



CITY OF RANCHO PALOS VERDES

PLANNING, BUILDING, & CODE ENFORCEMENT

**TO:** CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

**FROM:** DIRECTOR OF PLANNING, BUILDING, AND CODE ENFORCEMENT

**DATE:** FEBRUARY 10, 2009

**SUBJECT:** ZON2003-00317 (CUP 9 REVISION "E," GRADING PERMIT, VARIANCE PERMIT, MINOR EXCEPTION PERMIT, AND MASTER SIGN PERMIT) / 30800 PALOS VERDES DRIVE EAST - MARYMOUNT COLLEGE FACILITIES EXPANSION PROJECT – RESPONSES TO FINAL EIR QUESTIONS

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At the December 9<sup>th</sup> meeting, the Commission directed Staff and the City's environmental consultant (RBF Consulting) to prepare responses to questions on the Final EIR raised by the Commission, the College and the public. More recently, the Commission at its January 27<sup>th</sup> meeting requested that Staff provide the responses to the questions on the Final EIR at its February 10<sup>th</sup> meeting, well in advance of the March 10<sup>th</sup> continued public hearing. Pursuant to Commission direction, attached is the respective Table that lists the comment makers, the comment topics, the comments, and the responses. Staff would like to point out that there were some minor editorial changes made to the Draft Table that was transmitted to the Commission in the January 27<sup>th</sup> Staff Report.

## MARYMOUNT COLLEGE FACILITIES EXPANSION PROJECT COMMENTS AND RESPONSES ON FINAL ENVIRONMENTAL IMPACT REPORT

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1. Commissioner Knight	Geology	How does the EIR analyze the highly expansive soils? Will excavation and export be required?	RBF/City	<p>Moderately to highly expansive soils are subject to expansion and shrinkage upon wetting and drying and are therefore prone to settlement (cracks, uplifting concrete footings and floor slabs) upon placement of structural loads (i.e. new buildings). According to test reports, on-site soils and portions of the bedrock are considered to have moderate to very high expansion potential as stated in the project EIR.</p> <p>According to Mitigation Measure GEO-1, impacts associated with expansive soil are considered less than significant provided the following occurs prior to issuance of any grading or building permits:</p> <ul style="list-style-type: none"> <li>• Compliance with the City Geologists recommendations</li> <li>• Corrosivity and expansivity soil testing upon completion of rough grading</li> <li>• Final compaction testing upon completion of precise grading</li> </ul> <p>According to the applicant's project plans, grading will be balanced on-site including remedial grading such as the removal and relocation of expansive soils. Furthermore, the applicant's geologist, ASE, indicates that the expansive soils can be reused as artificial fill on-site if properly mixed with other less expansive site soils. In order to reduce adverse effect on surficial structures, this material should be placed within the deeper portions of the fill area (minimum of 10-feet below proposed grades).</p> <p>A project condition will prohibit the import or export of earth material (with the exception of the import of select fill, which the City considers construction material). If the applicant finds that the reuse of expansive soils is not possible on-site, a revision to the conditions and additional environmental review would be required.</p>
2. Commissioner Knight	Geology	How does the EIR analyze bentonite soil? Will excavation and export be required?	RBF/City	<p>Bentonite usually forms from weathering of volcanic ash, most often in the presence of water. According to the ASE soils report, "the bentonitic clay seam must be excavated and totally</p>

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				<p>removed under the monitoring and evaluation of the Geotechnical Consultant. The excavated bentonite clay material should be disposed off-site. The reuse of this material at greater depth is not recommended.”</p> <p>However, according to the City Geologist, the bentonite clay soil may be relocated on-site to areas not supporting development. According to the applicant’s project plans, grading will be balanced on-site including remedial grading. A recommended project condition would prohibit the import or export of earth material (with the exception of import of select fill, which the City considers construction material). If the applicant finds that the relocation of bentonite clay is not possible on-site, a revision to the conditions and additional environmental review would be required.</p>
3. Commissioner Knight	Hydrology	What is considered adequate secondary overflow?	RBF / City	<p>According to Mitigation Measure HYD-2, the applicant is required to prepare a final Drainage Plan for review and approval prior to the issuance of any grading permits that, among other things, provides adequate secondary overflow. Secondary overflow is intended to provide additional back-up piping within the detention basin that is adequately sized so that in the event the primary pipe fails or water levels exceed a 100-year storm event, water can continue to flow into the storm drain system at or below existing flow rates. Secondary overflow is essentially considered an emergency or back-up system.</p> <p>Additionally, the project EIR requires berm be provided at the detention basin adjacent to Palos Verdes Drive East to allow adequate freeboard based on Los Angeles County standards to contain overflow water levels.</p>
4. Commissioner Knight	Hydrology	Demonstrate that the proposed detention basin can accommodate maximum run-off (100 year)?	RBF	The Drainage Plan examined in the project EIR is conceptual and in order to address potential impacts associated with water run-off as a mitigation measure the applicant is required to prepare a revised Drainage Plan for review and approval by the

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				<p>City prior to issuance of any Grading Permits.</p> <p>According to Mitigation Measure HYD-2, the detention basin included in the drainage plan is to be redesigned so that there are two sub-basins (Watershed A-Sub Basin and Watershed BC sub basin) divided by an earth berm. Sub-basin A would be designed to drain into Node 1 and Sub-Basin BC would be designed to drain, via pipes, into Nodes 2 and 3. Water leaving the sub-basins is to be limited to existing quantities to avoid overly impacting the existing storm drains.</p> <p>The final design of the detention basin will be in the proposed general location and will be sized based on precise hydrology calculations. The sizing of the detention basin will need to be able to accommodate run-off generated from a 100-year storm event. The final design will be reviewed and approved by the City Engineer prior to issuance of any grading or building permits. Furthermore, Mitigation Measure HYD-3 requires the hydrological and drainage improvements to be completed during grading proposed for Phase I and prior to issuance of any building permits.</p>
5. Commissioner Knight	Hydrology	Will the proposed detention basin be lined?	RBF	In order to address potential soil saturation impacts to the south slope, Mitigation Measure HYD-2 requires “that an impermeable liner be provided” in the detention basin. The final design of the detention basin will be reviewed by the City’s Engineer and the City’s Geologist prior to issuance of any grading permit and must identify the lining and all related specifications. The installation of the lining will be inspected by the City prior to finalizing the Grading Permit.
6. Commissioner Knight	Traffic	Comparing current ambient road traffic to traffic generated by the addition of 24/7 Residence Halls, what is the after hours (after 6pm weekdays, after 1pm Saturday, and all day Sunday) condition of local roadways including PVDS / 25 <sup>th</sup> street / Western Avenue.	RBF	The Traffic Impact Analysis prepared for the project EIR does not independently study traffic during non-peak hours, such as after hours (i.e. night-time and weeknights). The actual impact analysis is more conservative in that it presents the worst-case scenario based on peak traffic hours. The traffic analysis is prepared at study intersections based on, among other times,

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				<p>AM and PM peak hour trips generated during times when the system is peaking rather than late at night or off-school hours when overall traffic levels are typically much lower. Thus, it can be deduced that the after hours (night-time and weeknights) operating conditions of local roadways would be better than the peak hour conditions outlined in DEIR Tables 5.3-10 through 5.3-13. This is an industry-accepted approach to analyzing potential traffic impacts. Even though there would likely be an incremental increase in traffic during night and weekend non-peak periods, any such impact would not rise to the level of a significant impact.</p> <p>DEIR Tables 5.3-10 through 5.3-13 outline the existing operating conditions of the study area intersections during the five peak hour analysis time periods. As indicated in these tables, the study area intersections are operating at an acceptable level (i.e., LOS D) or better, with the exception of the following:</p> <ul style="list-style-type: none"> <li>• Palos Verdes Drive East/Miraleste Drive;</li> <li>• Western Avenue (SR-213)/Trudie Drive-Capitol Drive; and</li> <li>• Western Avenue (SR-213)/1<sup>st</sup> Street.</li> </ul>
7. Commissioner Knight	Traffic	Mitigation Measure TR-9 requires roadway improvements at the intersection of PVDS / PVDE and the College is responsible for its proportionate share of the improvement costs. When will this impact be mitigated? If not fully implemented, will this impact be mitigated?	RBF	Mitigation Measure TR-9 is intended to mitigate cumulative impacts at the intersection of PVDS/PVDE generated by the project and other projects forecast to be constructed by the year 2012. Based on the studies in the project EIR, it was found that the impact at the intersection of PVDS/PVDE would not be fully mitigated. This is because the proposed intersection improvements, as described in the EIR, would not be constructed until fully funded by all of the forecasted projects identified in the Cumulative Projects List (section 4.0 of the EIR). The College is one of several projects contributing to the impacts and is only required to fund its proportionate share of the impacts. Since this impact will not be fully mitigated to a less than significant level, it is identified as a significant and

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				unavoidable impact. As such, the Commission would need to adopt a Statement of Overriding Consideration if the project is to be approved.
8. Commissioner Knight	Student Enrollment	All programs considered, based on the Traffic and Parking studies, what is the maximum student cap for summer sessions?	RBF	<p>As it currently stands, the existing Conditions adopted by the City Council in April 1990 as part of CUP No. 9 Revision "C" limit enrollment for only the fall and spring semesters based on an average calculation for both semesters.</p> <p>As part of the traffic and parking impact analysis for the current project, the EIR assumed a fixed enrollment cap of 793 students rather than an average enrollment cap, which can be an unpredictable moving target. Because the EIR examined traffic and parking impacts associated with a maximum enrollment of 793 persons and is able to mitigate potential impacts, Mitigation Measures TR-4 and TR-8 suggest limiting enrollment (including full and part-time students) to 793. Staff suggests that this enrollment number apply year-round for each term (fall, winter, spring and summer).</p> <p>In order to ensure that the number of occupants at the College does not exceed the maximum 793 limit studied in the EIR which may result in new traffic and parking impacts, Staff suggests that as a condition, the enrollment limit apply to all occupants at the College at <u>any</u> given time. In other words, at no point could there be more than 793 persons on-campus including students, faculty, staff, and visitors. This should allow the College to continue operating most of its programs (educational, cultural, sporting, etc) throughout the calendar year without causing adverse traffic and parking impacts.</p>
9. Commissioner Gerstner	Hydrology	Is the proposed detention basin designed to accommodate 100-year flows?	RBF	See Response to Comment No. 4 (Commissioner Knight)

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10. Commissioner Gerstner	Parking	How is parking being addressed based on maximum enrollment vs. average enrollment (as it presently exists)	RBF	<p>See Response to Comment No. 8 (Commissioner Knight)</p> <p>Similar to the traffic analysis, the EIR's parking analysis assumed a fixed enrollment cap of 793 students rather than an average enrollment, which can be an unpredictable moving target. In order to ensure that the number of occupants at the College does not exceed the maximum 793 limit studied in the EIR which may result in new parking impacts, Staff suggests that as a condition, the enrollment limit apply to all occupants at the College at <u>any</u> given time. In other words, at no point could there be more than 793 persons on-campus including students, faculty, staff, and visitors. This should allow the College to continue operating most of its programs (educational, cultural, sporting, etc) throughout the calendar year without causing adverse parking impacts.</p>
11. Commissioner Tomblin	Grading	Will the City require a completion bond for the proposed grading	City	<p>Typically for major development projects in the City, a Grading Bond is required as a project condition to ensure public health and safety in the event a project terminates during grading and a project site is left in a condition that poses a safety concern (such as excavated openings, etc.). As such, City Staff recommends that the Planning Commission require, as a project condition for the Grading Permit, that the applicant post a Grading Bond to ensure the project grading is completed to the City's satisfaction.</p> <p>The Grading Bond, to be reviewed and accepted by the City (including but not limited to the City Attorney, the City Engineer, the City Building Official) should be in an amount to cover costs for restoring the project site to an acceptable condition, such as stabilizing and hydro-seeding all slopes, completing retaining walls, installing erosion control improvements, and filling grade depressions or holes.</p>
12. Commissioner Tomblin	Lighting	What would the night light impacts be to neighboring properties when the residence halls	RBF	<p>The proposed Residence Halls would result in increased interior and exterior lighting (lighting around the structures,</p>

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		are lit?		<p>entrances, pedestrian pathways, etc.). In order to determine whether the lighting generated by the Residence Halls would adversely impact neighboring properties, the College's proposed Lighting Plan (Sheet E-2) was examined in relation to the neighboring homes.</p> <p>As stated in Section 5.2 (Aesthetics/ Light and Glare) of the project EIR, approximately 280-feet exist between the Residence Halls and the property line of the nearest residences situated to the South (across PVDE and the frontage road). The EIR determined that due to the distance, the lighting of the Residence Halls would appear less bright than the light levels of a typical residential street light. However, to ensure potential impacts are minimized, the EIR proposes mitigation measures such as requiring exterior lighting to be directed downward away from neighboring properties, shielded, and minimizing building reflective glass. With mitigation, the lighting associated with the Residence Halls is not expected to result in adverse impacts to neighboring properties.</p> <p>Pursuant to Section 17.56.040 of the Development Code for non-residential lighting, the Commission may wish to further restrict outdoor night lighting by imposing conditions on the project that limits wattage, hours of use, the placement of lighting, etc.</p>
13. Commissioner Lewis	Alternative	How does the EIR address the Split-Campus Alternative?	RBF	<p>The Split Campus Alternative was originally proposed by the CCC/ME and was included as one of the Alternatives studied in the project EIR. Section 7 of the EIR analyzes four Alternatives to the proposed project pursuant to CEQA. The four Alternatives are as follows:</p> <ul style="list-style-type: none"> <li>• No Development/No Project (Section 7.1)</li> <li>• Reduced Density (Section 7.2)</li> <li>• Split-Campus (Section 7.3)</li> <li>• Affordable Housing (Section 7.4)</li> </ul> <p>The Split-Campus Alternative is discussed in detail in Section 7.3 of the EIR and essentially expands the College's existing</p>

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				<p>two campuses. The Academic Campus would remain at the PVDE property and would be improved with the construction of the academic building, administration building, library, maintenance building, and art studio. The Living Campus would exist at the PVDN property in the City of Los Angeles and would be improved with the proposed Athletic Building, Residence Halls, Student Resource Center and Lounge.</p> <p>In accordance to CEQA, the Alternatives included in the EIR are to be reasonable to the proposed project and which could feasibly attain most of the basic objectives, but would avoid or substantially lessen any of the significant impacts.</p> <p>The Split Campus Alternative analyzes the operation of both the Academic and Living Campuses based on the following topics:</p> <ul style="list-style-type: none"> <li>• Land Use and Relevant Planning</li> <li>• Aesthetics/Light and Glare</li> <li>• Traffic and Circulation (including parking)</li> <li>• Air Quality</li> <li>• Noise Geology Soils</li> <li>• Hydrology and Water Quality</li> <li>• Public Services and Utilities</li> <li>• Biology</li> </ul> <p>The Academic/Living Campus Alternative would significantly reduce development within the City of RPV at the Academic Campus, and thus would reduce the associated impacts to less than significant. However, the Academic/Living Campus Alternative would result in greater impacts at the PV North site than the proposed Project, specifically involving Land Use and Relevant Planning, Noise, Geology and Soils, and Biological Resources. This Alternative attains the basic Project objectives and reduces Project impacts involving Aesthetics and Light/Glare at the Academic Campus. Additionally, this Alternative reduces the Project's environmental impacts involving Land Use and Planning, Noise, and Biological</p>

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				<p>Resources, although impacts would incrementally increase at the Palos Verdes North site. Overall, this Alternative is environmentally superior to the Project, as to the Academic Campus, meets the Project's objectives and is potentially less impacting. However, because the Academic/Living College Alternative would increase impacts at the Living Campus in the City of Los Angeles, and because the City must take into account the full range of impacts, including those outside of the City, in making the determination regarding the environmentally superior alternative, it has been determined that this Alternative is not the environmentally superior alternative among those analyzed, although it is superior to the Project, as to the portion of the Alternative within the City of Rancho Palos Verdes.</p> <p>Practically speaking, the City does not have the authority to require the College to seek approvals from the City of Los Angeles for the Living Campus components of the Project. However, the City does have the authority to approve only those components on the Palos Verdes Drive East site that are consistent with this Alternative.</p>
14. Paul Tetreault	Traffic	What are the impacts of youth drivers on local roadways?	RBF / City	<p>According to the California Highway Patrol (CHP) between 1996 and 2007, there were 97 vehicular related collisions occurring on Palos Verdes Drive East between Miraleste Drive and Palos Verdes Drive South. This number represents incidents involving one to several vehicles. Based on this information, there were 43 youth drivers (ages 16-21) involved in accidents within the reporting area. However, the information provided by the CHP does not identify whether the youth drivers involved in the 43 incidents are Marymount students. The available accident data provided by the public as attachments does not specify, and there is no evidence to suggest, that the young drivers responsible for accidents in the respective reporting area of Rancho Palos Verdes are solely Marymount College students. Nonetheless, the independent information gathered by the public and reported to the City in the past does suggest that some of the accidents in the immediate area of the College involved Marymount College</p>

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				<p>students. This has been duly noted by the City in assessing quality of life impacts the project may have on the immediate neighborhoods. As previously mentioned by certain members of the Traffic Safety Commission, the State of California sets State-wide rules that allow individuals to begin driving at age 16 after acquiring a drivers license. The students attending Marymount College are typically in the age range of 17-22.</p> <p>As the Commission may recall, the College President, Dr. Brophy, has indicated a willingness to require its incoming students to take a driver training course regarding local roadway conditions as a means of reducing the potential problems with Marymount student drivers. The Commission may wish to include this as a project condition tied to the suggested Code of Conduct.</p> <p>Further, <i>CEQA Guidelines</i> Section 15145, <i>Speculation</i>, states that if, after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact. The assertion that Marymount student drivers create unsafe conditions relies upon speculation, which is discouraged by CEQA. Other drivers in the area, such as young RPV residents, elderly, or distracted drivers, could be as likely to cause accidents, as Marymount students. As such, the City does not have sufficient evidence to conclude a significant environmental impact pursuant to CEQA, as a result of youthful drivers at the College.</p>
15. Paul Tetreault	Traffic	What is the accident percentage for the various age groups, specifically youth drivers?	RBF	<p>According to the California Highway Patrol (CHP) between 1996 and 2007, there were 97 vehicular related collisions occurring on Palos Verdes Drive East between Miraleste Drive and Palos Verdes Drive South (This number represents incidents involving one to several vehicles). Based on the information provided to the City by the CHP (included in response to Comment No. 13 of the FEIR), the following is a summary of the <u>age of drivers</u> involved in the reported accidents:</p>

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				<ul style="list-style-type: none"> <li>• 16-18 = 22</li> <li>• 19-21 = 21</li> <li>• 22-25 = 6</li> <li>• 26-30 = 10</li> <li>• 31-35 = 5</li> <li>• 36-40 = 12</li> <li>• 41-45 = 16</li> <li>• 46-50 = 11</li> <li>• 51-55 = 9</li> <li>• 56-60 = 6</li> <li>• 61-65 = 7</li> <li>• 66-70 = 7</li> <li>• 71-75 = 4</li> <li>• 76-80 = 0</li> <li>• 81-85 = 1</li> <li>• 85-older = 0</li> </ul>
16. Paul Tetreault	Traffic	What are the drive-through (short-cut) impacts to Via Colinita between Miraleste and PVDE?	RBF	<p>In order to determine the study area for the Traffic Impact Analysis, as well as other studies for the project EIR, pursuant to CEQA, an Initial Study was released for review by the public. Additionally, two joint public scoping meetings were held between the Planning Commission and the Traffic Safety Commission (December 13, 2005 and January 10, 2006) to provide Staff and the EIR Consultant direction regarding the EIR studies, including traffic and parking studies. Based on comments received for the Initial Study, City Staff and the EIR Consultants finalized the study area for the project Traffic Impact Analysis.</p> <p>In regards to the upper portion of Via Colinita between Miraleste and PVDE, the Traffic Impact Analysis did not analyze this area because it was not seen as a highly used street for cut-through traffic. This is partially because of the street's narrow and curvilinear composition that discourages regular use of this roadway segment for cut-through traffic.</p>

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				<p>Although some students may use this portion of Via Colinita, it is not anticipated to be in large quantities that would adversely impact the roadway.</p> <p>It should be noted that with the implementation of the mitigation measure to install a traffic signal at the intersection of PVDE and Miraleste, it is anticipated that the intersection would function better and would be less likely to encourage people (including Marymount students) to seek alternate routes through residential neighborhoods.</p> <p>Furthermore, at the time the Draft EIR was released, based on comments received during the public comment period, further studies were completed to assess potential Project-related traffic added to residential streets in the Mira Vista neighborhood, which showed continued operation of level of service (LOS) "A." It is noted that the forecast distribution of trips generated by the proposed project included in the traffic analysis conservatively assumes 40 percent of the Project related traffic utilizing Trudie Drive. Thus, a significant traffic impact is forecast, and Mitigation Measure TR-3 is identified to reduce the impact at one of the intersections providing entry/exit to the Mira Vista Neighborhood.</p>
17. Paul Tetreault	Parking	If Marymount is not currently providing the minimum number of on-site parking spaces required by the Code, what kind of mitigation has been imposed (vanpools, shuttles, off-site parking, etc.)	City	<p>The College is proposing to provide 463 parking spaces as part of its improvement plan. As stated in the project EIR, 847 parking spaces (less 250 spaces that are accounted in the calculation for the Residence Halls) are required per the strict interpretation of the Development Code. Since many of the on-campus uses are shared by the students, faculty and staff, such as classrooms, administration offices, library, student union and recreational facilities, the EIR proposes a shared parking program.</p> <p>According to the shared parking program identified in the Project EIR, there would be a parking deficiency of 198 spaces. In order to reduce the parking demand, Mitigation Measure</p>

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				<p>Nos. TR-5, TR-6, and TR-7 require the College to restrict parking and/or implement parking management strategies such as, but not limited, to the following:</p> <ul style="list-style-type: none"> <li>• Prohibiting dormitory guest parking between 10am and 3pm</li> <li>• Carpool-only parking spaces</li> <li>• Price incentives</li> <li>• Utilization of remote parking (i.e. PVDN Facility) with increased shuttle service.</li> <li>• Implementation of parking restrictions for residence hall occupants</li> </ul> <p>The College is required to reduce the parking demand by a certain percentage ranging between 5% and 23% depending on the student enrollment for each semester. The College will be required to submit an annual Parking Management Strategy Program to the Director of Planning, Building and Code Enforcement for review and approval by July 1 of every year.</p> <p>The Commission may require as a project condition that the Parking Management Strategy Program be reviewed and approved by the Commission at a duly noticed public hearing to ensure potential impacts to neighboring properties are being minimized and that neighborhood concerns pertaining to parking are addressed. Furthermore, the College has agreed to limit the number of students residents that own cars as a means of reducing the overall parking demand. The Commission may wish to include this as a condition of approval tied to the Parking Management Strategy Program only if the Residence Halls are approved.</p>
18. Paul Tetreault	Parking	How does the City handle parking requirements for typical needs such as daily student loads, verses special events, including athletic, cultural, and community events (and graduations) that will bring many more people and cars to the facility?	City	Section 17.50 of the Development Code identifies parking requirements for specific uses. In the case of the proposed project, the Code requires specific standards for Colleges and Universities, as described in Response No. 37 below (CCC/ME – Lois Karp). The Development Code also permits the development of a joint use parking program that determines parking based on demand when shared uses exists.

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				<p>In cases where special events are to occur that will generate a parking demand in excess of the parking spaces available, the City would require a Special Use Permit to allow off-site temporary parking, or some other acceptable means of providing sufficient parking. In regards to the proposed project, special events that may occur on-campus will likely take place after regular classes when the parking demand is lower, such as after 4 pm (observed parking demand is 265 spaces in November 2005). In order to ensure that special events, athletic games, and other scheduled programs do not conflict with the parking demands for regular classes, the Commission may wish to establish an operation condition that limits the hours that such activities may occur (i.e. after 4pm).</p> <p>Additionally, if the City Council restricts street parking in the immediate area of the College, the College would be responsible in providing its visitors with additional off-site overflow parking and shuttle service. This condition would eliminate the potential for overflow parking impacting neighboring City streets. It should be pointed out that parking restrictions for the public streets within the immediate area of the College would be addressed by the City Council as a separate track item via a recommendation by the Planning Commission. The Traffic Safety Commission recommended that the City Council consider studying parking restrictions within the immediate area of the College.</p>
19. Paul Tetreault	Parking	How many events can the school have before they are considered operating at baseline levels or at normal daily activities that may require greater on-campus parking?	RBF	<p>In addition to regular academic courses, it is not uncommon for colleges such as Marymount to offer programs and events to its students, staff and faculty, as well as the community. This is identified in the College's application binder (page 4).</p> <p>As noted in Response No. 8 (Commissioner Knight), the parking demand utilized in the EIR is based on a maximum enrollment rather than the number of courses, programs or events. In order to ensure that parking demands do not exceed the available number of spaces, Staff recommends that the</p>

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				<p>student enrollment cap apply to all on-campus occupants at any given time. In other words, no more than 793 persons may be on-campus at any given time. Furthermore, since 463 parking spaces are available on-site, the number of occupants on-campus at any given time should correspond to the number of available parking spaces. The College should be responsible in ensuring that the parking management strategies are being implemented so that there is no on-street overflow parking.</p> <p>As a separate track item (and not part of the review of the project applications), the EIR suggests (and the Traffic Safety Commission has recommended) that the City Council consider establishing parking restrictions on local streets surrounding the College. The intent of this is to take a no-tolerance position to on-street overflow parking associated with the College. In the event that the College parking is not sufficient, it is the College's responsibility to provide off-site parking. Any future modifications to on-site parking will require review by the City as an amendment to the Conditional Use Permit, which regulates the number of on-site parking.</p>
20. Paul Tetreault	Parking	What is staff's evaluation of the number of parking spaces for the proposed residence halls planned for this facility? Does staff agree or disagree with the manner by which RBF calculated that number?	RBF	<p>The assumptions, scope, and methodology applied to the parking impact analysis were derived from consultation between City staff and RBF Staff. Similar to the Traffic Impact Analysis, parking was divided into two categories per the Institute of Transportation Engineers (ITE) manual; Junior College and Apartments (for the Residence Halls). Staff determined that a parking space should be provided for each student occupying a bed within the Residence Halls. Staff took a conservative approach to the Residence Hall parking since students occupying a room are not related and that there is the potential for each student to have a car. Furthermore, it is not uncommon for students residing in dormitory facilities to have visitors, such as family or friends. As such, Staff applied the Development Code requirement for multi-family visitor parking which is 25% of the required spaces (64 guest parking spaces). As such, Staff supports the parking requirement identified in the</p>

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				project EIR. As previous noted, the College has agreed to limit the number of students living in the proposed Residence Halls that are allowed to have cars as a means of reducing the overall parking demand. The Commission may wish to include this as a condition of approval tied to the Parking Management Strategy Program only if the Residence Halls are approved.
21. Paul Tetreault	Public Utilities - Water	Will the proposed project adversely impact water pressure and water supplies?	RBF	<p>Water pressure and water supply issues were addressed in the Utilities and Public Services Section of the project EIR (Section 5.8).</p> <p>The demand for water attributed to the Project site would increase with implementation of the proposed Project. Peak water usage for the campus following Project implementation is projected to be approximately 68,690 gallons per day (gpd), representing a net increase of 38,546 gpd over existing water demand. The net increase is a result of all Project components and LACFD fire flow requirements. The proposed improvements could result in the need for additional domestic metered service or increase in size of the existing four-inch metered service. The Applicant would be required to make all improvements necessary to obtain sufficient water service to the Project site.</p> <p>California Water Service Company (CWSC), which would continue to provide water service to the Project site, has advised that they are capable of providing continued water service. CWSC advises that there could also be a need for additional fire service, or an increase in the existing eight-inch fire service to the college. As previously stated, the Applicant would be required to make all improvements necessary to extend water service to the Project site, including any service upgrades. Project implementation would result in a less than significant impact on water resources.</p>
22. Paul Tetreault	Geology and	What is the status of the hydrology and geology studies? If not complete, when will they be	City	See Response No. 32 (CCC/ME-Lois Karp)

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	Hydrology	completed and incorporated into the EIR?		<p>The Draft EIR analyzed hydrology and geology based on the project plans originally submitted to the City. According to the project EIR, mitigation measures are required to address potential impacts, such as water run-off. In regards to hydrology, the EIR requires that the College prepare a final Drainage Plan for review and approval by the City prior to the issuance of grading permits. As part of the final Drainage Plan mitigation measures are identified to address water run-off and water quality issues.</p> <p>However, after the comment period on the Draft EIR concluded, the College submitted revisions to the project plans to address some of the concerns raised. In summary, Staff finds that the project revisions do not result in new impacts or intensify existing impacts identified in the EIR. The Final EIR that was released includes Appendix A that analyzes the project revisions proposed by the College in relation to the analysis conducted in the Draft EIR. As noted in the Final EIR (page 1 of Appendix A), Appendix A is a draft document that will be subject to revisions based on direction from the Planning Commission regarding project revision and conditions, and prior to certification of the Final EIR. In other words, Appendix A is intended to address any project revisions resulting from Commission direction and/or the College and will be presented to the Commission at the time of certification.</p> <p>In regards to the Geology and Hydrology Sections of the Final EIR, Appendix A will be completed and presented to the Commission prior to certifying the EIR. It should be pointed out that Staff does not believe that the revised project, in regards to the Hydrology and Geology sections of the EIR, will introduce new impacts that have not already been analyzed and addressed with the mitigation measures identified in the Draft EIR. In regards to the grasscrete proposed as a project revision to the eastern parking lot, as stated in Appendix A, because of potential impacts to the South Shore Landslide, the use of grasscrete is prohibited unless the College can</p>

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				demonstrate to the City's satisfaction that there will be no impact to the South Shore Landslide.
23. Paul Tetreault	Modular Buildings	In light of how the Planning Commission dealt with the recent request by Green Hills to convert a temporary modular building to a permanent building, how does the City treat the use of modular buildings to be used for longer than a year? Many schools use modular buildings as permanent classrooms. Is this proposal something that is not treated in the EIR and if not, does it need to be addressed?	City	<p>As part of the proposal to phase construction over a period of 8-years, the College is requesting the placement and use of temporary modular building during construction. Staff believes that the College's request is reasonable in that temporary facilities will be needed to allow the College to continue operating during construction. However, Staff does not support the permanent use of modular buildings because the project EIR does not analyze the potential impacts associated with the permanent use of modular buildings including the increased total square footage that would result with such a conversion. As such, Staff recommends that the Commission impose conditions establishing specific time periods within which the modular buildings must be removed and that certain certificates of occupancy cannot be issued until the respective modular buildings are entirely removed from the project site. In the event the College finds a need to retain the modular buildings beyond the time allowed, the College would need to amend the conditions of approval at a duly noticed public hearing before the Planning Commission.</p> <p>It should be pointed out that unlike Marymount College, the public schools are under the jurisdiction of the State and the City has limited powers to regulate the placement and use of modular classrooms on school district sites.</p>
24. Marymount College	Land Use - Code Consistency	The DEIR had suggested that the College's request for a variance to locate limited portions of the Athletic Facility and Residence Halls in areas with artificially created extreme slopes in and of itself created a "significant and unavoidable impact." (5-1-23 and 24.) The FEIR has properly revised this analysis to conclude that "the [Code] inconsistency could be resolved, if a Variance is approved." (12-13; 12-	RBF	<p><u>DEIR Page 5.1-18 and FEIR Page 12-12</u> The Project proposes development/construction of a structure (i.e., two Residence Halls) on an extreme slope (grade of 35 percent or greater). Therefore, Project implementation would require a Variance pursuant to the provisions of Code Section 17.48.060. Compliance with this Code provision would be contingent upon approval of a Variance by the City. The DEIR does not suggest that the Variance "in and of itself created a significant and unavoidable impact." Rather, construction of the</p>

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		<p>868/121.11.) It is not clear if the finding of a potential Code inconsistency in Section 5.1.6 has been revised on page 5.1-24 of the FEIR to be consistent with the response on page 12-13.</p>		<p>proposed Residence Halls on the south-facing extreme slope is considered a significant and unavoidable impact <u>in conjunction with the Project's significant and unavoidable impact to the visual character of the south-facing slope</u>; refer to DEIR Section 5.2 (emphasis added).</p> <p>FEIR Page 12-868 states the following:</p> <p style="padding-left: 40px;">DEIR Policy 11 on Page 5.1-26 is revised in the Final EIR as follows:</p> <div style="border: 1px solid black; padding: 5px;"> <p><b><u>InConsistent:</u></b> Project implementation is subject to review and approval of a Major Grading Permit by the City, which would control the alteration of the natural terrain <u>and minimize grading.</u> <u>The proposed Athletic Facility and Residence Halls 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; refer to Page 5.2-20. Further, construction of residential development is permitted on extreme slopes pursuant to Ordinance No. 463, which amended Code Section 17.48.00. However, the Project proposes construction of the Residence Halls on both man-made fill and natural terrain that exists on the south-facing slope, which is considered a significant and unavoidable impact. Therefore, Project implementation would alter the natural terrain, thereby, conflicting be in compliance with</u> Policy 11 of the Urban Environment Element.</p> </div> <p>The statement: "Further, construction of residential development is permitted on extreme slopes pursuant to Ordinance No. 463, which amended Code Section 17.48.00" is incorrect and will be omitted in the adopted FEIR.</p> <p>Staff has consistently interpreted the provisions of Code Section 17.48.060 (before and after amendment) to prohibit expansion of development or construction of structures on extreme slopes contained within developed properties. The</p>

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				<p>only means to allow construction on an extreme slope on an already developed property is to obtain approval of a Variance, and that is the process that has been followed in several cases.</p> <p>As indicated in the FEIR Errata (FEIR Page 12-1057), Section 5.1.6 was revised for consistency, as follows:</p> <div style="border: 1px solid black; padding: 5px;"> <p><b>5.1.6 SIGNIFICANT UNAVOIDABLE IMPACTS</b></p> <p>Based upon the analysis presented above, upon the issuance of all required permits and variances, and accompanying mitigation measures, Project implementation would result in significant and unavoidable impacts regarding the following:</p> <ul style="list-style-type: none"> <li>▪ <del>Conflicts with the Rancho Palos Verdes General Plan, Residential Activity Policy 11 of the Urban Environment Element.</del></li> <li>▪ <del>Conflicts with the City of Rancho Palos Verdes Zoning Code, Section 17.48.060, <i>Extreme Slope</i>, regarding construction of the proposed Residence Halls on the south-facing extreme slope.</del></li> </ul> </div>
25. Marymount College	Traffic and Circulation	The FEIR fails to adequately disclose that many of the forecast trips are non-project trips generated by local residents using the new and enhanced facilities.	RBF	<p><u>FEIR Page 12-22</u></p> <p>The ITE Junior/Community College land use category was used for Project components involving demolition and construction of campus facilities and buildings, based on thousand square feet (tsf). ITE describes the Junior/Community College land use as including two-year junior, community, or technical colleges. The ITE trip rate for the Junior/Community College category is assumed to account for trips associated with students, faculty, and support staff. “Zero new trips” was not considered plausible due to the expansion and intensification of existing uses. Although the FEIR did not expressly mention it, it is further assumed the <i>ITE</i> trip rate for the Junior/Community College category inherently accounts for trips associated with</p>

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				the public's use of the facilities. There is no evidence to support the claim that "many" of the forecast trips are non-project trips generated by local residents and the City disagrees with this assertion. Even if the trips were from local residents rather than students, staff and faculty, the fact remains that it is the College and its proposed project that would generate the trips. Thus, from Staff's perspective, all of the trips are "project trips," and it would be in appropriate to categorize some trips as "non-project" trips.
26. Marymount College	Traffic	The Final EIR fails to analyze how the College's voluntary offer to restrict the number of vehicles permitted for students living on campus to 125 maximum could minimize adverse traffic impacts.	RBF	The EIR analyzes the Project's traffic and parking impacts based upon the Project features described in DEIR <u>Section 3.0, Project Description</u> . The Applicant's offer to restrict the number of vehicles permitted for students living on campus to 125 maximum was made subsequent to preparation of the Traffic Impact Analysis. Notwithstanding, it is acknowledged, that implementation of this restriction could reduce the Residence Hall's parking demand and forecast trip generation by approximately 50 percent, which could lessen the Project's traffic and parking impacts. If the Commission is inclined to approve the Residence Halls, the Commission should direct Staff/RBF to conduct further studies to determine how adverse traffic impacts could be minimized with such a restriction.
27. Marymount College	Traffic	The Final EIR fails to analyze how the college's voluntary offer to restrict the number of vehicles permitted for students living on campus to 125 maximum could minimize adverse parking impacts.	RBF	In addition to the above Response No. 26, Mitigation Measure TR-6 provides flexibility for the College to identify and refine strategies to reduce parking demand to mitigate the forecast parking impact. The structure of TR-6 allows the voluntary offer to restrict the number of vehicles permitted for students living on campus to be utilized as a measure for reducing parking demand. The parking management strategies mitigation measure includes requirements for annual review and evaluation, and coordination with City staff.
28. Marymount College	Enrollment Cap	There is a lack of a nexus to impose a new enrollment cap on the weekend program.	RBF / CITY	The proposed weekend enrollment cap was based on maximum enrollment information provided by the College between 2004 and 2007. As noted in the December 9, 2008

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				<p>Staff Report, the College is requesting to increase the enrollment cap for the Weekend College from 83 students to 150 students. In order to consider this increase, Staff would need to assure that the change between 83 persons to 150 persons (a difference of 67 persons) does not adversely impact the analysis conducted for the project EIR, such as traffic and parking. If the Commission is inclined to consider this change, Staff requests direction from Commission in this regard, and the further analysis of the 150 person scenario would be undertaken to determine whether this would result in any significant effect on adjacent properties and included in Appendix A of the Final EIR. If additional studies are required by RBF, the cost should be borne by the College. It should be noted that the third party review, conducted by Fehr and Peers, suggests that increasing the weekend enrollment to 150 students is reasonable provided impacts are lessened.</p>
29. Marymount College	Noise	The proposed new mitigation NOI-8 (maintaining residence hall windows in closed position) is not supported by substantial evidence and is contrary to multiple city policies.	RBF / City	<p>Noise levels were analyzed in the project EIR for the Residence Halls with windows open and an amplified stereo (approximately 110 dBA) during daytime and nighttime hours. Based on the analysis, the EIR concluded that under this assumption the neighboring properties to the southeast of the residence halls (a distance of 190-feet from Residence Hall No. 2) would be adversely impacted with noise levels at approximately 66 dBA which exceeds the City's 65 dBA noise threshold. As a result, Mitigation Measure NOI-8, which requires the windows to be closed at all times with the exception of an emergency event, was included in the FEIR in order to further lessen potential noise impacts from an amplified stereo. Although the city may have various policies that could relate to open windows, the evidence in the record suggests that there is the potential for significant environmental impacts, and the mitigation identified is feasible.</p>

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30. Marymount College	Alternative	The Final EIR's reduction of overall housing opportunities under the affordable housing alternative is contrary to Marymount's request, the City's draft Housing Element and policies, and State law.	RBF	<p>FEIR Page 12-874 (Response 121.35) The reduction in dorm units was derived from the assumption the square footage of approximately two (2) dorm units is equivalent to the square footage of one (1) studio apartment and the square footage of approximately three (3) dorm units is equivalent to the square footage of one (1) two-bedroom apartment.</p> <p>It was assumed the ten student residential advisors would occupy units similar to other students and would not be living with their families. Because the number of student dorm rooms for this Alternative was mis-calculated in the DEIR, paragraph two of DEIR Page 7-26 and <u>Table 7-6, Residence Hall Occupancy of Affordable Housing Alternative</u>, on DEIR Page 7-26 were revised in the Final EIR, as follows:</p> <div style="border: 1px solid black; padding: 5px;"> <p>The Affordable Housing Alternative involves improvements to the Marymount College campus consistent with the 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 proposed Project (no additional square footage). <u>Table 7-6, Residence Hall Occupancy of Affordable Housing Alternative, summarizes the Residence Halls, as proposed by this Alternative.</u> Under this Alternative, the two proposed Residence Halls would include approximately <del>403</del> <u>95</u> dormitory units with occupancy for approximately <del>206</del> <u>190</u> persons and ten (10) affordable housing units (five studio units and five two-bedroom units) with occupancy for approximately <del>28</del> <u>24</u> persons (<del>based on an average of 2.769 persons per household</del>). The College would reserve</p> </div>

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				<p>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 <del>234</del> <u>214</u> persons, an <del>8.0</del> <u>approximately 16</u> 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 <del>15</del> <u>25</u> dorm units. <del>Table 7-6, Residence Hall Occupancy of Affordable Housing Alternative,</del> summarizes the Residence Halls, as proposed by this Alternative.</p>
31. CCC/ME – Lois Karp	Land Use	What is the explanation of the reference to Ordinance No. 463 in 12.4.1 Land Use and Relevant Planning Master Response?	City	<p>Ordinance 463 was adopted by the City Council on September 18, 2007 amending Section 17.48.060 of the RPVMC by clarifying the City’s long-time interpretation regarding residential construction on extreme slopes for vacant lots created prior to the City’s incorporation. It has been the practice of the City to allow the construction of a reasonably sized new residence over an extreme slope if the subject lot was vacant and created prior to the City’s incorporation. Ordinance No. 463, among other things, clarified this practice as stated below:</p> <p><i>Construction of new residences (including habitable and non-habitable space) on previously undeveloped, recorded and legally subdivided lots existing as of November 25, 1975 or if within Eastview, existing as of January 5, 1983, which are not currently zoned open space/hazard, if the director or planning commission finds that such construction, as conditioned, will not threaten the public health, safety and welfare, provided that such structures are consistent with the permitted and uses and development standards for the underlying zoning designations of the lots.</i></p>

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				In summary, the adoption of Ordinance No. 463 did not impact the subject property.
32. CCC/ME – Lois Karp	Hydrology and Geology	The Hydrology and Geology studies found in the EIR are incomplete and are still a work in progress.	City	<p>The Hydrology and Geology studies for the original project were completed as analyzed in the Draft EIR. However, after the comment period on the Draft EIR concluded, the College submitted revisions to the project plans to address some of the concerns raised. The Final EIR that was released includes Appendix A that analyzes the project revisions proposed by the College in relation to the analysis conducted in the Draft EIR. As noted in the Final EIR (page 1 of Appendix A), Appendix A is a draft document that will be subject to revisions based on direction from the Planning Commission regarding project revision and conditions, and prior to certification of the Final EIR. In other words, Appendix A is intended to address any project revisions resulting from Commission direction and/or the College and will be presented to the Commission at the time of certification. The Hydrology and Geology Sections of Appendix A will be completed based on the final project being considered by the Commission.</p> <p>It should be pointed that Staff does not believe that the revised project, in regards to the Hydrology and Geology sections of the EIR, will introduce new impacts that have not already been analyzed and addressed with the mitigation measures identified in the Draft EIR. In regards to the grasscrete proposed as a project revision to the eastern parking lot, as stated in Appendix A, because of potential impacts to the South Shore Landslide, the use of grasscrete is prohibited unless the College can demonstrate to the City's satisfaction that there will be no impact to the South Shore Landslide.</p>
33. CCC/ME – Lois Karp	Hydrology	The Revised Development Plan (Preliminary Grading and Drainage sheet 1 of 3) does not show the location of the secondary overflow for the detaining basin, it does not show a drainage plan for the grasscrete parking lot on the eastern boundary and the drainage show flows onto	City / RBF	Pursuant to CEQA, the Drainage Plan essentially addresses water run-off impacts to on-site and off-site properties and water quality. As previously mentioned (see Response Nos. 3 and 4), the Drainage Plan submitted by the College and analyzed in the EIR was conceptual and identified improvements needed to mitigate potential impacts. According

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		adjacent properties.		<p>to the Mitigation Measures HYD-1 and HYD-2, prior to issuance of any grading permits, the College is to revise the Drainage Plan for review and approval by the City that address the following:</p> <ul style="list-style-type: none"> <li>• Design the size of the detention base, based on hydrological calculations, that would detain water run-off flows based on a 2- through 100-year storm events.</li> <li>• Provide adequate secondary over-flow that would allow excess water run-off to free board over the berm and drain into the City's storm drain systems at a rate that does not exceed existing on-site water flow rates so that the associated storm drain nodes are not overly burdened.</li> <li>• The pipe outlets are to be sized so that no more than the existing condition flows out of the detention basin at any given time.</li> <li>• Prevent water run-off (concentrated or sheet-flow) from entering neighboring properties through the installation of storm drain pipes that divert run-off to the proposed detention basin.</li> <li>• Prohibit the use of grasscrete unless the College can demonstrate to the City's satisfaction that water run-off will not adversely impact the Southshore landslide or neighboring properties. It should be noted that the City's Geologist does not recommend the use of grasscrete in the eastern parking lot (see December 9, 2008 Staff Report and meeting minutes).</li> </ul>
34. CCC/ME – Lois Karp	Traffic	Forty-plus mitigations are no assurance that compliance will occur. Marymount has a history of noncompliance.	City	<p>The adopted Mitigation Measures, similar to Conditions of Approval, are required to be adhered to by the College in order to operate. A violation of either the Mitigation Measures and/or the Conditions of Approval is grounds for suspension or revocation of the Conditional Use Permit.</p> <p>The College will be required to accept the Conditions of Approval and Mitigation Measures as part of the project approval. In order to ensure that the operation of the College is in compliance with the Conditions of Approval and the</p>

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				<p>Mitigation Measures, the Commission may condition the project by requiring annual reports at a duly noticed public hearing. This would provide the Commission and the public an opportunity to review the operation of the College and provide feedback to the College so as to ensure impacts are being minimized.</p> <p>Additionally, the Commission may require the formation of a neighborhood advisory committee. The Committee may be comprised of representatives from the College, the surrounding neighborhood, and City Staff to address operational impacts to neighboring properties.</p>
35. CCC/ME – Lois Karp	Traffic	The 1990-CUP required ridesharing, which was never complied with and RPV never enforced it. Ridesharing was in the CUP because there was a shortage of parking! Parking and traffic in the EIR has many unresolved issues and RBF did not have a traffic consultant at the previous meeting to hear comment or answer questions.	City	<p>Condition No. 13 of Resolution 90-20 adopted by the City Council on April 17 1990 required the following:</p> <p style="text-align: center;"><i>Within six months, the College shall submit a plan to the city equivalent to trip reduction and management provisions of Rule 15 of Southern California Air Quality Management District regulations.</i></p> <p>It is Staff's understanding that the requirement to provide a ride-sharing plan to the City originated with the South Coast Air Quality Management District's Rule 1501, Work Trip Reduction Plans (from regulation XV, Trip Reduction/Indirect Source). Regulation XV was repealed by the SCAQMD on December 8, 1995. Although the College was required to demonstrate compliance with the SCAQMD Trip Reduction pursuant to the above Condition No. 13, the fact that the rule was repealed and no longer in effect renders the Condition inapplicable at this time.</p> <p>The City's Traffic Consultant team is anticipated to be at the upcoming Planning Commission meeting in March to respond to Commission questions.</p>
36. CCC/ME – Lois Karp	Traffic		City	On January 5, 2009, the Traffic Safety Commission (TSC) held a public meeting to review the project related Traffic and

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		The Traffic Safety Commission must send a report to the Planning Commission.		<p>Circulation (including parking) and formulated a recommendation of approval to the Planning Commission. The TSC recommendation will be officially presented to the Planning Commission at its continued meeting in March. At this meeting, the Planning Commission will be given a presentation on the Traffic Safety Commission’s recommendation, as well as on the Traffic and Circulation Section of the project EIR. Staff will ask that representatives from RBF and Fehr and Peers to attend the meeting to explain and answer questions pertaining to traffic. Staff will also invite the Chairman from the Traffic Safety Commission to attend the Planning Commission meeting.</p> <p>It should be noted that the Traffic Safety Commission is serving as an advisory board to the Planning Commission on this project as it relates to traffic and circulation, including parking.</p>
37. CCC/ME – Lois Karp	Parking	The EIR states that “baseline condition” is a reason for not counting the number of possible seats in the athletic facility. Marymount does not have an athletic facility now and this new building should be subject to “Assembly” parking requirements (per the California Building Code 2008) and RPV parking codes. This building alone can accommodate over 1100 people. The basketball court requires an additional 183 parking spaces based on the proposed bleacher seats.	RBF	<p><u>FEIR Page 12-13 and Page 12-78 (Response to Comment No. 3.7.10f)</u></p> <p>The comment erroneously alleges the EIR states that “baseline condition is a reason for not counting the number of possible seats in the athletic facility.” Neither the DEIR nor FEIR state the Athletic Facility is part of the baseline condition.</p> <p>The proposed Project is subject to compliance with Code Chapter 17.50, <i>Nonresidential Parking and Loading Standards</i>, which requires that parking be provided in accordance with the list of uses under the Code section. Specifically, Code Table 50-A, <i>Parking Space Requirements</i>, states the parking requirement for colleges and universities is as follows:</p> <ul style="list-style-type: none"> <li>• 1 space for every 2 full-time regularly enrolled students <u>plus</u></li> <li>• 1 space for every 5 student seats <u>plus</u></li> <li>• 1 space for every 2 employees/faculty.</li> </ul> <p>In addition, the joint use of parking facilities to meet the standards for certain uses may be permitted pursuant to Code</p>

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				<p>Section 17.50.030, <i>Joint Use and Common Parking Facilities</i>.</p> <p>The Project's forecast parking demand presented in DEIR Section 5.3 considers the parking demand associated with the proposed Project components described in DEIR Section 3.0, including the proposed Athletic Facility and Residence Halls. Adequacy of parking based on City Parking Code for the proposed Project was discussed in the DEIR. Since the College facility is in operation, and parking conditions can be observed, a parking ratio related to the number of enrolled students was developed to more accurately portray future parking conditions. The additional seating associated with the Athletic Facility (bleachers), auditorium, chapel, etc. were not considered student seating for parking calculation purposes, as permitted by Code Section 17.50.030 because these facilities are intended to be used primarily by enrolled students that have been accounted for in the parking analysis. Furthermore, if the ancillary facilities are used by non-students the parking demand has been inherently accounted for because such activities would occur during non-peak school hours. It is because of the shared uses, that the Development Code allows for a shared use parking program. As a result, there is no documented need to require additional parking per Code Sections 17.26 to 17.50.</p> <p>Notwithstanding, in order to ensure that special events, athletic games, and other scheduled programs do not conflict with the parking demands for regular classes, the Commission may wish to establish an operational condition that limits the hours that such activities may occurs (i.e. after 4pm).</p>
38. CCC/ME – Lois Karp	Parking	The increased intensity of use of the entire site was never studied by RBF. This plan is changing the land use as well by changing an 8-5 school into a 24/7 facility. The ramifications of 8-5 hours or 24/7 hours was not studied.	RBF / City	<p>The proposed project analyzed in the EIR includes Residence Halls which introduces a 24/7 operation. Inherent in the studies conducted for the EIR is the 24/7 operation of the College. This can be seen throughout the EIR and specifically in the following sections of the EIR:</p> <ul style="list-style-type: none"> <li>• Land Use</li> </ul>

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Comment Maker	Topic	Comment	Response By	Response
				<ul style="list-style-type: none"> <li>• Light and Glare</li> <li>• Traffic and Circulation</li> <li>• Noise</li> <li>• Air Quality</li> <li>• Public Utilities and Services</li> </ul>
39. CCC/ME – Lois Karp	Parking	<p>The number of parking spaces being presented is inadequate and does not comply with City Code. With the addition of meeting, study and computer rooms in the library, aerobics, weight rooms and an enlarged swimming pool in the athletic facility, students will have reasons to stay on campus for extended periods of time. All of these additional activities and overlapping uses were outlined in the Project Description in 3.3. The new more intensive use of the campus was very apparent but the FEIR made no adjustments for the additional rooms and seats that were added. Students spending more time on campus to use all these proposed amenities creates a greater demand for parking. How does the parking study address the increased use of the College?</p>	RBF / City	<p>The parking study conducted in the EIR was divided into the following two studies:</p> <p>1. Development Code – The Development Code requires the following parking standards for Colleges/Universities:</p> <ul style="list-style-type: none"> <li>• 1 space for every 2 full-time regularly enrolled students <u>plus</u></li> <li>• 1 space for every 5 student seats <u>plus</u></li> <li>• 1 space for every 2 employees/faculty.</li> </ul> <p>It is not uncommon for College and Universities to have on-campus uses that are ancillary to classrooms, such as a student union, a cafeteria, a library, a theater, a lecture hall, and athletic facilities. The above parking Code requirement is designed to account for these ancillary uses that are typically occupied by attending students, faculty and staff. Based on the strict interpretation of the above requirement, the EIR concluded that 847 parking spaces would be required (not double counting students occupying the residence hall parking). The College is providing 463 parking spaces and would therefore be deficient by 384 parking spaces as compared to strict Code calculations.</p> <p>However, because the strict application of the Development Code for parking does not necessarily account for actual parking demands typically seen with joint uses, the EIR also analyzed parking based on demand as described below:</p> <p>2. Parking Demand was based on the following:</p>

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				<ul style="list-style-type: none"> <li>• 255 occupants living in the Residence Halls (including supervisors)</li> <li>• 64 guest parking for Residence Halls</li> <li>• 543 students not living on-campus (57% demand)</li> <li>• 131 New students seats</li> <li>• 12 New Faculty and Staff</li> </ul> <p>According to Table 5.3-53 of the EIR, the parking demand was calculated to be 661 spaces. The College is providing 463 parking spaces resulting in a deficiency of 198 parking spaces.</p> <p>In order to address the deficiency, as a mitigation measure, the EIR required the College to prepare a Parking Management Strategy Program to reduce the demand. This is described in greater detail in Response No. 17 (Paul Tetreault). With the implementation of the mitigation measures, the parking demand results in a surplus of 3 spaces.</p> <p>As noted in Response No. 38, in order to ensure that special events, athletic games, and other scheduled programs do not conflict with the parking demands for regular classes, the Commission may wish to establish an operational condition that limits the hours that such activities may occurs (i.e. after 4pm). The Commission may also wish to limit the use of the proposed facilities by non-enrolled students, faculty and Staff as a means to minimize potential parking conflicts.</p>
40. CCC/ME – Lois Karp	Parking	The DEIR and the FEIR do not agree on the amount of parking spaces needed for the on-campus housing. Why were the parking space requirements decreased from 255 to 127 in the FEIR when there were no changes to this part of the project?	RBF	<p>Based on the project plans the EIR parking analysis was prepared with the assumption that there are 255 persons occupying 128 rooms (single and double occupancy).</p> <p>The FEIR states on page 12-25:</p> <p><i>As indicated in the DEIR Table 5.3-47, the parking demand for the Residence Halls was estimated based on one parking space per bedroom unit (accounting for dual occupancy of 127</i></p>

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				<p><i>bedrooms and single occupancy of one bedroom unit).</i></p> <p>The parking spaces requirement was not changed between the DEIR and the FEIR.</p>
41. CCC/ME – Lois Karp	Parking	The new parking lot configuration completely ignores the current CUP. Since 1975 and carried forward in the 1990 CUP covenants restricting parking against the walls on San Ramon and the use of that driveway for faculty and staff only have been an important safeguard. These restrictions are long standing protections for the residents of San Ramon Drive.	City	<p>Condition Nos. 2 and 10 of Conditional Use Permit No. 9 adopted by the City Council in 1975 required:</p> <p><i>2. The service road adjacent to San Ramon properties shall be closed at Palos Verdes Drive East, and that a sign “faculty only” be placed at the western entrance at the approach to service road from the front parking lot.</i></p> <p><i>10. Use of the parking circle on the east side of the campus shall be restricted to faculty and staff.</i></p> <p>As stated in the December 9<sup>th</sup> Planning Commission Staff Report, the College is reconfiguring the parking lot and as part of the review of the Conditional Use Permit, the Commission is charged with considering whether these existing conditions should be modified or deleted.</p>
42. CCC/ME – Lois Karp	Parking	Marymount is also asking for a variance on the parking lot setback along PVDE. Why should they be allowed to put all those cars right up to the city sidewalk when residents in this area are required to have the proper setbacks and Marymount should not be the exception.	City	<p>Pursuant to the Section 17.50.040.C.2 of the Development Code, <i>no parking space, either required or otherwise, shall be located in any required front or street-side setback area (25-feet), unless the base zoning district regulations provide otherwise.</i></p> <p>The existing parking lot is currently located approximately 2-feet from the front property line and is considered legal non-conforming. As part of the proposed improvements, the northern parking lot is being reconfigured to provide improved vehicular ingress and egress and to provide additional parking spaces. The northern parking lot is proposed to be setback 10-feet from the front property line, which increases the setback between the parking lot and the front property line. This area will be used as a landscape planter to soften the visual appearance of the parking lot as seen from PVDE and</p>

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				<p>properties to the north. Because the proposed 10-foot setback is less than the required 25-foot setback, the College is requesting a Variance for relief from this requirement.</p> <p>As stated in the January 27<sup>th</sup> Staff Report, Staff believes that the findings for the requested Variance to allow a reduction in the parking setback requirement can be made provided that the 10-foot setback area is landscaped and a 42-inch wrought iron fence with 42-inch stone pilasters is constructed along the front and street-side property line adjacent to the parking lot up to the tennis courts. The purpose of the fence and landscaping is to aesthetically enhance the screening of the parking lot and to discourage individuals from parking on the street and accessing the campus. If the Commission feels that additionally buffering is necessary to support the reduction in the setback requirement, the Commission may wish to require the landscape area to be bermed in addition to the landscaping and fencing. Alternately, the Commission may conclude that it cannot make the findings necessary to grant the requested variance</p> <p>The proposed project is located in an Institutional zone rather than a residential zone, and the Variance findings need to be made for an institutional use. It should be noted that the neighboring residences are required to maintain a structure setback of 20-feet from the front property line and that uncovered parking (driveways) for residential zoned properties are typically located within the 20-foot front yard setback. The College's proposed structures are setback more than the required 25-feet from the front and street-side setbacks.</p>
43. CCC/ME – Lois Karp	Parking	The EIR has completely ignored the youthful driver risks and hazards associated with this project. The Master Answer on page 12-26 stating that Marymount students causing accidents is sheer speculation is not correct and not factually supported. Why have the residents	City / RBF	As noted in Response No. 14 (Paul Tetreault), according to the California Highway Patrol (CHP) between 1996 and 2007, there were 97 vehicular related collisions occurring on Palos Verdes Drive East between Miraleste Drive and Palos Verdes Drive South. This number represents incidents involving one to several vehicles. Based on this information, there were 43

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		submitted letters, spoken at hearings, sent copies of CHP statistics if none of this was taken into consideration by RBF? Photos of accidents and testimonial letters were included in the comments. They are not speculation! We have a real life-safety problem!		<p>youth drivers (ages 16-21) involved in accidents within the reporting area. However, the information provided by the CHP does not identify whether the youth drivers involved in the 43 incidents are Marymount students. The available accident data provided by the public as attachments does not specify, and there is no evidence to suggest, that the young drivers responsible for accidents in the respective reporting area of Rancho Palos Verdes are solely Marymount College students. Nonetheless, the independent information gathered by the public and reported to the City in the past does suggest that some of the accidents in the immediate area of the College involved Marymount College students. This has been duly noted by the City in assessing quality of life impacts the project may have on the immediate neighborhoods. As previously mentioned by certain members of the Traffic Safety Commission, the State of California sets State-wide rules that allow individuals to begin driving at age 16 after acquiring a drivers license. The students attending Marymount College are typically in the age range of 17-22.</p> <p>As the Commission may recall, the College President, Dr. Brophy, has indicated a willingness to require its incoming students to take a driver training course regarding local roadway conditions as a means of reducing the potential problems with Marymount student drivers. The Commission may wish to include this as a project condition tied to the suggested Code of Conduct.</p>
44. CCC/ME – Lois Karp	Aesthetics	When do we get to discuss the bulk and mass of this project in regards to the surrounding homes?	City	The December 9, 2008 Staff Report addressed building heights and bulk and mass for the proposed project as part of the Conditional Use Permit analysis. As stated in the Staff Report, Staff believes that the proposed Residence Halls and the Athletic Building appear to be massive and bulky when viewed from down-slope properties to the south. Staff suggests revisions to the Athletic Building to address the mass and bulk concern (as well as a view impairment concern from the north) such as reducing the overall height by 10-feet and setting the

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				building footprint 10-feet from the top-of-slope (906'). Staff does not support the mass and bulk of the proposed Residence Halls for the reasons stated in the December 9, 2008 Staff Report.
45. CCC/ME – Lois Karp	Noise	How will students signing a “Code of Conduct” suppress the noise of 255 students living in a dormitory. The college says they will enforce the Code. What recourse will residents have? How could the original noise studies be conducted with closed windows in the DEIR when the Fire Code requires the windows to be operable?	RBF / City	<p>Mitigation Measure NOI-5 requires the implementation of a Code of Conduct that establishes provisions to minimize noise impacts such as campus quiet hours from 10 p.m. to 7 a.m. As stated in response No. 34, the adopted Mitigation Measures, similar to Conditions of Approval, are required to be adhered to by the College in order to operate. A violation of either the Mitigation Measures and/or the Conditions of Approval is grounds for suspension or revocation of the Conditional Use Permit.</p> <p>The College will be required to accept the Conditions of Approval and Mitigation Measures as part of the project approval. In order to ensure that the operation of the College is in compliance with the Conditions of Approval and the Mitigation Measures, the Commission may condition the project requiring annual reports at a duly noticed public hearing. Additionally, the Commission may require the formation of a neighborhood advisory committee. The Committee may be comprised of representatives from the College, the surrounding neighborhood, and City Staff.</p> <p>In regards to the Residence Halls, a Noise Study was conducted during daytime hours assuming open windows at the proposed residence halls with the use of an amplified stereo at an approximate 110 dBA. In order to address potential noise impacts, Mitigation Measure NOI-8 requires Residence Hall windows to remain closed (however, operable for emergency purposes) providing a minimum 20-dBA-noise reduction.</p>
46. CCC/ME – Lois Karp	Public Utilities and Services	12.4.8 Public Services and Utilities Master Response also misses the mark. It states that additional calls for service will not cause the need to construct a new police station.	RBF / City	The Initial Study Environmental Checklist form of Appendix G of the CEQA Guidelines includes questions relating to public services and utilities. In regards to police protection, CEQA focuses only on “substantial adverse physical impacts

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		A new station was never in question. The issue is about an increase in services provided by the Los Angeles County Sheriff's Department, which will be required. This is a burden on the RPV budget and Marymount College does not pay any taxes. The cost of additional deputies would have to be borne by the residents of RPV.		<p><u>associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities</u> (emphasis added), the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives.”</p> <p>Nonetheless, 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. Additionally, the LACSD confirmed that adequate police protection and traffic service is available for the proposed Project and the Project would not have a negative impact on operation of the LACSD or to police service provided to the City.</p>								
47. CCC/ME – Lois Karp	Public Utilities and Services	The statistics used for crime and criminal related offenses omitted current off-campus information. We submitted annual statistics from the same Office of Post Secondary Education reporting burglary 15; drugs 89; and alcohol 347 incidents at Marymount's PV North campus.	RBF	<p>Section 5.8 of the Final EIR (Page 12-46 and 47) inadvertently left data counts out of the final text and will be revised prior to certification of the EIR, as follows:</p> <p>The Office of Postsecondary Education of the U.S. Department of Education (Campus Security Data Analysis Cutting Tool Website) provides crime data for campuses based on crime statistics submitted annually by all postsecondary institutions that receive Title IV funding (i.e., those that participate in federal student aid programs). During the most recent reporting periods (i.e., between 2004 and 2006), the following criminal offenses, hate crimes, and arrests were reported for the Marymount College campus (including the PVDN Living Facilities):</p> <p style="text-align: center;"><b>Marymount College Crime Data Reported to OPE</b></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: left;"><i>Description</i></th> <th style="text-align: center;">2004</th> <th style="text-align: center;">2005</th> <th style="text-align: center;">2006</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	<i>Description</i>	2004	2005	2006				
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				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Criminal Offenses<sup>1</sup> – On Campus<sup>2</sup></td> <td style="width: 10%; text-align: center;">0</td> <td style="width: 10%; text-align: center;">0</td> <td style="width: 10%; text-align: center;">2</td> </tr> <tr> <td>Criminal Offenses – Noncampus<sup>3</sup></td> <td style="text-align: center;">5</td> <td style="text-align: center;">4</td> <td style="text-align: center;">6</td> </tr> <tr> <td>Criminal Offenses – Public Property<sup>4</sup></td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Hate Offenses<sup>5</sup> – On Campus</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Hate Offenses – Noncampus</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Hate Offenses – Public Property</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Arrests<sup>6</sup> – On Campus</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Arrests – Noncampus</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Arrests – Public Property</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Disciplinary Actions/Judicial Referrals<sup>7</sup> – On Campus</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Disciplinary Actions/Judicial Referrals – Noncampus</td> <td style="text-align: center;">96</td> <td style="text-align: center;">176</td> <td style="text-align: center;">154</td> </tr> <tr> <td>Disciplinary Actions/Judicial Referrals – Public Property</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> </table> <p>Notes:</p> <ol style="list-style-type: none"> <li>1. Criminal Offenses: Murder/Non-negligent manslaughter; Negligent manslaughter; Sex offenses (Forcible and Non-forcible); Robbery; Aggravated Assault; Burglary; Motor vehicle theft; and Arson.</li> <li>2. On Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail</li> </ol>	Criminal Offenses <sup>1</sup> – On Campus <sup>2</sup>	0	0	2	Criminal Offenses – Noncampus <sup>3</sup>	5	4	6	Criminal Offenses – Public Property <sup>4</sup>	0	0	0	Hate Offenses <sup>5</sup> – On Campus	0	0	0	Hate Offenses – Noncampus	0	0	0	Hate Offenses – Public Property	0	0	0	Arrests <sup>6</sup> – On Campus	0	0	0	Arrests – Noncampus	0	0	0	Arrests – Public Property	0	0	0	Disciplinary Actions/Judicial Referrals <sup>7</sup> – On Campus	0	0	0	Disciplinary Actions/Judicial Referrals – Noncampus	96	176	154	Disciplinary Actions/Judicial Referrals – Public Property	0	0	0
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				<p>vendor).</p> <ol style="list-style-type: none"> <li>3. Noncampus: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.</li> <li>4. Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.</li> <li>5. Hate Offenses: Murder/Non-negligent manslaughter; Negligent manslaughter; Sex offenses (Forcible and Non-forcible); Robbery; Aggravated Assault; Burglary; Motor vehicle theft; Arson; and Any other crime involving bodily injury.</li> <li>6. Arrests: Illegal weapons possession; Drug law violations; and Liquor law violations.</li> <li>7. Disciplinary Actions/Judicial Referrals: Illegal weapons possession; Drug law violations; and Liquor law violations.</li> </ol>
48. CCC/ME – Lois Karp	Appendix A	According to the Revised Site Plan, the introduction of modular buildings on-site and within view of everyone using Palos Verdes Drive East, for as long as 6 years is a significant change. These are not temporary buildings. Why are there no visual simulations? The construction road on that same slope is another significant change not only visually but also environmentally. These impacts must be studied and reported in FEIR in order for it to be complete.	City	<p>The proposed modular buildings will be prefabricated one-story buildings on a raised foundation with a flat roof for a total height of 15-feet. The modular buildings will only be used during construction activities to provide space for the uses displaced during construction and proposed to be continued under the proposal (not including the preschool) and are therefore considered temporary. Staff recommends conditions that limits the duration of use of the modular buildings.</p> <p>It should be noted that the modular buildings may remain on-site for a period of up to 6 years per the College’s request and in accordance with the proposed phased construction. Staff does not believe that the use of the modular buildings will result</p>

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				<p>in a significant environmental impact as examined in Appendix A of the FEIR. However, since the modular buildings will be on-site for up to 6-years, Staff recommends that the Commission impose conditions that minimize the visual appearance of the modular buildings such as requiring the exterior façade be finished in an earth tone stucco and landscaping be planted around the structures visible to the public right-of-way and neighboring properties as deemed acceptable by the Director of Planning, Building and Code Enforcement. Furthermore, Staff also recommends that the Commission require the modular buildings be removed by a date certain in 6-years unless an amendment to the Conditional Use Permit is approved by the Planning Commission at a duly noticed public hearing. Staff does not believe additional visual simulations are necessary because the visual impacts associated with the modular buildings can be adequately addressed with mitigation measures.</p> <p>In regards to the construction road identified in the construction phasing plans, this road is the proposed pedestrian walkway that will be constructed as part of the project grading. During construction, the walkway will be used by workers as part of the on-site circulation.</p> <p>The Commission, in its consideration of the College's request to phase construction over a total period of 8-years, may wish to limit the time of the construction phasing and the use of the modular buildings to address potential impacts to neighboring properties.</p>

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49. CCC/ME – Lois Karp	Alternatives	The reasonable conclusion is that the Living Campus/Academic Campus is the environmentally superior alternative. We agree with the FEIR that it reduces impacts, and meets the basic objects of the project. Additionally, it would locate the entire student housing in one location, providing Marymount with the unified housing they have requested.	City	See Response No. 13 (Commissioner Lewis)
50. CCC/ME – Lois Karp	Alternatives	Before Marymount took title to the PV North property an environmental study was completed and no further environmental mitigation was necessary at that site. Marymount stated at the last hearing that they were in compliance with the Department of Educations requirements on their PV North property. But we were talking about promises made and promises not kept. They told the Federal Government in their application that they needed the property because they could not house students on the Crest Road Campus and would make \$3 million of improvements in three years. They have not done it.		The improvements contemplated at the Palos Verdes Drive North Facility are in the City of Los Angeles and are not under the City of Rancho Palos Verdes' jurisdiction. Commitments between the College and the Federal Government are not subject to review by the City of Rancho Palos Verdes. Nonetheless, the information regarding the PVDN Facility is on file with the City for reference purposes.
51. CCC/ME - James Gordon	Air Quality	As part of the 1990 approvals, the College was required to provide 45 parking spaces out of the total 343 spaces for ride-sharing. According to Condition No. 13 of Resolution No. 90-20, "within 6 months, a plan to the City equivalent to trip reduction and management provisions of Rule 15 of Southern California Air Quality Management District provisions" was to be submitted to the City. One of the reasons for this condition was to address the parking deficiency. The lack of compliance by the College establishes precedence on how future mitigation measures and conditions will be treated.	City	See Response Nos. 34 and 35 (CCC/ME – Lois Karp)

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52. CCC/ME – James Gordon	Parking	<p>According to the EIR, the project proposes to have a total of 709 student seats representing a net increase of 131 seats from the current 578 seats. The parking analysis for the EIR does not account for the following additional seats:</p> <ul style="list-style-type: none"> <li>• Faculty Office Building Classroom 49</li> <li>• Library Computer room 100 spaces</li> <li>• Library seminar room 26 spaces</li> <li>• Library group study room total 60 spaces</li> <li>• Athletic Facility Classroom 40 spaces</li> </ul> <p>The total of unaccounted parking spaces equals 276 spaces.</p> <p>The project proposed vast improvements to its facilities which in turn will result in students staying on campus longer and less of a turn-over impacting parking which is not addressed in the EIR.</p>	RBF	<p>As identified in the project EIR, the proposed improvements will result in a net increase of 131 seats for a total of 709 student seats. The 131 student seats are derived from a total of 205 new seats (including the lecture hall) less 74 existing student seats being demolished.</p> <p>It is unclear how the commentator derived at the number of student seats for each of the listed classrooms. However, it is Staff's understanding from the College that the 205 new student seats account for new constructed classrooms in the Faculty Building, the Athletic Building, Fine Arts Studio, and the library lecture hall. It is also Staff's interpretation of the Code's parking requirement that the computer lab, the seminar room, and the group study rooms are not considered classrooms with student seats but rather ancillary uses for use by the students.</p> <p>See Response No. 39 (CCC/ME – Lois Karp)</p>
53. CCC/ME – James Gordon	On-Campus Housing	<p>Marymount College is not a community college but rather a private two-year liberal arts college. The EIR cites 9 commuter colleges that provide on-campus housing. The colleges cited that offer on-campus housing are public institutions unlike Marymount College and are not comparable.</p>	RBF	<p>The City has concluded, because these are educational institutions and there are certain similarities in on-site uses and activities, the colleges cited are comparable for the purposes of the EIR analysis, and they need not be exactly identical to prove analytical relevance.</p>
54. CCC/ME – James Gordon	Land Use / Parking	<p>The project EIR omits any reference to the parking restriction along the San Ramon property line adopted by the City Council in 1975 and 1990 and is still in effect.</p>	City	<p>See Response No. 41 (CCC/ME – Lois Karp)</p>
55. CCC/ME – James Gordon	Hydrology	<p>The proposed construction phasing as it pertains to the installation of the required drainage facilities does not establish an enforceable milestone for completion. Mitigation Measures HYD-1, HYD-2, HYD-3, HYD-4 and GEO-2</p>	City	<p>According to City practice, erosion control and drainage measures are completed during project grading, which is typically the first step in a development project. As such, Mitigation Measure HYD-3 requires the hydrological and drainage improvements to be completed during grading</p>

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		should require that the drainage facilities be installed prior to allowing occupancy of the campus.		<p>proposed for Phase I and prior to issuance of any building permits.</p> <p>In order to ensure that the required drainage improvements are completed during grading, Staff recommends that the Commission require the installation and final inspection of the drainage improvements prior to finalizing the grading permit (rough or precise).</p>
56. CCC/ME – James Gordon	Split-Campus Alternative	For the public record, this Alternative does not in fact “create a split campus” as the College instituted the split campus concept in 1975 with housing located off-site.	City	The College currently operates a split-campus with residential facilities located at the Palos Verdes North Facility and at the Pacific View Living Facility. Both residential facilities are located outside the City of Rancho Palos Verdes in the City of Los Angeles.
57. CCC/ME – James Gordon	Split-Campus Alternative	The proposed Academic / Living Campus Alternative included in the EIR would not result in significant environmental impacts as the City of Los Angeles have already reviewed and found potential impacts to be negligible with the implementation of the proposed action (transfer of ownership from the Navy to Marymount College)	City	<p>At the time the former Navy property was transferred to the College, an Environmental Assessment was prepared for the transfer of the property only. The Environmental Assessment did not analyze a project with constructed improvements.</p> <p>If the College moves forward with improvements to the PVDN Facility, the City of Los Angeles would serve as the Lead Agency with the role of determining the level of environmental review pursuant to CEQA.</p>
58. CCC/ME – James Gordon	Traffic – Youth Drivers	Information was provided regarding serious impacts that housing of youthful drivers on campus would create. The Master Response 12.4.3 seems to fully discount any dangers imposed by increasing the College’s proposed introduction of these youthful new drivers on-site by stating that there is no supportive evidence, other than “speculation” that Marymount College students have caused or will otherwise in the future cause or contribute to any increase in reported accidents along PVDE. To contend that this data does not support a rational expectation of increased traffic accidents is statistical nonsense when the project proposes to increase youthful population.	RBF	As noted in Response No. 43 (Lois Karp), according to the California Highway Patrol (CHP) between 1996 and 2007, there were 97 vehicular related collisions occurring on Palos Verdes Drive East between Miraleste Drive and Palos Verdes Drive South. This number represents incidents involving one to several vehicles. Based on this information, there were 43 youth drivers (ages 16-21) involved in accidents within the reporting area. However, the information provided by the CHP does not identify whether the youth drivers involved in the 43 incidents are Marymount students. The available accident data provided by the public as attachments does not specify, and there is no evidence to suggest, that the young drivers responsible for accidents in the respective reporting area of Rancho Palos Verdes are solely Marymount College students. Nonetheless, the independent information gathered by the

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				<p>public and reported to the City in the past does suggest that some of the accidents in the immediate area of the College involved Marymount College students. This has been duly noted by the City in assessing quality of life impacts the project may have on the immediate neighborhoods. As previously mentioned by certain members of the Traffic Safety Commission, the State of California sets State-wide rules that allow individuals to begin driving at age 16 after acquiring a drivers license. The students attending Marymount College are typically in the age range of 17-22.</p> <p>As the Commission may recall, the College President, Dr. Brophy, has indicated a willingness to require its incoming students to take a driver training course regarding local roadway conditions as a means of reducing the potential problems with Marymount student drivers. The Commission may wish to include this as a project condition tied to the suggested Code of Conduct.</p>
59. Ken Goldman	Geology	What drill core data is available regarding the easternmost boundary of the Marymount property	City	Associated Soils excavated two borings in the eastern boundary area B-3 (75-feet) and B-4 (36.5 feet) in December 2002. These were bucket auger borings that were directly down hole logged by a representative of Associated Soils (the College's Geologist).
60. Ken Goldman	Geology	What is the depth of bedrock at this location	City	Bedrock materials were encountered at a depth of approximately 20-feet in B-3 and approximately 5-feet in B-4.
61. Ken Goldman	Geology	Why are caissons not required bearing down to bedrock as is necessary for residential structures on unstable soil	City	Generally, the use of caissons versus any other type of foundation system is based on the conditions at the subject site and what remedial grading could be done. If for example loose native soils cannot be removed and replaced with compacted fill materials, caissons could be used to link the foundation to underlying suitable materials. If however, the loose materials can be taken out and replaced with compacted fill materials suitable for the support of the proposed structure, conventional foundations could be used.

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				<p>In the case of the proposed Residence Halls and the Athletic Building, as shown in the ASE soils report, a portion of the southern slope will be graded to provide a keyway buttress that will be backfilled as part of the proposed grading.</p>
62. Ken Goldman	Geology	Is there potential for the South Shore Landslide to affect the Marymount property?	City	<p>According to the City's Geologist, answering this question would require speculation. Nonetheless, in the event that the South Shore Landslide was to reactivate, depending on the amount of movement, it could potentially have an impact on Marymount College, as well as all other lands surrounding the top of the landslide. If minimal movement were to occur, the areas surrounding the top of the landslide may not be impacted directly, but would be impacted indirectly due to potential impacts to Palos Verdes Drive East and other roadways. Should the South Shore Landslide move more substantially, direct impacts to the area above the landslide (within the proposed setback zone) could occur, but should not have a direct impact in the lands west of the setback line. Indirect impacts to the College would also occur as indicated above. Nonetheless, the City's Geologist predicts that impacts to the College from movement of the South Shore Landslide would essentially be the same whether or not improvements to the College are undertaken.</p>
63. Ken Goldman	Geology	What possibility is there for the Marymount project triggering the South Shore Landslide?	City	<p>Based on the work performed for the project to date including the DEIR, the potential for the proposed work associated with the Marymount Project to trigger movement of the South Shore Landslide appears very low. Impacts from proposed grading and construction should not have an impact to the landslide. Other potential impacts including increased subsurface drainage or erosion appear to have been addressed as part of the DEIR's Mitigation Measures and should be implemented during the planning and development stages of the project in Building and Safety.</p> <p>It should be noted that as stated in Appendix A of the Final EIR, the proposed use of grasscrete within the parking lot is prohibited unless the College can demonstrate to the City's</p>

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				satisfaction that there will be no impact to the South Shore Landslide.
64. Ken Goldman	Geology	The College's geologist, ASE, is recommending that the Library and the Residence Hall be setback a 150 feet to 220 feet from the top of slope (eastern). It is noted that the eastern parking lot may be impacted with storm water runoff and landscape irrigation. There is potential for the eastern portion of the parking lot to experience unsightly cracking associated with long-term slope creep.	City	According to the College's Geologists, ASE, as well as the analysis included in the EIR, storm water run-off and landscape irrigation within the Building Geologic Setback Area is discouraged. The Mitigation Measure Nos. HYD-1 and HYD-2 require water run-off to be collected and diverted to the propose storm drain system including the detention basin rather than flowing off-site into the South Shore Landslide. The proposed mitigation is intended to reduce the affects of infiltration of runoff and irrigation water. The potential for long term slope creep to affect surface improvements in the area is a possibility; however, the impacts on the improvements should be cosmetic in nature and could be repaired as part of the College's routine property maintenance to reduce any "unsightly" cracking.
65. Ken Goldman	Geology	The area within the geologic building setback indicates an inadequate factor of safety. Will extensive earth grading and construction impact the South Shore Landslide?	City	See Response No. 63 (Mr. Goldman)  It appears that only limited grading will occur within the geologic setback zone that generally consists of over excavation of existing previously placed fill materials and replacement with compacted fill materials. This should not have an impact on the South Shores Landslide stability.
67. Ken Goldman	Traffic – Youthful Drivers	The EIR contends that data pertaining to youthful drivers is speculative. There is no speculation regarding the accident rate for teenage drivers. The students residing in the proposed dormitories would be freshmen typically 17 to 19 years of age. There is no speculation that the driving performance of the Marymount students would differ in any respect from that of the typical teenager driving on PVDE or anywhere else in the U.S. Allowing 250 Marymount teenage drivers on PVDE 24/7 is tantamount to inviting traffic accidents and is a significant impact on safety of residents in RPV.	RBF	As noted in Response Nos. 43 (Lois Karp) and 58 (James Gordon), according to the California Highway Patrol (CHP) between 1996 and 2007, there were 97 vehicular related collisions occurring on Palos Verdes Drive East between Miraleste Drive and Palos Verdes Drive South. This number represents incidents involving one to several vehicles. Based on this information, there were 43 youth drivers (ages 16-21) involved in accidents within the reporting area. However, the information provided by the CHP does not identify whether the youth drivers involved in the 43 incidents are Marymount students. The available accident data provided by the public as attachments does not specify, and there is no evidence to suggest, that the young drivers responsible for accidents in the respective reporting area of Rancho Palos Verdes are solely

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				<p>Marymount College students. Nonetheless, the independent information gathered by the public and reported to the City in the past does suggest that some of the accidents in the immediate area of the College involved Marymount College students. This has been duly noted by the City in assessing quality of life impacts the project may have on the immediate neighborhoods. As previously mentioned by certain members of the Traffic Safety Commission, the State of California sets State-wide rules that allow individuals to begin driving at age 16 after acquiring a drivers license. The students attending Marymount College are typically in the age range of 17-22.</p> <p>As the Commission may recall, the College President, Dr. Brophy, has indicated a willingness to require its incoming students to take a driver training course regarding local roadway conditions as a means of reducing the potential problems with Marymount student drivers. The Commission may wish to include this as a project condition tied to the suggested Code of Conduct.</p>

### QUESTIONS RAISED AT THE JANUARY 27, 2009 PLANNING COMMISSION MEETING

68. Commissioner Knight	Parking	What is the parking analysis for the Athletic Building?	City	<p>See Response Nos. 37 and 39 (CCC/ME – Lois Karp)</p> <p>As previously noted, the parking criteria for Colleges and Universities inherently assume athletic facilities will be available on-campus for use by its students.</p>
69. Commissioner Knight	Parking	What is the parking analysis for the Athletic Field including the tennis courts?	City	See Response No. 68
70. Commissioner Knight	Water Quality	Landscaping will increase, especially with the expanded athletic field. There are sensitive areas downstream, both terrestrial and intertidal, that could be affected by any	City	<p>As discussed in Section 5.7 of the DEIR, project implementation would increase impervious surfaces and would increase the level of on-site activities including the athletic field. As a result, impacts to storm water quality would occur. The</p>

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		herbicides, pesticides, fertilizers, etc. It is not clear if the BMPs, SUSMP, SWPPP or NPDES will require the applicant to have an Integrated Pest Management Plan (IPMP) which would implement careful selection of soil amendments and pest control chemicals, grasscycling to reduce the need for fertilizers, as well as other techniques, to minimize landscaping pollutants from entering the watershed in the first place.		<p>project would increase pollutant loadings immediately offsite and would potentially violate water quality standards. The pollutants that would be expected with implementation of the project includes hydrocarbons, fertilizers, pesticides, trash and sediment. According to Mitigation Measure No. HYD-4 and HYD-5, a comprehensive Water Quality Management Plan (WQMP) is to be prepared and approved by the City prior to the issuance of any grading permit that includes both structural and non-structural BMPs and complies with the SUSMP standards.</p> <p>The EIR does not specifically state what measures are to be included in the Water Quality Management Plan aside from referencing the NPDES criteria. However, the Commission may require that the mitigation measures and the conditions of approval list specific measures to be included in the WQMP such as requiring an IPMP, regulating the type of permitted pesticides, and grass-cycling to minimize landscape pollutants from entering the City's storm drains.</p>
71. Commissioner Knight	Athletic Field Net	Who will be responsible for managing the operation of the retractable net?	City	According to the College, the Director of Athletics would be ultimately responsible for the use of retractable net and maintaining a corresponding schedule. Individual coaches/players would then be responsible for putting the net up and taking it down after a game.
72. Commissioner Tomblin	Operation	What will the hours of operation be for the dining facilities, student union, library, and other ancillary uses?	City	Staff has requested that the College respond to Commissioner Tomblin's question regarding hours of operation for the various ancillary uses offered on campus. The College's responses will be provided in the upcoming Planning Commission Staff Report.