLUTION NO. 2010-XX - EXHIBIT “A”

MARYMOUNT COLLEGE

CONDITIONS OF APPROVAL

ZON2003-00317 (Conditional Use Permit No. 9 Revision ‘E’,
Grading Permit, Variance, and Minor Exception Permit)

GENERAL CONDITIONS

- 1) The approvals granted by this Resolution shall not become effective until the applicant ~~and property owners~~ submits a written affidavit that the applicant has read, understands and accepts all conditions of approval contained herein. Said affidavit shall be submitted to the City no later than ninety (90) days from the date of approval of the project by the City Council. If the applicant ~~and/or the property owner~~ fails to submit the written affidavit required by this condition within the required 90 days, this resolution approving planning case number ZON2003-00317 (Conditional Use Permit No. 9 Revision ‘E,’ Grading Permit, Variance and Minor Exception Permit) shall be null and void and of no further effect.
- 2) In accordance with the provisions of Fish and Game Code §711.4 and Title 14, California Code of Regulations, §753.5, the applicant shall pay all applicable filing fees, payable to the County of Los Angeles, for the Fish and Game Environmental Filing Fee, including posting fees. This check shall be submitted to the City within five (5) business days of final approval of this project. If required, the applicant shall also pay any fine imposed by the Department of Fish and Game.
- 3) Each and every mitigation measure contained in the Mitigation Monitoring Program attached as Exhibit “C” of Resolution No. 2010-XX is hereby incorporated into the Conditions of Approval, as Exhibit “B”, for planning case number ZON2003-00317 (Conditional Use Permit No. 9 Revision ‘E,’ Grading Permit, Variance, and Minor Exception Permit).
- 4) The applicant shall fully implement and continue for as long as a college is operated on the subject property the Mitigation Monitoring Program and execute all mitigation measures as identified and set forth in the Final Environmental Impact Report for the project as certified in Resolution No. 2010-XX.
- 5) Marymount College shall be responsible for implementing and ensuring compliance with all of the Conditions of Approval stated herein. Accordingly, as used herein, the term “applicant” shall mean Marymount College including operators of educational and recreational programs affiliated with Marymount College and the property upon which the Marymount College is located.

- 6) The project development shall conform to the specific standards contained in these Conditions of Approval or, if not addressed herein, shall conform to the appropriate development and operational standards of the Rancho Palos Verdes Municipal Code ("RPVMC").
- 7) The project, including site layout, the building and [appurtenances](#), and signage throughout the site, must be constructed and maintained in substantial compliance with the plans reviewed and approved by the City Council, [on March 31, 2010 and May 4, 2010 \(Athletic Field Alternative D-2\)](#), and stamped APPROVED by the City with the effective date of the Notice of Decision. [Prior to any submittal to Building and Safety, the applicant shall submit to the Community Development Director a complete set of the revised plans \(such as, but not limited to, architectural, grading, landscaping, and lighting plans\) that reflect the Council's final decision.](#)
- 8) The Community Development Director shall be authorized to approve minor modifications to the approved plans or any of the conditions if such modifications achieve substantially the same results as would strict compliance with such plans and conditions. Otherwise, all other modifications shall be subject to review and approval by the City Council as a revision to this conditional use permit at a duly noticed public hearing.
- 9) Failure to comply with all of the Conditions of Approval will be grounds to revoke the approval of the project pursuant to the revocation procedures contained in RPVMC section 17.86.060.
- 10) These conditions are organized by topic type for ease of reference. Regardless of such organization, each condition is universally applicable to the entire project site, unless a condition clearly indicates otherwise. The conditions shall be applicable as long as a college is operated on the property, unless otherwise stated herein.
- 11) In the event that a Condition of Approval is in conflict or is inconsistent with any Mitigation Measure for this project, the more restrictive shall govern.
- 12) All applicable permits required by the [City's Department of Building and Safety Division](#) shall be obtained by the applicant prior to the commencement of any construction activities associated with this approval.
- 13) If applicable, prior to issuance of any certificate of occupancy, the applicant shall pay the [City's](#) Environmental Excise Tax in accordance with the Rancho Palos Verdes Municipal Code (RPVMC).

- 14) If applicable, prior to issuance of any Certificate of Occupancy the applicant shall comply with the Affordable Housing requirements of the RPVMC.
- 15) If applicable, the applicant shall comply with all applicable provisions of the City's Transportation Demand Management and Trip Reduction Ordinance as set forth in RPVMC section 10.28.
- 16) The applicant shall be required to pay 110% of the estimated amount of the cost of services to be provided on behalf of the City by any outside consultants that have been retained by the City to render services specifically in connection with this project, in the form of a trust deposit account, prior to commencement of such services (e.g. City Engineer, City Attorney, geotechnical consultants, biologist, ~~and~~ landscape architect, City Arborist, noise consultant, environmental consultants, recycling consultants, etc.). The College shall adequately fund said trust deposit accounts prior to the commencement of services, in amounts reasonably requested by the City, based upon an estimate of the cost of services for the period of at least 90 days for which services are rendered. In addition, the trust deposits shall be replenished within two weeks of receipt of notice from the City that additional funds are needed.
- 17) All costs associated with plan check reviews and site inspections for the Department of Public Works shall be incurred by the applicant through the establishment of a trust deposit with the Director of Public Works at the time of plan check submittal or site inspection request.
- 18) No later than six (6) months after the completion of each of the three Construction Phases described herein, the City Council shall review these Conditions of Approval at a duly noticed public hearing. As part of said review, the City Council shall assess the applicant's compliance with the Conditions of Approval and the adequacy of the conditions imposed. At that time, the City Council ~~may~~ add, delete or modify any Conditions of Approval as evidence presented at the hearing demonstrates are necessary and appropriate to address impacts resulting from operation of the project. Such modifications shall not result in substantial changes to the design of the project structures. Notice of such review hearing shall be published and provided to owners of property within a 500' radius of the site, to persons requesting notice, to all affected homeowners associations, and to the property owner in accordance the RPVMC. As part of the review, the City Council shall consider such items, including, but not limited to, the effectiveness of the parking conditions, on-site circulation patterns, lighting, landscaping, noise, hours of operation, the operation of outdoor events, the operation and effectiveness of the retractable net, ~~and~~ the use of the athletic field and tennis courts, and the use of the outdoor pool. The City Council may also consider other concerns raised by the public in response to the public notice

Resolution No. 2010-XX

Exhibit A

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of the review hearing. The City Council may require such subsequent additional reviews, as deemed appropriate. This provision shall not be construed as a limitation on the City's ability to enforce any provision of the RPVMC regarding this project.

In addition to the three 6-month reviews required above, no later than 18 months after the completion of Construction Phase III, as described herein, the City Council shall review these Conditions of Approval and the operations of the College at a duly noticed public hearing. As part of said review, the City Council shall assess the applicant's compliance with the Conditions of Approval and the adequacy of all the conditions imposed similar to the 6 month reviews such as, but not limited to, the effectiveness of the parking conditions, on-site circulation patterns, lighting, landscaping, noise, hours of operation, the operation of outdoor events, the operation and effectiveness of the retractable net, the use of the athletic field and tennis courts, and the use of the outdoor pool. At that time, the City Council may add, delete or modify any Conditions of Approval if evidence presented at the hearing demonstrates that new or modified conditions are necessary and appropriate to address impacts resulting from operation of the project.

The Campus Landscape Maintenance Plan shall also be subject to a three (3) month review as stated in Condition No. 170.

- 19) This approval authorizes the construction of a Facilities Expansion Plan (Facilities Plan) for Marymount College located at 30800 Palos Verdes Drive East, including the athletic field and tennis courts depicted in Alternative D-2 of Appendix D of the Final EIR. The approval does not include or allow the construction of Residence Hall buildings included in the applicant's original submittal ~~are not approved under these Conditions of Approval.~~ Any significant changes to the characteristics of the development, including, but not limited to, the introduction of new uses or buildings, the site configuration, the size or operation of the facilities, or other ancillary uses shall require an application for revision to this Conditional Use Permit pursuant to the provisions stated in the RPVMC. At that time, the City Council may direct that the Planning Commission consider the proposed application, or it may deny the proposed application, or it may approve the proposed application and impose such conditions, as it deems necessary upon the proposed use resulting from operations of the project. Further, the City Council may consider all issues relevant to the proposed change of use.

GENERAL CONSTRUCTION CONDITIONS

- 20) Temporary construction fencing shall be installed in accordance with the RPVMC. Prior to the issuance of any grading or building permit, the applicant shall submit a Temporary Construction Fence Plan, as part of the Construction Management Plan, that identifies items including, but not limited to, the type, the location and the time duration of construction fencing to be installed to address health and safety issues that are related to grading or other construction activities.
- 21) All on-site construction and grading activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Saturday. No construction shall occur on Sundays or Federal holidays as set forth in RPVMC unless a special construction permit, allowing construction work on Sundays or Federal holidays between the hours of 7:00 am and 7:00 pm, is first obtained from the Community Development Director at least 48-hours in advance of construction work. Any deviation from this Condition shall require an amendment to these Conditions of Approval and the approval of a Variance Permit.
- 22) The construction site and adjacent public and private properties and streets shall be kept free of all loose materials in excess of the material used for immediate construction purposes. Such excess material includes, but is not limited to, the accumulation of debris, garbage, lumber, scrap metal, concrete asphalt, salvage materials, abandoned or discarded furniture, appliances, or fixtures.
- 23) No overnight parking or storage of vehicles associated with construction shall be permitted in the public right-of-way during construction.
- 24) Prior to issuance of any grading permit, the applicant shall submit final geotechnical and soils reports to the City for review and approval by the Building Official and the City's Geotechnical Consultant. All conditions specified in the approved geotechnical and soils reports will be incorporated into the project.
- 25) The applicant shall prepare a notice to all property owners within a 500-foot radius of the project site at least 30-days prior to the commencement of each phase of construction. Such notice shall be sent by the City, at the expense of the applicant, and shall include a contact (name, telephone number, and e-mail address) in the event complaints need to be filed. A similar notice shall be visibly posted from the right-of-way (PVDE) at the entrance to the campus. The size, exact location, and content of such notice shall be reviewed and approved by the Director at least 30-days prior to installation.

- 26) Prior to issuance of the Final Certificate of Occupancy for Phase Three, the applicant shall provide a detailed as-built Classroom Student Seat Plan. Such Plan shall substantially comply with the student seats depicted in Exhibit 4 of Appendix A of the Final EIR and shall not exceed a maximum of 655 student seats. An increase to the maximum number of student seats permitted herein shall be subject to review and approval by the City Council, at a duly noticed public hearing, and shall not result in new impacts or the intensification of impacts identified in the Final EIR, including but not limited to traffic, parking and noise.
- 27) Construction and grading activities within the public right-of-way shall be limited to the days and hours approved by the Director of Public Works at the time of permit issuance.
- 28) No on-site repair, maintenance, delivery of equipment and materials or vehicle idling shall occur before 7:00 a.m. or after 7:00 p.m. Monday through Saturday, nor on any Sunday or Federal holiday, unless otherwise specified in these Conditions of Approval or a Special Construction Permit is obtained from the City. Emergency repairs are exempt from this condition.
- 29) All construction activity shall not extend beyond the phasing plan identified in the Certified Environmental Impact Report ~~shown described~~ in Resolution No. 2010-XX and actual physical construction shall not exceed a total of three years over during the eight year phased schedule, as and described in Condition No. 60. Any significant changes to the construction activity schedule shall be reviewed and approved by the Community Development Director.
- 30) Prior to the issuance of any grading permits, the applicant shall submit to the Director of Public Works, for review and approval, a Construction Management Plan. Said Plan shall include, but not be limited to, the proposed routes to and from the project site for all deliveries of equipment, materials, and supplies, and shall set forth the parking plan for construction employees, the installation of traffic control signs at and around the project site, hours of arrival and departure for construction workers, sound abatement measures, and street maintenance (street cleaning and repairs). All construction related parking must be accommodated on-site. No on-street construction related parking shall be permitted. The queuing and idling of construction worker vehicles and construction vehicles/equipment shall be prohibited on-site and on City streets. Furthermore, the applicant shall prepare and submit a Haul Plan to the Public Works Department for review and approval prior to issuance of grading permits.

- 31) The applicant shall be responsible for repairs to any public ~~streets which~~streets that may be damaged as a result of development of the project as required by the Director of Public Works.
- 32) Prior to issuance of any grading or building permit for each construction phase described in these Conditions of Approval, the applicant shall film the public roads that will be used for construction traffic to and from the project site, as described in the City approved Construction Management Plan, to document the pre-construction road condition. Said film, in either a DVD or CD format, shall be submitted to the Director of Public Works and shall be used to document any roadway damage that may be associated with project construction.
- 33) Prior to the issuance of any grading or building permit, the applicant shall submit security, in a form reasonably acceptable to the City, to cover any damage to existing public roadways caused by project construction. The amount of such security shall be determined by the Director of Public Works and shall not be released until all construction related activities have been completed and after final inspections by the City's Building Official.
- 34) Prior to the release of the security to cover any damages to existing public roadways (see above conditions), the applicant shall repair or replace all curbs, gutters, and sidewalks that are damaged as a result of project construction, as determined by the Director of Public Works.
- 35) All proposed driveways shall be designed in substantially the same alignment as shown on the approved site plans, subject to final design review and approval by the Los Angeles County Fire Department and the Director of Public Works.
- 36) Any on-site raised and landscaped medians and textured surfaces, including parking lot planters, shall be approved by the Director of Public Works, and by the City Geologist in areas adjacent to or within the Building Geologic Setback Area.
- 37) Handicapped access ramps shall be installed and or retrofitted in accordance with the current standards established by the Americans with Disabilities Act. Access ramps shall be provided at all intersections and driveways.
- 38) All sidewalks and pathways throughout the project site shall be designed to comply with the minimum width standards set forth in the most recent California Disabled Accessibility Guidebook.

- 39) If excavation is required in any public roadway, the roadway shall be resurfaced with an asphalt overlay to the adjacent traffic lane line to the satisfaction of the Director of Public Works.
- 40) Prior to commencing any excavation or construction within the public rights-of-way, the applicant shall obtain all necessary permits from the Director of Public Works.
- 41) The project shall comply with all requirements of the various municipal utilities and agencies that provide public services to the property.
- 42) All existing easements shall remain in full force and effect unless expressly released by the holder of the easement.

INDEMNIFICATION/INSURANCE

- 43) The owner of the property upon which the project is located shall hold harmless and indemnify City, members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers, and agents serving as independent contractors in the role of city or agency officials, (collectively, "Indemnitees"), from any claim, demand, damage, liability, loss, cost or expense, including but not limited to death or injury to any person and injury to any property ("Loss"), resulting from willful misconduct, negligent acts, errors or omissions of the owner, the applicant, the project operator, or any of their respective officers, employees, or agents, arising or claimed to arise, directly or indirectly, in whole or in part, out of, in connection with, resulting from, or related to the construction or the operation of the project approved by this resolution including but not limited to the operation and use of the athletic field. The obligation to indemnify the Indemnitees shall not include any loss caused by the sole negligence or willful misconduct of the Indemnitees.
- 44) The applicant shall defend, indemnify and hold harmless the City and its agents, officers, commissions, boards, committees and employees from any claim, action or proceeding against the City or its agents, officers, commissions, boards, committee or employees, to attack, set aside, void or annul this resolution or one or more of the approvals set forth in Resolution 2010-XX brought by one or more third parties. Alternatively, at the City's election, the City may choose to defend itself from any claim, action or proceeding to attack, set aside, void or annul this resolution or one or more of the approvals set forth in this resolution with counsel of its choosing, in which case, the applicant shall reimburse the City for all of its costs, including attorney fees, arising from such claim, action or proceeding. The obligations set forth in this condition include the obligation to indemnify or reimburse the City for any attorney fees or monetary judgments that the City

becomes obligated to pay as a result of any claim, action or proceeding within the scope of this condition.

The City shall promptly notify the applicant of any claim, action or proceeding within the scope of this condition and the City shall cooperate in the defense of any such claim or action.

- 45) The applicant shall procure and maintain in full force and effect during the operation of the College primary general liability insurance in conjunction with umbrella coverage, which is applicable to, and provides coverage in an amount of at least \$5 million dollars, which amount shall be increased on each fifth anniversary of the issuance of the first certificate of occupancy for any structure authorized by this approval to reflect increases in the consumer price index for the Los Angeles County area. Such insurance shall insure against claims for injuries to persons or damages to property that may arise from or in connection with the operation of the athletic field at the College as authorized by the conditional use permit as amended by this approval. Such insurance shall name the City and the members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers and agents serving as its independent contractors in the role of City officials, as additional insureds. Said insurance, shall be issued by an insurer that is admitted to do business in the State of California with a Best's rating of at least A-VII or a rating of at least A by Standard & Poor's, and shall comply with all of the following requirements:
- (a) The coverage shall contain no limitations on the scope of protection afforded to City, its officers, officials, employees, volunteers or agents serving as independent contractors in the role of city or agency officials which are not also limitations applicable to the named insured.
 - (b) For any claims related to the operation of the athletic field, including balls that may enter the public road right-of-way, applicant's insurance coverage shall be primary insurance as respects City, members of its City Council, boards, committees, commissions, officers, employees, attorneys, volunteers and agents serving as independent contractors in the role of city or agency officials.
 - (c) The limits of applicant's insurance shall apply separately to the project site.
 - (d) Each insurance policy required by this condition shall be endorsed to state that coverage shall not be canceled except after 30-days prior written notice by first class mail has been given to City.

- (e) Each insurance policy required by this condition shall be endorsed to state that coverage shall not be materially modified except after 5-business days prior written notice by first class mail has been given to City.
- (f) Each insurance policy required by this condition shall expressly waive the insurer's right of subrogation against City and members of its City Council, boards and commissions, officers, employees, servants, attorneys, volunteers, and agents serving as independent contractors in the role of city or agency officials.
- (g) Copies of the endorsements and certificates required by this condition shall be provided to the City when the insurance is first obtained and with each renewal of the policy.
- (h) No activities involving field balls at the athletic field shall be permitted unless such general liability insurance policy is in effect and on file with the City.

Such insurance shall likewise name the City and the members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers and agents serving as its independent contractors in the role of City officials, as additional insureds. Said insurance may, at applicant's option, be in the form of a separate excess insurance policy and may be issued by a non-admitted carrier so long as the insurer is authorized to do business in the State of California with a Best's rating of at least A-VII or a rating of at least A by Standard & Poor's and shall comply with all of the requirements of this Condition.

PROJECT DESCRIPTION

- 46) This approval, the Marymount College Facilities Expansion Project, allows for the expansion of the existing College's facilities (92,268 square feet of floor area) consisting of the demolition of 18,022 square feet of existing floor area and the construction of 61,928 square feet of new floor area, including expanding 14,916 square feet of existing buildings, the proposed development would result in a total of 151,090 square feet of campus floor area, as outlined in the table shown below:

<u>Building</u>	Total Existing Building (SF)	Proposed Building Demolition (SF)	Proposed Building Addition (SF)	Total Building (SF)
Existing Buildings				
Classroom/Academics	26,180	0	0	26,180
Auditorium/Fine Arts Studio	8,012	0	1,869	9,881
Faculty Office	7,346	0	7,455	14,801
Student Union/Bookstore/Faculty Dining	18,158	0	3,492	21,650
Administration/Admissions	9,450	0	2,100	11,550
Chapel	5,100	0	0	5,100
Buildings to be Removed				
View Room/Hall	1,530	(1,530)	0	0
Maintenance/Photo Lab	2,696	(2,696)	0	0
Bookstore/Health Center	2,870	(2,870)	0	0
Arts	3,648	(3,648)	0	0
Preschool	2,998	(2,998)	0	0
Library	4,072	(4,072)	0	0
Pool Equipment	208	(208)	0	0
Subtotal Existing Buildings	92,268	(18,022)	14,916	89,162
Library			26,710	26,710
Maintenance			1,975	1,975
Athletic Building			33,243	33,243
Subtotal New Buildings			61,928	61,928
Total Square Footage			76,844	151,090
Source: Rasmussen & Associates, <i>Proposed Master Site Plan</i>				

- 47) A Square Footage Certification prepared by a registered surveyor or engineer shall be submitted to the Community Development Director, prior to a framing inspection, indicating that the buildings, as identified in the condition herein, do not exceed the maximum permitted gross square footages (as measured from exterior walls).
- 48) A security/information booth shall be allowed to be constructed at the entry driveway, as depicted on the site plan approved by the City Council. This structure shall not exceed 54 square feet and a maximum height of 10-feet, as measured from the lowest adjacent finished grade (935.50') to the highest roof ridgeline (945.50'). Architectural details, as shown on the project plans [reviewed](#)

[and approved by the City Council at its March 31, 2010 meeting \(plans –dated July 10, 2008May 9, 2009\)](#), shall be allowed to exceed the maximum 10-foot height limit.

- 49) Building setbacks shall comply with the Institutional zoning requirements, unless otherwise noted herein. A Setback Certification shall be prepared by a licensed engineer and submitted to Building and Safety prior to the framing inspection on each structure or prior to the final inspection of grading activities, whichever occurs first.
- 50) The approved structures, including additions to existing structures, shall not exceed the building heights and number of stories described as follows:

BUILDING	LOWEST ADJACENT FINISHED GRADE	MAXIMUM ROOF RIDGELINE	MAXIMUM HEIGHT	NUMBER OF STORIES
Auditorium / Fine Arts Studio	925'	942'	17-feet	One story
Faculty Building	912'	940'	28-feet	Two Stories
Student Union (bookstore and faculty dining expansion)	910'	940'	30-feet	Two Stories
Administration/Admissions	926'	951'	25-feet	One story
Library Building	912'	951'	39-feet	One story
Maintenance Building	913'	933'	20-feet	One Story
Athletic Building	897.75'	933' North Elevation (flat roof) 938.75' South Elevation 930'	32.2544-feet	Two Story

- 51) A Building Pad Certification shall be prepared by a licensed engineer and submitted to Community Development Director and the Building Official prior to final inspection of grading activities.

A Roof Ridgeline Certification, indicating the maximum height of each building, shall be prepared by a licensed engineer and submitted to Community Development Director and the Building Official prior to the final framing certifications for each building.

- 52) New or replaced flagpoles shall be permitted at a maximum height of 16-feet, as measured from adjacent finished grade to the highest point of the flag poles.

BUILDING DESIGN STANDARDS

- 53) Prior to the ~~plan check~~-submittal of the Athletic Building plans into Plan Check, plans shall be submitted to the Director of Community Development to demonstrate that the portion of the Athletic Building that was allowed by the Planning Commission at 41-feet in height (elevation 938.75') has been reduced in height by a total of 10-feet from the height of the original Athletic Building so that the maximum roof ridgeline does not exceed an elevation of 930'. The Community Development Director shall determine that the revised Athletic Building is designed in compliance with the, ~~approved by the~~ City Council's decision at its March ~~31XX~~, 2010 meeting, ~~is designed so that there is no significant view impairment of Catalina Island from the viewing area of the property located at 3302 Narino Drive. To accomplish this, the applicant shall install a certified silhouette for review by the Community Development Director. In the event the Community Development Director determines that a significant view impairment of Catalina Island exists with the redesigned Athletic Building, the City Council shall review and reconsider the design of the Athletic Building to reduce the view impairment at a duly noticed public hearing.~~
- 54) The applicant shall submit an Architectural Materials Board for review and approval by the Community Development Director prior to issuance of building permits. The Materials Board shall identify, at a minimum, a sample of the proposed exterior building materials, roof tile materials, and paint colors for all new, expanded and modified structures. Such materials shall substantially comply with the materials called out on the project plans approved by the City Council on March ~~31XX~~, 2010 including, but not limited to, the use of stone veneer facades, stained wood trellises, cast-stone caps, stone veneer columns, and baked enamel aluminum windows with tinted glazing to name a few.
- 55) All new, expanded or modified buildings, including but not limited to the Athletic Building, the Library, the Student Union, and the Classroom buildings shall be finished in a muted earth-tone color, as deemed acceptable by the Community Development Director based on the review of the Materials Board.
- 56) The roof materials for all new, expanded or modified buildings with pitched roofs, including but not limited to the Library, Student Union, Athletic Building as revised per Condition No. 53, and Classrooms, shall be tile, consisting of a muted color, as deemed acceptable by the Community Development Director based on the review of the Materials Board. To the extent permitted by the City's Building Code, the material for all flat roofs shall be a color that is compatible with the color of the tiles used on the pitched roofs throughout the project, as deemed acceptable by the Community Development Director.

- 57) All trash enclosure areas shall be designed with walls six (6) feet in height with the capability of accommodating recycling bins. The enclosures shall be consistent with the overall building design theme in color and material, and shall include self-closing / self-latching gates. The enclosures shall integrate a solid roof cover to screen the bins from view from all public rights-of-way and surrounding properties. Trash enclosures shall be prohibited in all setback areas.
- 58) Mechanical equipment, vents or ducts shall not be placed on roofs unless approvals are obtained pursuant to Section 17.48.050 of the RPVMC regarding building heights and screening from view of all public rights-of-way and surrounding properties. This condition shall apply to all new and expanded project buildings, including but not limited to the Athletic Building, Student Union, and Library Building.
- 59) The storage of all goods, wares, merchandise, produce, janitorial supplies and other commodities shall be permanently housed in entirely enclosed structures, except when in transport.

CONSTRUCTION PHASING

- 60) This Facilities Expansion Plan approval shall remain valid as ~~more specifically~~ set forth below, and shall be constructed in no more than 3 phases totaling 3 years of actual construction time over a period not to exceed eight (8) years from the date the approval becomes final:
 - a. Phase One (Years 1-2): Phase One includes demolition of existing buildings, grading including the installation of drainage and water quality facilities, installation of utilities, the construction of new parking areas, athletic field, tennis courts, and the installation of temporary modular buildings to replace demolished facilities and those buildings subject to future construction. The planning entitlements, including grading and building permits, for all construction described under Phase One shall remain valid and the construction thereof shall be completed no later than ~~two years~~September 30th of the year that is two years from the date the decision becomes final. Approvals for any Phase One components that are not completed with the two-year period shall lapse and become null and void unless an extension is granted by the City Council at a duly noticed public hearing.
 - b. Phase Two (Years 2-5): Phase Two includes fine grading, the construction of the new library, maintenance facility, Athletic Building, outdoor pool, and additions to the faculty building and student union. The planning entitlements, including building permits, for all construction described

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under Phase Two shall remain valid and the construction thereof shall be completed no later than five (5) years from the date the decision becomes final. Approvals for any Phase Two components that are not completed with the five-year period shall lapse and become null and void unless an extension is granted by the City Council at a duly noticed public hearing.

- c. Phase Three (Years 6 -8): Phase Three includes the construction of the new fine arts building and an addition to the admissions building. The planning entitlements, including building permits, for all construction described under Phase Three shall remain valid and the construction thereof shall be completed no later than eight years from the date the decision becomes final.
- d. All project buildings and improvements stated in these Conditions of Approval shall be completed in a total of three (3) years of construction activity and Certificates of ~~Occupancy~~ Occupancy shall be issued within eight (8) years of the final decision of the project. All elements of the approved Facilities Plan that are not completed within the time period stated in this Condition shall require additional review and approval through an additional revision to Conditional Use Permit No. 9 and additional CEQA review if required.

TEMPORARY MODULAR BUILDINGS

- 61) The installation and use of temporary modular buildings (consisting of several modular segments each, as shown on the Phase One phasing site plan prepared by Rasmussen Associates) shall be permitted until the completion of the applicable permanent buildings or additions in Phase Two or Phase Three and in no event longer than eight years from the issuance of the first grading or building permit for Phase One, unless a revision to this CUP is approved. Upon the issuance of the certificate of occupancy for the applicable building or addition, the temporary modular building serving such use shall be removed from the project site within 30-days and the site restored to a condition deemed acceptable by the Community Development Director.
- 62) The permanent use of the temporary modular building shall be prohibited unless a revision to this CUP is approved.
- 63) The temporary modular buildings shall not exceed 15-feet in height, as measured from the lowest adjacent grade to the highest roof ridgeline.
- 64) The exterior facades for the temporary modular building facades shall be painted a neutral color to match existing or the new structures and incorporate materials that are similar to the proposed finish for the permanent buildings (not including

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Palos Verdes Stone or other stone material) as deemed acceptable by the Community Development Director.

- 65) The areas adjacent to the temporary modular buildings shall be landscaped to visually-reasonably screen the buildings from Palos Verdes Drive East and properties to the south as deemed acceptable by the Community Development Director.
- 66) A building permit shall be obtained for applicable modular exterior improvements (e.g., decks, stairs, facade details, etc.) from the Department of Building and Safety.

GRADING

- 67) The following maximum quantities and depths of grading are approved for the Facilities Expansion Plan, as shown on the Preliminary Grading Plan received by the City on March 5, 2010 and reviewed and approved by the City Council at its March 31XX, 2010 meeting:
 - a. Maximum Total Grading (Cut and Fill): 79,155 cubic yards.
 - b. Maximum Cut: 39,255 cubic yards (13,545 cubic yards with 15% shrinkage).
 - c. Maximum Fill: 39,900 cubic yards.
 - d. Maximum Depth of Cut: 25 feet.
 - e. Maximum Depth of Fill: 18 feet.

The maximum grading quantities shown above shall constitute total on-site earth movement, including but not limited to, combined raw cuts and fills (outside and under building footprints, parking lots, walkways, athletic facilities, etc.) remedial grading, and buttressed slopes to name a few.

The Community Development Director shall be authorized to allow deviations to the above grading quantities up to 200 cubic yards over the stated maximum quantities for unforeseen circumstances or due to conditions encountered in the field provided that such deviation or modification to the grading quantities achieve substantially the same results as with the strict compliance with the grading plan.

Any modifications resulting in additional grading in excess of the above quantities shall require approval of an amendment to the grading permit by the City Council at a duly noticed public hearing. This is a balanced grading project. No import or export of earth shall be permitted, except for fine grading materials, such as select fill and landscaping soils/materials.

Prior to the final inspection of the precise grading, the applicant shall provide the Building Official with a certified as-built grading plan prepared and wet-stamped by a licensed engineer. Additionally, prior to the final inspection, the applicant shall provide the City with documentation of the location of existing or relocated bentonite soil material. If applicable, the as-built grading plan shall identify all revisions to the City Council's approved grading plan.

- 68) Should the project require removal or delivery of earth, rock or material other than demolition and construction debris and waste from the site or building materials, the applicant shall first obtain City approval in the form of a revised Conditional Use Permit and Grading Permit application. Said review shall evaluate potential impacts to the surrounding environment associated with such export or import. If the revised grading impacts results in impacts greater than those identified in the Certified EIR that cannot be mitigated to an insignificant level, a Supplemental EIR shall be prepared and reviewed by the City, at the expense of the applicant.
- 69) The grading plans shall identify the location of the building geologic setback line. Limited irrigation shall be allowed within the geologic setback area as reviewed and approved by the City geologist pursuant to Condition Nos. 79 and 171. All water runoff in this area shall be collected and diverted to the City approved drainage system [for the project](#).
- 70) Recommendations made by the City Geologist, the City Engineer, and the Building and Safety Division during the ongoing review of the project shall be incorporated into the design and construction of the project.
- 71) Recommendations made by the project applicant's geologist, as modified by comments from the City's Geologist, shall be incorporated into the design and construction of the project.
- 72) Prior to issuance of any grading permit, the City's Geologist and Building Official shall review all applicable structural plans or design information and reports as deemed necessary by the City's Geologist, Building Official, or both, including but not limited to, geotechnical reports during the Plan Check review process to ensure that the proposed project will not threaten public health, safety, and welfare.
- 73) If applicable, as determined by the City Geologist, prior to the issuance of any grading permit, a bond, cash deposit, or combination thereof, shall be posted to cover costs for any geologic hazard abatement in an amount to be determined by the Director of Public Works. Said security shall be released after all grading

related activities are completed and after the approval of the as-built grading plans by the Building Official.

- 74) Prior to issuance of any grading permit or building permit in any phase, the applicant shall submit to the City a Certificate of Insurance demonstrating that the applicant or its applicable contractor has obtained a general liability insurance policy in an amount not less than \$5 million dollars per occurrence and in the aggregate to cover awards for any death, injury, loss or damage, arising out of the grading or construction of this project. Said insurance policy must be issued by an insurer that is authorized to do business in the State of California with a minimum rating of A-VII by Best's Insurance Guide or a rating of at least A by Standard & Poors. Such insurance shall name the City and the members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers and agents serving as its independent contractors in the role of City officials, as additional insureds. A copy of this endorsement shall be provided to the City. Said insurance shall be maintained in effect at all times during actual project construction until the approval of the Final Certificate of Occupancy for each Phase -shall not be canceled or reduced during the grading or construction work without providing at least thirty (30) days prior written notice to the City. Further, the insurance shall remain in place for a minimum period of five (5) years following final inspection and approval, but only as to the proposed drainage system, including detention basins.
- 75) Prior to issuance of any grading permits, a bond, cash deposit, or other City-approved security, shall be posted to cover the costs of grading in an amount to be determined by the Director of Public Works. The bond, cash deposit, or other City-approved security, at a minimum, shall be sufficient to pay for the cost of restoring the project site to an acceptable condition, as determined by the Building Official and the Director of Public Works, in the event that the project is not completed and shall include, but not be limited to, stabilizing and hydro-seeding all slopes, completing all retaining walls that are required to maintain the slopes, installing erosion control improvements, and filling in grade depressions or holes. Said security shall be released after all grading related activities are completed and after the approval of the as-built grading plans by the Building Official.
- 76) Prior to issuance of a grading permit, the applicant shall provide the Community Development Director a plan that demonstrates how dust generated by grading activities will be mitigated so as to comply with the South Coast Air Quality Management District Rule 403 and the City's Municipal Code [requirements which requirements that](#) require watering for the control of dust.

- 77) Prior to the issuance of any grading permit, the applicant shall prepare a plan indicating, to scale, clear sight triangles, which shall be maintained at the reconfigured driveway intersection. No objects, signs, fences, walls, vegetation, or other landscaping shall be allowed within these triangles in excess of ~~three~~ feetthirty inches in height as measured from the adjacent curb.
- 78) Prior to the issuance of any grading permit, the following improvements shall be designed in a manner meeting the approval of the Director of Public Works: 1) all provisions for surface drainage; 2) all necessary storm drain facilities, including the detention basin, extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and 3) all water quality related improvements. Where determined necessary by the Director of Public Works, associated utility easements shall be dedicated to the City.
- 79) Prior to the issuance of any grading permit, the applicant shall record a restricted use covenant, to the satisfaction of the City Attorney and the City Geologist, that prohibits the development of buildings or other structures and improvements within the designated Building Geologic Setback Area as described in the applicant's geotechnical reports and as depicted on the site and grading plans. Limited irrigation in this area shall be permitted pursuant to the approval of the City's Geologist as stated in these Conditions of approval. Said Building Geologic Setback Area shall be shown on all future plans.
- 80) Prior to the issuance of building permits, a Geology and/or Soils Engineer's report on the expansive properties of soils on all building sites shall be submitted for review and approval by the City Geologist. As required in Condition No. 67, the applicant shall provide the City with documentation of the on-site location of bentonite soil material.
- 81) Prior to the issuance of a building permit, an as-built geological report shall be submitted for new structures to be founded on bedrock, and an as-built soils and compaction report shall be submitted for new structures to be founded on fill as well as for all engineered fill areas.
- 82) Prior to the issuance of any grading permit, the applicant's project geologist shall review and approve the final plans and specifications and shall stamp and sign such plans and specifications.
- 83) Prior to the issuance of any grading permit, a grading plan review and geologic report, complete with geologic map, shall be submitted for review and approval by the City's Geotechnical Engineer.

- 84) Except as specifically authorized by these approvals, foundations shall be set in accordance with the RPVMC and shall extend to such a depth as to be unaffected by any creep-prone surficial soil and/or weathered bedrock. Field review and certification by the project geologist is required.
- 85) All grading shall be monitored by a licensed engineering geologist and/or soils engineer in accordance with the applicable provisions of the RPVMC and the recommendations of the City Engineer. Written reports, summarizing grading activities, shall be submitted on a weekly basis to the Director of Public Works and the Community Development Director ~~of Planning, Building, and Code Enforcement~~.
- 86) The project shall comply with all appropriate provisions of the City's Grading Ordinance, unless otherwise approved in these conditions of approval.
- 87) Grading activity on-site shall occur in accordance with all applicable City safety standards.
- 88) Prior to final grading inspection by Building and Safety, the graded slopes shall be properly planted and maintained in accordance with the approved Landscape Plan required in Condition Nos. 164 and 165. Plant materials shall generally include significant low ground cover to impede surface water flows.
- 89) Prior to final grading inspection by Building and Safety, all manufactured slopes shall be contour-graded to achieve as natural an appearance as is feasible and shall be less than 35%.
- 90) Any water features (fountains, etc.), including the detention basin, shall be lined to prevent percolation of water into the soil. Designs for all water features shall be included on the grading plans submitted for review by the City's Building Official and Geotechnical Engineer prior to the issuance of any grading permits.
- 91) The proposed swimming pool shall be lined and shall contain a leak detection system, subject to review and approval by the City's Building Official.
- 92) The use of on-site rock crushing equipment and raw stone cutting, ~~including large-scale stonecutting~~, shall be prohibited. However, cutting and shaping of pre-cut stone veneer, with the exception of the use of a minimal number of stonecutting saws as deemed acceptable by the Community Development Director, for the final fitting and installation of ~~said~~ the stone veneer on the building and site walls shall be allowed provided that the, ~~provided that these~~ stonecutting occurs ~~saws are located~~ immediately adjacent to the areas where the stone veneer is being applied and as far as possible from nearby residences.

The Community Development Director has the authority to limit any stone cutting that is determined by the Director to adversely impact the neighbors, including but not limited to restricting the hours of stone cutting, restricting the areas of stone cutting and/or limiting the number of stone cutting saws and requiring saws to be located within a structure.

- 93) Retaining walls shall be limited in height as identified on the grading plans ~~that are~~ reviewed and approved by the City Council at its March 31, 2010 meeting. Any retaining walls exceeding the permitted heights shall require the processing of a revised grading permit for review and approval by the City Council at a duly noticed public hearing as set forth in the provisions of the Municipal Code.

UTILITIES

- 94) Prior to issuance of the final inspection for the project grading, all new utilities exclusively serving the project site shall be placed underground including cable television, telephone, electrical, gas and water. All appropriate permits shall be obtained for any such installation. Cable television, if utilized, shall connect to the nearest trunk line at the applicant's expense.
- 95) No above ground utility structure cabinets, pipes, or valves shall be constructed within the public rights-of-way without prior approval of the Director of Public Works. If permitted, above ground utility structure cabinets, pipes, or valves shall not impede on the pedestrian circulation flow.
- 96) Use of satellite dish antenna(e) or any other antennae shall be controlled by the provisions set forth in the RPVMC. Centralized antennae shall be used rather than individual antennae for each building.
- 97) Prior to issuance of any building or grading permits, the applicant shall prepare sewer plans in accordance with the Countywide Sewer Maintenance District. The applicant shall be responsible for the transfer of sewer facilities to the Countywide Sewer Maintenance District for maintenance.
- 98) A sewer improvement plan shall be prepared as required by the Director of Public Works, Building Official, and the County of Los Angeles.
- 99) Prior to issuance of building or grading permits, the applicant shall submit to the Director of Public Works, a written statement from the County Sanitation District accepting any new facility design and/or any system upgrades with regard to existing trunk line sewers. Said approval shall state all conditions of approval, if any.

- 100) Prior to issuance of any final Certificate of Occupancy, if applicable, the applicant shall dedicate sewer easements to the City, subject to review and approval by the [Community Development](#) Director ~~of Building, Planning and Code Enforcement~~ and the Director of Public Works with respect to the final locations and requirements of the sewer improvements.
- 101) Sewer Improvement plans shall be approved by the County of Los Angeles, the County Sanitation Districts, and the Director of Public Works.
- 102) A sewer connection fee shall be paid to the County Sanitation Districts of Los Angeles County prior to the issuance of a permit to connect to the sewer line.
- 103) Prior to the construction of any water facilities, the Director of Public Works shall review and approve the water improvement plan. Any water facilities that cannot be constructed below ground shall be located on the subject property and screened from view from any public rights-of-way, to the satisfaction of the Director of Public Works and the Community Development Director. In addition, an easement to California Water Service shall be dedicated prior to issuance of any grading or building permits.
- 104) The project site shall be served by adequately sized water system [facilities](#) ~~which facilities that~~ shall include fire hydrants of the size and type and location as determined by the Los Angeles County Fire Department. The water mains shall be of sufficient size to accommodate the total domestic and fire flows required for the development. Domestic flow requirements shall be determined by the City Engineer. Fire flow requirements shall be determined by the Los Angeles County Fire Department and evidence of approval by the Los [Angeles](#) County Fire Department is required prior to issuance of building permits.
- 105) Framing of structures shall not begin until after the Los Angeles County Fire Department has determined that there is adequate fire fighting water and access available to such structures.
- 106) The applicant shall file with the Director of Public Works an unqualified "will serve" statement from the purveyor serving the project site indicating that water service can be provided to meet the demands of the proposed development. Said statement shall be dated no more than six months prior to the issuance of the building permits for the project. Should the applicant receive a qualified "will serve" statement from the purveyor, the City shall retain the right to require the applicant to use an alternative water source, subject to the review and approval of the City, or the City shall determine that the conditions of the project approval have not been satisfied.

- 107) Prior to the issuance of building or grading permits, the applicant shall file with the Director of Public Works, a statement from the purveyor indicating that the proposed water mains and any other required facilities will be operated by the purveyor, and that under normal operating conditions the system will meet the needs of the project.

HYDROLOGY AND WATER QUALITY

- 108) Prior to issuance of any grading permit, the applicant shall submit an updated Master Drainage Plan for the College campus and any adjacent tributary area, including supporting documents, for review and approval by the [City's Engineer](#)~~Director of Public Works~~, Building Official, and Geologist. The Plan shall demonstrate adequate storm protection from the design storm, under existing conditions, as well as after the construction of future drainage improvements by the City along Palos Verdes Drive East immediately abutting the project site. The updated Master Drainage Plan shall also include, but not be limited to, the items listed in the adopted Mitigation Monitoring and Reporting Program and the following:
- Drop inlets connecting to the proposed storm drain system shall be added along the eastern edge of the subject site including the eastern parking area. The added drop inlets shall extend to the rose garden.
 - An on-site storm water collection system that is designed to prevent water run-off flows from entering off-site properties, including properties on Vista del Mar and the City-owned San Ramon Reserve (Palos Verdes Nature Preserve)
 - Identification of the final size of the detention basin.
 - Sheet overflow and ponding shall be eliminated or the floors of buildings with no openings in the foundation walls shall be elevated to at least twelve inches above the finished pad grade
 - Calculations shall be made according to the latest adopted Los Angeles County Department of Public Works Drainage Calculation Methodologies.
- 109) Prior to issuance of any building or grading permits, the applicant shall submit for review and approval by the Director of Public Works a Storm Water Pollution Prevention Plan (SWPPP) to ensure compliance with the current California State Regional Water Quality Control Board (RWQCB) regulations.
- 110) The irrigation system and area drains proposed shall be reviewed and approved by the City's Geotechnical Engineer, Building Official and Director of Public Works.

- 111) A construction specific drainage report(s) shall be prepared demonstrating that the grading, in conjunction with the drainage improvements, including applicable swales, channels, street flows, catch basins, will protect all building pads from design storms, as approved by the Building Official and the ~~City Engineer~~Director of Public Works.
- 112) All drainage swales and any other at-grade drainage facilities (detention basin, etc.), including gunite swales, shall be of an earth tone color, as deemed ~~necessary~~appropriate by the Community Development ~~Director of Building Planning and Code Enforcement~~.
- 113) Prior to the issuance of any grading permit, the applicant shall demonstrate to the satisfaction of the Director of Public Works and City Engineer that the design storm can be conveyed through the site without conveying the water in a pipe and without severely damaging the integrity of the Standard Urban Stormwater Mitigation Plan (SUSMP). If such integrity cannot be demonstrated, the applicant shall redesign the SUSMP to the satisfaction of the Director of Public Works and City Engineer, which may require off-site flows to be diverted into a piped system and carried through the site.
- 114) Prior to the issuance of any grading permit that proposes to convey off-site drainage through the subject property, the applicant shall execute an agreement with the City that is satisfactory to the City Attorney agreeing to defend, indemnify and hold the City, members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers, and agents serving as independent contractors in the role of city or agency officials, (collectively, "Indemnitees") harmless from any damage that may occur to the subject property or to any improvements, persons or personal property located on the subject property due to the flow of off-site storm flows that are designed, as of the date the College's drainage plans are approved by the City, to flow onto, over, and through the subject property ("Claims"). The indemnity agreement need not (i) obligate the Applicant or its successor or assigns to defend, indemnify or hold harmless any party other than the Indemnitees, or (ii) prohibit the Applicant or its successor or assigns from taking any action against parties other than Indemnitees with respect to the Claims or on any other basis.
- 115) Prior to the acceptance and final inspection of the storm drain system, all catch basins and public access points that crosses or abut an open channel shall be marked with a water quality message in accordance with the SUSMP and SWPPP.
- 116) Prior to issuance of any building or grading permit, the applicant shall submit for approval by the City a SUSMP pursuant to the guidelines in *Development*

Planning for Stormwater Management – A Manual for the Standard Urban Stormwater Mitigation Plan (SUSMP) prepared by Los Angeles County Department of Public Works 2002 (or most current version). The SUSMP shall include both structural and non-structural BMPs and shall comply with RWQCB and applicable National Pollution Discharge Elimination System (NPDES) permits. The SUSMP shall identify how on-site flows and off-site water flows that mix ~~with~~with on-site water flows are treated for pollutants prior to leaving the site. The WQMP shall also include an Integrated Pest Management Plan (IPMP) that addresses the use of grasscycling and pesticides for the lawn and landscape areas including the athletic field.

All costs associated with the review, installation and maintenance of the SUSMP and project related Best Management Practices (BMPs) shall be the responsibility of the applicant. If the plan requires construction of improvements, such plans shall be reviewed and approved by the Director of Public Works.

- 117) Prior to issuance of any final Certificate of Occupancy, the SUSMP Maintenance Agreement, outlining the post-construction Best Management Practices, shall be recorded with the Los Angeles County Records Office.
- 118) Prior to issuance of any building or grading permits, the applicant shall file any required documents, including the Notice of Intent (NOI), and obtain all required permits from the California RWQCB.
- 119) Prior to issuance of any building or grading permits, the applicant shall submit for review and approval by the Director of Public Works an Erosion Control Plan. Said Plan shall be designed in conformance with the City standards and the requirements of the RWQCB.
- 120) Prior to issuance of any final Certificate of Occupancy the applicant shall implement the project in full compliance with the standard urban storm water mitigation plan adopted by the RWQCB.
- 121) Prior to the approval of the SUSMP, the City's Geotechnical Engineer shall review and approve the Plan. In the event the City's Geotechnical Engineer determines that additional improvements need to be constructed, the applicant shall revise the Plan accordingly.
- 122) Marymount College, or subsequent landowners, shall maintain all on-site drainage facilities, including, but not limited to structures, pipelines, open channels, detention and desilting basins, mechanical and natural filtering systems, and monitoring systems. The cost of maintaining these systems shall be based on costs estimated and developed by the applicant and approved by

the Director of Public Works and the City Engineer. A bond, letter of credit or other security acceptable to the City shall be provided to secure completion of such drainage facilities. A bond to cover the cost of their maintenance for a period of 2 years after completion shall also be provided to the City.

- 123) Subject to the agreement of Los Angeles County and if applicable, the applicant shall turn over all eligible drainage facilities to the Los Angeles County Public Works Department upon completion and acceptance of the facilities by the County of Los Angeles.

SOURCE REDUCTION AND RECYCLING

- 124) Prior to issuance of any Certificate of Occupancy, the applicant shall prepare and submit to the Director of Public Works for review and approval a comprehensive Integrated Waste Management Plan that addresses source reduction, reuse and recycling. The Plan shall include a description of the materials that will be generated, and measures to reduce, reuse and recycle materials, including, but not limited to, beverage containers, food waste, office and classroom waste. The Plan shall also incorporate grass cycling, composting, mulching and xeriscaping in ornamental landscaped areas. It is the City's intention for the project to meet Local and State required diversion goals in effect at the time of operation. The specifics of the Plan shall be addressed by the applicant at the time of review by the Director of Public Works.
- 125) Prior to issuance of any building or grading permits, an approved Construction and Demolition Materials Management Plan (CDMMP or the Plan) shall be prepared and submitted to the Director of Public Works for approval. The CDMMP shall include all deconstruction, new construction, and alterations/additions. The CDMMP shall document how the Applicant will divert 85% of the existing on-site asphalt, base and concrete, through reuse on-site or processing at an off-site facility for reuse. The Plan shall address the parking lots, concrete walkways, and other underground concrete structures. The Plan shall also identify measures to reuse or recycle building materials, including wood, metal, and concrete block to meet the City's diversion goal requirements as established by the State Integrated Waste Management Act (AB 939). In no case shall the Plan propose to recycle less than the State mandated goals as they may be amended from time to time.
- 126) Prior to issuance of any Certificate of Occupancy a Construction and Demolition Materials Disposition Summary (Summary) shall be submitted to the Director of Public Works upon completion of deconstruction and construction. The Summary shall indicate actual recycling activities and compliance with the diversion requirement, based on weight tags or other sufficient documentation.

- 127) Where possible, the site design shall incorporate for solid waste minimization, the use of recycled building materials and the re-use of on-site demolition debris.
- 128) The project site design shall incorporate areas for collection of solid waste with adequate space for separate collection of recyclables.

OPERATIONAL

- 129) Any repair work conducted in or outside the Maintenance Building that may be visible to the public, including from the public right-of-way, shall be screened with landscaping from public view.
- 130) Unless an earlier time is specified in these Conditions of Approval, campus facilities open for student, participant, and public use shall close by 10:00 p.m. with the exception of the Library, Auditorium, and Athletic Building, which shall close by 11:00 p.m. Notwithstanding the foregoing, the College may hold up to six student activity events, such as dances, within a calendar year in which campus facilities for such events may remain open until midnight provided that at least three weeks before the event, the College provides written notice of the special event to the Community Development Director. All such events shall also be posted on the College's website.
- 131) The following areas of the campus shall be closed for all use between sunset and sunrise and such hours of closure shall be visibly posted in the applicable location, unless a special use permit is obtained:
- Library Building outdoor deck
 - athletic field
 - tennis courts
 - Athletic Facility outdoor balcony
 - rose garden
- 132) Use of the outdoor pool shall be prohibited between 10:00 p.m. and 6:00 a.m. Monday through Friday, and between 8:00 p.m. and 6:00 a.m. on Saturday and Sunday, unless a Special Use Permit is obtained.
- 133) The delivery of goods and supplies, including food supplies, shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Sunday.
- 134) All regular truck deliveries shall use the loading docks adjacent to the student union.

- 135) 24-hour campus security shall be provided, including but not limited to the monitoring of parking lots, to ensure outdoor noise levels are kept to a minimum and the College's Code of Conduct, as described in the Mitigation Monitoring and Reporting Program attached to Resolution No. 2010-XX, is being adhered to. Between the hours of 7 a.m. and 7 p.m., Monday to Friday, a security guard shall be on duty at the information booth located near the campus entrance. At all other times, the campus security shall patrol the campus.
- 136) The use of outdoor amplification equipment for outdoor events shall be prohibited unless a Special Use Permit is obtained. Prior to September 1st of each year, the College may request an annual Special Use Permit to conduct no more than 24 outdoor events that include amplified sound, including sporting events, graduation ceremonies, and evening tent events, during the next twelve months (ending August 31st) Such activities and other outdoor events shall only be allowed to occur at Chapel Circle, the plazas adjacent to the Library and the Auditorium (as shown on the site plan approved by the City Council), and the outdoor pool area. The Athletic Field and Tennis Courts may only be used with amplified sound for graduation ceremonies.
- 137) The existing preschool shall discontinue its operation upon the demolition of the building occupied for this use in Phase I, as described in these Conditions of Approval. The future use of a preschool, either within an existing building or in a new building that needs to be constructed, shall require a revision to this Conditional Use Permit pursuant to the provisions stated in the RPVMC and the appropriate environmental review.
- 138) The College shall establish a Neighborhood Advisory Committee consisting of one representative selected by each of the following neighboring homeowner's associations: El Prado, San Ramon, Mira Catalina, Seacliff Hilltop, and Mediterrania; two at-large representatives who live within 3000 feet of the campus (one of which shall be selected by the Community Development Director and one by the College); and a representative from City Staff (non-voting member). The Committee shall meet, at a minimum of once every fall and spring term, to review any campus operational and neighborhood concerns. Reports on the meetings shall be provided to the City Council ~~and the Planning Commission~~.

PROGRAMS / STUDENT ENROLLMENT

- 139) The use of the College campus is permitted for only the following academic and recreational programs and related activities as further described below and defined in Condition 140:

- Traditional Degree Programs

- Non-Traditional Degree Programs
- Continuing Educational Programs, such as but not limited to English as a Second Language (ESL)
- Recreational Activities
- Summer Educational Programs, such as but not limited to:
 - Upward Bound
 - High School Courses
 - International Students Taking ESL courses

The use of the campus by groups or organizations unaffiliated with the College's educational and recreational programs listed above that would have ~~more~~less than 100 participants or visitors present on campus at one time or would occupy ~~more~~less than 20% of the 463 required parking spaces during such use is also allowed. ~~shall require, as applicable, a Special Use Permit or a revision to this Conditional Use Permit.~~ Any and all other uses and activities on the College campus that do not meet this threshold are prohibited unless approved with a revision to this Conditional Use Permit or a Special Use Permit is obtained, whichever is applicable based on the request.

The sub-leasing of the campus for commercial purposes that are unaffiliated with the College is prohibited.

- 140) The College's "Traditional Degree Programs" are the academic programs (~~Bachelor of Arts and Associates and Bachelors of Arts D~~degrees) that offer classes primarily during the day on weekdays (Monday to Friday). The College's "Non-Traditional Degree Programs" are the academic programs (~~Associates, Bachelors, and Masters of Arts and Associate of Arts D~~degrees) that offer classes, including post-secondary academic classes, primarily during weekday evenings and on weekends (Saturday and Sunday), so as to generally avoid overlap with the class schedules of the Traditional Degree Programs. The Traditional and Non-Traditional Degree Programs are referred collectively as the "Degree Programs."
- 141) The College may also provide lifelong learning programs ("Continuing Education Programs") such as English as a second language (ESL). For the purposes of this Conditional Use Permit, all students in such Continuing Education Programs will be included as part of the total full-time and part-time permitted student enrollment for both the Traditional and Non-Traditional Degree Programs. The determination as to which enrollment category such students are counted towards will be based on whether the applicable classes are primarily offered during the weekdays (in which case the students would be classified as part of the Traditional Degree Program enrollment) or nights/weekends (in which case

they would be classified as part of the Non-Traditional Degree Program enrollment).

- 142) As used in this Conditional Use Permit, a “student” means either a “full-time student,” which is a person enrolled in a Bachelor of Arts or Associates of Arts Degree Program or a Continuing Education Program on campus for at least 12 hours of course work during the applicable Term (as defined below), or a “part-time student,” which is a person enrolled in a Bachelor of Arts or Associates of Arts Degree Program or Continuing Education Program on campus for at least 3 hours, but up to 11 hours, of course work during the applicable Term.
- 143) The campus facilities may also be used for “Summer Educational Programs.” Summer Educational Programs are educational programs for persons generally 14 years or older such as college-credit classes for local high school students, Upward Bound, and international students taking ESL classes along with other educational classes and recreational activities. Persons enrolled in Summer Educational Programs are referred to in this CUP as “participants” for the purpose of establishing enrollment limitations.
- 144) The College may operate throughout the calendar year under the following general “Term” schedule: “Fall Term” (August through December), “Winter Term” (January), “Spring Term” (February to May) and “Summer Term” (June through July/August).

The College shall provide all of its incoming students a driver’s training course regarding local roadway conditions. The total number of students receiving the required driver’s training course shall be included in the enrollment report for each term as described in Condition No. 146.

- 145) The following enrollment limitations apply:
 - A. The maximum total permitted enrollment in Traditional Degree Programs on campus during the Fall, Winter, and Spring Terms is 793 students (full-time and part-time). Of these 793 students, a maximum of 250 students shall be enrolled in a Bachelor of Arts degree program (BA Program). For the Summer Term, if other educational or recreational programs are concurrently offered during weekdays, the maximum total permitted enrollment in Traditional Degree Programs must be proportionally reduced so that the combined enrollment in all such programs (e.g., Traditional Degree Programs and Summer Educational Programs) does not exceed a total of 600 students (full-time and part-time) and participants.
 - B. The maximum total permitted enrollment in Non-Traditional Degree Programs on campus during any Term is 150 students.

- C. The maximum total permitted enrollment in any combination of Traditional Degree Programs and Summer Educational Programs offered concurrently during summer weekdays (June to August) is 600 students and participants.
- 146) The College shall submit to the City an enrollment report for each Term within an academic year for all Traditional and Non-Traditional Degree Programs and Summer Educational Programs no later than 30-days after a term has commenced. Failure to submit such a report on a timely basis will constitute a violation punishable by administrative citation per the RPVMC.

NOISE / MECHANICAL EQUIPMENT

- 147) All new mechanical equipment, regardless of its location, shall be housed in enclosures designed to attenuate noise to a level of 65 dBA CNEL at the project site's property lines. Mechanical equipment for food service shall incorporate filtration systems to reduce exhaust odors.
- 148) Mechanical equipment shall be oriented away from any sensitive receptors such as neighboring residences, and where applicable, must be installed with any required acoustical shielding.
- 149) All hardscape surfaces, such as the parking area and walkways, shall be properly maintained and kept clear of trash and debris. The hours of maintenance of the project grounds shall be restricted to Mondays through Fridays from 7:00 a.m. to 5:00 p.m., and on Saturdays from 9:00 a.m. to 4:00 p.m. Said maintenance activities shall be prohibited on Sundays and Federal holidays listed in the RPVMC.
- 150) Noise levels resulting from on-campus activities (parking areas, athletic field, tennis courts, swimming pool, and outdoor gathering areas and plazas), including those allowed through the annual Special Use Permit except for graduation ceremonies, shall not exceed 65 dba CNEL at all property lines. Within 6 months of completion of each Phase of the Facilities Plan, as described in these conditions, the College shall provide the City with sound test reports prepared by a certified noise consultant that is approved by the Community Development Director. Said sound test reports shall be taken at locations indentified by the Community Development Director, ~~based on direction provided by the Director, of Planning, Building and Code Enforcement~~ to establish compliance with this condition. The College shall establish a Trust Deposit, in an amount deemed acceptable by the Community Development Director, to cover all City costs incurred for the noise monitoring.

LIGHTING

- 151) The applicant shall prepare and submit a Lighting Plan for the project site that is in compliance with the RPVMC. The Lighting Plan, including a Photometric Plan, shall clearly show the location, height, number of lights, wattage and estimates of maximum illumination on site and spill/glare at property lines for all exterior circulation lighting, outdoor building lighting, trail and sidewalk lighting, parking lot lighting, landscape ambiance lighting, and main entry sign lighting. The Lighting Plan shall be submitted for review and approval by the Community Development Director prior to issuance of any building permit. An as-built lighting [plan](#) shall be submitted to the City prior to the issuance of the Final Certificate of Occupancy for each construction phase (as described in the conditions herein).

Prior to the installation of any on-site lighting for the parking lots and walkways, an illuminated mock-up utilizing sample light standards and bulbs shall be set-up for review and approval by the Community Development Director to ensure compliance with the [intent of the](#) Municipal Code.

- 152) Parking and Security lighting shall be kept to minimum safety standards and shall conform to City requirements. Fixtures shall be shielded so that only the subject property is illuminated; there shall be no spillover onto residential properties or halo into the night sky. A trial period of thirty (30) days from the installation of all the project exterior lighting, including building and parking lot lighting shall be assessed for potential impacts to the surrounding properties. At the end of the thirty (30) day period, the Community Development Director may require additional screening or reduction in the intensity or numbers of lights which are determined to be excessively bright or otherwise create adverse impacts. Furthermore, said lighting shall be reviewed as part of the six (6) month review described in Condition No. 18.
- 153) No outdoor lighting is permitted where the light source or fixture, if located on a building, is above the line of the eaves. If the light source or fixture is located on a building with no eaves, or if located on a standard or pole, the light source or fixture shall not be more than ten feet above existing grade, adjacent to the building or pole.
- 154) No outdoor lighting shall be allowed for the tennis courts or the athletic field, other than safety lighting used to illuminate the walkways and trails through the campus. A Special Use Permit shall be obtained for the temporary use of lighting in these areas for special events as described in Condition No. 139.

- 155) The light standards at the parking lot along the property line adjacent to the properties located on San Ramon Drive shall be no higher than the top of the existing 5-foot tall privacy wall.
- 156) The light standards at the east parking lot, located within the lower tier, shall be limited to a height of 42-inches, as measured from adjacent finished grade.

PARKING

- 157) Prior to the issuance of any grading permit, a Parking Lot Plan shall be reviewed and approved by the Community Development Director. The Parking Lot Plan shall be developed in conformance with the parking space dimensions and parking lot standards set forth in RPVMC or allowed in this condition of approval, and shall include the location of all light standards, planter boxes, directional signs and arrows. No more than 20% of the total parking spaces shall be in the form of compact spaces.
- 158) The applicant shall construct and maintain no fewer than 463 on-site parking spaces consisting of 391 standard parking spaces at a minimum dimension of 9' wide by 20' deep and a maximum 72 compact parking spaces at a minimum dimension of 8' wide by 15' deep. In addition, the applicant shall construct and maintain off-street loading spaces pursuant to the criteria set forth in Section 17.50.050 of the RPVMC.

Prior to the completion of Phase I, as described in Condition No. 60, the applicant shall institute, to the satisfaction of the Community Development Director and the Director of Public Works, a Parking Management Strategies Plan to reduce College related parking in order to minimize street parking by students and visitors by the following values:

- 11 percent or greater for student enrollment between 744 and 793;
- 6 percent or greater for student enrollment between 694 and 743;
- 0 percent or greater for student enrollment of 693 or less.

Parking Management Strategies may include, but are not limited to, the following:

- Provision of "carpool only" parking spaces
- Implementation of parking restrictions for students living in College-owned off-campus residential housing
- Utilization of remote parking
- Provision of increased shuttle service
- Offering of financial incentives, such as providing transit passes

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- Utilization of campus security to direct vehicles to available on-campus parking during peak times (8am to noon, Monday through Friday)
- Utilization of campus security personnel to monitor street parking and direct students and visitors to available on-campus parking spots

A Parking Management Strategy Program shall be prepared and submitted by the Applicant for review and approval by the Community Development Director, by July 1st of every year. Said Program shall:

- Document the prior-year's achieved parking demand reductions;
- Identify strategies for use in the upcoming academic school year;
- Be modified on an as needed basis, as deemed necessary by the Community Development Director.

- 159) Parking on the east side of the campus adjacent to the properties on San Ramon Drive in the area marked on the site plan [reviewed and approved by the City Council at its March 31, 2010 meeting](#) shall be limited to faculty and staff between 7:00 a.m. and 10:00 p.m. All pParking between 10:00 p.m. and 7:00 a.m. is prohibited in this area.
- 160) Parking at the lower terrace of the eastern parking lot in the area marked on the site plan [reviewed and approved by the City Council at its March 31, 2010 meeting](#) shall be prohibited between 7:00 p.m. and 7:00 a.m. During this period this portion of the parking lot must be closed off with the use of a chain or other similar devise to prevent cars from parking or accessing this area.
- 161) Prior to the final inspection of project grading in Phase One, emergency vehicular access shall be installed at the project site. A plan identifying such emergency access shall be submitted to the Los Angeles County Fire Department and the Director of Public Works for review and approval prior to issuance of any building permit.
- 162) Prior to issuance of any building permit, the applicant shall prepare an Emergency Evacuation Plan for review and approval by the Community Development Director. Such plan shall comply with the City's SEMS Multihazard Functional Plan.
- 163) The use of grasscrete pavers shall be prohibited within the Geologic Building Setback Area.

LANDSCAPING

- 164) A Landscape Plan shall be prepared by a qualified Landscape Architect in accordance with the standards set forth in RPVMC. The Landscape Plan shall be reviewed and approved by the Community Development Director, a qualified Landscape Architect, and an Arborist hired by the City, prior to the issuance of any building or grading permits. The applicant shall establish a Trust Deposit account with the City prior to the submittal of Landscape Plans to cover all costs incurred by the City in conducting such review. The Landscape Plan shall include, at a minimum, the plant species (Latin and common names), growth rate, and maximum height at maturity for all proposed trees. The Landscape Plan shall also identify the areas to be landscaped based on the phased construction plan described in these conditions of approval. Included in the Landscape Plan shall be a maintenance schedule as stated in these conditions. During the Director's review, the Landscape Plan shall also be made available to the public for review and input.

The Landscape Plan shall comply with the water conservation concepts, the View Preservation Ordinance, the planting requirements, the irrigation system design criteria, and all other requirements of the RPVMC. All new trees and foliage shall not exceed 16-feet in height, as measured from grade adjacent to the tree or foliage, except along the south slope of the campus where the height of such new trees must be maintained at a level below the ridgeline of the nearest structure to the tree or foliage.

Prior to the completion of Phase I, as described in Condition No. 60, the existing eucalyptus trees located on the upper western portion of the southern slope near the proposed athletic field and the existing canary pine trees located at the existing parking lot and drop-off circle shall either be laced, trimmed, removed or any combination thereof, as determined by the Community Development Director to restore views of Catalina Island from the viewing area of properties to the north, including 2925 Crest Rd.

- 165) The applicant shall preserve existing on-site mature trees for the purpose of incorporating the mature trees into the landscaping of the southern slope which slope, which shall be planted in a manner to reasonably screen the Athletic Building and the retaining walls that support the Fire Access Lane when viewed from the Palos Verdes Drive East roadway. The selection of the mature trees for preservation and re-planting shall be made by the Community Development Director based on consultation with the City Arborist. The re-planting of the mature trees shall occur prior to the completion of Phase I as described in Condition No. 60. Additionally, the applicant shall replace any of the existing trees removed from the southern slope and the adjacent area prior to the

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completion of Phase I, as described in Condition No. 60, with 24" box trees at a 2:1 ratio, to minimize the scarring or erosion of the southern slope that may result from the project grading. Included in the Landscape Plan described in the above Condition No. 164, the applicant shall indicate the location of the existing mature trees that will be removed, ~~preserved, the trees that will be retained,~~ and the ~~location of the new replanted trees.~~ The replacement tree species shall be approved by the Community Development Director based on consultation with ~~and~~ the City Arborist as part of the Landscape Plan review and prior to the issuance of any grading permit. If any of the retained mature trees become diseased or die, such trees shall be removed and replaced with 24" box trees at a 2:1 ratio by the applicant within thirty days of removal with a tree species approved by the Community Development Director after consultation with ~~and~~ the City Arborist. The College shall establish a Trust Deposit account with the City to cover costs incurred by the City Arborist's in implementing this condition.

- 166) Where practical, landscaping shall be planted and maintained to screen the project buildings, ancillary structures, and the project's night lighting as seen from surrounding properties and/or public rights-of-way, as depicted on the Landscape Plan. Landscaping, as described in Condition No. 165, shall be planted and maintained to reasonably screen the Athletic Building and the retaining walls for the Fire Access Lane from Palos Verdes Drive East and down-slope properties.
- 167) All landscaping shall be planted and maintained in accordance with the City approved Landscape plan. During project construction, the respective planting for each phase must be completed prior to the issuance of the certificate of occupancy for the adjacent building or improvement area, as deemed appropriate by the Community Development Director.
- 168) The area between the retaining wall along the eastern parking area and the existing privacy wall for the adjacent properties along San Ramon Drive shall be used as a landscaped buffer area and planted with trees not to exceed 16-feet in height to provide additional screening.
- 169) The area between the front and street-side property lines and the required 42-inch² wrought iron fence/wall adjacent to the parking areas and the 6-foot wrought iron fence along the curvature of Palos Verdes Drive East between the northeastern corner of the tennis courts and the detention basin shall be landscaped and maintained on both sides of the fence/wall.
- 170) Prior to issuance of any grading permit, a Campus Landscape Maintenance Plan shall be submitted and approved by the Community Development Director. At a minimum, the Campus Landscape Plan shall be consistent with the following requirements:

- That landscape maintenance activities, including lawn mowing, are prohibited between the hours of 7:00 p.m. and 7:00 a.m. Monday through Saturday, and on Sundays and Federal holidays.
- That the use of weed and debris blowers and parking lot sweeping shall be prohibited before 8:00 a.m. or after 5:00 p.m., Monday through Friday, or before 9:00 a.m. or after 4:00 p.m. on Saturday or at any time on Sundays and Federal holidays.
- General identification of the irrigation hours.
- General tree pruning and trimming schedule.

The implementation of the Campus Landscape Maintenance Plan shall be formally reviewed by the Community Development Director three (3) months after the ~~first day of operation of the athletic field~~ installation of the campus landscaping for each phase of construction, and shall be subsequently reviewed by the City Council at the six (6) month review described in Condition No. 18. At either review, the Director and/or the City Council may determine that the Plan needs to be revised to address ~~potential~~ confirmed noise impacts.

If the City receives any justified noise complaints that are caused by the maintenance of the athletic field or campus landscape and lawn areas, as verified by the Community Development Director, upon receipt of notice from the City, the College shall respond to said verified complaint by notifying the City ~~and of the~~ implementing corrective measures within 24 hours from the time of said notice.

Notice of the Director's decision resulting from the 3-month review of ~~on any matter concerning the~~ Campus Landscape Maintenance Plan shall be provided to all interested parties and may be appealed to the City Council by any interested party. Any violation of this condition may result in the revocation of the Conditional Use Permit.

- 171) The area between the eastern parking lot and the property line (adjacent to the City-owned San Ramon Reserve) depicted on the approved site plan shall be landscaped with native plants that require little to no irrigation, as deemed acceptable by the City Geologist. Such landscaping shall be reviewed and approved by the Fire Department prior to planting for fuel modification compliance. Such plants shall not exceed a height of 42-inches, unless the Community Development Director determines that such landscaping may exceed 42-inches, but no higher than 7-feet, in order to minimize any view impairment to the properties at 2742 and 2750 San Ramon Drive.

FENCES, WALLS, AND HEDGES

- 172) The applicant shall install and maintain a 42-inch tall combination wrought iron fence and wall, finished in a stone veneer similar to the approved entry signs, along the entire Palos Verdes Drive East frontage between the eastern property line (adjacent to the corner of the rear property line for San Ramon) to the northeastern corner of the eastern tennis courts. Said fence/wall shall be setback a minimum of 5-feet from the property line to allow this area to be landscaped, irrigated and maintained with approved plants, not to exceed 42-inches in height, as identified on the Landscape Plan.
- 173) The applicant shall construct a 6-foot tall screening wall along the College's eastern property line, as depicted on the approved site plan, beginning at the southwest corner property line for Lot 26 (2742 San Ramon Drive / Tooley property).
- 174) The applicant shall install and maintain a wrought iron fence, painted black, along the westerly edge of the Athletic Field property, between the northeast corner of the tennis courts and the detention basin, at a maximum height of 6-feet and 80% open to light and air, as permitted with the City Council's approval of the Minor Exception Permit, as part of planning case number ZON2003-00317. Said wrought iron fence shall be setback a minimum of 3-feet from the property line to allow this area to be landscaped, irrigated and maintained with approved plants, not to exceed 42-inches in height, as identified on the Landscape Plan. The installation of lighting onto said fence is prohibited.
- 175) The applicant shall ~~be allowed to~~ install and maintain a retractable net at the south~~west, and~~ north~~west and west sides~~ corners of the Athletic Field as depicted in Athletic Field Alternative D-2 and ~~, as depicted on~~ the plans dated December 2008 and January 2009. Said net, when extended, shall not exceed a height of 2030-feet, as measured from the lowest adjacent grade (891') on the Athletic Field side. The Athletic Field net shall be extended at all times when the field is used for recreational activities involving balls and shall be lowered at the conclusion of the recreational activity. Recreational activities requiring the use of said net shall be prohibited on Sundays and the Federal holidays listed in the RPVMC, unless a Special Use Permit is obtained.

Use of the Athletic Field shall be prohibited for activities involving baseballs, golf balls, or other similar sized balls that cannot be adequately contained by the use of the field net.

- 176) The use of chain link fencing shall be prohibited within the front and street-side setback yards (along Palos Verdes Drive East) with the exception of the chain link fencing for the tennis courts permitted with the City Council's approval of the Minor Exception Permit, as part of planning case number ZON2003-00317.
- 177) The chain link fence for the tennis courts shall be ~~no higher than~~20-feet in height along the entire perimeter of the westerly tennis courts and 10-feet in height for the easterly tennis courts (including combined retaining walls and fencing), as measured from the lowest adjacent finished grade to the top of the fence. Said fence shall consist of a green or black mesh that is 80% open to light and air. The installation of lighting onto said fence is prohibited.
- 178) All pools and spas shall be enclosed with a minimum 5' high fence (80% open to light and air), with a self-closing device and a self-latching device located no closer than 4' above the ground.

SIGNS

- 179) The applicant shall be permitted to construct two entry signs, adjacent to the driveway entrance at Palos Verdes Drive East and Crest Road, at a maximum height of 6-feet and affixed to a stone veneer decorative wall, as illustrated in the project plans reviewed by the City Council on March ~~31~~XX, 2010. The entry signs shall consist of individually mounted brass finished letters that are reverse channel lighting (back lit).
- 180) Prior to the issuance of any grading permit by Building and Safety, the applicant shall submit for review and approval by the Community Development Director a Master Sign Plan that is consistent with the sign requirements of the RPVMC. The Master Sign Plan shall include, but not be limited to, the entry identification signs for the College, the way-finding signs, the building signs, and other signs related to an educational use to ensure that such signs are in compliance with the City's Codes.

RESOLUTION NO. 2010-XX - EXHIBIT "A"
MARYMOUNT COLLEGE
CONDITIONS OF APPROVAL

ZON2003-00317 (Conditional Use Permit No. 9 Revision 'E',
Grading Permit, Variance, and Minor Exception Permit)

GENERAL CONDITIONS

- 1) The approvals granted by this Resolution shall not become effective until the applicant submits a written affidavit that the applicant has read, understands and accepts all conditions of approval contained herein. Said affidavit shall be submitted to the City no later than ninety (90) days from the date of approval of the project by the City Council. If the applicant fails to submit the written affidavit required by this condition within the required 90 days, this resolution approving planning case number ZON2003-00317 (Conditional Use Permit No. 9 Revision 'E,' Grading Permit, Variance and Minor Exception Permit) shall be null and void and of no further effect.
- 2) In accordance with the provisions of Fish and Game Code §711.4 and Title 14, California Code of Regulations, §753.5, the applicant shall pay all applicable filing fees, payable to the County of Los Angeles, for the Fish and Game Environmental Filing Fee, including posting fees. This check shall be submitted to the City within five (5) business days of final approval of this project. If required, the applicant shall also pay any fine imposed by the Department of Fish and Game.
- 3) Each and every mitigation measure contained in the Mitigation Monitoring Program attached as Exhibit "C" of Resolution No. 2010-XX is hereby incorporated into the Conditions of Approval, as Exhibit "B", for planning case number ZON2003-00317 (Conditional Use Permit No. 9 Revision 'E,' Grading Permit, Variance, and Minor Exception Permit).
- 4) The applicant shall fully implement and continue for as long as a college is operated on the subject property the Mitigation Monitoring Program and execute all mitigation measures as identified and set forth in the Final Environmental Impact Report for the project as certified in Resolution No. 2010-XX.
- 5) Marymount College shall be responsible for implementing and ensuring compliance with all of the Conditions of Approval stated herein. Accordingly, as used herein, the term "applicant" shall mean Marymount College including operators of educational and recreational programs affiliated with Marymount College and the property upon which the Marymount College is located.

- 6) The project development shall conform to the specific standards contained in these Conditions of Approval or, if not addressed herein, shall conform to the appropriate development and operational standards of the Rancho Palos Verdes Municipal Code ("RPVMC").
- 7) The project, including site layout, the building and appurtenances, and signage throughout the site, must be constructed and maintained in substantial compliance with the plans reviewed and approved by the City Council, on March 31, 2010 and May 4, 2010 (Athletic Field Alternative D-2), and stamped APPROVED by the City with the effective date of the Notice of Decision. Prior to any submittal to Building and Safety, the applicant shall submit to the Community Development Director a complete set of the revised plans (such as, but not limited to, architectural, grading, landscaping, and lighting plans) that reflect the Council's final decision.
- 8) The Community Development Director shall be authorized to approve minor modifications to the approved plans or any of the conditions if such modifications achieve substantially the same result as would strict compliance with such plans and conditions. Otherwise, all other modifications shall be subject to review and approval by the City Council as a revision to this conditional use permit at a duly noticed public hearing.
- 9) Failure to comply with all of the Conditions of Approval will be grounds to revoke the approval of the project pursuant to the revocation procedures contained in RPVMC section 17.86.060.
- 10) These conditions are organized by topic type for ease of reference. Regardless of such organization, each condition is universally applicable to the entire project site, unless a condition clearly indicates otherwise. The conditions shall be applicable as long as a college is operated on the property, unless otherwise stated herein.
- 11) In the event that a Condition of Approval is in conflict or is inconsistent with any Mitigation Measure for this project, the more restrictive shall govern.
- 12) All applicable permits required by the City's Building and Safety Division shall be obtained by the applicant prior to the commencement of any construction activities associated with this approval.
- 13) If applicable, prior to issuance of any certificate of occupancy, the applicant shall pay the City's Environmental Excise Tax in accordance with the Rancho Palos Verdes Municipal Code (RPVMC).

- 14) If applicable, prior to issuance of any Certificate of Occupancy the applicant shall comply with the Affordable Housing requirements of the RPVMC.
- 15) If applicable, the applicant shall comply with all applicable provisions of the City's Transportation Demand Management and Trip Reduction Ordinance as set forth in RPVMC section 10.28.
- 16) The applicant shall be required to pay 110% of the estimated amount of the cost of services to be provided on behalf of the City by any outside consultants that have been retained by the City to render services specifically in connection with this project, in the form of a trust deposit account, prior to commencement of such services (e.g. City Engineer, City Attorney, geotechnical consultants, biologist, landscape architect, City Arborist, noise consultant, environmental consultants, recycling consultants, etc.). The College shall adequately fund said trust deposit accounts prior to the commencement of services, in amounts reasonably requested by the City, based upon an estimate of the cost of services for the period of at least 90 days for which services are rendered. In addition, the trust deposits shall be replenished within two weeks of receipt of notice from the City that additional funds are needed.
- 17) All costs associated with plan check reviews and site inspections for the Department of Public Works shall be incurred by the applicant through the establishment of a trust deposit with the Director of Public Works at the time of plan check submittal or site inspection request.
- 18) No later than six (6) months after the completion of each of the three Construction Phases described herein, the City Council shall review these Conditions of Approval at a duly noticed public hearing. As part of said review, the City Council shall assess the applicant's compliance with the Conditions of Approval and the adequacy of the conditions imposed. At that time, the City Council may add, delete or modify any Conditions of Approval as evidence presented at the hearing demonstrates are necessary and appropriate to address impacts resulting from operation of the project. Such modifications shall not result in substantial changes to the design of the project structures. Notice of such review hearing shall be published and provided to owners of property within a 500' radius of the site, to persons requesting notice, to all affected homeowners associations, and to the property owner in accordance the RPVMC. As part of the review, the City Council shall consider such items, including, but not limited to, the effectiveness of the parking conditions, on-site circulation patterns, lighting, landscaping, noise, hours of operation, the operation of outdoor events, the operation and effectiveness of the retractable net, the use of the athletic field and tennis courts, and the use of the outdoor pool. The City Council may also consider other concerns raised by the public in response to the public notice of

the review hearing. The City Council may require such subsequent additional reviews, as deemed appropriate. This provision shall not be construed as a limitation on the City's ability to enforce any provision of the RPVMC regarding this project.

In addition to the three 6-month reviews required above, no later than 18 months after the completion of Construction Phase III, as described herein, the City Council shall review these Conditions of Approval and the operations of the College at a duly noticed public hearing. As part of said review, the City Council shall assess the applicant's compliance with the Conditions of Approval and the adequacy of all the conditions imposed similar to the 6 month reviews such as, but not limited to, the effectiveness of the parking conditions, on-site circulation patterns, lighting, landscaping, noise, hours of operation, the operation of outdoor events, the operation and effectiveness of the retractable net, the use of the athletic field and tennis courts, and the use of the outdoor pool. At that time, the City Council may add, delete or modify any Conditions of Approval if evidence presented at the hearing demonstrates that new or modified conditions are necessary and appropriate to address impacts resulting from operation of the project.

The Campus Landscape Maintenance Plan shall also be subject to a three (3) month review as stated in Condition No. 170.

- 19) This approval authorizes the construction of a Facilities Expansion Plan (Facilities Plan) for Marymount College located at 30800 Palos Verdes Drive East, including the athletic field and tennis courts depicted in Alternative D-2 of Appendix D of the Final EIR. The approval does not include or allow the construction of Residence Hall buildings included in the applicant's original submittal. Any significant changes to the characteristics of the development, including, but not limited to, the introduction of new uses or buildings, the site configuration, the size or operation of the facilities, or other ancillary uses shall require an application for revision to this Conditional Use Permit pursuant to the provisions stated in the RPVMC. At that time, the City Council may direct that the Planning Commission consider the proposed application, or it may deny the proposed application, or it may approve the proposed application and impose such conditions, as it deems necessary upon the proposed use resulting from operations of the project. Further, the City Council may consider all issues relevant to the proposed change of use.

GENERAL CONSTRUCTION CONDITIONS

- 20) Temporary construction fencing shall be installed in accordance with the RPVMC. Prior to the issuance of any grading or building permit, the applicant

shall submit a Temporary Construction Fence Plan, as part of the Construction Management Plan, that identifies items including, but not limited to, the type, the location and the time duration of construction fencing to be installed to address health and safety issues that are related to grading or other construction activities.

- 21) All on-site construction and grading activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Saturday. No construction shall occur on Sundays or Federal holidays as set forth in RPVMC unless a special construction permit, allowing construction work on Sundays or Federal holidays between the hours of 7:00 am and 7:00 pm, is first obtained from the Community Development Director at least 48-hours in advance of construction work. Any deviation from this Condition shall require an amendment to these Conditions of Approval and the approval of a Variance Permit.
- 22) The construction site and adjacent public and private properties and streets shall be kept free of all loose materials in excess of the material used for immediate construction purposes. Such excess material includes, but is not limited to, the accumulation of debris, garbage, lumber, scrap metal, concrete asphalt, salvage materials, abandoned or discarded furniture, appliances, or fixtures.
- 23) No overnight parking or storage of vehicles associated with construction shall be permitted in the public right-of-way during construction.
- 24) Prior to issuance of any grading permit, the applicant shall submit final geotechnical and soils reports to the City for review and approval by the Building Official and the City's Geotechnical Consultant. All conditions specified in the approved geotechnical and soils reports will be incorporated into the project.
- 25) The applicant shall prepare a notice to all property owners within a 500-foot radius of the project site at least 30-days prior to the commencement of each phase of construction. Such notice shall be sent by the City, at the expense of the applicant, and shall include a contact (name, telephone number, and e-mail address) in the event complaints need to be filed. A similar notice shall be visibly posted from the right-of-way (PVDE) at the entrance to the campus. The size, exact location, and content of such notice shall be reviewed and approved by the Director at least 30-days prior to installation.
- 26) Prior to issuance of the Final Certificate of Occupancy for Phase Three, the applicant shall provide a detailed as-built Classroom Student Seat Plan. Such Plan shall substantially comply with the student seats depicted in Exhibit 4 of Appendix A of the Final EIR and shall not exceed a maximum of 655 student seats. An increase to the maximum number of student seats permitted herein

shall be subject to review and approval by the City Council, at a duly noticed public hearing, and shall not result in new impacts or the intensification of impacts identified in the Final EIR, including but not limited to traffic, parking and noise.

- 27) Construction and grading activities within the public right-of-way shall be limited to the days and hours approved by the Director of Public Works at the time of permit issuance.
- 28) No on-site repair, maintenance, delivery of equipment and materials or vehicle idling shall occur before 7:00 a.m. or after 7:00 p.m. Monday through Saturday, nor on any Sunday or Federal holiday, unless otherwise specified in these Conditions of Approval or a Special Construction Permit is obtained from the City. Emergency repairs are exempt from this condition.
- 29) All construction activity shall not extend beyond the phasing plan identified in the Certified Environmental Impact Report described in Resolution No. 2010-XX and actual physical construction shall not exceed a total of three years during the eight year phased schedule, as described in Condition No. 60. Any significant changes to the construction activity schedule shall be reviewed and approved by the Community Development Director.
- 30) Prior to the issuance of any grading permits, the applicant shall submit to the Director of Public Works, for review and approval, a Construction Management Plan. Said Plan shall include, but not be limited to, the proposed routes to and from the project site for all deliveries of equipment, materials, and supplies, and shall set forth the parking plan for construction employees, the installation of traffic control signs at and around the project site, hours of arrival and departure for construction workers, sound abatement measures, and street maintenance (street cleaning and repairs). All construction related parking must be accommodated on-site. No on-street construction related parking shall be permitted. The queuing and idling of construction worker vehicles and construction vehicles/equipment shall be prohibited on-site and on City streets. Furthermore, the applicant shall prepare and submit a Haul Plan to the Public Works Department for review and approval prior to issuance of grading permits.
- 31) The applicant shall be responsible for repairs to any public streets that may be damaged as a result of development of the project as required by the Director of Public Works.
- 32) Prior to issuance of any grading or building permit for each construction phase described in these Conditions of Approval, the applicant shall film the public roads that will be used for construction traffic to and from the project site, as

described in the City approved Construction Management Plan, to document the pre-construction road condition. Said film, in either a DVD or CD format, shall be submitted to the Director of Public Works and shall be used to document any roadway damage that may be associated with project construction.

- 33) Prior to the issuance of any grading or building permit, the applicant shall submit security, in a form reasonably acceptable to the City, to cover any damage to existing public roadways caused by project construction. The amount of such security shall be determined by the Director of Public Works and shall not be released until all construction related activities have been completed and after final inspections by the City's Building Official.
- 34) Prior to the release of the security to cover any damages to existing public roadways (see above conditions), the applicant shall repair or replace all curbs, gutters, and sidewalks that are damaged as a result of project construction, as determined by the Director of Public Works.
- 35) All proposed driveways shall be designed in substantially the same alignment as shown on the approved site plans, subject to final design review and approval by the Los Angeles County Fire Department and the Director of Public Works.
- 36) Any on-site raised and landscaped medians and textured surfaces, including parking lot planters, shall be approved by the Director of Public Works, and by the City Geologist in areas adjacent to or within the Building Geologic Setback Area.
- 37) Handicapped access ramps shall be installed and or retrofitted in accordance with the current standards established by the Americans with Disabilities Act. Access ramps shall be provided at all intersections and driveways.
- 38) All sidewalks and pathways throughout the project site shall be designed to comply with the minimum width standards set forth in the most recent California Disabled Accessibility Guidebook.
- 39) If excavation is required in any public roadway, the roadway shall be resurfaced with an asphalt overlay to the adjacent traffic lane line to the satisfaction of the Director of Public Works.
- 40) Prior to commencing any excavation or construction within the public rights-of-way, the applicant shall obtain all necessary permits from the Director of Public Works.

- 41) The project shall comply with all requirements of the various municipal utilities and agencies that provide public services to the property.
- 42) All existing easements shall remain in full force and effect unless expressly released by the holder of the easement.

INDEMNIFICATION/INSURANCE

- 43) The owner of the property upon which the project is located shall hold harmless and indemnify City, members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers, and agents serving as independent contractors in the role of city or agency officials, (collectively, "Indemnitees"), from any claim, demand, damage, liability, loss, cost or expense, including but not limited to death or injury to any person and injury to any property ("Loss"), resulting from willful misconduct, negligent acts, errors or omissions of the owner, the applicant, the project operator, or any of their respective officers, employees, or agents, arising or claimed to arise, directly or indirectly, in whole or in part, out of, in connection with, resulting from, or related to the construction or the operation of the project approved by this resolution including but not limited to the operation and use of the athletic field. The obligation to indemnify the Indemnitees shall not include any loss caused by the sole negligence or willful misconduct of the Indemnitees.
- 44) The applicant shall defend, indemnify and hold harmless the City and its agents, officers, commissions, boards, committees and employees from any claim, action or proceeding against the City or its agents, officers, commissions, boards, committee or employees, to attack, set aside, void or annul this resolution or one or more of the approvals set forth in Resolution 2010-XX brought by one or more third parties. Alternatively, at the City's election, the City may choose to defend itself from any claim, action or proceeding to attack, set aside, void or annul this resolution or one or more of the approvals set forth in this resolution with counsel of its choosing, in which case, the applicant shall reimburse the City for all of its costs, including attorney fees, arising from such claim, action or proceeding. The obligations set forth in this condition include the obligation to indemnify or reimburse the City for any attorney fees or monetary judgments that the City becomes obligated to pay as a result of any claim, action or proceeding within the scope of this condition.

The City shall promptly notify the applicant of any claim, action or proceeding within the scope of this condition and the City shall cooperate in the defense of any such claim or action.

- 45) The applicant shall procure and maintain in full force and effect during the operation of the College primary general liability insurance in conjunction with umbrella coverage, which is applicable to, and provides coverage in an amount of at least \$5 million dollars, which amount shall be increased on each fifth anniversary of the issuance of the first certificate of occupancy for any structure authorized by this approval to reflect increases in the consumer price index for the Los Angeles County area. Such insurance shall insure against claims for injuries to persons or damages to property that may arise from or in connection with the operation of the athletic field at the College as authorized by the conditional use permit as amended by this approval. Such insurance shall name the City and the members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers and agents serving as its independent contractors in the role of City officials, as additional insureds. Said insurance, shall be issued by an insurer that is admitted to do business in the State of California with a Best's rating of at least A-VII or a rating of at least A by Standard & Poor's, and shall comply with all of the following requirements:
- (a) The coverage shall contain no limitations on the scope of protection afforded to City, its officers, officials, employees, volunteers or agents serving as independent contractors in the role of city or agency officials which are not also limitations applicable to the named insured.
 - (b) For any claims related to the operation of the athletic field, including balls that may enter the public road right-of-way, applicant's insurance coverage shall be primary insurance as respects City, members of its City Council, boards, committees, commissions, officers, employees, attorneys, volunteers and agents serving as independent contractors in the role of city or agency officials.
 - (c) The limits of applicant's insurance shall apply separately to the project site.
 - (d) Each insurance policy required by this condition shall be endorsed to state that coverage shall not be canceled except after 30-days prior written notice by first class mail has been given to City.
 - (e) Each insurance policy required by this condition shall be endorsed to state that coverage shall not be materially modified except after 5-business days prior written notice by first class mail has been given to City.
 - (f) Each insurance policy required by this condition shall expressly waive the insurer's right of subrogation against City and members of its City

Council, boards and commissions, officers, employees, servants, attorneys, volunteers, and agents serving as independent contractors in the role of city or agency officials.

- (g) Copies of the endorsements and certificates required by this condition shall be provided to the City when the insurance is first obtained and with each renewal of the policy.
- (h) No activities involving field balls at the athletic field shall be permitted unless such general liability insurance policy is in effect and on file with the City.

Such insurance shall likewise name the City and the members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers and agents serving as its independent contractors in the role of City officials, as additional insureds. Said insurance may, at applicant's option, be in the form of a separate excess insurance policy and may be issued by a non-admitted carrier so long as the insurer is authorized to do business in the State of California with a Best's rating of at least A-VII or a rating of at least A by Standard & Poor's and shall comply with all of the requirements of this Condition.

PROJECT DESCRIPTION

- 46) This approval, the Marymount College Facilities Expansion Project, allows for the expansion of the existing College's facilities (92,268 square feet of floor area) consisting of the demolition of 18,022 square feet of existing floor area and the construction of 61,928 square feet of new floor area, including expanding 14,916 square feet of existing buildings, the proposed development would result in a total of 151,090 square feet of campus floor area, as outlined in the table shown below:

<u>Building</u>	Total Existing Building (SF)	Proposed Building Demolition (SF)	Proposed Building Addition (SF)	Total Building (SF)
Existing Buildings				
Classroom/Academics	26,180	0	0	26,180
Auditorium/Fine Arts Studio	8,012	0	1,869	9,881
Faculty Office	7,346	0	7,455	14,801
Student Union/Bookstore/Faculty Dining	18,158	0	3,492	21,650
Administration/Admissions	9,450	0	2,100	11,550
Chapel	5,100	0	0	5,100
Buildings to be Removed				
View Room/Hall	1,530	(1,530)	0	0
Maintenance/Photo Lab	2,696	(2,696)	0	0
Bookstore/Health Center	2,870	(2,870)	0	0
Arts	3,648	(3,648)	0	0
Preschool	2,998	(2,998)	0	0
Library	4,072	(4,072)	0	0
Pool Equipment	208	(208)	0	0
Subtotal Existing Buildings	92,268	(18,022)	14,916	89,162
Library			26,710	26,710
Maintenance			1,975	1,975
Athletic Building			33,243	33,243
Subtotal New Buildings			61,928	61,928
Total Square Footage			76,844	151,090
Source: Rasmussen & Associates, <i>Proposed Master Site Plan</i>				

- 47) A Square Footage Certification prepared by a registered surveyor or engineer shall be submitted to the Community Development Director, prior to a framing inspection, indicating that the buildings, as identified in the condition herein, do not exceed the maximum permitted gross square footages (as measured from exterior walls).
- 48) A security/information booth shall be allowed to be constructed at the entry driveway, as depicted on the site plan approved by the City Council. This structure shall not exceed 54 square feet and a maximum height of 10-feet, as measured from the lowest adjacent finished grade (935.50') to the highest roof ridgeline (945.50'). Architectural details, as shown on the project plans reviewed

and approved by the City Council at its March 31, 2010 meeting (plans dated May 9, 2009), shall be allowed to exceed the maximum 10-foot height limit.

- 49) Building setbacks shall comply with the Institutional zoning requirements, unless otherwise noted herein. A Setback Certification shall be prepared by a licensed engineer and submitted to Building and Safety prior to the framing inspection on each structure or prior to the final inspection of grading activities, whichever occurs first.
- 50) The approved structures, including additions to existing structures, shall not exceed the building heights and number of stories described as follows:

BUILDING	LOWEST ADJACENT FINISHED GRADE	MAXIMUM ROOF RIDGELINE	MAXIMUM HEIGHT	NUMBER OF STORIES
Auditorium / Fine Arts Studio	925'	942'	17-feet	One
Faculty Building	912'	940'	28-feet	Two
Student Union (bookstore and faculty dining expansion)	910'	940'	30-feet	Two
Administration/Admissions	926'	951'	25-feet	One
Library Building	912'	951'	39-feet	One
Maintenance Building	913'	933'	20-feet	One
Athletic Building	897.75'	930'	32.25-feet	Two

- 51) A Building Pad Certification shall be prepared by a licensed engineer and submitted to Community Development Director and the Building Official prior to final inspection of grading activities.

A Roof Ridgeline Certification, indicating the maximum height of each building, shall be prepared by a licensed engineer and submitted to Community Development Director and the Building Official prior to the final framing certifications for each building.

- 52) New or replaced flagpoles shall be permitted at a maximum height of 16-feet, as measured from adjacent finished grade to the highest point of the flag poles.

BUILDING DESIGN STANDARDS

- 53) Prior to the submittal of the Athletic Building plans into Plan Check, plans shall be submitted to the Director of Community Development to demonstrate that the

portion of the Athletic Building that was allowed by the Planning Commission at 41-feet in height (elevation 938.75') has been reduced in height by a total of 10-feet from the height of the original Athletic Building so that the maximum roof ridgeline does not exceed an elevation of 930'. The Community Development Director shall determine that the revised Athletic Building is designed in compliance with the City Council's decision at its March 31, 2010 meeting.

- 54) The applicant shall submit an Architectural Materials Board for review and approval by the Community Development Director prior to issuance of building permits. The Materials Board shall identify, at a minimum, a sample of the proposed exterior building materials, roof tile materials, and paint colors for all new, expanded and modified structures. Such materials shall substantially comply with the materials called out on the project plans approved by the City Council on March 31, 2010 including, but not limited to, the use of stone veneer facades, stained wood trellises, cast-stone caps, stone veneer columns, and baked enamel aluminum windows with tinted glazing to name a few.
- 55) All new, expanded or modified buildings, including but not limited to the Athletic Building, the Library, the Student Union, and the Classroom buildings shall be finished in a muted earth-tone color, as deemed acceptable by the Community Development Director based on the review of the Materials Board.
- 56) The roof materials for all new, expanded or modified buildings with pitched roofs, including but not limited to the Library, Student Union, Athletic Building as revised per Condition No. 53, and Classrooms, shall be tile, consisting of a muted color, as deemed acceptable by the Community Development Director based on the review of the Materials Board. To the extent permitted by the City's Building Code, the material for all flat roofs shall be a color that is compatible with the color of the tiles used on the pitched roofs throughout the project, as deemed acceptable by the Community Development Director.
- 57) All trash enclosure areas shall be designed with walls six (6) feet in height with the capability of accommodating recycling bins. The enclosures shall be consistent with the overall building design theme in color and material, and shall include self-closing / self-latching gates. The enclosures shall integrate a solid roof cover to screen the bins from view from all public rights-of-way and surrounding properties. Trash enclosures shall be prohibited in all setback areas.
- 58) Mechanical equipment, vents or ducts shall not be placed on roofs unless approvals are obtained pursuant to Section 17.48.050 of the RPVMC regarding building heights and screening from view of all public rights-of-way and surrounding properties. This condition shall apply to all new and expanded

project buildings, including but not limited to the Athletic Building, Student Union, and Library Building.

- 59) The storage of all goods, wares, merchandise, produce, janitorial supplies and other commodities shall be permanently housed in entirely enclosed structures, except when in transport.

CONSTRUCTION PHASING

- 60) This Facilities Expansion Plan approval shall remain valid as set forth below, and shall be constructed in no more than 3 phases totaling 3 years of actual construction time over a period not to exceed eight (8) years from the date the approval becomes final:
- a. Phase One (Years 1-2): Phase One includes demolition of existing buildings, grading including the installation of drainage and water quality facilities, installation of utilities, the construction of new parking areas, athletic field, tennis courts, and the installation of temporary modular buildings to replace demolished facilities and those buildings subject to future construction. The planning entitlements, including grading and building permits, for all construction described under Phase One shall remain valid and the construction thereof shall be completed no later than September 30th of the year that is two years from the date the decision becomes final. Approvals for any Phase One components that are not completed with the two-year period shall lapse and become null and void unless an extension is granted by the City Council at a duly noticed public hearing.
 - b. Phase Two (Years 2-5): Phase Two includes fine grading, the construction of the new library, maintenance facility, Athletic Building, outdoor pool, and additions to the faculty building and student union. The planning entitlements, including building permits, for all construction described under Phase Two shall remain valid and the construction thereof shall be completed no later than five (5) years from the date the decision becomes final. Approvals for any Phase Two components that are not completed with the five-year period shall lapse and become null and void unless an extension is granted by the City Council at a duly noticed public hearing.
 - c. Phase Three (Years 6 -8): Phase Three includes the construction of the new fine arts building and an addition to the admissions building. The planning entitlements, including building permits, for all construction described under Phase Three shall remain valid and the construction thereof shall be completed no later than eight years from the date the decision becomes final.

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- d. All project buildings and improvements stated in these Conditions of Approval shall be completed in a total of three (3) years of construction activity and Certificates of Occupancy shall be issued within eight (8) years of the final decision of the project. All elements of the approved Facilities Plan that are not completed within the time period stated in this Condition shall require additional review and approval through an additional revision to Conditional Use Permit No. 9 and additional CEQA review if required.

TEMPORARY MODULAR BUILDINGS

- 61) The installation and use of temporary modular buildings (consisting of several modular segments each, as shown on the Phase One phasing site plan prepared by Rasmussen Associates) shall be permitted until the completion of the applicable permanent buildings or additions in Phase Two or Phase Three and in no event longer than eight years from the issuance of the first grading or building permit for Phase One, unless a revision to this CUP is approved. Upon the issuance of the certificate of occupancy for the applicable building or addition, the temporary modular building serving such use shall be removed from the project site within 30-days and the site restored to a condition deemed acceptable by the Community Development Director.
- 62) The permanent use of the temporary modular building shall be prohibited unless a revision to this CUP is approved.
- 63) The temporary modular buildings shall not exceed 15-feet in height, as measured from the lowest adjacent grade to the highest roof ridgeline.
- 64) The exterior facades for the temporary modular building facades shall be painted a neutral color to match existing or the new structures and incorporate materials that are similar to the proposed finish for the permanent buildings (not including Palos Verdes Stone or other stone material) as deemed acceptable by the Community Development Director.
- 65) The areas adjacent to the temporary modular buildings shall be landscaped to reasonably screen the buildings from Palos Verdes Drive East and properties to the south as deemed acceptable by the Community Development Director.
- 66) A building permit shall be obtained for applicable modular exterior improvements (e.g., decks, stairs, facade details, etc.) from the Department of Building and Safety.

GRADING

- 67) The following maximum quantities and depths of grading are approved for the Facilities Expansion Plan, as shown on the Preliminary Grading Plan received by the City on March 5, 2010 and reviewed and approved by the City Council at its March 31, 2010 meeting:
- a. Maximum Total Grading (Cut and Fill): 79,155 cubic yards.
 - b. Maximum Cut: 39,255 cubic yards (13,545 cubic yards with 15% shrinkage).
 - c. Maximum Fill: 39,900 cubic yards.
 - d. Maximum Depth of Cut: 25 feet.
 - e. Maximum Depth of Fill: 18 feet.

The maximum grading quantities shown above shall constitute total on-site earth movement, including but not limited to, combined raw cuts and fills (outside and under building footprints, parking lots, walkways, athletic facilities, etc.) remedial grading, and buttressed slopes to name a few.

The Community Development Director shall be authorized to allow deviations to the above grading quantities up to 200 cubic yards over the stated maximum quantities for unforeseen circumstances or due to conditions encountered in the field provided that such deviation or modification to the grading quantities achieve substantially the same results as with the strict compliance with the grading plan.

Any modifications resulting in additional grading in excess of the above quantities shall require approval of an amendment to the grading permit by the City Council at a duly noticed public hearing. This is a balanced grading project. No import or export of earth shall be permitted, except for fine grading materials, such as select fill and landscaping soils/materials.

Prior to the final inspection of the precise grading, the applicant shall provide the Building Official with a certified as-built grading plan prepared and wet-stamped by a licensed engineer. Additionally, prior to the final inspection, the applicant shall provide the City with documentation of the location of existing or relocated bentonite soil material. If applicable, the as-built grading plan shall identify all revisions to the City Council's approved grading plan.

- 68) Should the project require removal or delivery of earth, rock or material other than demolition and construction debris and waste from the site or building materials, the applicant shall first obtain City approval in the form of a revised Conditional Use Permit and Grading Permit application. Said review shall

evaluate potential impacts to the surrounding environment associated with such export or import. If the revised grading impacts results in impacts greater than those identified in the Certified EIR that cannot be mitigated to an insignificant level, a Supplemental EIR shall be prepared and reviewed by the City, at the expense of the applicant.

- 69) The grading plans shall identify the location of the building geologic setback line. Limited irrigation shall be allowed within the geologic setback area as reviewed and approved by the City geologist pursuant to Condition Nos. 79 and 171. All water runoff in this area shall be collected and diverted to the City approved drainage system for the project.
- 70) Recommendations made by the City Geologist, the City Engineer, and the Building and Safety Division during the ongoing review of the project shall be incorporated into the design and construction of the project.
- 71) Recommendations made by the project applicant's geologist, as modified by comments from the City's Geologist, shall be incorporated into the design and construction of the project.
- 72) Prior to issuance of any grading permit, the City's Geologist and Building Official shall review all applicable structural plans or design information and reports as deemed necessary by the City's Geologist, Building Official, or both, including but not limited to, geotechnical reports during the Plan Check review process to ensure that the proposed project will not threaten public health, safety, and welfare.
- 73) If applicable, as determined by the City Geologist, prior to the issuance of any grading permit, a bond, cash deposit, or combination thereof, shall be posted to cover costs for any geologic hazard abatement in an amount to be determined by the Director of Public Works. Said security shall be released after all grading related activities are completed and after the approval of the as-built grading plans by the Building Official.
- 74) Prior to issuance of any grading permit or building permit in any phase, the applicant shall submit to the City a Certificate of Insurance demonstrating that the applicant or its applicable contractor has obtained a general liability insurance policy in an amount not less than \$5 million dollars per occurrence and in the aggregate to cover awards for any death, injury, loss or damage, arising out of the grading or construction of this project. Said insurance policy must be issued by an insurer that is authorized to do business in the State of California with a minimum rating of A-VII by Best's Insurance Guide or a rating of at least A by Standard & Poors. Such insurance shall name the City and the members of its

City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers and agents serving as its independent contractors in the role of City officials, as additional insureds. A copy of this endorsement shall be provided to the City. Said insurance shall be maintained in effect at all times during actual project construction until the approval of the Final Certificate of Occupancy for each Phase shall not be canceled or reduced during the grading or construction work without providing at least thirty (30) days prior written notice to the City. Further, the insurance shall remain in place for a minimum period of five (5) years following final inspection and approval, but only as to the proposed drainage system, including detention basins.

- 75) Prior to issuance of any grading permits, a bond, cash deposit, or other City-approved security, shall be posted to cover the costs of grading in an amount to be determined by the Director of Public Works. The bond, cash deposit, or other City-approved security, at a minimum, shall be sufficient to pay for the cost of restoring the project site to an acceptable condition, as determined by the Building Official and the Director of Public Works, in the event that the project is not completed and shall include, but not be limited to, stabilizing and hydro-seeding all slopes, completing all retaining walls that are required to maintain the slopes, installing erosion control improvements, and filling in grade depressions or holes. Said security shall be released after all grading related activities are completed and after the approval of the as-built grading plans by the Building Official.
- 76) Prior to issuance of a grading permit, the applicant shall provide the Community Development Director a plan that demonstrates how dust generated by grading activities will be mitigated so as to comply with the South Coast Air Quality Management District Rule 403 and the City's Municipal Code requirements that require watering for the control of dust.
- 77) Prior to the issuance of any grading permit, the applicant shall prepare a plan indicating, to scale, clear sight triangles, which shall be maintained at the reconfigured driveway intersection. No objects, signs, fences, walls, vegetation, or other landscaping shall be allowed within these triangles in excess of thirty inches in height as measured from the adjacent curb.
- 78) Prior to the issuance of any grading permit, the following improvements shall be designed in a manner meeting the approval of the Director of Public Works: 1) all provisions for surface drainage; 2) all necessary storm drain facilities, including the detention basin, extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and 3) all water quality related improvements. Where determined necessary by the Director of Public Works, associated utility easements shall be dedicated to the City.

- 79) Prior to the issuance of any grading permit, the applicant shall record a restricted use covenant, to the satisfaction of the City Attorney and the City Geologist, that prohibits the development of buildings or other structures and improvements within the designated Building Geologic Setback Area as described in the applicant's geotechnical reports and as depicted on the site and grading plans. Limited irrigation in this area shall be permitted pursuant to the approval of the City's Geologist as stated in these Conditions of approval. Said Building Geologic Setback Area shall be shown on all future plans.
- 80) Prior to the issuance of building permits, a Geology and/or Soils Engineer's report on the expansive properties of soils on all building sites shall be submitted for review and approval by the City Geologist. As required in Condition No. 67, the applicant shall provide the City with documentation of the on-site location of bentonite soil material.
- 81) Prior to the issuance of a building permit, an as-built geological report shall be submitted for new structures to be founded on bedrock, and an as-built soils and compaction report shall be submitted for new structures to be founded on fill as well as for all engineered fill areas.
- 82) Prior to the issuance of any grading permit, the applicant's project geologist shall review and approve the final plans and specifications and shall stamp and sign such plans and specifications.
- 83) Prior to the issuance of any grading permit, a grading plan review and geologic report, complete with geologic map, shall be submitted for review and approval by the City's Geotechnical Engineer.
- 84) Except as specifically authorized by these approvals, foundations shall be set in accordance with the RPVMC and shall extend to such a depth as to be unaffected by any creep-prone surficial soil and/or weathered bedrock. Field review and certification by the project geologist is required.
- 85) All grading shall be monitored by a licensed engineering geologist and/or soils engineer in accordance with the applicable provisions of the RPVMC and the recommendations of the City Engineer. Written reports, summarizing grading activities, shall be submitted on a weekly basis to the Director of Public Works and the Community Development Director.
- 86) The project shall comply with all appropriate provisions of the City's Grading Ordinance, unless otherwise approved in these conditions of approval.

- 87) Grading activity on-site shall occur in accordance with all applicable City safety standards.
- 88) Prior to final grading inspection by Building and Safety, the graded slopes shall be properly planted and maintained in accordance with the approved Landscape Plan required in Condition Nos. 164 and 165. Plant materials shall generally include significant low ground cover to impede surface water flows.
- 89) Prior to final grading inspection by Building and Safety, all manufactured slopes shall be contour-graded to achieve as natural an appearance as is feasible and shall be less than 35%.
- 90) Any water features (fountains, etc.), including the detention basin, shall be lined to prevent percolation of water into the soil. Designs for all water features shall be included on the grading plans submitted for review by the City's Building Official and Geotechnical Engineer prior to the issuance of any grading permits.
- 91) The proposed swimming pool shall be lined and shall contain a leak detection system, subject to review and approval by the City's Building Official.
- 92) The use of on-site rock crushing equipment and raw stone cutting shall be prohibited. However, cutting and shaping of pre-cut stone veneer, as deemed acceptable by the Community Development Director, for the final fitting and installation of said stone veneer on the building and site walls shall be allowed provided that the stonecutting occurs immediately adjacent to the areas where the stone veneer is being applied and as far as possible from nearby residences. The Community Development Director has the authority to limit any stone cutting that is determined by the Director to adversely impact the neighbors, including but not limited to restricting the hours of stone cutting, restricting the areas of stone cutting and/or limiting the number of stone cutting saws and requiring saws to be located within a structure.
- 93) Retaining walls shall be limited in height as identified on the grading plans reviewed and approved by the City Council at its March 31, 2010 meeting. Any retaining walls exceeding the permitted heights shall require the processing of a revised grading permit for review and approval by the City Council at a duly noticed public hearing as set forth in the provisions of the Municipal Code.

UTILITIES

- 94) Prior to issuance of the final inspection for the project grading, all new utilities exclusively serving the project site shall be placed underground including cable television, telephone, electrical, gas and water. All appropriate permits shall be

obtained for any such installation. Cable television, if utilized, shall connect to the nearest trunk line at the applicant's expense.

- 95) No above ground utility structure cabinets, pipes, or valves shall be constructed within the public rights-of-way without prior approval of the Director of Public Works. If permitted, above ground utility structure cabinets, pipes, or valves shall not impede on the pedestrian circulation flow.
- 96) Use of satellite dish antenna(e) or any other antennae shall be controlled by the provisions set forth in the RPVMC. Centralized antennae shall be used rather than individual antennae for each building.
- 97) Prior to issuance of any building or grading permits, the applicant shall prepare sewer plans in accordance with the Countywide Sewer Maintenance District. The applicant shall be responsible for the transfer of sewer facilities to the Countywide Sewer Maintenance District for maintenance.
- 98) A sewer improvement plan shall be prepared as required by the Director of Public Works, Building Official, and the County of Los Angeles.
- 99) Prior to issuance of building or grading permits, the applicant shall submit to the Director of Public Works, a written statement from the County Sanitation District accepting any new facility design and/or any system upgrades with regard to existing trunk line sewers. Said approval shall state all conditions of approval, if any.
- 100) Prior to issuance of any final Certificate of Occupancy, if applicable, the applicant shall dedicate sewer easements to the City, subject to review and approval by the Community Development Director and the Director of Public Works with respect to the final locations and requirements of the sewer improvements.
- 101) Sewer Improvement plans shall be approved by the County of Los Angeles, the County Sanitation Districts, and the Director of Public Works.
- 102) A sewer connection fee shall be paid to the County Sanitation Districts of Los Angeles County prior to the issuance of a permit to connect to the sewer line.
- 103) Prior to the construction of any water facilities, the Director of Public Works shall review and approve the water improvement plan. Any water facilities that cannot be constructed below ground shall be located on the subject property and screened from view from any public rights-of-way, to the satisfaction of the Director of Public Works and the Community Development Director. In addition,

an easement to California Water Service shall be dedicated prior to issuance of any grading or building permits.

- 104) The project site shall be served by adequately sized water system facilities that shall include fire hydrants of the size and type and location as determined by the Los Angeles County Fire Department. The water mains shall be of sufficient size to accommodate the total domestic and fire flows required for the development. Domestic flow requirements shall be determined by the City Engineer. Fire flow requirements shall be determined by the Los Angeles County Fire Department and evidence of approval by the Los Angeles County Fire Department is required prior to issuance of building permits.
- 105) Framing of structures shall not begin until after the Los Angeles County Fire Department has determined that there is adequate fire fighting water and access available to such structures.
- 106) The applicant shall file with the Director of Public Works an unqualified "will serve" statement from the purveyor serving the project site indicating that water service can be provided to meet the demands of the proposed development. Said statement shall be dated no more than six months prior to the issuance of the building permits for the project. Should the applicant receive a qualified "will serve" statement from the purveyor, the City shall retain the right to require the applicant to use an alternative water source, subject to the review and approval of the City, or the City shall determine that the conditions of the project approval have not been satisfied.
- 107) Prior to the issuance of building or grading permits, the applicant shall file with the Director of Public Works, a statement from the purveyor indicating that the proposed water mains and any other required facilities will be operated by the purveyor, and that under normal operating conditions the system will meet the needs of the project.

HYDROLOGY AND WATER QUALITY

- 108) Prior to issuance of any grading permit, the applicant shall submit an updated Master Drainage Plan for the College campus and any adjacent tributary area, including supporting documents, for review and approval by the Director of Public Works, Building Official, and Geologist. The Plan shall demonstrate adequate storm protection from the design storm, under existing conditions, as well as after the construction of future drainage improvements by the City along Palos Verdes Drive East immediately abutting the project site. The updated Master Drainage Plan shall also include, but not be limited to, the items listed in the adopted Mitigation Monitoring and Reporting Program and the following:

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- Drop inlets connecting to the proposed storm drain system shall be added along the eastern edge of the subject site including the eastern parking area. The added drop inlets shall extend to the rose garden.
 - An on-site storm water collection system that is designed to prevent water run-off flows from entering off-site properties, including properties on Vista del Mar and the City-owned San Ramon Reserve (Palos Verdes Nature Preserve)
 - Identification of the final size of the detention basin.
 - Sheet overflow and ponding shall be eliminated or the floors of buildings with no openings in the foundation walls shall be elevated to at least twelve inches above the finished pad grade
 - Calculations shall be made according to the latest adopted Los Angeles County Department of Public Works Drainage Calculation Methodologies.
- 109) Prior to issuance of any building or grading permits, the applicant shall submit for review and approval by the Director of Public Works a Storm Water Pollution Prevention Plan (SWPPP) to ensure compliance with the current California State Regional Water Quality Control Board (RWQCB) regulations.
- 110) The irrigation system and area drains proposed shall be reviewed and approved by the City's Geotechnical Engineer, Building Official and Director of Public Works.
- 111) A construction specific drainage report(s) shall be prepared demonstrating that the grading, in conjunction with the drainage improvements, including applicable swales, channels, street flows, catch basins, will protect all building pads from design storms, as approved by the Building Official and the Director of Public Works.
- 112) All drainage swales and any other at-grade drainage facilities (detention basin, etc.), including gunite swales, shall be of an earth tone color, as deemed appropriate by the Community Development Director.
- 113) Prior to the issuance of any grading permit, the applicant shall demonstrate to the satisfaction of the Director of Public Works and City Engineer that the design storm can be conveyed through the site without conveying the water in a pipe and without severely damaging the integrity of the Standard Urban Stormwater Mitigation Plan (SUSMP). If such integrity cannot be demonstrated, the applicant shall redesign the SUSMP to the satisfaction of the Director of Public Works and City Engineer, which may require off-site flows to be diverted into a piped system and carried through the site.

- 114) Prior to the issuance of any grading permit that proposes to convey off-site drainage through the subject property, the applicant shall execute an agreement with the City that is satisfactory to the City Attorney agreeing to defend, indemnify and hold the City, members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers, and agents serving as independent contractors in the role of city or agency officials, (collectively, "Indemnitees") harmless from any damage that may occur to the subject property or to any improvements, persons or personal property located on the subject property due to the flow of off-site storm flows that are designed, as of the date the College's drainage plans are approved by the City, to flow onto, over, and through the subject property ("Claims"). The indemnity agreement need not (i) obligate the Applicant or its successor or assigns to defend, indemnify or hold harmless any party other than the Indemnitees, or (ii) prohibit the Applicant or its successor or assigns from taking any action against parties other than Indemnitees with respect to the Claims or on any other basis.
- 115) Prior to the acceptance and final inspection of the storm drain system, all catch basins and public access points that crosses or abut an open channel shall be marked with a water quality message in accordance with the SUSMP and SWPPP.
- 116) Prior to issuance of any building or grading permit, the applicant shall submit for approval by the City a SUSMP pursuant to the guidelines in *Development Planning for Stormwater Management – A Manual for the Standard Urban Stormwater Mitigation Plan (SUSMP)* prepared by Los Angeles County Department of Public Works 2002 (or most current version). The SUSMP shall include both structural and non-structural BMPs and shall comply with RWQCB and applicable National Pollution Discharge Elimination System (NPDES) permits. The SUSMP shall identify how on-site flows and off-site water flows that mix with on-site water flows are treated for pollutants prior to leaving the site. The WQMP shall also include an Integrated Pest Management Plan (IPMP) that addresses the use of grasscycling and pesticides for the lawn and landscape areas including the athletic field.

All costs associated with the review, installation and maintenance of the SUSMP and project related Best Management Practices (BMPs) shall be the responsibility of the applicant. If the plan requires construction of improvements, such plans shall be reviewed and approved by the Director of Public Works.

- 117) Prior to issuance of any final Certificate of Occupancy, the SUSMP Maintenance Agreement, outlining the post-construction Best Management Practices, shall be recorded with the Los Angeles County Records Office.

- 118) Prior to issuance of any building or grading permits, the applicant shall file any required documents, including the Notice of Intent (NOI), and obtain all required permits from the California RWQCB.
- 119) Prior to issuance of any building or grading permits, the applicant shall submit for review and approval by the Director of Public Works an Erosion Control Plan. Said Plan shall be designed in conformance with the City standards and the requirements of the RWQCB.
- 120) Prior to issuance of any final Certificate of Occupancy the applicant shall implement the project in full compliance with the standard urban storm water mitigation plan adopted by the RWQCB.
- 121) Prior to the approval of the SUSMP, the City's Geotechnical Engineer shall review and approve the Plan. In the event the City's Geotechnical Engineer determines that additional improvements need to be constructed, the applicant shall revise the Plan accordingly.
- 122) Marymount College, or subsequent landowners, shall maintain all on-site drainage facilities, including, but not limited to structures, pipelines, open channels, detention and desilting basins, mechanical and natural filtering systems, and monitoring systems. The cost of maintaining these systems shall be based on costs estimated and developed by the applicant and approved by the Director of Public Works and the City Engineer. A bond, letter of credit or other security acceptable to the City shall be provided to secure completion of such drainage facilities. A bond to cover the cost of their maintenance for a period of 2 years after completion shall also be provided to the City.
- 123) Subject to the agreement of Los Angeles County and if applicable, the applicant shall turn over all eligible drainage facilities to the Los Angeles County Public Works Department upon completion and acceptance of the facilities by the County of Los Angeles.

SOURCE REDUCTION AND RECYCLING

- 124) Prior to issuance of any Certificate of Occupancy, the applicant shall prepare and submit to the Director of Public Works for review and approval a comprehensive Integrated Waste Management Plan that addresses source reduction, reuse and recycling. The Plan shall include a description of the materials that will be generated, and measures to reduce, reuse and recycle materials, including, but not limited to, beverage containers, food waste, office and classroom waste. The Plan shall also incorporate grass cycling, composting, mulching and xeriscaping in ornamental landscaped areas. It is the City's intention for the project to meet

Local and State required diversion goals in effect at the time of operation. The specifics of the Plan shall be addressed by the applicant at the time of review by the Director of Public Works.

- 125) Prior to issuance of any building or grading permits, an approved Construction and Demolition Materials Management Plan (CDMMP or the Plan) shall be prepared and submitted to the Director of Public Works for approval. The CDMMP shall include all deconstruction, new construction, and alterations/additions. The CDMMP shall document how the Applicant will divert 85% of the existing on-site asphalt, base and concrete, through reuse on-site or processing at an off-site facility for reuse. The Plan shall address the parking lots, concrete walkways, and other underground concrete structures. The Plan shall also identify measures to reuse or recycle building materials, including wood, metal, and concrete block to meet the City's diversion goal requirements as established by the State Integrated Waste Management Act (AB 939). In no case shall the Plan propose to recycle less than the State mandated goals as they may be amended from time to time.
- 126) Prior to issuance of any Certificate of Occupancy a Construction and Demolition Materials Disposition Summary (Summary) shall be submitted to the Director of Public Works upon completion of deconstruction and construction. The Summary shall indicate actual recycling activities and compliance with the diversion requirement, based on weight tags or other sufficient documentation.
- 127) Where possible, the site design shall incorporate for solid waste minimization, the use of recycled building materials and the re-use of on-site demolition debris.
- 128) The project site design shall incorporate areas for collection of solid waste with adequate space for separate collection of recyclables.

OPERATIONAL

- 129) Any repair work conducted in or outside the Maintenance Building that may be visible to the public, including from the public right-of-way, shall be screened with landscaping from public view.
- 130) Unless an earlier time is specified in these Conditions of Approval, campus facilities open for student, participant, and public use shall close by 10:00 p.m. with the exception of the Library, Auditorium, and Athletic Building, which shall close by 11:00 p.m. Notwithstanding the foregoing, the College may hold up to six student activity events, such as dances, within a calendar year in which campus facilities for such events may remain open until midnight provided that at least three weeks before the event, the College provides written notice of the

special event to the Community Development Director. All such events shall also be posted on the College's website.

- 131) The following areas of the campus shall be closed for all use between sunset and sunrise and such hours of closure shall be visibly posted in the applicable location, unless a special use permit is obtained:
 - Library Building outdoor deck
 - athletic field
 - tennis courts
 - Athletic Facility outdoor balcony
 - rose garden
- 132) Use of the outdoor pool shall be prohibited between 10:00 p.m. and 6:00 a.m. Monday through Friday, and between 8:00 p.m. and 6:00 a.m. on Saturday and Sunday, unless a Special Use Permit is obtained.
- 133) The delivery of goods and supplies, including food supplies, shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Sunday.
- 134) All regular truck deliveries shall use the loading docks adjacent to the student union.
- 135) 24-hour campus security shall be provided, including but not limited to the monitoring of parking lots, to ensure outdoor noise levels are kept to a minimum and the College's Code of Conduct, as described in the Mitigation Monitoring and Reporting Program attached to Resolution No. 2010-XX, is being adhered to. Between the hours of 7 a.m. and 7 p.m., Monday to Friday, a security guard shall be on duty at the information booth located near the campus entrance. At all other times, the campus security shall patrol the campus.
- 136) The use of outdoor amplification equipment for outdoor events shall be prohibited unless a Special Use Permit is obtained. Prior to September 1st of each year, the College may request an annual Special Use Permit to conduct no more than 24 outdoor events that include amplified sound, including sporting events, graduation ceremonies, and evening tent events, during the next twelve months (ending August 31st) Such activities and other outdoor events shall only be allowed to occur at Chapel Circle, the plazas adjacent to the Library and the Auditorium (as shown on the site plan approved by the City Council), and the outdoor pool area. The Athletic Field and Tennis Courts may only be used with amplified sound for graduation ceremonies.
- 137) The existing preschool shall discontinue its operation upon the demolition of the

building occupied for this use in Phase I, as described in these Conditions of Approval. The future use of a preschool, either within an existing building or in a new building that needs to be constructed, shall require a revision to this Conditional Use Permit pursuant to the provisions stated in the RPVMC and the appropriate environmental review.

- 138) The College shall establish a Neighborhood Advisory Committee consisting of one representative selected by each of the following neighboring homeowner's associations: El Prado, San Ramon, Mira Catalina, Seacliff Hilltop, and Mediterrania; two at-large representatives who live within 3000 feet of the campus (one of which shall be selected by the Community Development Director and one by the College); and a representative from City Staff (non-voting member). The Committee shall meet, at a minimum of once every fall and spring term, to review any campus operational and neighborhood concerns. Reports on the meetings shall be provided to the City Council.

PROGRAMS / STUDENT ENROLLMENT

- 139) The use of the College campus is permitted for only the following academic and recreational programs and related activities as further described below and defined in Condition 140:

- Traditional Degree Programs
- Non-Traditional Degree Programs
- Continuing Educational Programs, such as but not limited to English as a Second Language (ESL)
- Recreational Activities
- Summer Educational Programs, such as but not limited to:
 - Upward Bound
 - High School Courses
 - International Students Taking ESL courses

The use of the campus by groups or organizations unaffiliated with the College's educational and recreational programs listed above that would have less than 100 participants or visitors present on campus at one time or would occupy less than 20% of the 463 required parking spaces during such use is also allowed. Any and all other uses and activities on the College campus that do not meet this threshold are prohibited unless approved with a revision to this Conditional Use Permit or a Special Use Permit is obtained, whichever is applicable based on the request.

The sub-leasing of the campus for commercial purposes that are unaffiliated with the College is prohibited.

- 140) The College's "Traditional Degree Programs" are the academic programs (Associates and Bachelors degrees) that offer classes primarily during the day on weekdays (Monday to Friday). The College's "Non-Traditional Degree Programs" are the academic programs (Associates, Bachelors, and Masters degrees) that offer classes, including post-secondary academic classes, primarily during weekday evenings and on weekends (Saturday and Sunday), so as to generally avoid overlap with the class schedules of the Traditional Degree Programs. The Traditional and Non-Traditional Degree Programs are referred collectively as the "Degree Programs."
- 141) The College may also provide lifelong learning programs ("Continuing Education Programs") such as English as a second language (ESL). For the purposes of this Conditional Use Permit, all students in such Continuing Education Programs will be included as part of the total full-time and part-time permitted student enrollment for both the Traditional and Non-Traditional Degree Programs. The determination as to which enrollment category such students are counted towards will be based on whether the applicable classes are primarily offered during the weekdays (in which case the students would be classified as part of the Traditional Degree Program enrollment) or nights/weekends (in which case they would be classified as part of the Non-Traditional Degree Program enrollment).
- 142) As used in this Conditional Use Permit, a "student" means either a "full-time student," who is a person enrolled in a Bachelor of Arts or Associates of Arts Degree Program or a Continuing Education Program on campus for at least 12 hours of course work during the applicable Term (as defined below), or a "part-time student," who is a person enrolled in a Bachelor of Arts or Associates of Arts Degree Program or Continuing Education Program on campus for at least 3 hours, but up to 11 hours, of course work during the applicable Term.
- 143) The campus facilities may also be used for "Summer Educational Programs." Summer Educational Programs are educational programs for persons generally 14 years or older such as college-credit classes for local high school students, Upward Bound, and international students taking ESL classes along with other educational classes and recreational activities. Persons enrolled in Summer Educational Programs are referred to in this CUP as "participants" for the purpose of establishing enrollment limitations.
- 144) The College may operate throughout the calendar year under the following general "Term" schedule: "Fall Term" (August through December), "Winter Term" (January), "Spring Term" (February to May) and "Summer Term" (June through July/August).

The College shall provide all of its incoming students a driver's training course regarding local roadway conditions. The total number of students receiving the required driver's training course shall be included in the enrollment report for each term as described in Condition No. 146.

- 145) The following enrollment limitations apply:
- A. The maximum total permitted enrollment in Traditional Degree Programs on campus during the Fall, Winter, and Spring Terms is 793 students (full-time and part-time). Of these 793 students, a maximum of 250 students shall be enrolled in a Bachelor of Arts degree program (BA Program). For the Summer Term, if other educational or recreational programs are concurrently offered during weekdays, the maximum total permitted enrollment in Traditional Degree Programs must be proportionally reduced so that the combined enrollment in all such programs (e.g., Traditional Degree Programs and Summer Educational Programs) does not exceed a total of 600 students (full-time and part-time) and participants.
 - B. The maximum total permitted enrollment in Non-Traditional Degree Programs on campus during any Term is 150 students.
 - C. The maximum total permitted enrollment in any combination of Traditional Degree Programs and Summer Educational Programs offered concurrently during summer weekdays (June to August) is 600 students and participants.
- 146) The College shall submit to the City an enrollment report for each Term within an academic year for all Traditional and Non-Traditional Degree Programs and Summer Educational Programs no later than 30-days after a term has commenced. Failure to submit such a report on a timely basis will constitute a violation punishable by administrative citation per the RPVMC.

NOISE / MECHANICAL EQUIPMENT

- 147) All new mechanical equipment, regardless of its location, shall be housed in enclosures designed to attenuate noise to a level of 65 dBA CNEL at the project site's property lines. Mechanical equipment for food service shall incorporate filtration systems to reduce exhaust odors.
- 148) Mechanical equipment shall be oriented away from any sensitive receptors such as neighboring residences, and where applicable, must be installed with any required acoustical shielding.

- 149) All hardscape surfaces, such as the parking area and walkways, shall be properly maintained and kept clear of trash and debris. The hours of maintenance of the project grounds shall be restricted to Mondays through Fridays from 7:00 a.m. to 5:00 p.m., and on Saturdays from 9:00 a.m. to 4:00 p.m. Said maintenance activities shall be prohibited on Sundays and Federal holidays listed in the RPVMC.

- 150) Noise levels resulting from on-campus activities (parking areas, athletic field, tennis courts, swimming pool, and outdoor gathering areas and plazas), including those allowed through the annual Special Use Permit except for graduation ceremonies, shall not exceed 65 dba CNEL at all property lines. Within 6 months of completion of each Phase of the Facilities Plan, as described in these conditions, the College shall provide the City with sound test reports prepared by a certified noise consultant that is approved by the Community Development Director. Said sound test reports shall be taken at locations indentified by the Community Development Director, to establish compliance with this condition. The College shall establish a Trust Deposit, in an amount deemed acceptable by the Community Development Director, to cover all City costs incurred for the noise monitoring.

LIGHTING

- 151) The applicant shall prepare and submit a Lighting Plan for the project site that is in compliance with the RPVMC. The Lighting Plan, including a Photometric Plan, shall clearly show the location, height, number of lights, wattage and estimates of maximum illumination on site and spill/glare at property lines for all exterior circulation lighting, outdoor building lighting, trail and sidewalk lighting, parking lot lighting, landscape ambiance lighting, and main entry sign lighting. The Lighting Plan shall be submitted for review and approval by the Community Development Director prior to issuance of any building permit. An as-built lighting plan shall be submitted to the City prior to the issuance of the Final Certificate of Occupancy for each construction phase (as described in the conditions herein).

Prior to the installation of any on-site lighting for the parking lots and walkways, an illuminated mock-up utilizing sample light standards and bulbs shall be set-up for review and approval by the Community Development Director to ensure compliance with the Municipal Code.

- 152) Parking and Security lighting shall be kept to minimum safety standards and shall conform to City requirements. Fixtures shall be shielded so that only the subject property is illuminated; there shall be no spillover onto residential properties or halo into the night sky. A trial period of thirty (30) days from the installation of all the project exterior lighting, including building and parking lot lighting shall be

assessed for potential impacts to the surrounding properties. At the end of the thirty (30) day period, the Community Development Director may require additional screening or reduction in the intensity or numbers of lights which are determined to be excessively bright or otherwise create adverse impacts. Furthermore, said lighting shall be reviewed as part of the six (6) month review described in Condition No. 18.

- 153) No outdoor lighting is permitted where the light source or fixture, if located on a building, is above the line of the eaves. If the light source or fixture is located on a building with no eaves, or if located on a standard or pole, the light source or fixture shall not be more than ten feet above existing grade, adjacent to the building or pole.
- 154) No outdoor lighting shall be allowed for the tennis courts or the athletic field, other than safety lighting used to illuminate the walkways and trails through the campus. A Special Use Permit shall be obtained for the temporary use of lighting in these areas for special events as described in Condition No. 139.
- 155) The light standards at the parking lot along the property line adjacent to the properties located on San Ramon Drive shall be no higher than the top of the existing 5-foot tall privacy wall.
- 156) The light standards at the east parking lot, located within the lower tier, shall be limited to a height of 42-inches, as measured from adjacent finished grade.

PARKING

- 157) Prior to the issuance of any grading permit, a Parking Lot Plan shall be reviewed and approved by the Community Development Director. The Parking Lot Plan shall be developed in conformance with the parking space dimensions and parking lot standards set forth in RPVMC or allowed in this condition of approval, and shall include the location of all light standards, planter boxes, directional signs and arrows. No more than 20% of the total parking spaces shall be in the form of compact spaces.
- 158) The applicant shall construct and maintain no fewer than 463 on-site parking spaces consisting of 391 standard parking spaces at a minimum dimension of 9' wide by 20' deep and a maximum 72 compact parking spaces at a minimum dimension of 8' wide by 15' deep. In addition, the applicant shall construct and maintain off-street loading spaces pursuant to the criteria set forth in Section 17.50.050 of the RPVMC.

Prior to the completion of Phase I, as described in Condition No. 60, the applicant shall institute, to the satisfaction of the Community Development Director and the Director of Public Works, a Parking Management Strategies Plan to reduce College related parking in order to minimize street parking by students and visitors by the following values:

- 11 percent or greater for student enrollment between 744 and 793;
- 6 percent or greater for student enrollment between 694 and 743;
- 0 percent or greater for student enrollment of 693 or less.

Parking Management Strategies may include, but are not limited to, the following:

- Provision of “carpool only” parking spaces
- Implementation of parking restrictions for students living in College-owned off-campus residential housing
- Utilization of remote parking
- Provision of increased shuttle service
- Offering of financial incentives, such as providing transit passes
- Utilization of campus security to direct vehicles to available on-campus parking during peak times (8am to noon, Monday through Friday)
- Utilization of campus security personnel to monitor street parking and direct students and visitors to available on-campus parking spots

A Parking Management Strategy Program shall be prepared and submitted by the Applicant for review and approval by the Community Development Director, by July 1st of every year. Said Program shall:

- Document the prior-year’s achieved parking demand reductions;
- Identify strategies for use in the upcoming academic school year;
- Be modified on an as needed basis, as deemed necessary by the Community Development Director.

159) Parking on the east side of the campus adjacent to the properties on San Ramon Drive in the area marked on the site plan reviewed and approved by the City Council at its March 31, 2010 meeting shall be limited to faculty and staff between 7:00 a.m. and 10:00 p.m. All parking between 10:00 p.m. and 7:00 a.m. is prohibited in this area.

160) Parking at the lower terrace of the eastern parking lot in the area marked on the site plan reviewed and approved by the City Council at its March 31, 2010 meeting shall be prohibited between 7:00 p.m. and 7:00 a.m. During this period this portion of the parking lot must be closed off with the use of a chain or other similar devise to prevent cars from parking or accessing this area.

- 161) Prior to the final inspection of project grading in Phase One, emergency vehicular access shall be installed at the project site. A plan identifying such emergency access shall be submitted to the Los Angeles County Fire Department and the Director of Public Works for review and approval prior to issuance of any building permit.
- 162) Prior to issuance of any building permit, the applicant shall prepare an Emergency Evacuation Plan for review and approval by the Community Development Director. Such plan shall comply with the City's SEMS Multihazard Functional Plan.
- 163) The use of grasscrete pavers shall be prohibited within the Geologic Building Setback Area.

LANDSCAPING

- 164) A Landscape Plan shall be prepared by a qualified Landscape Architect in accordance with the standards set forth in RPVMC. The Landscape Plan shall be reviewed and approved by the Community Development Director, a qualified Landscape Architect, and an Arborist hired by the City, prior to the issuance of any building or grading permits. The applicant shall establish a Trust Deposit account with the City prior to the submittal of Landscape Plans to cover all costs incurred by the City in conducting such review. The Landscape Plan shall include, at a minimum, the plant species (Latin and common names), growth rate, and maximum height at maturity for all proposed trees. The Landscape Plan shall also identify the areas to be landscaped based on the phased construction plan described in these conditions of approval. Included in the Landscape Plan shall be a maintenance schedule as stated in these conditions. During the Director's review, the Landscape Plan shall also be made available to the public for review and input.

The Landscape Plan shall comply with the water conservation concepts, the View Preservation Ordinance, the planting requirements, the irrigation system design criteria, and all other requirements of the RPVMC. All new trees and foliage shall not exceed 16-feet in height, as measured from grade adjacent to the tree or foliage, except along the south slope of the campus where the height of such new trees must be maintained at a level below the ridgeline of the nearest structure to the tree or foliage.

Prior to the completion of Phase I, as described in Condition No. 60, the existing eucalyptus trees located on the upper western portion of the southern slope and the existing canary pine trees located at the existing parking lot and drop-off circle shall either be laced, trimmed, removed or any combination thereof, as

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determined by the Community Development Director to restore views of Catalina Island from the viewing area of properties to the north, including 2925 Crest Rd.

- 165) The applicant shall preserve existing on-site mature trees for the purpose of incorporating the mature trees into the landscaping of the southern slope, which shall be planted in a manner to reasonably screen the Athletic Building and the retaining walls that support the Fire Access Lane when viewed from the Palos Verdes Drive East roadway. The selection of the mature trees for preservation and re-planting shall be made by the Community Development Director based on consultation with the City Arborist. The re-planting of the mature trees shall occur prior to the completion of Phase I as described in Condition No. 60. Additionally, the applicant shall replace any of the existing trees removed from the southern slope and the adjacent area prior to the completion of Phase I, as described in Condition No. 60, with 24" box trees at a 2:1 ratio, to minimize the scarring or erosion of the southern slope that may result from the project grading. Included in the Landscape Plan described in the above Condition No. 164, the applicant shall indicate the location of the existing mature trees that will be removed, preserved, and replanted. The replacement tree species shall be approved by the Community Development Director based on consultation with the City Arborist as part of the Landscape Plan review and prior to the issuance of any grading permit. If any of the retained mature trees become diseased or die, such trees shall be removed and replaced with 24" box trees at a 2:1 ratio by the applicant within thirty days of removal with a tree species approved by the Community Development Director after consultation with the City Arborist. The College shall establish a Trust Deposit account with the City to cover costs incurred by the City Arborist's in implementing this condition.
- 166) Where practical, landscaping shall be planted and maintained to screen the project buildings, ancillary structures, and the project's night lighting as seen from surrounding properties and/or public rights-of-way, as depicted on the Landscape Plan. Landscaping, as described in Condition No. 165, shall be planted and maintained to reasonably screen the Athletic Building and the retaining walls for the Fire Access Lane from Palos Verdes Drive East and down-slope properties.
- 167) All landscaping shall be planted and maintained in accordance with the City approved Landscape plan. During project construction, the respective planting for each phase must be completed prior to the issuance of the certificate of occupancy for the adjacent building or improvement area, as deemed appropriate by the Community Development Director.
- 168) The area between the retaining wall along the eastern parking area and the existing privacy wall for the adjacent properties along San Ramon Drive shall be used as a landscaped buffer area and planted with trees not to exceed 16-feet in height to provide additional screening.

- 169) The area between the front and street-side property lines and the required 42-inch wrought iron fence/wall adjacent to the parking areas and the 6-foot wrought iron fence along the curvature of Palos Verdes Drive East between the northeastern corner of the tennis courts and the detention basin shall be landscaped and maintained on both sides of the fence/wall.
- 170) Prior to issuance of any grading permit, a Campus Landscape Maintenance Plan shall be submitted and approved by the Community Development Director. At a minimum, the Campus Landscape Plan shall be consistent with the following requirements:
- That landscape maintenance activities, including lawn mowing, are prohibited between the hours of 7:00 p.m. and 7:00 a.m. Monday through Saturday, and on Sundays and Federal holidays.
 - That the use of weed and debris blowers and parking lot sweeping shall be prohibited before 8:00 a.m. or after 5:00 p.m., Monday through Friday, or before 9:00 a.m. or after 4:00 p.m. on Saturday or at any time on Sundays and Federal holidays.
 - General identification of the irrigation hours.
 - General tree pruning and trimming schedule.

The implementation of the Campus Landscape Maintenance Plan shall be formally reviewed by the Community Development Director three (3) months after the installation of the campus landscaping for each phase of construction, and shall be subsequently reviewed by the City Council at the six (6) month review described in Condition No. 18. At either review, the Director and/or the City Council may determine that the Plan needs to be revised to address confirmed noise impacts.

If the City receives any justified noise complaints that are caused by the maintenance of the athletic field or campus landscape and lawn areas, as verified by the Community Development Director, upon receipt of notice from the City, the College shall respond to said verified complaint by notifying the City of the implementing corrective measures within 24 hours from the time of said notice.

Notice of the Director's decision resulting from the 3-month review of Campus Landscape Maintenance Plan shall be provided to all interested parties and may be appealed to the City Council by any interested party. Any violation of this condition may result in the revocation of the Conditional Use Permit.

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171) The area between the eastern parking lot and the property line (adjacent to the City-owned San Ramon Reserve) depicted on the approved site plan shall be landscaped with native plants that require little to no irrigation, as deemed acceptable by the City Geologist. Such landscaping shall be reviewed and approved by the Fire Department prior to planting for fuel modification compliance. Such plants shall not exceed a height of 42-inches, unless the Community Development Director determines that such landscaping may exceed 42-inches, but no higher than 7-feet, in order to minimize any view impairment to the properties at 2742 and 2750 San Ramon Drive.

FENCES, WALLS, AND HEDGES

172) The applicant shall install and maintain a 42-inch tall combination wrought iron fence and wall, finished in a stone veneer similar to the approved entry signs, along the entire Palos Verdes Drive East frontage between the eastern property line (adjacent to the corner of the rear property line for San Ramon) to the northeastern corner of the eastern tennis courts. Said fence/wall shall be setback a minimum of 5-feet from the property line to allow this area to be landscaped, irrigated and maintained with approved plants, not to exceed 42-inches in height, as identified on the Landscape Plan.

173) The applicant shall construct a 6-foot tall screening wall along the College's eastern property line, as depicted on the approved site plan, beginning at the southwest corner property line for Lot 26 (2742 San Ramon Drive / Tooley property).

174) The applicant shall install and maintain a wrought iron fence, painted black, along the westerly edge of the property, between the northeast corner of the tennis courts and the detention basin, at a maximum height of 6-feet and 80% open to light and air, as permitted with the City Council's approval of the Minor Exception Permit, as part of planning case number ZON2003-00317. Said wrought iron fence shall be setback a minimum of 3-feet from the property line to allow this area to be landscaped, irrigated and maintained with approved plants, not to exceed 42-inches in height, as identified on the Landscape Plan. The installation of lighting onto said fence is prohibited.

175) The applicant shall install and maintain a retractable net at the south, north and west sides of the Athletic Field as depicted in Athletic Field Alternative D-2 and the plans dated December 2008 and January 2009. Said net, when extended, shall not exceed a height of 30-feet, as measured from the lowest adjacent grade (891') on the Athletic Field side. The Athletic Field net shall be extended at all times when the field is used for recreational activities involving balls and shall be lowered at the conclusion of the recreational activity. Recreational activities

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requiring the use of said net shall be prohibited on Sundays and the Federal holidays listed in the RPVMC, unless a Special Use Permit is obtained.

Use of the Athletic Field shall be prohibited for activities involving baseballs, golf balls, or other similar sized balls that cannot be adequately contained by the use of the field net.

- 176) The use of chain link fencing shall be prohibited within the front and street-side setback yards (along Palos Verdes Drive East) with the exception of the chain link fencing for the tennis courts permitted with the City Council's approval of the Minor Exception Permit, as part of planning case number ZON2003-00317.
- 177) The chain link fence for the tennis courts shall be 20-feet in height along the entire perimeter of the westerly tennis courts and 10-feet in height for the easterly tennis courts (including combined retaining walls and fencing), as measured from the lowest adjacent finished grade to the top of the fence. Said fence shall consist of a green or black mesh that is 80% open to light and air. The installation of lighting onto said fence is prohibited.
- 178) All pools and spas shall be enclosed with a minimum 5' high fence (80% open to light and air), with a self-closing device and a self-latching device located no closer than 4' above the ground.

SIGNS

- 179) The applicant shall be permitted to construct two entry signs, adjacent to the driveway entrance at Palos Verdes Drive East and Crest Road, at a maximum height of 6-feet and affixed to a stone veneer decorative wall, as illustrated in the project plans reviewed by the City Council on March 31, 2010. The entry signs shall consist of individually mounted brass finished letters that are reverse channel lighting (back lit).
- 180) Prior to the issuance of any grading permit by Building and Safety, the applicant shall submit for review and approval by the Community Development Director a Master Sign Plan that is consistent with the sign requirements of the RPVMC. The Master Sign Plan shall include, but not be limited to, the entry identification signs for the College, the way-finding signs, the building signs, and other signs related to an educational use to ensure that such signs are in compliance with the City's Codes.

Exhibit “B”

**Mitigation Monitoring and Reporting Program
for
Case No. ZON2003-00317
(Conditional Use Permit #9 – Revision “E”, et. al.)**



6.0 MITIGATION MONITORING AND REPORTING PROGRAMS

6.1 INTRODUCTION

The California Environment Quality Act (CEQA) was amended in 1989 to add Section 21081.6, which requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in Section 21081.6 of the Public Resources Code:

“ . . . the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment.”

Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to final certification of the EIR.

The mitigation monitoring table below lists those mitigation measures that may be included as Conditions of Approval for the Project. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised, which identifies the milestone and responsibility for monitoring each measure. The Applicant will have the responsibility for implementing the measures, and the various City of Rancho Palos Verdes departments will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures. The Mitigation Monitoring and Reporting Program (MMRP) was revised to reflect the analyses provided for the Bachelor of Arts Degree Program and Alternative No. D-2 (modified). The MMRP for the BA Degree Program and Alternative D-2, combined, is provided in its entirety in Section 6.2.



6.2 MARYMOUNT COLLEGE FACILITIES EXPANSION PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure		Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
LAND USE AND RELEVANT PLANNING							
City of Rancho Palos Verdes Development Code							
LU-1	An Athletic Associations Membership Report shall be prepared and submitted by the Applicant for review and approval by the Community Development Director, by July 1st of every year. Said Report shall document the Athletic Association memberships and corresponding sports, in order to determine if a revision to the Conditional Use Permit is required.	By July 1st of Every Year	Community Development Director	Approval of Athletic Associations Membership Report			
AESTHETICS/LIGHT AND GLARE							
Short-Term Visual Character							
AES-1	Prior to issuance of any Grading or Building Permit, a Construction Management Plan shall be submitted for review and approval by the Community Development Director. The Construction Management Plan shall, at a minimum, indicate the equipment staging areas, construction worker parking, vehicle staging areas, fencing, haul route, dust control measures, hours of construction, detailed construction schedule, and contact information for the Construction Manager.	Prior to any Grading or Building Permit	Community Development Director	Approval of Construction Management Plan			
AES-2	Prior to issuance of any Grading or Building Permit, a Construction Safety Lighting Plan shall be submitted for review and approval by the Community Development Director. All construction-related lighting shall include shielding in order to direct lighting down and away from adjacent residential areas and consist of the minimal wattage necessary to provide safety at the construction site.	Prior to any Grading or Building Permit	Community Development Director	Approval of Construction Safety Lighting Plan			
AES-3	Upon completion of the Phase I grading activities and prior to any Building Permit issuance, the graded areas shall be hydroseeded or otherwise revegetated, to the satisfaction of the Community Development Director.	Upon Completion Of Phase I Grading and Prior to Any Building Permit	Community Development Director	Confirmation Graded Areas Hydroseeded and Revegetated			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance			
				Initials	Date	Remarks	
Long-Term Visual Character							
AES-4	<p>Prior to issuance of a Grading Permit for the easterly parking area or the modular buildings, a revised Landscape Plan shall be prepared and submitted to the Planning Department for review and approval. The revised Landscape Plan shall incorporate the revisions outlined below, to the satisfaction of the Community Development Director.</p> <ul style="list-style-type: none"> ▪ Additional gold medallion tree plantings shall be incorporated on the site's northeastern boundary, up to the northern corner of the existing deck on Lot 27 (2750 San Ramon) and not beyond, in order to further screen the eastern parking lot from the adjacent property (Lot 27). ▪ The gold medallion tree proposed adjacent to Lot 26 shall be omitted from the Plan. ▪ Additional tree plantings shall be incorporated on the south-facing slope (southern portion) to further screen the temporary modular buildings and the Athletic Facility from areas to the south in a manner that would not result in view impacts to properties to the north. 	Prior to Grading Permit for Easterly Parking or Residence Halls	Community Development Director	Approval of Revised Landscape Plan			
AES-5	<p>The Applicant shall install and maintain a retractable net along the perimeter of the Athletic Field (north, south and west sides). Said net, when extended, shall not exceed a height of 30-feet, as measured from the lowest adjacent grade to the top of the net. The Athletic Field retractable net shall be extended at all times when the field is used for recreational activities involving balls and shall be lowered at the conclusion of the recreational activity. Recreational activities requiring the use of said net shall be prohibited on Sundays and the Federal holidays listed in the RPVMC, unless a Special Use Permit is obtained. The use of the retractable net shall be prohibited during hours of non-play.</p>	On-going	Code Enforcement Department	Field Inspection			
Light and Glare							
AES-6	<p>Lighting shall be designed as an integral part of the Project. Lighting levels shall respond to the type, intensity and location of use. Lighting shall be designed and installed such that it is directed downward and away from adjoining properties and does not spill out onto adjacent areas, while maintaining safety and security for pedestrian and vehicular movements.</p>	Prior to any Grading Permit	Community Development Director and City Engineer	Approval of Revised Lighting Plan			
AES-7	<p>Prior to issuance of any Grading Permit, a Revised Lighting Plan shall be</p>	Prior to any	Community	Approval			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance			
				Initials	Date	Remarks	
submitted for review and approval by the Community Development Director and City Engineer. The Revised Lighting Plan shall include: <ul style="list-style-type: none"> ▪ Low-level bollards, not to exceed 42-inches in height, in place of the currently proposed pole-mounted lighting along the lower terrace of the eastern parking lot. ▪ Light standards adjacent to the privacy wall for the properties on San Ramon Drive shall not exceed the height of the privacy wall. ▪ Pole-mounted lighting shall not exceed 10-feet in height, except along the easterly boundary of the eastern parking lot, as noted above. ▪ The selected fixtures shall include reflectors, refractors, lenses, or louvers. ▪ The selected shielding accessories shall be the sharp cut-off type. ▪ Lighting fixtures with cut-off shields to prevent light spill and glare into adjacent areas. 	Grading Permit	Development Director and City Engineer	of Revised Lighting Plan				
AES-8	Ninety (90) days after the installation of lighting for each phase of the Project, the lighting equipment shall be tested and adjusted to ensure that the proper levels of light and glare have been achieved, to the satisfaction of the Community Development Director and City Engineer.	Sixty (60) Days After the Installation of Lighting For Each Phase	Community Development Director and City Engineer	Receipt of Field Test Results			
AES-9	Prior to the issuance of any Building Permit, the Applicant shall demonstrate to the satisfaction and approval of the Community Development Director and the Building Official that the Athletic Facility (south facing façade) use minimally reflective glass, based on manufacturers' guidelines. All other materials used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare. The use of glass with over 25 percent reflectivity shall be prohibited on the exterior of all buildings on the Project site.	Prior to Any Building Permit	Community Development Director and Building Official	Approval of Building Plans			

TRAFFIC AND CIRCULATION

Construction Traffic

TR-1	Prior to issuance of any Demolition or Grading Permit, the Community Development Director shall review and approve the Construction Management Plan, which shall specify the following, at a minimum: <ul style="list-style-type: none"> ▪ Demolition debris hauling and materials delivery shall be scheduled, as indicated below, to avoid the peak hour traffic period and minimize 	Prior to Any Demolition or Grading Permit	Community Development Director	Approval of Construction Management Plan			
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Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance			
				Initials	Date	Remarks	
<p>obstruction of through traffic lanes adjacent to the site. If necessary, a flag person shall be retained to maintain safety adjacent to existing roadways:</p> <ul style="list-style-type: none"> - Weekdays: Hauling and deliveries shall be scheduled between 9:00 AM and 4:00 PM, with consideration given to reduce deliveries during the 11:30 AM to 1:30 PM lunch period. - Saturdays: Hauling and deliveries, if any, shall not occur during the peak hour period of 11:30 AM to 1:30 PM. <p>There shall be no idling or staging of equipment or accumulation of vehicles on Rancho Palos Verdes City streets. Staging of trucks for the hauling of all demolition debris shall be limited to the College campus.</p>							
Existing Plus Project Conditions							
TR-2	<p>Prior to issuance of the last Certificate of Occupancy for the Phase II buildings (i.e., Library, Maintenance, or Athletic Facility), the Applicant shall implement the following improvement and may be eligible in the future for partial reimbursement from future projects that result in impacts on this intersection:</p> <ul style="list-style-type: none"> ▪ Palos Verdes Drive East/Miraleste Drive – Signalize the intersection. The intersection traffic signal shall be designed to include a westbound right-turn overlap, which would preclude u-turn movement from southbound to northbound Palos Verdes Drive East. 	Prior to Any Certificate of Occupancy	Community Development Director and City Engineer	Verification of Signalization			
TR-3	<p>Prior to issuance of the last Certificate of Occupancy for the Phase II buildings (i.e., Library, Maintenance, or Athletic Facility), the Applicant shall implement the following improvement, at the City's direction, and may be eligible for reimbursement from future projects that result in impacts on this intersection:</p> <ul style="list-style-type: none"> ▪ Western Avenue (SR-213)/Trudie Drive-Capitol Drive – Re-stripe the eastbound Trudie Drive approach from one shared left-turn/through lane and one de-facto right-turn lane to consist of one left-turn lane and one shared through/right-turn lane. The Project Applicant shall coordinate with the City of Rancho Palos Verdes, City of Los Angeles, and Caltrans regarding implementation of this mitigation. 	Prior to Any Certificate of Occupancy	Community Development Director and City Engineer	Verification of Modifications			
TR-4	<p>The traffic impacts and corresponding mitigation measures assume the Marymount College student enrollment at a maximum of 793 weekday students (based on the formula allowing 750 full-time students, 20 part-time students, and a marginal difference of 3.0 percent), and 150 weekend students.</p>	Prior to Any Certificate of Occupancy	Community Development Director	Verification of Student Enrollment			



Mitigation Measure		Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
	<p>Additionally, it is assumed, Marymount College student enrollment as a maximum of 250 weekday students enrolled in the BA Program and a maximum of 793 weekday students minus current BA Program weekday students enrolled in the AA Program. Therefore, prior to issuance of any Certificate of Occupancy, student enrollment shall be limited to a maximum of 793 weekday students and 150 weekend students, including full- and part-time students, and maximum of 250 weekday students enrolled in the BA Program and a maximum of 793 weekday students minus current BA Program weekday students enrolled in the AA Program. The College shall submit to the City an Enrollment Report for each Term within an academic year for all Traditional and Non-Traditional Degree Programs and Summer Educational Programs no later than 30-days after a term has commenced.</p>	No Later Than 30 Days From Commencement of Term	Community Development Director	Approval of Annual Student Enrollment Report			
Parking Capacity							
TR-5	<p>Prior to issuance of any Certificate of Occupancy, the Applicant shall institute, to the satisfaction of the Community Development Director and the Public Works Director, parking management strategies to reduce weekday College-related parking demand by the following values:</p> <ul style="list-style-type: none"> ▪ 11 percent or greater for student enrollment between 744 and 793; ▪ 6 percent or greater for student enrollment between 694 and 743; ▪ 0 percent or greater for student enrollment of 693 or less. <p>Potential parking management strategies may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▪ Provision of "carpool only" parking spaces; ▪ Implementation of parking pricing for campus parking permits; ▪ Utilization of remote parking; ▪ Provision of increased shuttle services; ▪ Offering financial incentives; and ▪ Implementation of restrictions on parking allowed by residents of the Palos Verdes North Facility. 	Prior to Any Certificate of Occupancy	Community Development Director and Public Works Director	Approval of Parking Management Strategies			
TR-6	<p>A Parking Management Strategy Program shall be prepared and submitted by the Applicant for review and approval by the Community Development Director, by July 1st of every year. Said Program shall:</p> <ul style="list-style-type: none"> ▪ Document the prior-year's achieved parking demand reductions; 	Prior to Any Certificate of Occupancy	Community Development Director and Public Works	Approval of Parking Management Strategies			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
<ul style="list-style-type: none"> ▪ Identify strategies for use in the upcoming academic school year; and ▪ Be modified on an as needed basis, as deemed necessary by the Community Development Director. 		Director	Program			
TR-7 The parking impacts and corresponding mitigation measures assume the Marymount College student enrollment as a maximum of 793 weekday students (based on the formula allowing 750 full-time students, 20 part-time students, and a marginal difference of 3.0 percent) and 150 weekend students. Additionally, it is assumed, Marymount College student enrollment as a maximum of 250 weekday students enrolled in the BA Program and a maximum of 793 weekday students minus current BA Program weekday students enrolled in the AA Program. Therefore, prior to issuance of any Certificate of Occupancy, student enrollment shall be limited to a maximum of 793 weekday students and 150 weekend students, including full- and part-time students, and maximum of 250 weekday students enrolled in the BA Program and a maximum of 793 weekday students minus current BA Program weekday students enrolled in the AA Program.	Prior to Any Certificate of Occupancy	Community Development Director and City Engineer	Annual Student Enrollment Report			
Cumulative (Forecast Year 2012) Conditions						
TR-8 Prior to issuance of any Certificate of Occupancy, the Applicant shall make a proportionate share contribution to implement the following, in addition to improvements specified in Mitigation Measures TR-2 and TR-3: <ul style="list-style-type: none"> ▪ Palos Verdes Drive East/Palos Verdes Drive South – Modify the intersection to provide a two-stage gap acceptance design for southbound left-turning vehicles. A raised median refuge area shall be constructed for vehicles to turn left from Palos Verdes Drive East to cross westbound Palos Verdes Drive South while waiting for a gap in eastbound traffic to complete the turn to eastbound Palos Verdes Drive South. Additionally, the existing raised median shall be narrowed to provide an acceleration lane along Palos Verdes Drive South to accommodate vehicles accelerating to join eastbound Palos Verdes Drive South traffic flow. Modifications to the Palos Verdes Drive East/Palos Verdes Drive South intersection shall be designed taking into account truck turning radius requirements and shall be to the satisfaction of the Public Works Director. Since the Palos Verdes Drive East/Palos Verdes Drive South intersection is impacted by the proposed Project for “Cumulative with proposed 	Prior to Any Certificate of Occupancy	Community Development Director and City Engineer	Verification of Proportionate Share Contribution			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
	Project conditions," a proportionate share contribution by the Project Applicant is applicable.					
TR-9	Prior to issuance of any Grading Plan, the Project Plans shall be revised to include wrought iron fencing along Palos Verdes Drive East at approximately 6.0 feet in height and 80 percent open to light and air, temporary retractable netting along the northern, southern and western sides of the athletic field at approximately 30.0 feet in height, and chain link fencing at 20.0 feet in height around the perimeter of the western tennis courts and 10.0 feet in height around the perimeter of the eastern tennis courts so that errant balls are sufficiently contained, to the satisfaction of the Community Development Director. The retractable net shall only be extended during activities involving field balls at the Athletic Field, subject to the limitations set forth in Mitigation Measure AES-5. The Applicant shall be responsible for retracting the net. The use of a landscape screen around and adjacent to the wrought iron fence along the perimeter of the Athletic Field shall be limited to a maximum height of 42 inches.	Prior to Any Grading Plan	Community Development Director.	Approval of Project Plans		
AIR QUALITY						
Short-Term (Construction) Air Emissions						
AQ-1	Prior to issuance of any Grading Permit, the Director of Public Works and the Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with South Coast Air Quality Management District Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures, as specified in the South Coast Air Quality Management District's Rules and Regulations. In addition, South Coast Air Quality Management District Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors: <ul style="list-style-type: none"> ▪ All active portions of the construction site shall be watered to prevent excessive amounts of dust; ▪ On-site vehicle speed shall be limited to 15 miles per hour (mph); ▪ All on-site roads shall be paved as soon as feasible or watered periodically or chemically stabilized; ▪ All material excavated or graded shall be sufficiently watered to prevent 	Prior to Any Grading Permit	Director of Public Works and Building Official	Approval of Grading Plan, Building Plans, and Specifications		



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance			
				Initials	Date	Remarks	
<p>excessive amounts of dust; watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day;</p> <ul style="list-style-type: none"> ▪ If dust is visibly generated that travels beyond the site boundaries, the Applicant shall conduct street cleaning along the roadways impacted by dust (i.e., Palos Verdes Drive East and/or Crest Drive), surrounding the Project site; ▪ If dust is visibly generated that travels beyond the site boundaries, clearing, grading, earth moving, or excavation activities that are generating dust shall cease during periods of high winds (i.e., greater than 25 mph averaged over one hour) or during Stage 1 or Stage 2 episodes; ▪ All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site; ▪ All delivery truck tires shall be watered down and/or scraped down prior to departing the job site; and ▪ No more than 5.0 acres per day shall be graded. 							
AQ-2	<p>Prior to issuance of any Grading Permit, the Director of Public Works and the Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with South Coast Air Quality Management District Rule 403, ozone precursor emissions from construction equipment vehicles shall be controlled by maintaining equipment engines in proper tune per manufacturer's specifications, to the satisfaction of the City Engineer. Maintenance records shall be provided to the City. The City Inspector shall be responsible for ensuring that contractors comply with this measure during construction.</p>	<p>Prior to Any Grading Permit</p> <p>During Construction</p>	<p>Director of Public Works and Building Official</p> <p>City Inspector</p>	<p>Approval of Grading Plan, Building Plans, and Specifications</p> <p>Review of Maintenance Records</p>			
AQ-3	<p>Prior to issuance of any Grading Permit, the City shall verify that the construction contract documents include a written list of instructions to be carried out by the Applicant/Construction Manager specifying measures to minimize emissions by heavy equipment for approval by the Director of Public Works. Measures shall include provisions for maintenance of equipment engines, measures to avoid equipment idling more than two minutes, and avoidance of unnecessary delay of traffic along off-site access roads by heavy</p>	<p>Prior to Any Grading Permit</p>	<p>Director of Public Works</p>	<p>Approval of Construction Contract Documents</p>			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
equipment blocking traffic.						
AQ-4 During construction and in compliance with South Coast Air Quality Management District Rule 1113, ROG emissions from architectural coatings shall be reduced by using pre-coated/natural-colored building materials, water-based or low-ROG coatings and using coating transfer or spray equipment with high transfer efficiency.	During Construction	City Inspector	Review of Building Materials			
AQ-5 Prior to issuance of any Grading Permit, the Project Engineer shall include the following measures on the Grading Plan, to the satisfaction of the Director of Public Works and Building Official: <ul style="list-style-type: none"> ▪ The General Contractor shall utilize electric- or diesel-powered stationary equipment in lieu of gasoline powered engines where feasible; and ▪ Work crews shall turn off equipment when not in use. 	Prior to Any Grading Permit	Director of Public Works and Building Official	Approval of Grading Plan			
Long-Term (Operational) Air Emissions						
AQ-6 Prior to issuance of any Building Permit, the Applicant shall demonstrate to the satisfaction of the Building Official that the Project complies with Title 24 of the California Code of Regulations established by the California Energy Commission regarding energy conservations standards.	Prior to Any Building Permit	Building Official	Issuance of Building Permit			
AQ-7 Prior to issuance of any Grading Permit, the Applicant shall submit for review and approval by the Director of Public Works and Community Development Director, a Transportation Demand Management (TDM) Plan that is applicable to students, faculty, and staff. The TDM Plan shall include, but not be limited to, preferential parking for vanpooling/carpooling, subsidy for transit pass or vanpooling/carpooling, flextime work schedule, and the location of bicycle racks throughout the College campus.	Prior to Any Grading Permit	Director of Public Works and Community Development Director	Approval of Transportation Demand Management Plan			

NOISE						
Short-Term Construction Noise						
NOI-1 Prior to issuance of any Grading Permit, the Applicant shall provide, to the satisfaction of the Community Development Director, a Noise Mitigation and Monitoring Program. Such plan shall ensure that the proposed Project provides the following: <ul style="list-style-type: none"> ▪ Construction contracts shall specify that all construction equipment, fixed or mobile, shall be equipped with mufflers maintained according to 	Prior to Any Grading Permit	Community Development Director	Approval of Noise Mitigation and Monitoring Program			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
<p>manufacturer's specifications and other state required noise attenuation devices.</p> <ul style="list-style-type: none"> ▪ Property owners and occupants located within 0.25-mile of the Project construction site shall be sent a notice, at least 15 days prior to commencement of construction of each phase, regarding the construction schedule of the proposed Project. A sign, legible at a distance of 50 feet, shall also be posted at the Project construction site. All notices and signs shall be reviewed and approved by the Community Development Director, prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide the contact name and a telephone number of the Noise Disturbance Coordinator where residents can inquire about the construction process and register complaints. ▪ The Applicant shall provide, to the satisfaction of the Community Development Director, a qualified "Noise Disturbance Coordinator" who shall be responsible for receiving, registering, and responding to any complaints about construction noise. When a complaint is received, the Coordinator shall notify the City within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Community Development Director. All notices that are sent to residential units within 0.25-mile of the construction site and all signs posted at the construction site shall include the contact name and the telephone number for the Disturbance Coordinator. ▪ Prior to issuance of each Grading or Building Permit, the Applicant shall demonstrate to the satisfaction of the City's Building Official how construction noise reduction methods such as shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible. ▪ During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers. 						



Mitigation Measure		Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
Long-Term Stationary Noise							
NOI-2	Prior to issuance of any Certificate of Occupancy, the Applicant shall submit a noise analysis that demonstrates to the satisfaction of the Community Development Director and the City Engineer, that site placement of stationary noise sources would not exceed noise standards indicated in the State Land Use Noise Compatibility Guidelines for adjacent residences (i.e., Community Noise Exposure (Ldn or CNEL, DBA) for Residential – Low Density, Single-Family would be 50 – 60/Normally Acceptable, 55 –70/Conditionally Acceptable, 70 – 75/Normally Unacceptable, and 75 –85/Clearly Unacceptable).	Prior to Any Certificate of Occupancy	Community Development Director and City Engineer	Approval of Noise Analysis			
NOI-3	Prior to issuance of any Building Permit, the Applicant shall demonstrate, to the satisfaction of the Community Development Director, compliance with the following: <ul style="list-style-type: none"> All mechanical equipment shall include specifications on quiet equipment; All mechanical equipment shall be selected and installed according to manufacturer's specifications, and shall include sound attenuation packages; To the extent possible, all mechanical equipment shall be oriented away from the nearest noise sensitive receptors; and All mechanical equipment shall be screened and enclosed to minimize noise. 	Prior to Any Building Permit	Community Development Director	Verification of Mechanical Equipment Specifications			
NOI-4	Prior to issuance of any Certificate of Occupancy, a subsequent noise analysis shall be prepared, to the satisfaction of the Community Development Director and the City Engineer, which demonstrates that all reasonable sound attenuation has been incorporated into the northeasterly and easterly parking areas (i.e., landscaping and brushed driving surfaces), such that noise from the parking areas has been minimized.	Prior to Any Certificate of Occupancy	Community Development Director and City Engineer	Approval of Noise Analysis			
NOI-5	Prior to issuance of any Certificate of Occupancy, the Marymount College Code of Conduct shall be reviewed and approved by the Planning Commission at a duly noticed public hearing. The provisions of the Code of Conduct shall outline measures for minimizing operational/stationary source noise impacts to	Prior to Any Certificate of Occupancy	Planning Commission	Approval of Marymount College Code of Conduct			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance			
				Initials	Date	Remarks	
<p>the surrounding neighborhoods that would also minimize the need for police enforcement). The City or Applicant could initiate revisions or modifications to the Code of Conduct, which shall be reviewed and approved by the Planning Commission at a duly noticed public hearing. The Code of Conduct shall, at a minimum, include provisions for the parking lots, common open space area, and security measures, in order to ensure stationary noise impacts are minimized, and shall specify the following provisions, among others:</p> <ul style="list-style-type: none"> ▪ "Quiet Hours" throughout the campus are designated between 10:00 PM and 7:00 AM; and ▪ Limitations on noise from congregations during quiet hours. <p>City review and approval of the Code of Conduct shall be limited to provisions related to potential Project impacts to adjacent neighbors (i.e., offsite) related to noise and police protection.</p>							
NOI-6	Use of the athletic field and tennis courts, shall be prohibited between sunset and sunrise, seven days per week, unless a Special Use Permit for said use has been issued by the Community Development Director, pursuant to Code Chapter 17.62, <i>Special Use Permits</i> .	Ongoing	Community Development Director	Enforcement of CUP			
NOI-7	The use of amplified sound shall be prohibited at the proposed athletic field, tennis courts, swimming pool, and other outdoor gathering areas, unless a Special Use Permit for said use has been issued by the Community Development Director, pursuant to Code Chapter 17.62, <i>Special Use Permits</i> .	Ongoing	Community Development Director	Enforcement of CUP			

GEOLOGY AND SOILS							
Seismic Hazards							
<i>Strong Seismic Ground Shaking</i>							
GEO-1	Prior to issuance of any Grading Permit or Building Permit for Phases I, II, and III (as outlined in DEIR Section 3.5, <i>Phasing</i>) of the Project, the Applicant shall comply with each of the recommendations detailed in the Preliminary Grading Plan Review and Geotechnical Response to City of Rancho Palos Verdes (ASE, June 28, 2002, 2005), and other such measure(s) as the City deems necessary to adequately mitigate Project geotechnical impacts, which may include, but not be limited to, the following during each construction phase of the Project:	Prior to Any Grading Permit or Building Permit For Each Phase	City Engineer	Approval of Grading Plans and Building Plans			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
Unstable Geologic Units						
<i>Slope Stability</i>						
GEO-3	Prior to issuance of any Grading Permit, the Final Grading Plans shall specify that the oversized (i.e., one- to three-foot-wide blocks) that are generated from excavation of the one- to two-foot-thick (+/-), discontinuous layers and/or lenses of very hard, silica and/or calcium-magnesium carbonate cemented siltstone, which is commonly referred to as "PV Stone," shall not be placed in engineered fills unless their location and disposal methods are specifically reviewed and approved by the Project Soils Engineer and City Engineer. No rock crushing shall occur onsite.	Prior to Any Grading Permit For Each Phase	City Engineer	Approval of Grading Plan		
HYDROLOGY AND WATER QUALITY						
<i>Drainage and Hydrology</i>						
HYD-1	<p>Prior to issuance of any Grading Permit, the Director of Public Works and the City Engineer shall review and approve a Revised Storm Drain Plan. Such Plan shall:</p> <ul style="list-style-type: none"> ▪ Include an on-site storm water collection system designed to prevent the flow (sheet or concentrated) from eroding the natural hillside surrounding the Project site. ▪ Identify how storm drains and catch basins are designed to control stormwater leaving the campus. ▪ Control erosion downstream of the development. ▪ Include storm drains designed to convey flows per Los Angeles County Standards. ▪ Includes a system of storm drain pipes that would divert the flow to the proposed storm drain system. <p>Calculations shall be provided to the Director of Public Works and the City Engineer indicating that the diversion area does not impact the existing storm drains (i.e., no more than the existing condition flow at any given time).</p>	Prior to Any Grading Permit	Director of Public Works and City Engineer	Approval of Revised Storm Drain Plan (i.e., Drainage Plan)		
HYD-2	Increased flows from Watersheds A and BC shall be mitigated with the installation of a detention basin (i.e., Watershed A Sub-Basin and Watershed BC Sub-Basin), as illustrated on <u>Exhibit 5.7-3, Proposed Storm Drain Layout</u> , and <u>Exhibit 5.7-4, Detention Basin Layout</u> , or where determined by the Director of Public Works and the City Engineer, to reduce the peak flow. The detention basin shall be designed such that:	Prior to Any Grading Permit	Director of Public Works and City Engineer	Approval of Revised Storm Drain Plan (i.e., Drainage Plan)		



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance			
				Initials	Date	Remarks	
<ul style="list-style-type: none"> ▪ The 2- through 100-year storm events are mitigated. ▪ Water would be detained a minimum of 24 hours, but not greater than 96 hours, pursuant to Vector Control District standards. ▪ Berms shall be provided at Palos Verdes Drive East to allow adequate free board. The flow leaving the detention basin shall be maintained equal to the existing condition. ▪ Watershed A Sub-Basin shall include an outlet that ties into the storm drain system at Node 1. ▪ Watershed BC Sub-Basin shall include an outlet that drains to the storm drain system at Nodes 2 and 3 ▪ The pipe outlets that would drain the sub-basin shall be sized to allow no more than the existing condition flow out of the detention basin at any given time. ▪ Water quality requirements shall be satisfied through detention basin design. The extended detention basin shall serve also as a flood control detention basin. ▪ Adequate secondary overflow shall be provided. ▪ An impermeable liner shall be provided to eliminate saturation of soil in the vicinity. ▪ Maintenance of the detention basin shall be the Applicant's responsibility. 							
HYD-3	Prior to issuance of any Grading Permit or Building Permit for each phase of the Project, the Preliminary Grading and Drainage Plan shall be updated to specifically address the modified athletic field and tennis courts in the western portion of the site with respect to altered drainage patterns and runoff amounts.	Prior to Any Grading or Building Permit	Director of Public Works and City Engineer	Approval of Revised Grading and Drainage Plan			

Water Quality – Construction							
HYD-4	The hydrological and drainage improvements identified in Mitigation Measures HYD-1 and HYD-2 shall be completed during the Phase I grading period and prior to issuance of the Building Permit for the Phase II buildings (i.e., Library, Maintenance, or Athletic).	During Phase I Grading Period and Prior to Any Building Permit	Director of Public Works and City Engineer	Verification of Drainage Improvements			
HYD-5	Prior to issuance of any Grading or Building Permit, and as part of the Project's compliance with the NPDES requirements, a Notice of Intent shall be prepared	Prior to Any Grading Permit	Director of Public Works	Verification of Submittal of			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance			
				Initials	Date	Remarks	
	and submitted to the Los Angeles RWQCB providing notification and intent to comply with the State of California general permit. Also, a Stormwater Pollution Prevention Plan (SWPPP) shall be reviewed and approved by the Director of Public Works and the City Engineer for water quality construction activities onsite. A copy of the SWPPP shall be available and implemented at the construction site at all times. The SWPPP shall outline the source control and/or treatment control BMPs to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable." The SWPPP shall contain, at a minimum, the BMPs outlined in <u>Appendix 13.6, Hydrology and Water Quality Data.</u>	or Building Permit	and City Engineer	Notice of Intent			
HYD-6	Prior to issuance of any Grading Permit, the Applicant shall prepare, to the satisfaction of the Director of Public Works and the City Engineer, a Water Quality Management Plan, which includes Best Management Practices (BMPs), Structural Measures and Adaptive Management, under the guidelines in Development Planning for Stormwater Management - A Manual for the Standard Urban Stormwater Mitigation Plan (SUSMP) prepared by Los Angeles County Department of Public Works (2002) or the most current/updated version. The WQMP shall contain, at a minimum, the BMPs outlined in <u>Appendix 13.6, Hydrology and Water Quality Data.</u>	Prior to Any Grading Permit	Director of Public Works and City Engineer	Verification of Approval of Water Quality Management Plan			
PUBLIC SERVICES AND UTILITIES							
Police Protection							
PSU-1	Prior to issuance of any Certificate of Occupancy, a private security program, reviewed and approved by the Planning Commission and the Los Angeles County Sheriff's Department at a duly noticed public hearing, shall be implemented at the campus enforcing the Project's Conditions of Approval and the Marymount College Code of Conduct; refer to Mitigation Measure NOI-5. The private security program shall, at a minimum, consist of a security patrol officer and a staffed security/info kiosk (during the Campus' operational hours).	Prior to Any Certificate of Occupancy	Planning Commission	Approval of Private Security Program			
Solid Waste							
PSU-2	Prior to issuance of any Building or Grading Permit, an approved Construction and Demolition Materials Management Plan shall be prepared and submitted to the Director of Public Works for review and approval. Said Plan shall include: <ul style="list-style-type: none"> All demolition (buildings and hardscape), new construction and alterations/additions. 	Prior to Any Building Permit or Grading Permit	Director of Public Works	Approval of Construction and Demolition Materials Management Plan			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance			
				Initials	Date	Remarks	
<ul style="list-style-type: none"> ▪ How the Applicant proposes to divert at least 85 percent of the existing parking/paving, concrete walkways and other concrete or asphalt pavement away from land disposal. ▪ Identify where recycled material generated by the demolition of the existing buildings and parking areas will be stockpiled on-site and disposed. ▪ Identify measures to reuse or recycle at least 50 percent of the demolition and construction materials, including, but not limited to wood, metal and cardboard, to meet the City's diversion goal requirements, as established by AB 939. 							
PSU-3	Upon completion of demolition and construction, and prior to issuance of any Certificate of Occupancy, a Construction and Demolition Materials Disposition Summary shall be submitted to the Director of Public Works. The Summary shall indicate actual recycling activities and compliance with the diversion requirement, based on weight tickets or other sufficient documentation.	Prior to Any Certificate of Occupancy	Director of Public Works	Approval of Construction and Demolition Materials Disposition Summary			
PSU-4	Where possible, the site design shall incorporate for solid waste minimization, the use of recycled building materials, and the re-use of on-site demolition debris.	Prior to Any Demolition Permit	Community Development Director	Approval of Site Plan and Demolition Plan			
PSU-5	The proposed Project shall incorporate storage and collection of recyclables into the Project design, and refuse collection contracts shall include provisions for collection of recyclables. Recycling shall be included in the design of the Project by reserving space appropriate for the support of recycling, such as adequate storage areas and access for recycling vehicles.	Prior to Any Building Permit	Community Development Director	Approval of Site Plan and Refuse Collection Contracts			
PSU-6	<p>Prior to issuance of any Certificate of Occupancy, the Applicant shall, to the satisfaction of the Director of Public Works, implement a comprehensive Recycling Program on an on-going basis, including but not limited to the following measures:</p> <ul style="list-style-type: none"> ▪ Grasscycle, use as mulch, or compost all greenwaste generated from the athletic field and landscape areas. ▪ Recycle all bottles, aluminum cans, glass and foodwaste. 	Prior to Any Certificate of Occupancy	Director of Public Works	Approval of Revised Recycling Plan			



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
<ul style="list-style-type: none"> The existing paper recycling program shall be expanded to include the proposed improvements, including but not limited to the Library and Administration Building. Reports detailing the progress of the recycling for each academic year (including summer) shall be prepared and submitted to the Director of Public Works at the end of the academic year. Said report shall include the volume of tonnage that has been diverted to solid waste disposal, recycling, composting and grasscycling. 	End of Each Academic Year	Director of Public Works	Approval of Recycling Plan			
PSU-7	During events at the athletic field, temporary waste and recycling receptacles shall be provided.	City Inspector	Field Verification			
BIOLOGICAL RESOURCES						
Special Status Biological Resources						
BIO-1	Prior to issuance of any Grading Permit, a habitat assessment for the El Segundo blue butterfly (<i>Euphilotes battoides allyni</i>) shall be conducted by a qualified biologist permitted by the USFWS to conduct surveys for this species, approved by the Community Development Director, and paid for by the Applicant. If any El Segundo blue butterfly is located in the impact area, authorization from the UFWS shall be required prior to commencing any construction activities in the surveyed area. Authorization can occur through either Section 7 or 10 of the FESA. The authorization process would require a preparation of Biological Assessment or Habitat Conservation Plan (HCP), which would include a Special Status Plant Mitigation Program to avoid or minimize impacts to this species. The Special Status Plant Mitigation Program may include avoiding the habitat of this species or purchasing off-site habitat for this species.	Prior to Any Grading Permit	Community Development Director	Acceptance of Habitat Assessment and Acceptance of Special Status Plant Mitigation Program (if needed)		
BIO-2	The Applicant shall hire, at the Applicant's expense, a qualified Biologist, approved by the Community Development Director, who shall conduct a focused survey for active raptor nests no more than 30 days prior to commencement of any grading or construction or the removal of the gum trees, if such activity occurs during the breeding season between February 1 and June 30. If an active nest is found, some restrictions on grading activities may be required in the vicinity of the nest until the nest is no longer active as	No More Than 30 Days Prior to Any Grading or Construction or Gum Tree Removal, if Activity Occurs	Community Development Director	Acceptance of Focused Survey for Active Raptor Nests		



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
determined by a qualified Biologist.	Between February 1 and June 30					
Special Status Habitats						
BIO-3	Prior to Any Grading Permit	Community Development Director	Acceptance of Jurisdictional Delineation			
<p>Prior to issuance of any Grading Permit, a jurisdictional delineation shall be conducted by the Applicant to determine whether the two drainage channels are under the jurisdiction of ACOE and CDFG. If these agencies have jurisdiction over the Project's study area, permits or waivers thereof would be required from one or both of these agencies prior to issuance of any Grading Permit. The Applicant shall be required to comply with all permit conditions from the ACOE and/or CDFG. Conditions of these permits may include, but are not limited to, the replacement of habitat value within the jurisdictional areas impacted. The replacement may come in the form of habitat restoration and/or enhancement onsite or in the immediate vicinity at the discretion of the permitting agencies.</p>						



Exhibit "C"
Statement of Overriding Considerations
for
Case No. ZON2003-00317
(Conditional Use Permit #9 – Revision "E", et. al.)

EXHIBIT C

Statement of Overriding Considerations

The following Statement of Overriding Considerations is made in connection with the approval of the Final Project.

The City Council finds that the economic, social and other benefits of the Final Project outweigh the significant and unavoidable environmental impacts identified in the EIR and in the record, some of which have been eliminated or reduced in severity to the degree feasible through modifications to the originally proposed Project. In making this finding, the City Council has balanced the benefits of the Final Project against its unavoidable impacts and has indicated its willingness to accept those adverse impacts. The City Council finds that each one of the following benefits of the Final Project, independent of the other benefits, would warrant approval of the Final Project notwithstanding the unavoidable environmental impacts of the Final Project.

- A. The Final Project provides new, expanded, and enhanced facilities that could be used for community meeting space, in furtherance of General Plan Socio/Cultural Policy 3.
- B. The Final Project provides new and expanded recreational facilities, including the new athletic field, in furtherance of General Plan Socio/Cultural Policy 4.
- C. The Final Project will upgrade on-site drainage and flood control systems, thus reducing the likelihood to site instability as a result of flood water sheet flowing across the property.
- D. The Final Project will enable the College to upgrade its facilities and programs to better provide higher education opportunities to the public.
- E. The Final Project increases the landscaped setback along Palos Verdes Drive East, thus enhancing the appearance of the campus from the public right-of-way.
- F. The Final Project will assist the College in its ability to attract and retain students, which in turn will help maintain existing jobs, including the opportunities for highly trained workers like professors and faculty.
- G. The College has committed to provide a public benefit by offering to donate \$200,000.00, to assist the City in funding construction of a median barrier in Palos Verdes Drive East adjacent to a portion of the College's site.